

United States Environmental Protection Agency, Region 10
1200 Sixth Avenue, OW-130
Seattle, Washington 98101
(206) 553-0523

AUTHORIZATION TO DISCHARGE UNDER THE
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) FOR
SECTION 402 MODIFICATIONS OF SECTION 404 PERMITS FOR
LOG TRANSFER FACILITIES WHICH RECEIVED A SECTION 404 PERMIT
PRIOR TO OCTOBER 22, 1985

NPDES Permit Number AK-G70-0000

In compliance with the provisions of the Clean Water Act, 33 U.S.C. 1251 *et seq.* (CWA or the Act), and Section 407 of the Water Quality Act of 1987 (Public Law 100-4), EPA has determined that terms of Section 404 permits issued to log transfer facility owners and operators prior to October 22, 1985 do not satisfy the applicable requirements of the CWA and require modification to incorporate the applicable requirements. Therefore, Section 404 permits issued to log transfer facilities prior to October 22, 1985 are modified by this general NPDES permit, and owners and operators authorized under Section 404 permits issued prior to October 22, 1985 may only discharge bark and wood debris associated with log transfer to waters of the United States in accordance with effluent limitations, monitoring requirements and other conditions set forth herein. The discharge of wastes not specifically set out in Part II of this permit is not authorized under this permit.

This general NPDES permit may be modified or revoked at any time if, on the basis of any new information, the Director of the Office of Water, Region 10, EPA, determines that this information would have justified the application of different permit conditions at the time of issuance. Permit modification or revocation will be conducted in accordance with 40 CFR §122.62, 122.63, and 122.64. In addition to any other grounds specified herein, this general NPDES permit shall be modified or revoked at any time if, on the basis of any new data, the Director determines that continued discharges may cause unreasonable degradation of the marine environment. Notwithstanding the above, Section 404 permits for log transfer facilities issued prior to October 22, 1985 may be modified in accordance with Section 407 of the Water Quality Act of 1987 (Public Law 100-4).

LOG TRANSFER FACILITIES DISCHARGING UNDER THE AUTHORITY OF SECTION 404 PERMITS AS MODIFIED BY THIS GENERAL NPDES PERMIT MUST KEEP A COPY OF THE SECTION 404 PERMIT AND THIS PERMIT AT THE LOG TRANSFER FACILITY WHERE THE DISCHARGES OCCUR.

This permit shall become effective March 21, 2000.

Signed this 23rd day of February, 2000.

/s/ Randall F. Smith
Randall F. Smith
Director
Office of Water, Region 10, U.S. EPA

This modified permit shall become effective April 27, 2004.

Signed this 5th day of April, 2004.

/s/ Robert R. Robichaud for
Randall F. Smith
Director
Office of Water, Region 10, U.S. EPA

Table of Contents

- I. AUTHORIZED FACILITIES 1
 - A. Log Transfer Facilities (LTFs) which have received a Section 404 permit prior to October 22, 1985 1
 - B. Facility Classification 1

- II. AUTHORIZED DISCHARGES 2

- III. CATEGORIES OF PERMITTEES AND REQUIREMENTS 2
 - A. Limitations 2
 - B. Best Management Practices 3
 - C. Annual Report 4
 - D. Pollution Prevention Plan 5
 - E. Bark Monitoring Plan 5

- IV. NOTIFICATION REQUIREMENTS 5
 - A. Applicability 5
 - B. Submittal of Notification 6
 - C. Deadlines for Submitting Notification 6
 - D. Contents of the Notification 6

- V. MONITORING, REPORTING, AND RECORDING REQUIREMENTS 9
 - A. Annual Report 9
 - B. Oil Sheen Monitoring and Reporting 10
 - C. Bark Monitoring and Reporting 11

- VI. POLLUTION PREVENTION PLAN 16
 - A. Applicability 16
 - B. Implementation 16
 - C. Purpose 16
 - D. Objectives 16
 - E. Scope 17
 - F. Contents 17
 - G. Review 18
 - H. Documentation 18
 - I. Modification 18
 - J. Effectiveness 18

- VII. TERMINATION OF DISCHARGES 18

- VIII. RECORDING AND REPORTING REQUIREMENTS 19
 - A. Retention of Records 19
 - B. Twenty-four Hour Notice of Noncompliance Reporting 19

C. Other Noncompliance Reporting 19

IX. COMPLIANCE RESPONSIBILITIES 20

 A. Duty to Comply 20

 B. Penalties for Violations of Permit Conditions 20

 C. Need to Halt or Reduce Activity Not a Defense 21

 D. Duty to Mitigate 21

 E. Proper Operation and Maintenance 21

 F. Planned Changes 21

 G. Anticipated Noncompliance 21

 H. Permit Actions 21

 I. Duty to Provide Information 22

 J. Incorrect Information and Omissions 22

 K. Signatory Requirements 22

 L. Availability of Reports 23

 M. Inspection and Entry 23

 N. Oil and Hazardous Substance Liability 24

 O. Property Rights 24

 P. Severability 24

 Q. State Laws 24

 R. Re-opener Clause 24

X. DEFINITIONS 25

Appendices

Appendix 1. Notification Form

Appendix 2. Annual Report Form

Appendix 3. Oil Sheen Monitoring Report Form

Appendix 4. Bark Monitoring Transect Data Form

Appendix 5. Bark Monitoring Report Form

Permit Modifications

Authorization and certification procedures pages 2, 3, 5, 11

Dive surveys of continuous bark deposits pages 11, 12

I. AUTHORIZED FACILITIES**A. Log Transfer Facilities (LTFs) which have received a Section 404 permit prior to October 22, 1985**

The Section 402 modifications contained in this general NPDES permit applies only to LTFs which have received a permit under Section 404 of the Clean Water Act (CWA or the Act) before October 22, 1985 (see Table 1). This general NPDES permit modifies all Section 404 permits for LTFs issued prior to October 22, 1985 where the LTF is being used for log transfer activities to incorporate the requirements and provisions contained in this permit.

B. Facility Classification

This permit classifies shore-based LTFs by the following Use Descriptions, based on the volume of timber transferred during a typical rotation period of 80-100 years.

Type I: Transfers over 40 mmbf/yr
20 yrs or more of continuous operations
Will probably continue to be high volume operation for most of rotation

Type II: Transfers up to 40 mmbf/yr
Less than 20 yrs of continuous operation
May have intermittent activity at lower volumes

Type III: Transfers up to 35 mmbf/yr
Up to 10 yrs of continuous operation
May have occasional use at lower volume levels during rotation

Type IV: Transfers up to 15 mmbf/yr
Up to 5 yrs of continuous operation
May have 1-3 similar periods of activity during rotation

Type V: Transfers less than 15 mmbf within a 5 year period
May have 1-2 similar periods of activity during rotation

Type VI: The LTF is no longer used for log transfer activities.

Other: Annual volume and duration/frequency of use shall be defined in Notification (See Section IV.D of the general permit)

II. AUTHORIZED DISCHARGES

This general NPDES permit authorizes the marine discharge of bark and wood debris associated with in-water log transfer within the project area, in accordance with the conditions set forth herein. The discharge of pollutants not specifically set out in this Part are not authorized under this general NPDES permit. This general NPDES permit does not authorize the discharge of any waste streams, including spills and other unintentional or non-routine discharges of pollutants, that are not part of the normal operation of the facility, or any pollutants that are not ordinarily present in such waste streams.

In order to be authorized to discharge bark and wood debris to a project area zone of deposit (ZOD) under this permit, owners or operators of an LTF must: (1) submit a Notification to the Environmental Protection Agency (EPA) and the Alaska Department of Environmental Conservation (ADEC), as described in Part IV; and (2) receive approval and authorization of the project area ZOD from ADEC in a written decision document. Owners and operators of an LTF (which has received a Section 404 permit prior to October 22, 1985) who do not receive an authorized ZOD from ADEC are not authorized to discharge in violation of Alaska's water quality standard for residues under 18 AAC Section 70.020(b).¹

III. CATEGORIES OF PERMITTEES AND REQUIREMENTS

A. Limitations

The following limitations and requirements apply to all LTFs authorized to discharge under this general NPDES permit:

- i. **Volume of Timber.** The volume of timber transferred at a facility shall not exceed the maximum annual and total volumes of timber specified by the permittee in the notification.
2. **Petroleum Hydrocarbons, Oil and Grease.** There shall be no discharge of hydrocarbons, oil and grease that causes a film, sheen, or discoloration on the surface or floor of the water body or adjoining shorelines.
3. **Residues.** Except as authorized by a Zone of Deposit (ZOD) issued by the Alaska Department of Environmental Conservation (ADEC) under 18 AAC Section 70.210, there shall be no discharge of bark or wood debris, slash, limbs, scum, floating solids, oily wastes, foam, or other residues which alone or in combination with other substances, a) makes the water unfit or unsafe

¹ THIS PAGE HAS BEEN MODIFIED AT SECTION II.

for use in aquaculture, water supply, recreation, growth and propagation of fish, shellfish, aquatic life and wildlife, or the harvesting and consumption of raw mollusks or other aquatic life; b) causes a film, sheen, or discoloration on the surface of the water or adjoining shorelines; c) causes leaching of toxic or deleterious substances; or d) causes a sludge, solid, or emulsion to be deposited beneath or upon the surface of the water, within the water column, on the bottom, or upon adjoining shorelines.

Upon issuance of a final decision document for each facility, ADEC may authorize² a ZOD for LTFs that limits the accumulation of bark and wood debris on the ocean bottom to within the project area. The ZOD may include continuous coverage, discontinuous coverage, and trace coverage by bark and wood debris. To the extent practicable, the primary area of continuous coverage must be collocated with the primary area of continuous coverage existing prior to discharge under this permit, unless a different area is authorized by ADEC.

4. **State Water Quality Standards.** Discharges shall not cause violation of the Alaska Water Quality Standards 18 AAC Section 70.

B. Best Management Practices

All permittees shall implement the following best management practices (BMPs) within **six (6) months** of the date this general NPDES permit becomes effective. A statement shall be submitted to EPA and ADEC consistent with Section IX.K, at the addresses contained in Section IV.B, within **six (6) months** of the effective date of the permit stating that the BMPs have been implemented.

1. Log bundles shall be placed into the receiving waters only at the discharge point(s) specified in the Section 404 permit;
2. No in-water bundling of logs shall occur;
3. Log rafts, logs and log bundles which have been transferred to the receiving water shall remain floating at all times and shall not be allowed to rest on or touch the bottom;
4. Rafting and/or storage should be in water at least 40 feet deep at Mean Lower Low Water (MLLW), in an area with currents strong enough to disperse wood debris;
5. Logs or log bundles shall be moved out of the log raft make-up and storage

² THIS PAGE HAS BEEN MODIFIED AT SECTION III.A.3.

- areas at the earliest possible time to minimize the retention time of logs in the water;
6. The log transfer device shall be operated to minimize the discharge of petroleum and lubricating products into receiving waters;
 7. Solid waste shall not be deposited in or adjacent to waters of the United States, including wetlands and marine tidelands. Solid waste includes cables, metal bands, used equipment, machinery, vehicle or boat parts, metal drums, appliances, and other debris.
 8. The speed of log bundles entering receiving waters shall not exceed 3 feet per second;
 9. No in-water sorting of logs shall occur;
 10. All logs deposited on the tidelands during float-off log transfer operations shall be removed on a daily basis;
 11. Bark and wood debris that accumulates at the log transfer device and on adjacent tidelands shall be removed daily, to the maximum extent achievable;
 12. Bark and wood debris that accumulates in upland traffic flow areas shall not be allowed to enter fresh waters, wetlands, marine waters, or tidelands. This debris shall be removed and disposed of on a regular basis such that the debris, or its leachate, shall not enter marine waters; and
 13. If continuous coverage of bark and wood debris exceeds both 1.0 acre and a thickness of 10 centimeters at any point, the permittee shall submit, along with the bark monitoring survey required under Part V.C of this permit, a statement describing remedial practices that will be used to minimize additional bark accumulation and shall immediately incorporate those practices in the Pollution Prevention Plan (Section VI of the permit).

C. Annual Report

During the term of this general NPDES permit, the permittee shall prepare and submit an accurate and timely annual report of log transfer activity, discharges, noncompliance, and any process changes, as described in Section V and consistent with Section IX.K. An annual report is not required for LTFs which received a Section 404 permit prior to October 22, 1985, but which are no longer used for log transfer activities (Type VI LTFs).

D. Pollution Prevention Plan

Within **six (6) months** of the effective date of this general NPDES permit, the permittee shall develop and implement a Pollution Prevention Plan in accordance with Section VI below. A Pollution Prevention Plan is not required for LTFs which received a Section 404 permit prior to October 22, 1985, but which are no longer used for log transfer activities (Type VI LTFs). A statement shall be submitted to EPA and ADEC, consistent with Section IX.K, at the addresses contained in Section IV.B, within **six (6) months** of the effective date of the permit stating that the Pollution Prevention Plan has been implemented.

E. Bark Monitoring Plan

Permittees that will transfer a total volume of timber of 15 mmbf or more during the next five years and which are sited in waters less than -60 feet MLLW shall conduct a bark monitoring program as described in Section V.C. This general NPDES permit does not require permittees classified as Type V or Type VI LTFs to conduct a bark monitoring program.

IV. NOTIFICATION REQUIREMENTS

The information collection requirements of Part V of this general NPDES permit have been approved by the Office of Management and Budget under the Applications Information Collection Request (OMB Control No. 2040-0086).

A. Applicability

Permittees subject to these 402 modifications shall provide notification to EPA and ADEC if activities at the LTF may result in the discharge of pollutants (other than dredged or fill material) into waters of the U.S. Notification is not required for LTFs which received a Section 404 permit prior to October 22, 1985, but are no longer used for log transfer (Type VI LTFs). *Permittees do not have an authorized ZOD under these 402 modifications until they receive approval and authorization of a ZOD from ADEC through a written decision document.*³

³ THIS PAGE HAS BEEN MODIFIED AT SECTION IV.A.

B. Submittal of Notification

Written notification shall be provided to both of the following addresses:

U.S. Environmental Protection Agency, Region 10
1200 Sixth Avenue, OW-130
Seattle, Washington 98181
Attn: LTF Reporting

Alaska Department of Environmental Conservation
Division of Air and Water Quality
410 Willoughby Avenue, Ste 105
Juneau, AK 99801
Attn: LTF Reporting

C. Deadlines for Submitting Notification

Written notification shall be submitted to EPA and ADEC within **90 days** of the effective date of this permit.

D. Contents of the Notification

The following information must be included in a Notification. Appendix 1 provides an optional Notification form which may streamline the notification process. All attachments shall be submitted on 8½ by 11 inch paper. The use of dot shading, hatching, or similar graphic symbols may be used to clarify the drawings. Color shading should not be used, as it cannot be reproduced with a black and white copier.

1. **Permit Information.** The Notification shall include the Section 404 permit number and any NPDES permit number(s) currently or previously assigned to the LTF. If the owner or operator of the LTF has received an NPDES permit or if a permit was transferred to the current owner or operator of the LTF, discharges from that LTF must be authorized under General NPDES Permit AK-G70-**1000** or an individual NPDES permit.
2. **Owner Information.** The Notification shall include the name, complete address, telephone number and FAX number of the owner of the LTF and the name of its duly authorized representative.
3. **Operator Information.** The Notification shall include the name, complete address, telephone number and FAX number of the operator of the LTF and the name of its duly authorized representative.

4. **Facility Information.** The Notification shall include the following information about the LTF:
- a. Name, complete address, telephone number and FAX number of the LTF (to the extent this information is available);
 - b. U.S. Army Corps of Engineers permit name, number, and date of issuance;
 - c. The physical location, including the latitude and longitude of the discharge with a precision of at least 15 seconds of a degree (approximately 0.25 miles), and the distance and direction to the nearest town/city;
 - d. A nautical chart, showing the location of the discharge and any catalogued anadromous fish streams, estuaries, and mud-flats within one-half mile.
 - e. A vicinity map, showing the physical location of the discharge and project area, the name of the waterbody receiving the proposed discharge, and the name of any larger, adjacent receiving waterbody. The vicinity map shall be based upon an official map or chart with a scale of resolution between 1:20,000 to 1:65,000, and shall include a north arrow and scale;
 - f. A plan drawing, showing the dimensions of the LTF as viewed from above, including in-water log rafting and storage areas, and contiguous upland log storage or sorting areas. The drawing shall include the name of the waterbody, existing shorelines, mean higher high water (MHHW) and mean lower low water lines, average water depths around the discharge, north arrow, and scale;
 - g. An elevation and/or cross section view, showing the dimensions of the LTF as viewed from the side, front, or rear. Where the LTF is a low-angle slide, these dimensions shall include the angle of the ramp. The drawing shall include the name of the waterbody, existing shorelines, mean higher high water and mean lower low water lines, average water depths around the discharge, north arrow, and scale;
 - h. A brief description of log transfer operations at the facility. The operations description shall include an assessment of the feasibility of onshore log storage and barging, and a description of the proposed storage, handling, sorting, bundling, transfer and rafting of logs;

- i. A demonstration that operation of the LTF constitutes important social or economic development in the area, and that a zone of deposit is necessary to accommodate operation of the LTF;
 - j. A description of known existing uses of the receiving water where the LTF is located, and a demonstration that those uses will be fully protected by the proposed operation of the LTF; and
 - k. Bark monitoring surveys not previously submitted to EPA.
5. **Facility Classification.** The Notification shall classify the facility as follows:
 - a. Shore-based or Off-Shore;
 - b. Method of log transfer; and
 - c. Use description (Type I-VI). An alternative use description may be provided if Types I-VI do not apply.
6. **Production Data.** To the extent the information is available, the Notification shall include the following production data:
 - a. Expected facility life span;
 - b. Maximum volume of timber expected to be transferred during the next five years;
 - c. Average and maximum volume of timber expected to be transferred per year;
 - d. Projected months of operation; and
 - e. Approximate volume of timber (mmbf) previously transferred over the facility, if known. Timber volumes shall be given in board feet, Scribner scale.
7. **Signatory Requirements.** The Notification shall be signed as follows:
 - a. For a corporation: by a principal corporate officer;
 - b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; and

- c. For a municipality, state, federal, or other public agency: by either a principal executive officer or ranking elected official.

V. MONITORING, REPORTING, AND RECORDING REQUIREMENTS

The information collection requirements, including Discharge Monitoring Reports, of Part V have been approved by the Office of Management and Budget (OMB Control Number 2040-0004).

A. Annual Report

1. **Applicability.** The permittee shall prepare and submit a complete, accurate and timely annual report of log transfer activities, discharges, periods of noncompliance, and facility changes. The annual report is not required for LTFs which received a Section 404 permit prior to October 22, 1985, but are no longer used for log transfer (Type VI LTFs).
2. **Purpose.** The annual report serves to inform the regulatory agencies of the use and potential degradation of public water resources by LTFs discharging pollutants to these receiving waters under the Section 404 permit through this general NPDES permit.
3. **Contents of Report.** The annual report shall include the information listed below. An optional Annual Report form is provided in Appendix 2 to assist the permittee.
 - a. Section 404 permit number, facility owner, facility operator, name of the facility, mailing address, telephone and FAX number;
 - b. A summary of periods of noncompliance with any of the requirements of this general NPDES permit between January 1st and December 31st of the previous year, the reasons for such noncompliance, and the steps taken to correct the problem and prevent further occurrences;
 - c. Information on any oil sheens observed during operating periods, including the date, name of observer, cause or source of oil sheen, and corrective measures taken;
 - d. A summary of log transfer activity during the previous year, including:
 - (i) Volume of timber transferred (mmbf) at the facility;
 - (ii) Method of log transfer; and

- e. A statement of any changes to a permittee's Notification submitted under Part IV of this general NPDES permit (e.g., changes in log transfer device or volume of timber to be transferred).
- 4. **Signatory Requirements.** A permittee shall ensure that the annual report is signed by a principal officer or a duly appointed representative of the permittee.
- 5. **Submittal of Report.** A permittee shall submit its annual report by January 31st of the year following each calendar year of operation and discharge under this general NPDES permit. If the LTF was not operated during the reporting year, the permittee shall so indicate in the annual report. The permittee shall submit its annual report to both of the following addresses:

U.S. Environmental Protection Agency, Region 10
1200 Sixth Avenue, OW-130
Seattle, Washington 98101
Attn: LTF Reporting

Alaska Department of Environmental Conservation
Division of Air and Water Quality
410 Willoughby Avenue, Suite 105
Juneau, AK 99801
Attn: LTF Reporting

B. Oil Sheen Monitoring and Reporting

During periods of log transfer operation, receiving waters at the LTF shall be visually monitored daily for the presence of an oil sheen. The presence of any oil sheen shall be recorded, with the date, name of observer, cause or source of oil sheen, and corrective measures taken and shall be reported to EPA within 24 hours in accordance with Part IX.B. This information shall be included in the annual report. If desired, the permittee may use the Oil Sheen Monitoring Report form provided in Appendix 3.

Additionally, Federal and State laws require reporting of any oil spill to land or water, including those that cause a sheen. Any oil spill must be reported to both of the following offices:

U.S. Coast Guard National Response Center:
800-424-8802 (24 hours per day)

SE Alaska Oil Spill Response Team:
907-465-5340 (8 am to 5 pm, Monday through Friday)
800-478-9300 (all other times including holidays)

C. Bark Monitoring and Reporting

1. **Applicability.** Bark monitoring is required annually for all permittees which transfer a total volume of 15 mmbf or more during the next five years, and which are located in less than -60 feet at MLLW. Permittees classified as Type V or VI LTFs under Part I.B. are not required to conduct bark monitoring.
2. **Purpose.** The purpose of the Bark Monitoring Program is to determine compliance with the Alaska Water Quality Standards for settleable residues in marine waters. In accordance with 18 AAC Section 70.210, *upon issuance of a final decision document ADEC may authorize*⁴ a Zone of Deposit for facilities authorized to discharge under this general NPDES permit, which includes the project area. The zone of deposit may include continuous coverage, discontinuous coverage, and trace coverage by bark and wood debris. At an LTF with an on-shore transfer device, to the extent practicable, the primary area of continuous coverage must be collocated with the primary area of continuous coverage existing prior to discharge under the General NPDES Permit, unless a different area is authorized by ADEC.
3. **Objectives.** The bark monitoring survey shall determine the depth, total area, and outer boundary of *continuous coverage by bark and wood debris on the bottom, in water depths to -100 feet*⁴. The bark monitoring survey shall determine the depth, total area, and outer boundary of *discontinuous coverage by bark and wood debris on the bottom, in water depths to -60 feet MLLW*.
4. **Monitoring Schedule.**
 - a. The first bark monitoring survey required by this permit shall be conducted within **six (6) months** of the effective date of this permit. Thereafter, the bark monitoring survey shall be conducted annually. The preferred time period for conducting an annual bark monitoring survey in a given year is March through May, or prior to operation.
 - b. The annual bark monitoring survey is not required during years when the LTF is not operating except if subsection c below applies.
 - c. If the annual bark monitoring survey conducted at the beginning of the

⁴ THIS PAGE HAS BEEN MODIFIED AT SECTION V.C.2 AND 3.

season indicates continuous coverage by bark and wood debris of 0.9 acre or greater, an additional bark monitoring survey shall be conducted after cessation of log transfer, or in the following year prior to any additional log transfer.

5. **Methods.** The following method is approved by EPA. An equivalent method may be acceptable if it meets the objectives stated in Part V.C.3 above.
- a. Conduct preliminary dive to identify the approximate area of bark accumulation.
 - b. Determine the number and configuration (radial or parallel) of transects which will most accurately delineate the area of bark accumulation.
 - c. Establish transect lines with a surveyor's tape or other precise methodology extending seaward from permanent shore-marker(s). Measurements should extend beyond the area of bark accumulation, or to a water depth of -60 feet, whichever is first.

Surveys using Radial Transects: Set a central permanent marker on shore at the face of the LTF or other suitable location. Establish at least five transects radially from the permanent marker. Transects should be no more than 30° apart, extending from one side of the facility to the other.

Surveys using Parallel Transects: Set up at least five permanent markers on shore, centered around the face of the LTF or other suitable location. Transects should be no more than 75 feet apart, and should extend in a perpendicular direction from the shoreline. The number of transects should be adequate to encompass the entire area of bark accumulation and shall be equal to five or more.

- d. *Determine the total area of continuous coverage by bark and wood debris within the project area in water depths to -100 feet MLLW. Determine the total area of discontinuous coverage by bark and wood debris, within the project area in water depths to -60 ft MLLW.*⁵ Measurement stations along a transect shall be no longer than 50 feet apart in areas of continuous bark coverage and no more than 100 feet apart in areas of discontinuous bark coverage.

If continuous coverage extends more than 15 feet beyond and perpendicular to the lateral transects that bound the two sides of the

⁵ THIS PAGE HAS BEEN MODIFIED AT SECTION V.C.5.d.

survey area, then additional transects must be established to determine the extent of continuous coverage beyond the lateral transects. An area of continuous or discontinuous coverage must be calculated as the area in acres enclosed by a line connecting the outermost measured points of continuous or discontinuous coverage, respectively, for that area on the transect array, or by another method approved by EPA and ADEC.

The following information shall be recorded at each measuring station. If desired, the permittee may use the optional Transect Data Form provided in Appendix 4.

- (i) **Bark Depth.** Measure and record depth of bark deposit using a marked stick or pipe to the nearest centimeter. If bark is visible but less than one centimeter deep, record the depth as less than one centimeter.
 - (ii) **Percent Cover.** Estimate and record the percentage (0% to 100%) of area covered by bark within the immediate vicinity of the measuring station. A sampling area is measured within a three-foot-square (one square yard) measuring station. Photographs must be included that depict the nature and coverage of bark and wood debris on the ocean bottom at representative measuring stations along the transects, including all of the stations with continuous coverage (100%) and at least half of the measuring stations with discontinuous coverage (10%-99%). Photographs at each measuring station must include information on the name of the LTF facility, survey date, and measuring station identifier.
 - (iii) **Water depth (adjusted to MLLW).**
 - (iv) **Presence of metal and other debris.**
 - (v) **Still photographs that clearly depict the nature and coverage of bark and wood debris on the ocean bottom at representative sample plot along the transects.**
6. **Contents of Report.** A permittee shall submit a bark monitoring report that includes the following information. If desired, the permittee may use the Bark Monitoring Survey Report Form provided in Appendix 5.
- a. **Date, exact place and time of dive survey, and name(s) of individual(s) who performed the survey;**
 - b. **Name and signature of person responsible for dive survey;**

- c. Method used to establish transects, locate sample stations, measure bark depths, estimate percent cover at each station, and calculate area of bark coverage;
 - d. Date of completion of report, and the first and last name(s) of individual(s) who performed the analysis;
 - e. Table showing bark depth and percent cover measurements along each transect line (See Appendix 4 for an example);
 - f. Map (with scale) showing locations of each transect line, area of continuous (100%) bark coverage, and outer boundary of bark deposition;
 - g. Area of continuous (100%) bark coverage and area of discontinuous coverage, in acres to one tenth of an acre and in square meters; and
 - h. A statement of whether or not the project area ZOD has been exceeded.
7. **Quality Assurance Project Plan.** Each permittee shall develop a Quality Assurance Project Plan within six **(6) months** of the effective date of the permit. The Quality Assurance Project Plan shall ensure that adequate documentation is available to allow complete reconstruction of the data from initial field records through data storage retrieval; verification of data through evaluation of field notes, photography, video, or other means; reproducibility of the data through replication of well-documented methods; and comparability of results through the use of similar or equivalent sampling and analytical procedures and standardized reporting. QA project plans shall include provisions to ensure that early and effective corrective action can be taken when data quality falls outside established data quality objectives. QA project plans shall include mechanisms to be used when corrective action is needed. A statement shall be submitted to EPA and ADEC consistent with Section IX.K, at the addresses contained in Section IV.B, within **six (6) months** of the effective date of the permit stating that the QAPP has been developed and implemented.

The Quality Assurance Project Plan must be in place prior to data collection, and shall include the following information:

- a. Title Page, with provision for approval signatures
- b. Project Description
- c. Project Organization and Responsibilities

- d. Objectives for Measurement Data
- e. Sampling Procedures
- f. Analytical Procedures
- g. Data reduction, validation, and reporting
- h. Internal quality control checks
- i. Specific routine procedures used to assess data precision, accuracy, completeness, representativeness, and comparability.

General and specific guidance on the contents of the plan may be obtained from EPA, Region 10.

- 8. **Signatory Requirements.** The bark monitoring report shall be signed by a principal officer or a duly appointed representative of the permittee.
- 9. **Submittal of Report.** The first bark monitoring report required by Part V.C shall be submitted to EPA and ADEC within **nine (9) months** of the effective date of this permit. All subsequent bark monitoring reports shall be submitted within **60 days** of completion of the survey. A permittee shall submit its annual bark monitoring report to the following addresses:

U.S. Environmental Protection Agency, Region 10
1200 Sixth Avenue, OW-130
Seattle, Washington 98101
Attn: LTF Reporting

Alaska Department of Environmental Conservation
Division of Air and Water Quality
410 Willoughby Avenue, Ste 105,
Juneau, AK 99801-1795
Attn: LTF Reporting

In Southeast Alaska:
Department of Natural Resources
Division of Mining, Land and Water
Southeast Regional Manager
400 Willoughby Avenue, Suite 400
Juneau, AK 99801-1724

In South-central Alaska:
Department of Natural Resources
Division of Mining, Land and Water
South-central Regional Manager
555 West 7th, 12th floor
Anchorage, AK 99503

10. **Modification of Bark Monitoring Plan.** The monitoring program may be modified if EPA and ADEC determine that it is appropriate. The modified program may include changes in survey stations, times, or parameters.
11. **Modification of Permit.** At any time, if the bark monitoring program indicates a probable violation of the Alaska Water Quality Standards for residues in marine waters, further modifications may be made to the bark monitoring plan or an individual permittee's Section 404 permit.

VI. POLLUTION PREVENTION PLAN

- A. **Applicability.** The permittee is required to develop and implement a Pollution Prevention Plan as described in this Part. A Pollution Prevention Plan is not required for LTFs classified as Type VI under Part I.B.
- B. **Implementation.** All permittees subject to this requirement shall develop and implement a Pollution Prevention Plan within **six (6) months** of the effective date of this Permit.
- C. **Purpose.** The purpose of the Pollution Prevention Plan is to identify and employ all reasonable practices to avoid the discharge of bark, wood debris, and other pollutants to waters of the United States, and to contain the discharge to the smallest area that is practicable and is consistent with safe and orderly operation of the log transfer facility.
- D. **Objectives.** The Pollution Prevention Plan shall be consistent with the following objectives:
 1. To minimize the types and amounts of pollutants generated at the source;
 2. To recycle or utilize waste materials whenever feasible; and
 3. To minimize the discharge of pollutants into waters of the United States.
- E. **Scope.** The Pollution Prevention Plan shall evaluate potential discharges of pollutants from the entire log transfer operation, including the following elements:

1. **Log transfer, processing, storage and handling** areas, and all other aspects of normal operations. Evaluation of potential stormwater discharges may be incorporated by reference to an existing Pollution Prevention Plan;
2. Operation and maintenance of tools and equipment;
3. Storage and management of petroleum products and other substances. Evaluation of potential discharges associated with fuel storage and management may be incorporated by reference to an existing SPCC plan;
4. Disposal of sludge and sanitary waste. Evaluation of potential discharges associated with sludge and sanitary waste may be incorporated by reference to an existing ADEC Wastewater Disposal Permit; and
5. Any other aspect of the LTF which may result in spills or leaks in areas adjacent to or draining into surface waters.

F. Contents.

The Pollution Prevention Plan shall be in narrative form, and may include plan drawings or maps. The Pollution Prevention Plan shall include the following elements:

1. Name and location of the facility;
2. Identification of potential pollutant pathways and risk of pollutant releases to the aquatic environment (e.g., fuel storage, debris piles, solid waste, surface runoff);
3. Specific management practices and standard operating procedures to achieve the objectives of the plan, including, but not limited to:
 - a. Proper operation and maintenance of the facility, including good housekeeping practices and preventive maintenance;
 - b. Regular examination of equipment for potential failure;
 - c. Provisions for emergency measures to be taken in the event of equipment failure; and
 - d. Any modification of equipment, facilities, technology, or procedures (e.g., volume of log throughput);
4. Inspections and records related to implementation of the Pollution

Prevention Plan;

5. Employee training in Pollution Prevention; and
6. Practices that will be used to minimize additional bark accumulation if continuous coverage of bark and wood debris exceeds both 1.0 acre and a thickness of 10 centimeters at any point.

G. Review. The Pollution Prevention Plan shall be reviewed periodically by the facility manager and appropriate staff.

H. Documentation. No later than **nine (9) months** of the effective date of this permit, a permittee shall submit to EPA and ADEC written certification signed by a principal officer or a duly appointed representative of the permittee, that a Pollution Prevention Plan has been completed, read by on-site employees, and implemented. A permittee shall maintain a copy of its Pollution Prevention Plan at its facility and shall make the plan available to EPA or ADEC upon request.

I. Modification. A permittee shall amend the Pollution Prevention Plan prior to any change in the facility or its operation which increases the generation of pollutants or their release or potential release to the receiving waters. The Pollution Prevention Plan shall be modified if a bark monitoring survey shows that continuous coverage by bark and wood debris exceeds both 1.0 acre and a thickness of 10 centimeters at any point to include practices that will be used to minimize additional bark accumulation. Any changes to the Pollution Prevention Plan shall be consistent with the objectives and specific requirements listed above. All changes in the Pollution Prevention Plan shall be reviewed by the facility manager.

J. Effectiveness. At any time, if a Pollution Prevention Plan proves to be ineffective in achieving the objectives and requirements listed above, the permittee's Section 404 Permit, and/or the Pollution Prevention Plan shall be subject to modification.

VII. TERMINATION OF DISCHARGES

The permittee shall notify EPA within 60 days following the final termination of discharges from the authorized LTF. This notification may be provided in the annual report or under separate cover.

VIII. RECORDING AND REPORTING REQUIREMENTS

A. Retention of Records. A permittee shall retain records of all monitoring information, including copies of all reports required by this general NPDES permit, a copy of the permit, and records of all data used to complete the application for this permit, for a period of at least five years from the date of the sample,

measurement, report or application, or for the term of this permit, whichever is longer.

B. Twenty-four Hour Notice of Noncompliance Reporting.

1. A permittee shall report the following occurrences of noncompliance by telephone (206/553-1846) within 24 hours from the time a permittee becomes aware of the circumstances:
 - a. Any discharge(s) to the receiving waters not authorized for coverage under this general NPDES permit, including but not limited to, observance of an oil sheen; and
 - b. Any noncompliance that may endanger health or the environment.
2. A permittee shall also provide a written submission within five days of the time that a permittee becomes aware of any event required to be reported under Part IX.B.1 above. The written submission shall contain:
 - a. A description of the noncompliance and its cause;
 - b. The period of noncompliance, including exact dates and times;
 - c. The estimated time noncompliance is expected to continue if it has not been corrected; and
 - d. Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.
3. Written reports shall be submitted to the addresses in Part V.A.5 of this general NPDES permit.

C. Other Noncompliance Reporting. A permittee shall report all instances of noncompliance, not required to be reported within 24 hours, with the annual report and the bark monitoring survey report. Reports of other noncompliance shall contain the information listed in Part VIII.B.2. above.

IX. COMPLIANCE RESPONSIBILITIES

A. Duty to Comply. A permittee shall comply with all conditions of this general NPDES permit which are modifying the Permittee's Section 404 permits. Any permit noncompliance constitutes a violation of the Act and is grounds for enforcement action, for Section 404 permit termination, revocation and reissuance, or modification. A permittee shall give reasonable advance notice to the Director

and ADEC of any planned changes in the permitted facility or activity that may result in noncompliance with permit requirements.

- B. Penalties for Violations of Permit Conditions.** Nothing in this general NPDES permit shall be construed to relieve a permittee of the civil or criminal penalties for noncompliance.
1. **Civil and Administrative Penalties.** Any person who violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the CWA shall be subject to a civil or administrative penalty, not to exceed the maximum amounts authorized by Sections 309(d) and 309(g) of the CWA and the Federal Civil Penalties Inflation Adjustment Act (28 U.S.C. § 2461 note) as amended by the Debt Collection Improvement Act (31 U.S.C. § 3701 note).
 2. **Criminal Penalties:**
 - a. **Negligent Violations.** Any person who negligently violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the CWA shall, upon conviction, be punished by a fine and/or imprisonment as specified in Section 309(c)(1) of the CWA.
 - b. **Knowing Violations.** Any person who knowingly violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the CWA shall, upon conviction, be punished by a fine and/or imprisonment as specified in Section 309(c)(2) of the CWA.
 - c. **Knowing Endangerment.** Any person who knowingly violates a permit condition implementing Sections 301, 302, 303, 306, 307, 308, 318, or 405 of the CWA, and who knows at that time that he thereby places another person in imminent danger of death or serious bodily injury, shall, upon conviction, be subject to a fine and/or imprisonment as specified in Section 309(c)(3) of the CWA.
 - d. **False Statements.** Any person who knowingly makes any false material statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained under this CWA or who knowingly falsifies, tampers with, or renders inaccurate any monitoring device or method required to be maintained under this CWA, shall, upon conviction, be punished by a fine and/or imprisonment as specified in Section 309(c)(4) of the CWA.
- C. Need to Halt or Reduce Activity Not a Defense.** It shall not be a defense for a permittee in a enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of

this general NPDES permit.

- D. Duty to Mitigate.** A permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this general NPDES permit that has a reasonable likelihood of adversely affecting human health or the environment.
- E. Proper Operation and Maintenance.** A permittee shall at all times properly operate and maintain all facilities that are installed or used by a permittee to achieve compliance with the conditions of this general NPDES permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when the operation is necessary to achieve compliance with the conditions of this general NPDES permit.
- F. Planned Changes.** A permittee shall give notice to the Director and ADEC as soon as possible of any planned physical alterations or additions to the permitted facility whenever:
1. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source as determined in 40 CFR §122.29(b); or
 2. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants that are not subject to effluent limitations in this general NPDES permit.
- A permittee shall give notice to the Director and ADEC as soon as possible of any planned changes in process or chemical use whenever such change could significantly change the nature or increase the quantity of pollutants discharged.
- G. Anticipated Noncompliance.** A permittee shall also give advance notice to the Director and ADEC of any planned changes in the permitted facility or activity that may result in noncompliance with this general NPDES permit.
- H. Permit Actions.** This general NPDES permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by a permittee for a general NPDES permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.
- I. Duty to Provide Information.** A permittee shall furnish to the Director and ADEC, within the time specified in the request, any information that the Director or ADEC may request to determine whether cause exists for modifying or revoking and reissuing this general NPDES permit determining compliance with this NPDES

permit, or modifying the permittee's Section 404 permit. A permittee shall also furnish to the Director or ADEC, upon request, copies of records required to be kept by this general NPDES permit.

- J. Incorrect Information and Omissions.** When a permittee becomes aware that it failed to submit any relevant facts in the Notification submitted under this general NPDES permit, or that it submitted incorrect information in the Notification or any report to the Director or ADEC, it shall promptly submit the omitted facts or corrected information.
- K. Signatory Requirements.** All notifications, reports or information submitted to EPA, ADEC, and DNR shall be signed and certified.
1. All Notifications submitted under this general NPDES permit shall be signed as follows:
 - a. For a corporation: by a principal corporate officer or
 - b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively.
 - c. For a municipality, state, federal, or other public agency: by either a principal executive officer or ranking elected official.
 2. All reports required by this general NPDES permit and other information requested by EPA or ADEC shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:
 - a. The authorization is made in writing by a person described above and submitted to EPA and ADEC, and
 - b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of plant manager, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.)
 3. **Changes to Authorization.** If an authorization under Part IX.K.2 above is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Part X.K.2 must be submitted to EPA and ADEC prior to or

together with any reports, information, or applications to be signed by an authorized representative.

4. **Certification.** Any person signing a document under this Part shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

- L. Availability of Reports.** Except for data determined to be confidential under 40 CFR Part 2, all reports prepared in accordance with this general NPDES permit shall be available for public inspection at the offices of the Director and ADEC. As required by the CWA, permit applications, permits and effluent data shall not be considered confidential.

- M. Inspection and Entry.** A permittee shall allow the Director, ADEC, or an authorized representative (including an authorized contractor acting as a representative of the Administrator), upon the presentation of credentials and other documents as may be required by law, to:

1. Enter upon a permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this general NPDES permit;
2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this general NPDES permit;
3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this general NPDES permit; and
4. Sample or monitor at reasonable times, for the purpose of assuring permit compliance or as otherwise authorized by the CWA, any substances or parameters at any location.

- N. Oil and Hazardous Substance Liability.** Nothing in this general NPDES permit shall be construed to preclude the institution of any legal action or to relieve a permittee from any responsibilities, liabilities, or penalties to which a permittee is or may be subject under Section 311 of the CWA
- O. Property Rights.** The issuance of this general NPDES permit does not convey any property rights of any sort, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations.
- P. Severability.** The provisions of this general NPDES permit are severable. If any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.
- Q. State Laws.** Nothing in this general NPDES permit shall be construed to preclude the institution of any legal action or relieve a permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable state law or regulation under authority preserved by Section 510 of the Act.
- R. Re-opener Clause.**
1. This general NPDES permit, or a permittee's Section 404 permit shall be modified to comply with Section 407 of the Water Quality Act of 1987 (Public Law 100-4) if EPA demonstrates, after an opportunity for a hearing, that the terms of the Section 404 permit does not satisfy the applicable requirements of the Act. This general NPDES permit shall be modified, or alternatively revoked and reissued to comply with any applicable effluent standard or limitation issued or approved under Sections 301(b)(2)(C) and (D), 304(b)(2), and 307(a)(2) of the Act, as amended, if the effluent standard, limitation, or requirement so issued or approved:
 - a. Contains different conditions or is otherwise more stringent than any condition in this general NPDES permit; or
 - b. Controls any pollutant or disposal method not addressed in this general NPDES permit.

This general NPDES permit as modified or reissued under this paragraph shall also contain any other requirements of the Act then applicable.
 2. This general NPDES permit may be re-opened to adjust any effluent limitations if future water quality studies, waste load allocation determinations, or changes in water quality standards show the need for

different requirements.

X. DEFINITIONS

AAC means Alaska Administrative Code.

ADEC means Alaska Department of Environmental Conservation.

Act means the Clean Water Act.

At any point means at any single point within the area of continuous coverage. It does not mean at all points and does not mean a single piece of bark or wood protruding from the surface of bark and wood debris.

Bark and Wood debris means pieces of bark, wood, and minute amounts of organic material (soil, lichen or moss) dislodged from logs during processing. Bark and wood debris may also include whole logs which lost their commercial value during processing (e.g., lost, damaged, or sunken logs).

Best Management Practices ("BMPs") means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of "waters of the United States." BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

CFR means the Code of Federal Regulations.

Continuous coverage means areas of bark and wood debris that are estimated to cover 100% of the ocean bottom, as measured within a three-foot-square sample plot and will, at ADEC's discretion, include boulders, rock outcrops, redges, and other protrusions within an area of continuous coverage that are not covered by bark.

CWA means the Clean Water Act.

Director means the Director of the Office of Water, Region 10, EPA.

Discharge of a pollutant means

- a) any addition of any "pollutant" or combination of pollutants to "waters of the United States" from any "point source," or
- b) any addition of any pollutant or combination of pollutants to the waters of the "contiguous zone" or the ocean from any point source other than a vessel or other floating craft which is being used as a means of transportation.

Discontinuous coverage means areas of bark and wood debris that are estimated to cover

10% or more of the ocean bottom, but less than 100%, as measured within a three-foot-square sample plot.

EPA means the United States Environmental Protection Agency.

Effluent limitation means any restriction imposed by the Director on quantities, discharge rates, and concentrations of "pollutants" which are "discharged" from "point sources" into "waters of the United States," the waters of the "contiguous zone," or the ocean.

Excluded area means an area not authorized as a receiving water under this general NPDES permit.

Float-off LTF means an LTF where logs or log bundles are placed on tidelands or ramps and the incoming tide floats the logs or log bundles into marine waters.

General NPDES permit means an NPDES "permit" issued under 40 CFR §122.28 authorizing a category of discharges under the CWA within a geographical area.

Log transfer facility means a facility which is constructed in whole or in part in waters of the United States and which is utilized for the purpose of transferring commercially harvested logs to or from a vessel or log raft, including the formation of a log raft.

Low Angle Slide means an LTF which consists of two or more parallel rails. Logs are placed on the rails by a log stacker or end loader. Logs or log bundles are either pushed into the water with the log stacker or end loader, or slide into the water through gravity.

LTF means log transfer facility.

Mean Higher High Water means the average of the higher of the two daily high tides observed over a given period of time.

Mean Lower Low Water means the average of the lower of the two daily low tides observed over a given period of time.

National Pollutant Discharge Elimination System (NPDES) means the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under Sections 307, 402, 318, and 405 of the CWA.

New Log Transfer Facility means a log transfer facility which has not commenced the discharge of pollutants at a particular site prior to the effective date of this general NPDES permit.

Off-shore log transfer facility means a log transfer facility where logs are moved between a vessel or helicopter and off-shore marine waters, or an off-shore log storage area which

is not adjacent to a shore-based LTF.

Permit means an authorization, license, or equivalent control document issued by EPA or an "approved state" to implement the requirements of 40 CFR Parts 122, 123 and 124. "Permit" includes an NPDES "general permit". Permit does not include any permit which has not yet been the subject of final agency action, such as a "draft permit" or a "proposed permit."

Point source means any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged.

Pollutant means dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials (except those regulated under the Atomic Energy Act of 1954, as amended), heat, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, municipal, and agricultural waste discharged into water.

Practicable alternative means an alternative available and capable of being done after taking into consideration costs, existing technology, and logistics in light of overall project purposes.

Project Area means the entire marine operating area of an LTF, either shore-based or off-shore, including the following components: shore-based log transfer devices; shore-based log transfer, rafting, and storage areas; helicopter drop areas; vessel and barge loading and unloading areas; off-shore log storage areas not adjacent to a shore-based LTF; bulkheads, ramps, floating walkways, docks, pilings, dolphins, anchors, buoys and other marine appurtenances; and the marine water and ocean bottom underlying and connecting these features.

Remediation Plan means the plan containing practices to minimize additional bark accumulation that is required to be developed and approved by ADEC when the continuous coverage of bark and wood debris exceeds both 1.0 acre and a thickness of 10 centimeters at any point.

Rotation Period means the planned number of years between the formation or the regeneration of a crop or stand of trees and its final cutting at a specified stage of maturity. In Southeast Alaska, the typical length of time it takes for a seedling to grow to commercial size is 80-100 years. However, the duration may vary, depending upon the land management objectives for a given area.

Shore-based log transfer facility means a log transfer facility where logs are moved between land and water.

Trace coverage means areas of bark and wood debris that are estimated to cover 10% or less of the ocean bottom and having a depth under one inch, as measured within a three-foot square sample plot.

U.S.C. means United States Code.

Use Description means one of five classifications (see Part I.B) to describe the range of use for log transfer operations. The intensity and duration of site use will vary over time and the descriptions for each use provide a benchmark description relating to operating levels and characteristics.

Water depth means the depth of the water between the surface and the seafloor as measured at mean lower low water (0.0).

Zone of deposit (ZOD) means an area of the bottom in marine or estuarine waters in which the Alaska Department of Environmental Conservation has authorized the deposit of substances in exceedance of the water quality criteria of 18 AAC Section 70.020(b) and the anti-degradation requirement of 18 AAC Section 70.0101(c). For LTFs authorized to discharge under this general NPDES permit, ADEC has defined a ZOD which includes the project area.

<p>Notification to be covered under the General NPDES Permit AK-G70-0000 for Log Transfer Facilities in Alaska <small>(see Part V of the permit)</small></p>	
<p>Submission of this document constitutes a request that certain discharges into waters of the United States resulting from the operation of the log transfer facility identified herein be authorized under General NPDES Permit AK-G70-0000.</p>	
<p>Previously Assigned NPDES Permit No. (if applicable):</p>	<p>NPDES Permit No. AK-G70-0_____ (to be assigned by EPA)</p>
<p>Landowner Information</p>	
<p>Landowner Name:</p>	
<p>Address:</p>	<p>Phone:</p>
	<p>FAX:</p>
<p>Representative:</p>	
<p>Operator Information</p>	
<p>Company Name:</p>	
<p>Address:</p>	<p>Phone:</p>
	<p>FAX:</p>
<p>Representative:</p>	
<p>Facility Information</p>	
<p>Section 404 Permit No., Facility Name on Permit, and Issuance Date:</p>	
<p>Waterway Name:</p>	
<p>Facility Name:</p>	
<p>Address:</p>	<p>Phone:</p>
	<p>FAX:</p>
<p>Latitude/Longitude:</p>	
<p>Distance/Direction to nearest town/city:</p>	
<p>Attachments: <input type="checkbox"/> Nautical Chart <input type="checkbox"/> Vicinity Map <input type="checkbox"/> Plan Drawing <input type="checkbox"/> Elevation/Cross Section View</p>	
<p>Description of operations:</p>	

Appendix 1 (continued)

Facility Classification	
Category: <input type="checkbox"/> Shore-based <input type="checkbox"/> Off-shore	Method of Log Transfer:
Use Description (Type I, II, III, IV or V):	
Production Data	
Expected facility lifespan:	Projected Months of Operation:
Volume to be transferred (board feet, Scribner scale) Maximum over life of permit: _____ Average per year: _____ Maximum per year: _____	
Receiving Water Information	
ATTACHMENTS (for Type I-IV shore-based LTFs) <input type="checkbox"/> Bark monitoring surveys not previously submitted to EPA	
Signature and Certification	
I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.	
Signature of Principal Corporate or Executive Officer/General Proprietor	Printed Name
Title/Company	Date

Submit this Notification to:	
U.S. Environmental Protection Agency Region 10 1200 Sixth Avenue, OW-130 Seattle, Washington 98101 Attn: LTF Reporting	Alaska Dept. of Environmental Conservation Division of Air and Water Quality 410 Willoughby Avenue, Suite 105 Juneau, AK 99801 Attention: LTF Reporting
Submit this Notification, with attachments, no later than 90 days from the effective date of the general permit.	

Appendix 2

Annual Report for the Year _____ General NPDES Permit AK-G70-0 _____ Log Transfer Facilities in Alaska			
The annual report serves to inform the regulatory agencies of the use and potential degradation of public water resources by facilities discharging pollutants to receiving waters in Alaska under this permit.			
NPDES Permit No. AK-G70-0 _____			
Facility Owner:			
Facility Operator:			
Name of Facility:			
Address:		Phone:	
		FAX:	
Representative:			
Periods of Noncompliance			
Summarize any periods of noncompliance with permit requirements, reasons for noncompliance, and steps taken to correct problem and prevent further occurrences (i.e. exceedance of the project area ZOD).			
Use continuation sheet if necessary.			
Oil Sheen Observations			
Date	Observer	Cause/Source	Corrective Measures
Use continuation sheet if necessary.			

Appendix 2 (continued)

Annual Report for the Year _____ (Page 2) NPDES Permit No. AK-G70-0_____	
Summary of Log Transfer Activity	
Method of Log Transfer	Volume of Timber Transferred
Changes to Notification	
List any planned changes to Notification (e.g., changes in log transfer device or volume of timber to be transferred).	
Signature and Certification	
I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.	
Signature of Principal Corporate or Executive Officer/General Proprietor	Printed Name
Title/Company	Date

Submit this Annual Report to:	
U.S. Environmental Protection Agency Region 10 1200 Sixth Avenue, OW-130 Seattle, Washington 98101 Attn: LTF Reporting	Alaska Dept. of Environmental Conservation Division of Air and Water Quality 410 Willoughby Avenue, Suite 105 Juneau, AK 99801 Attn: LTF Reporting
Submit this Annual Report by January 31st of the year following each calendar year of operation and discharge under this general NPDES permit. If the LTF was not operated during the reporting year, the permittee shall so indicate in the annual report.	

Appendix 4

Bark Monitoring Survey: Transect Data Form					
NPDES Permit Number: AK-G70-0_____					
Name of Permittee:					
Date/Time of Survey:					
Distance along Transect (m)	Transect #1 BD/WD/% Cover	Transect #2 BD/WD/% Cover	Transect #3 BD/WD/% Cover	Transect #4 BD/WD/% Cover	Transect #5 BD/WD/% Cover

BD: Bark Depth
 WD: Water Depth at Mean Lower Low Water
 % Cover: Percent of sample area covered by bark (0-100)
 T: Trace amounts of bark (10% or less percent cover, less than 1 inch deep)

Appendix 5

Bark Monitoring Survey Report Form	
NPDES Permit Number: AK-G70-0_____	Name of Permittee:
Location of LTF:	Volume Transferred this year (mmbf):
Method of Log Transfer:	Estimated Area of 100% Coverage (acres):
Date of Survey:	Time of Survey:
Date of Completion of Dive Survey Report:	
Name(s) of Person(s) who Performed Analysis:	
Name(s) of Person(s) Conducting Survey:	
Name and Signature of Person Responsible for Dive Survey:	
Statement of compliance, or noncompliance, with the project area ZOD:	
ATTACHMENTS	
<input type="checkbox"/> Narrative description of analytical methods used to delineate bark deposits	
<input type="checkbox"/> Map (to scale) showing location of LTF and transect lines, outer boundary of bark deposit as it relates to the project area, and area of 100% bark cover	