

NPDES Permit No. WAG520000

United States Environmental Protection Agency, Region 10
1200 Sixth Avenue, Suite 900, OWW-130
Seattle, Washington 98101

AUTHORIZATION TO DISCHARGE UNDER THE
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM FOR

**OFFSHORE SEAFOOD PROCESSORS DISCHARGING IN FEDERAL WATERS OFF
THE WASHINGTON AND OREGON COAST**

In compliance with the provisions of the Clean Water Act, 33 U.S.C.A. § 1251 et seq. (hereafter, CWA or the Act), the owners and operators of the seafood processing facilities that are described in Part I of this general National Pollutant Discharge Elimination System (NPDES) permit are authorized to discharge seafood processing wastes and the concomitant wastes set out in Part II of this Permit to waters of the United States, except those excluded from authorization of discharge in Part III of this Permit, 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 are not authorized under this Permit.

Upon the effective date of this Permit, it is the controlling document for regulation of seafood processing wastes and other designated wastewaters in Federal Waters off the States of Washington and Oregon discharged by authorized facilities in accordance with this Permit.

This Permit shall become effective *insert date*

This Permit and the authorization to discharge shall expire at midnight *insert date*.

Signed this day of

Daniel D. Opalski, Director
Office of Water and Watersheds

A COPY OF THIS PERMIT MUST BE KEPT ON THE VESSEL WHERE THE DISCHARGES OCCUR.

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I. AUTHORIZED FACILITIES

A. Categories of authorized dischargers

Subject to the restrictions of this Permit, the following categories of dischargers are authorized to discharge the pollutants set out in Part II of this Permit once a Notice of Intent has been filed with and a written authorization is received from EPA:

1. Operators of off-shore vessels (processors), operating and discharging “seafood processing waste” in Federal waters greater than 3 nautical miles (NM) from shore, engaged in the processing of fresh, frozen, canned, smoked, salted or pickled seafood or the processing of seafood mince, paste, or meal and other secondary by-products.

B. Authorization to discharge

A qualified applicant will be authorized to discharge under this Permit upon written notification of authorization to discharge from EPA and the assignment of a facility specific NPDES permit number.

II. AUTHORIZED DISCHARGES

A. Discharges from seafood processing facilities

This Permit authorizes the discharge of the following pollutants subject to the limitations and conditions set forth herein:

1. Seafood processing wastewater and wastes, including the waste fluids, heads, organs, flesh, fins, bones, skin, chitinous shells, and stickwater produced by the conversion of aquatic animals from a raw form to a marketable form.
2. Wash-down water, which include disinfectants added to wash-down water to facilitate the removal of wastes and to maintain sanitary standards during processing or to sanitize seafood processing areas.
3. Sanitary wastewater discharged in accordance to U.S. Coast Guard regulations.
4. Other wastewater generated in the seafood processing operation, including, seafood catch transfer water, live tank water, refrigerated seawater, cooking water, boiler water, gray water, cooling water, refrigeration condensate, freshwater pressure relief water, clean-up water, and scrubber water.

B. Unauthorized discharges

1. The Permit does not authorize the discharge of any waste or waste streams, including spills, garbage, equipment, and other unintentional or non-routine discharges of pollutants, that are not part of the normal operation of the facility as disclosed in the NOI to be covered, and specifically authorized by this Permit.

2. This Permit does not authorize the discharge of pollutants from any shorebased facilities, nor the discharge of any pollutants from vessels transporting material for the purposes of dumping materials into ocean waters.
3. This general NPDES permit does not authorize any discharges from facilities that (1) have not submitted a Notice of Intent and received written authorization to discharge under this Permit from EPA or (2) have not been notified in writing by EPA that they are covered under this Permit as provided for in the 40 CFR 122.28(b)(2)(vi).
4. The discharge of petroleum (e.g., diesel, kerosene, and gasoline) or hazardous substances into or upon the navigable waters of the U.S., adjoining shorelines, into or upon the waters of the contiguous zone which may affect natural resources belonging to, appertaining to, or under the exclusive management authority of the U.S., is prohibited under 33 U.S.C. § 1321(b)(3).

III. AREA OF COVERAGE

A. Areas authorized under this general NPDES permit.

This permit authorizes discharges of pollutants into Federal Waters of the United States, including the contiguous zone and the ocean, off the coasts of the states of Washington and Oregon.

B. Areas excluded from authorization under this general NPDES permit

This Permit does not authorize the discharge of pollutants in the following areas:

- 1.) Any waters inland from the west coasts of Washington and Oregon, including but not limited to, the Strait of Juan de Fuca and the Salish Sea.
- 2.) Any waters under the jurisdiction of Canada.
- 3.) Any waters south of the Oregon / California boarder (42°00" N lat).
- 4.) Any state waters.

IV. APPLICATION TO BE PERMITTED UNDER THIS GENERAL NPDES PERMIT

A. Submittal of a Notice of Intent

An applicant seeking authorization to discharge under this Permit must submit a timely and complete Notice of Intent (NOI), or equivalent form, to EPA in accordance with the requirements listed herein. [See Attachment A for NOI.]

1. EPA may notify a discharger that it is covered by this general NPDES permit, even if the discharger has not submitted a NOI.

2. EPA may require any discharger applying for or covered by a general permit to apply for and obtain an individual permit. In addition, any interested person may petition EPA to take this action. EPA may consider the issuance of individual permits when:
 - (1) The single discharge or the cumulative number of discharges is/are a significant contributor of pollution;
 - (2) The discharger is not in compliance with the terms and conditions of the general permit;
 - (3) A change has occurred in the availability of demonstrated technology or practices for the control or abatement of pollutants applicable to the point source;
 - (4) Effluent limitations guidelines are subsequently promulgated for the point sources covered by the general permit;
 - (5) A Water Quality Management Plan containing requirements applicable to such point sources is approved; or
 - (6) Circumstances have changed since the time of the request to be covered so that the discharger is no longer appropriately controlled under the general permit, or either a temporary or permanent reduction or elimination of the authorized discharge is necessary.
3. A Permittee authorized to discharge under this Permit must submit to EPA an updated and amended NOI when there is any material change (that include but are not limited to a different owner, operator, representative, address, phone numbers, process changes, locations and production levels) in the information submitted within its original NOI. The changes must be highlighted or noted in a cover letter when an updated NOI is submitted.
4. A Permittee must submit its original NOI to be covered under this general NPDES permit to:

U.S. Environmental Protection Agency Region 10
NPDES Permit Unit OWW-191
1200 Sixth Avenue, Suite 900
Seattle, Washington 98101

Photocopies will not be accepted.

B. What constitutes a timely submittal of a Notice of Intent

1. A Permittee seeking coverage under this Permit must submit an NOI at least 90 days prior to the commencement of operation and discharge at its facility.
2. Any discharger who fails to submit an NOI and/or obtain coverage under this Permit

and who discharges seafood wastes to receiving waters of the U.S. covered by this permit, will be discharging without an NPDES permit, in violation of the CWA.

C. What constitutes a complete submittal of a Notice of Intent

All information below is required when submitting a complete NOI. If information is missing, permit authorization will not be granted.

1. Permit information.

An NOI must include any NPDES number(s) currently or previously assigned to the vessel.

2. Operator information. The operator of a vessel will be the permitted discharger.

An NOI must include the name, complete address, telephone number, and email address of the operator of the vessel, and the name and/or title of the operators duly authorized representative. If a facsimile machine is available at this address, it is useful to provide a FAX number.

3. Owner information.

An NOI must include the name, the complete address, telephone number, and email address of the owner of the facility and the name and/or title of the owners duly authorized representative. If a facsimile machine is available at this address, it is useful to provide a FAX number.

If the owner and the operator are the same please write "same" in the top owner information box.

4. Vessel information.

a. An NOI must include the name and telephone number of the vessel, if applicable.

b. If the name of the vessel has changed, the NOI must include the previous name(s) of the vessel and the date(s) of any known changes.

c. An NOI must include the U.S. Coast Guard vessel number, the type of vessel, and vessel length.

5. Projected production information.

An NOI must include projected production data based upon historical operations and design capacity. Production data include:

a. An identification of all the processes applied to the raw product;

b. The name and quantity (in pounds) of the raw product(s) by species or family

(processed by-catch can be listed as a group if it constitutes less than 5% of your total discharge, all species should be listed out individually under a heading of “processed by-catch”);

- c. The type(s) of the finished product(s), including by-products, for each species;
 - d. The design capacity of the quantity (in pounds) of raw or waste product that can be processed in by-product recovery lines.
 - e. The design capacity of the quantity (in pounds) of each raw product which can be processed in a 24-hour day;
 - f. The projected maximum quantity in pounds (lbs) of seafood processing waste residues by species that is projected to be discharged on a daily basis and on an annual basis. This reported quantity will be the maximum discharge allowed by the facility;
 - g. Number of operating days by month for the facility;
6. Description of discharges.

An NOI must include information concerning all the discharges from the vessel.

- a. Seafood processing wastes discharges.
 - the type(s) of grinder(s) used to treat seafood processing wastewater, and
 - the design grinding dimension.
- b. Sanitary wastes. The NOI must identify the type of marine sanitation device (MSD), including the date when it was installed, its capacity (gal/day) and number of people using the MSD. Identify waste streams that combine with the MSD effluent prior to discharge, including but not limited to effluent and greywater.
- c. Other wastewater. An NOI must include information on process disinfectants, cooling water, boiler water, cooking water, refrigeration condensate, transfer water, live tank water, air scrubber water, and freshwater pressure relief water.
- d. Process Flow Diagram or Schematic. Provide a diagram or schematic showing the processes of the treatment plant, including by-product recovery. Also provide a water balance showing all treatment units, including disinfection (e.g, chlorination and dechlorination). The water balance must show daily average flow rates at influent and discharge points and approximate daily flow rates between treatment units. Include a brief narrative description of the diagram.

Line drawing. A line drawing of the water flow through the facility with a water balance, showing operations contributing wastewater to the effluent and treatment units. Similar processes, operations, or production areas may be indicated as a

single unit, labeled to correspond to more detailed identification. The water balance must show approximate average flows at intake and discharge points and between units, including treatment units. If a water balance cannot be determined, the applicant may provide instead a pictorial description of the nature and amount of any sources of water and any collection and treatment measures.

Average flows and treatment. A narrative identification of each type of process, operation, or production area which contributes wastewater to the effluent for each outfall, including process wastewater, cooling water, and stormwater runoff; the average flow which each process contributes; and a description of the treatment the wastewater receives, including the ultimate disposal of any solid or fluid wastes other than by discharge. Processes, operations, or production areas may be described in general terms

7. Refueling capability and proximity to fueling stations.

An NOI must include information about whether a Permittee has the capability to refuel fishing vessels and, if so, the capacity of its refueling tank.

8. Submittals with the NOI.

- a. A certification that the BMP Plan has been prepared, or reviewed and revised as-needed throughout the life of the permit. (Part VI.A.2.)
- b. The Permittee must submit a process flow diagram or schematic. (Part IV.C.6.e)

10. Signatory requirements. All permit applications must be signed and dated 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.
- c. For a municipality, state, tribe, federal or other public agency: by either a principal executive officer or ranking elected official.

V. LIMITATIONS, MONITORING AND REQUIREMENTS

A. Effluent limitations and requirements.

1. Treatment of waste solids. The Permittee must send all solid seafood processing wastes through a properly maintained and operating grinder system. The grinding system must be designed and operated to grind solids to 0.5 inch or smaller prior to discharge. This 0.5 inch effluent requirement does not apply to (1) the calcareous shells of scallops, clams, oysters and abalones, (2) the calcareous shells (i.e., tests) of sea urchins, or (3) incidental catches of prohibited and by-catch species which are neither retained nor processed.

2. The Permittee must discharge effluents into hydrodynamically energetic waters with a high capacity of dilution and dispersion.
3. Amount of seafood processing wastes. A Permittee must not discharge a volume or weight of seafood processing waste residues on a daily or annual basis which exceeds the amount projected in the Permittee's Notice of Intent to be covered under this Permit.
4. Collection, conveyance, and treatment of seafood processing wastes. A Permittee must route all seafood processing wastes through a waste conveyance and treatment system.
5. Utilization. The Permittee must fully utilize to the extent practicable all treatment processes available on board their vessel, including but not limited to fishmeal and fish oil production.
6. Scupper and floor drain wastes. The Permittee must route all seafood processing waste in scuppers and floor drains through a waste conveyance system to the waste treatment system prior to discharge. If safety and/or stability impediments would occur for the vessel by implementing this requirement, the Permittee must specifically detail, in their BMP plan, practices and procedures executed to deter seafood processing wastes from entering scuppers and floor drains.
7. Sanitary wastes. The Permittee must route all sanitary wastes through a sanitary waste system that meets the applicable U.S. Coast Guard pollution control standards then in effect [33 CFR 159: "Marine sanitation devices"]. Nonfunctioning and undersized systems are prohibited.
8. Other wastewaters. A Permittee must not discharge any other wastewaters that contain pollutants listed below. The incidental foam and scum produced by discharge of seafood catch transfer water must be minimized to the extent practicable as described in the best management practices plan of Part VI.A. Wastewaters that have not had contact with seafood (i.e. non-contact cooling water) are not required to be discharged through the seafood process waste-handling system.
9. Nuisance discharge. The discharge of seafood processing wastes must not create an attractive nuisance situation whereby fish or wildlife are attracted to waste disposal or storage areas in a manner that creates a threat to fish or wildlife or to human health and safety.
10. Residues/aesthetics. All receiving waters shall be free from substances attributable to wastewater or other discharges that:
 - settle to form objectionable deposits;
 - float as debris, scum, oil, or other matter to form nuisances;
 - produce objectionable color, odor, taste, or turbidity;

- injure or are toxic or produce adverse physiological responses in humans, animals or plants; and,
 - produce undesirable or nuisance aquatic life.
11. Color. Waters shall be virtually free from substances producing objectionable color for aesthetic purposes and increased color (in combination with turbidity) should not reduce the depth of the compensation point for photosynthetic activity by more than 10 percent from the seasonally established norm for aquatic life.
12. Oil and Grease.
- Levels of oils or petrochemicals in the sediment which cause deleterious effects to the biota shall be prevented.
 - Surface waters shall be virtually free from floating nonpetroleum oils of vegetable or animal origin, as well as petroleum-derived oils.
13. Solids. Settleable and suspended solids shall not reduce the depth of the compensation point for photosynthetic activity by more than 10 percent from the seasonally established norm for aquatic life.
14. Tainting. Materials shall not be present in concentrations that individually or in combination produce undesirable flavors which are detectable by organoleptic tests performed on the edible portions of aquatic organisms.

B. Monitoring Requirements

1. The Permittee must record the total pounds of by-catch and prohibited species discharged whole (unground), per day, and a daily location of such discharge.
2. Waste conveyance system. The Permittee must conduct a daily visual inspection of the waste conveyance, including a close observation of the sump or other places of effluent collection for the removal of gloves, earplugs, rubber bands, or other equipment used during the processing of seafood that may inadvertently be entrained in the wastewater. Logs of this daily inspection must be kept on-board the vessel until the end of the calendar year and then maintained at the business office thereafter. Logs must be submitted at the request of EPA.
3. Grinder system. The Permittee must conduct a daily inspection of the grinder system during the processing season to confirm that the grinder(s) is (are) operating properly as designed to reduce the size of the seafood residues to 0.5 inch. This will require inspecting the size of the ground residues reduced in grinding, by taking a representative sample of the ground discharge and ensuring the pieces are being ground appropriately. Logs of this daily inspection must be kept on-board the vessel until the end of the calendar year and then maintained at the business office thereafter. Logs must be submitted at the request of EPA.

4. Outfall system. The Permittee must discharge seafood processing wastes to or below the sea surface. A pre-operational check of the outfall system must be performed at the beginning of each processing season to ensure that the outfall system is operable. Logs of this daily inspection must be kept on-board the vessel until the end of the calendar year and then maintained at the business office thereafter. Logs must be submitted at the request of EPA. Any failure of the outfall system must be reported to EPA in accordance with Part VII.G.
5. Representative Pictures. For each outfall location, the Permittee must take at least four pictures quarterly while processing is occurring. Each quarter the four pictures must include at least one of each of the following:
 1. The sampling port and/or sample location while taking the daily sample;
 2. The effluent sample (showing residues size);
 3. The receiving water in the immediate vicinity of where the outfall system is discharging; and
 4. An extended view of the receiving water showing processing waste (if any) on the sea surface behind the vessel.

Each picture must be labelled with date, time, name of person taking the picture, and a description of what the picture represents.

6. Sea surface monitoring. During the term of this Permit the Permittee must conduct a sea surface monitoring program as described in Part VI.C.

C. Best management practices requirements

During the term of this permit the Permittee must operate in accordance with a Best Management Practices (BMP) Plan as described in Part VI.A.

D. Annual reporting requirements

During the term of this permit the Permittee must prepare and submit an accurate and timely annual report of noncompliance, production, and discharges as described in Part VI.B.

VI. WASTE MINIMIZATION AND REPORTING RESULTS

A. Best management practices plan

1. Applicability. During the term of this Permit the Permittee must operate in accordance with a Best Management Practices (BMP) Plan.
2. Implementation.

- The Permittee must submit a certification within 60 days of receiving authorization to discharge, that a BMP Plan has been developed and implemented to meet the requirements of this Part.
 - The BMP Plan must be amended whenever there is a change in the facility or in the operation of the facility which materially increases the potential for an increased discharge of pollutants. The Permittee must submit certification within 60 days of a BMP Plan update.
3. Purpose. Through implementation of a BMP Plan a Permittee must prevent or minimize the generation and discharge of wastes and pollutants from the facility to the waters of the United States. Pollution should be prevented or reduced at the source. By-product recovery should be maximized where available. Potential pollutants should be recycled in an environmentally safe manner whenever feasible. The discharge of pollutants into the environment should be conducted in such a way as to have a minimal environmental impact.
 4. Objectives. A Permittee must develop its BMP Plan consistent with the following objectives.
 - a. The number and quantity of pollutants and the toxicity of the effluents that are generated, discharged or potentially discharged from the facility must be minimized by a Permittee to the extent feasible by controlling each discharge or potential pollutant release.
 - b. Evaluations for the control of discharges and potential releases of pollutants must include the following.
 - (1) Each facility component or system must be examined for its pollutant minimization opportunities and its potential for causing a release of significant amounts of pollutants to receiving waters due to the failure or improper operation of equipment. The examination must include all normal operations, including raw material and product storage areas, in-plant conveyance of product, processing and product handling areas, loading or unloading operations, wastewater treatment areas, sludge and waste disposal areas, and refueling areas.
 - (2) Equipment must be examined for potential failure and any resulting release of pollutants to receiving waters. Provision must be made for emergency measures to be taken in such an event.
 - c. Under the BMP plan and any Standard Operating Procedures (SOPs) included in the plan, the Permittee must ensure the proper operation and maintenance of the facility and the control of the discharge or potential release of pollutants to the receiving water.
 5. Requirements. The BMP Plan must be consistent with the purpose and objectives in Parts VI.A.3 and 4 and must include the following:

- a. The BMP Plan must be consistent with the general guidance contained in the publication entitled "Guidance Manual for Developing Best Management Practices", USEPA 1993, or its subsequent revisions and "Seafood Processing Handbook for Materials Accounting Audits and Best Management Practices Plans, EPA and Bottomline Performance, 1995.
- b. The BMP Plan must be documented in narrative form, must include any necessary plot plans, drawings or maps, and must be developed in accordance with good engineering practices. The BMP Plan must be organized and written with the following structure:

(1) Name and physical location(s) of the facility;

(2) Statement of BMP policy;

The policy statement provides two major functions: (1) it demonstrates and reinforces management's support of the BMP Plan; and (2) it describes the intent and goals of the BMP Plan.

(3) Materials accounting of the inputs, processes and outputs of the facility;

Materials accounting is used to trace the inflow and outflow of components in a process stream and to establish quantities of these components.

Inflow = outflow + accumulation

Example 1: For the entire Facility

- Inflow = Seafood catch, fresh water, salt water, cleaning chemicals, processing additives, boiler or cook water.
- Accumulation = Product, including by-products produced
- Outflow = Inflow minus accumulation

Example 2: Process Step of Head-and-Gut

- Inflow = Whole seafood, cleaning water
- Accumulation = Headed and gutted seafood (to next process step)
- Outflow = Heads, guts, blood, slime, scales, trimmings, unusable seafood, water.

As can be seen from the above examples, the flows can be broken down into components. Identifying and measuring the key components for a process is the basis for doing materials accounting audits. If secondary by-products are produced, such as meal, the Permittee must estimate or measure the volume lost to the atmosphere through water vapor. The calculation used to measure vapor must be reported to EPA in the annual report.

- (4) Risk identification and assessment of pollutant discharges;
 - (a) Review existing materials and plans, as a source of information, to ensure consistency and to eliminate duplication.
 - (b) Characterize actual and potential pollutant sources that might be subject to release.
 - (c) Evaluate potential pollutants based on the hazards they present to human health and the environment. This includes minimizing toxic disinfection use where applicable, as disinfectants are known to be toxic to marine organisms at relatively low concentrations.
 - (d) Identify pathways through which pollutants identified at the site might reach environmental and human receptors.
 - (e) Prioritize potential releases.
- (5) Specific management practices and standard operating procedures to achieve the above objectives, including, but not limited to,
 - (a) The modification of equipment, facilities, technology, processes and procedures;
 - (b) The improvement in management, inventory control, materials handling or general operational phases of the facility; and
 - (c) To reduce or eliminate any discharge of wastes that have the potential to collect and foul set or drift nets used in subsistence or commercial fisheries in nearby traditional use areas.

(6) Good housekeeping;

Good housekeeping is the maintenance of a clean, orderly work environment. Maintaining an orderly facility means that materials and equipment are neat and well-kept to prevent releases to the environment.

(7) Preventative maintenance;

Preventative maintenance is periodically inspecting, maintaining, and testing plant equipment and systems to uncover conditions that can cause breakdowns or failures. Preventative maintenance focuses on preventing environmental releases.

(8) Inspections and records;

- (a) Inspections provide an ongoing method to detect and identify sources of actual or potential releases. Inspections are effective in evaluating the good

housekeeping and preventative maintenance programs.

- (b) Recordkeeping focuses on maintaining records that are pertinent to actual or potential environmental releases. These records may include the BMP Plan itself, inspection reports, preventative maintenance records, and employee training materials.

(9) Employee training.

Employee training is a method used to instill in personnel, at all levels of responsibility, a complete understanding of the BMP Plan, including the reasons for developing the plan, the positive impacts of the plan, and employee and managerial responsibilities under the BMP Plan.

c. The BMP Plan must include the following provisions concerning its review:

- (1) Be reviewed by the facility manager and appropriate staff; and
- (2) Include a statement that the above review has been completed and that the BMP Plan fulfills the requirements set forth in this Permit. The statement must be certified in accordance with the signatory requirements in Part IX. E.

d. Documentation.

- (1) The Permittee must submit to EPA written certification (in accordance with IX.E), signed by a principal officer or a duly appointed representative of the Permittee, of the development and implementation or revision and implementation of the BMP plan, with each NOI submittal.
- (2) The Permittee must maintain a copy of its BMP Plan on-board the vessel and must make the plan available to EPA upon request.
- (3) All business offices and/or operational sites of the Permittee which are required to maintain a copy of this Permit and authorization must also maintain a copy of the BMP Plan and make it available to EPA upon request.

6. Modification.

- a. A Permittee must amend the BMP Plan whenever there is a change in the facility or in the operation of the facility which materially increases the generation of pollutants and their release or potential release to the receiving waters.
- b. A Permittee must also amend the Plan, as appropriate, when facility operations covered by the BMP Plan change. Any such changes to the BMP Plan must be consistent with the objectives and specific requirements listed. All changes in the BMP Plan must be reviewed by the facility manager.
- c. At any time, if a BMP Plan proves to be ineffective in achieving the general objective

of preventing and minimizing the generation of pollutants and their release, the BMP Plan must be modified to incorporate revised BMP requirements.

B. Annual report

1. **Applicability.** During the term of this Permit the Permittee must prepare and submit a complete, accurate and timely annual report of incidents of noncompliance, production, discharges, and process changes to EPA. [See Attachment B for Annual Report form.]
2. **Purpose and objectives.** The annual report serves to inform the regulatory agencies of the use and potential degradation of public natural resources by facilities discharging pollutants to these receiving waters under this Permit. The Permittee must provide the following information:
 - a. Verification of the Permittee's NPDES permit number, company name, owner and operator, vessel representative, name of vessel, U.S. Coast Guard vessel number, mailing address, telephone number(s), email address, and facsimile number.
 - b. A summary of noncompliance reported according to Part VII.G and H of this permit that occurred between January 1st and December 31st of the previous year. Include the reasons for such noncompliance, corrective actions, and preventative steps taken.
 - c. A summary of production and discharge information during the previous year, including:
 - (1) Dates of operation per month.
 - (2) Type and amount (pounds) of raw product per month.
 - (3) Type and amount (pounds) of finished product per month.
 - (4) Type and amount (pounds) of waste utilized to create fishmeal and/or fish oil per month. If not all waste is utilized through a fishmeal and/or fish oil system, explain why.
 - (5) Type and amount (pounds) of discharged seafood processing waste residues (raw product minus finished product) per month.
 - (6) Total annual number of processing days, total amount of raw products in pounds, total amount of finished products in pounds, total amount of discharged seafood processing wastes (raw product minus finished product) in pounds.
 - (7) An estimate or measurement of the volume lost to the atmosphere through water vapor, for secondary by-products production.
 - d. Provide area map(s) and at least one daily location of the vessel, while processing, in degrees, minutes, and seconds.

- e. Provide total pounds of by-catch and prohibited species, not processed but returned to the sea unground (Part II.A.1.a.) per day, and the days discharged.
 - f. Provide clear representative pictures. The pictures must be labeled and must include, the sampling port while taking the daily sample, the effluent (showing residues size), the receiving water in the immediate vicinity of where the outfall system is discharging, and an extended view of the receiving water showing processing waste (if any) on the sea surface behind the vessel. Labels should include the date, time, name of the person taking the picture, and a description of the picture itself.
 - g. Report total pounds of ammonia or Freon used and summarize any occurrences of leaks or breaks in the refrigerator condenser system.
3. Signatory requirements. A Permittee must ensure that the annual report is signed by a principal officer or a duly appointed representative of the Permittee.
 4. Submittals with the Annual Report.
 - a. Reports of noncompliance. (Part VI.B.2.b.)
 - b. Maps of processing areas (Part VI.B.2.e)
 - c. Labeled representative pictures (Part VI.B.2.g)
 5. Submittal. A Permittee must submit its annual report by February 14th of the year following each year of operation and discharge under this Permit. A Permittee must submit its original annual report to:

U.S. Environmental Protection Agency Region 10
NPDES Compliance Unit (OCE-101)
1200 Sixth Avenue, Suite 900
Seattle, Washington 98101

C. Sea surface visual monitoring requirements

1. Applicability. During the term of this Permit the Permittee must conduct a sea surface monitoring program.
2. Purpose. A Permittee must conduct a sea surface monitoring program to determine compliance with the marine water quality criteria.
3. Objectives.
 - a. Sea surface. Monitoring the sea surface will provide daily assessments of the presence and amounts of residues floating on the sea surface during a facility's operation and discharge.

- (1) This monitoring program will inform the Permittee of its compliance with the Permit limit for residues/aesthetics, color, oil and grease, and solids on the sea surface and provide a timely basis for correcting violations when they occur.
 - (2) The daily monitoring of the sea surface must;
 - record the total number of days for which observations were made and,
 - record the daily occurrence and areal extent of contiguous films, sheens, mats of foam, or any other visual observations.
 - (3) The sea surface monitoring must enumerate the occurrence and numbers of animals attracted to the discharge identified within the survey area.
4. Schedule. All Permittees must conduct a daily sea surface monitoring program during operation of each year of coverage.
 5. Monitoring reporting.

Logs of this daily inspection must be kept on-board the vessel until the end of the calendar year and then maintained at the business office thereafter. Logs must be submitted at the request of EPA.
 6. Signatory requirements. A Permittee must ensure that the monitoring report is signed by a principal officer or a duly appointed representative of the Permittee.

VII. General Monitoring, Recording and Reporting Requirements

A. Representative Sampling (Routine and Non-Routine Discharges)

Samples and measurements must be representative of the volume and nature of the monitored discharge.

In order to ensure that the effluent limits set forth in this permit are not violated at times other than when routine samples are taken, the Permittee must collect additional samples at the appropriate outfall whenever any discharge occurs that may reasonably be expected to cause or contribute to a violation that is unlikely to be detected by a routine sample. The Permittee must analyze the additional samples for those parameters limited in Part V.A of this permit that are likely to be affected by the discharge.

The Permittee must collect such additional samples as soon as a spill, discharge, or bypassed effluent reaches the outfall. The samples must be analyzed in accordance with Part VII.C ("Monitoring Procedures"). The Permittee must report all additional monitoring in accordance with Part VII.D ("Additional Monitoring by Permittee").

B. Reporting of Monitoring Results

The Permittee must submit its annual report, by February 14th of the year following each year of operation and discharge under this Permit. The Permittee must sign and certify all Annual Reports, and all other reports, in accordance with the requirements of Part IX.E of this permit ("Signatory Requirements"). The Permittee must submit the legible originals of these documents to the Director, Office of Compliance and Enforcement, at the following address:

US EPA Region 10
Attn: ICIS Data Entry Team
1200 Sixth Avenue, Suite 900
OCE-101
Seattle, Washington 98101-3140

C. Monitoring Procedures

Monitoring must be conducted according to test procedures approved under 40 CFR 136, unless another method is required under 40 CFR subchapters N or O, or other test procedures have been specified in this permit or approved by EPA as an alternate test procedure under 40 CFR 136.5.

D. Additional Monitoring by Permittee

If the Permittee monitors any pollutant more frequently than required by this permit, using test procedures approved under 40 CFR 136 or as specified in this permit, the Permittee must include the results of this monitoring in the calculation and reporting of the data submitted in the annual report.

Upon request by EPA, the Permittee must submit results of any other sampling, regardless of the test method used.

E. Records Contents

Records of monitoring information must include:

1. the date, exact place, and time of sampling or measurements;
2. the name(s) of the individual(s) who performed the sampling or measurements;
3. the date(s) analyses were performed;
4. the names of the individual(s) who performed the analyses;
5. the analytical techniques or methods used; and
6. the results of such analyses.

F. Retention of Records

The Permittee must retain records of all monitoring information, including, all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, copies of annual reports, a copy of the NPDES 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. This period may be extended by request of EPA at any time.

G. Twenty-four Hour Notice of Noncompliance Reporting

1. The Permittee must report the following occurrences of noncompliance by telephone within 24 hours from the time the Permittee becomes aware of the circumstances:
 - a. any noncompliance that may endanger health or the environment;
 - b. any unanticipated bypass that exceeds any effluent limitation in the permit (Part VIII.F., "Bypass of Treatment Facilities");
 - c. any upset that exceeds any effluent limitation in the permit (Part VIII.G., "Upset Conditions"); or
2. The Permittee must also provide a written submission within five days of the time that the Permittee becomes aware of any event required to be reported under subpart 1 above. The written submission must 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 recurrence of the noncompliance.
3. The Director of the Office of Compliance and Enforcement may waive the written report on a case-by-case basis if the oral report has been received within 24 hours by the NPDES Compliance Hotline in Seattle, Washington, by telephone, (206) 553-1846.
4. Reports must be submitted to the addresses in Part VII.B ("Reporting of Monitoring Results").

H. Other Noncompliance Reporting

The Permittee must report all instances of noncompliance, not required to be reported within 24 hours, at the time that monitoring reports for Part VII.B ("Reporting of Monitoring

Results”) of this permit are submitted. The reports must contain the information listed in Part VII.G of this permit (“Twenty-four Hour Notice of Noncompliance Reporting”).

I. Changes in Discharge of Toxic Pollutants

The Permittee must notify the Director of the Office of Water and Watersheds as soon as it knows, or has reason to believe:

1. That any activity has occurred or will occur that would result in the discharge, on a routine or frequent basis, of any toxic pollutant that is not limited in the permit, if that discharge may reasonably be expected to exceed the highest of the following “notification levels”:
 - a. One hundred micrograms per liter (100 ug/l);
 - b. Two hundred micrograms per liter (200 ug/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 ug/l) for 2,4-dinitrophenol and for 2-methyl-4, 6-dinitrophenol; and one milligram per liter (1 mg/l) for antimony;
 - c. Five (5) times the maximum concentration value reported for that pollutant in the permit application in accordance with 40 CFR 122.21(g)(7); or
 - d. The level established by EPA in accordance with 40 CFR 122.44(f).
2. That any activity has occurred or will occur that would result in any discharge, on a non-routine or infrequent basis, of any toxic pollutant that is not limited in the permit, if that discharge may reasonably be expected to exceed the highest of the following “notification levels”:
 - a. Five hundred micrograms per liter (500 ug/l);
 - b. One milligram per liter (1 mg/l) for antimony;
 - c. Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with 40 CFR 122.21(g)(7); or
 - d. The level established by EPA in accordance with 40 CFR 122.44(f).
3. The Permittee must submit the notification to Office of Water and Watersheds at the following address:

US EPA Region 10
Attn: NPDES Permits Unit Manager
1200 Sixth Avenue, Suite 900
OWW - 191
Seattle, Washington 98101-3140

VIII. Compliance Responsibilities

A. Duty to Comply

The Permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Act and is grounds for enforcement action, for permit termination, revocation and reissuance, or modification, or for denial of a permit renewal application.

B. Penalties for Violations of Permit Conditions

1. **Civil and Administrative Penalties.** Pursuant to 40 CFR Part 19 and the Act, any person who violates section 301, 302, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any such sections in a permit issued under section 402, or any requirement imposed in a pretreatment program approved under sections 402(a)(3) or 402(b)(8) of the Act, is subject to a civil penalty not to exceed the maximum amounts authorized by Section 309(d) of the Act 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) (currently \$37,500 per day for each violation).
2. **Administrative Penalties.** Any person may be assessed an administrative penalty by the Administrator for violating section 301, 302, 306, 307, 308, 318 or 405 of this Act, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of this Act. Pursuant to 40 CFR 19 and the Act, administrative penalties for Class I violations are not to exceed the maximum amounts authorized by Section 309(g)(2)(A) of the Act 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) (currently \$16,000 per violation, with the maximum amount of any Class I penalty assessed not to exceed \$37,500). Pursuant to 40 CFR 19 and the Act, penalties for Class II violations are not to exceed the maximum amounts authorized by Section 309(g)(2)(B) of the Act 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) (currently \$16,000 per day for each day during which the violation continues, with the maximum amount of any Class II penalty not to exceed \$187,500).
3. **Criminal Penalties:**
 - a. **Negligent Violations.** The Act provides that any person who negligently violates sections 301, 302, 306, 307, 308, 318, or 405 of the Act, or any condition or limitation implementing any of such sections in a permit issued under section 402 of the Act, or any requirement imposed in a pretreatment program approved under section 402(a)(3) or 402(b)(8) of the Act, is subject to criminal penalties of \$2,500 to \$25,000 per day of violation, or imprisonment of not more than 1 year, or both. In the case of a second or subsequent conviction for a negligent violation, a person shall be subject to criminal penalties of not more than \$50,000 per day of violation, or by imprisonment of not more than 2 years, or both.
 - b. **Knowing Violations.** Any person who knowingly violates such sections, or such

conditions or limitations is subject to criminal penalties of \$5,000 to \$50,000 per day of violation, or imprisonment for not more than 3 years, or both. In the case of a second or subsequent conviction for a knowing violation, a person shall be subject to criminal penalties of not more than \$100,000 per day of violation, or imprisonment of not more than 6 years, or both.

- c. **Knowing Endangerment.** Any person who knowingly violates section 301, 302, 303, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of the Act, 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 of not more than \$250,000 or imprisonment of not more than 15 years, or both. In the case of a second or subsequent conviction for a knowing endangerment violation, a person shall be subject to a fine of not more than \$500,000 or by imprisonment of not more than 30 years, or both. An organization, as defined in section 309(c)(3)(B)(iii) of the Act, shall, upon conviction of violating the imminent danger provision, be subject to a fine of not more than \$1,000,000 and can be fined up to \$2,000,000 for second or subsequent convictions.
- d. **False Statements.** The Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$10,000, or by imprisonment for not more than 2 years, or both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment is a fine of not more than \$20,000 per day of violation, or by imprisonment of not more than 4 years, or both. The Act further provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or non-compliance shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both.

C. Need To Halt or Reduce Activity not a Defense

It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with this permit.

D. Duty to Mitigate

The Permittee must take all reasonable steps to minimize or prevent any discharge in violation of this permit that has a reasonable likelihood of adversely affecting human health or the environment.

E. Proper Operation and Maintenance

The Permittee must at all times properly operate and maintain all facilities and systems of

treatment and control (and related appurtenances) which are installed or used by the Permittee to achieve compliance with the conditions of this 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 which are installed by the Permittee only when the operation is necessary to achieve compliance with the conditions of the permit.

F. Bypass of Treatment Facilities

1. Bypass not exceeding limitations. The Permittee may allow any bypass to occur that does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of paragraphs 2 and 3 of this Part.
2. Notice.
 - a. Anticipated bypass. If the Permittee knows in advance of the need for a bypass, it must submit prior written notice, if possible at least 10 days before the date of the bypass.
 - b. Unanticipated bypass. The Permittee must submit notice of an unanticipated bypass as required under Part VII.G ("Twenty-four Hour Notice of Noncompliance Reporting").
3. Prohibition of bypass.
 - a. Bypass is prohibited, and the Director of the Office of Compliance and Enforcement may take enforcement action against the Permittee for a bypass, unless:
 - (1) The bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
 - (2) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass that occurred during normal periods of equipment downtime or preventive maintenance; and
 - (3) The Permittee submitted notices as required under paragraph 2 of this Part.
 - b. The Director of the Office of Compliance and Enforcement may approve an anticipated bypass, after considering its adverse effects, if the Director determines that it will meet the three conditions listed above in paragraph 3.a. of this Part.

G. Upset Conditions

1. Effect of an upset. An upset constitutes an affirmative defense to an action brought for

noncompliance with such technology-based permit effluent limitations if the Permittee meets the requirements of paragraph 2 of this Part. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.

2. Conditions necessary for a demonstration of upset. To establish the affirmative defense of upset, the Permittee must demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - a. An upset occurred and that the Permittee can identify the cause(s) of the upset;
 - b. The permitted facility was at the time being properly operated;
 - c. The Permittee submitted notice of the upset as required under Part VII.G, "Twenty-four Hour Notice of Noncompliance Reporting;" and
 - d. The Permittee complied with any remedial measures required under Part VIII.D, "Duty to Mitigate."
3. Burden of proof. In any enforcement proceeding, the Permittee seeking to establish the occurrence of an upset has the burden of proof.

H. Toxic Pollutants

The Permittee must comply with effluent standards or prohibitions established under Section 307(a) of the Act for toxic pollutants within the time provided in the regulations that establish those standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement.

I. Planned Changes

The Permittee must give written notice to the Director of the Office of Water and Watersheds as specified in Part VII.I.3 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 subject neither to effluent limitations in the permit, nor to notification requirements under Part VII.I ("Changes in Discharge of Toxic Pollutants").

J. Anticipated Noncompliance

The Permittee must give written advance notice to the Director of the Office of Compliance and Enforcement of any planned changes in the permitted facility or activity that may result in noncompliance with this permit.

IX. General Provisions

A. Permit Actions

This permit may be modified, revoked and reissued, or terminated for cause as specified in 40 CFR 122.62, 122.64, or 124.5. The filing of a request by the Permittee for a permit modification, revocation and reissuance, termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

B. Duty to Reapply

If the Permittee intends to continue an activity regulated by this permit after the expiration date of this permit, the Permittee must apply for and obtain a new permit. In accordance with 40 CFR 122.21(d), and unless permission for the application to be submitted at a later date has been granted by the Regional Administrator, the Permittee must submit a new application at least 180 days before the expiration date of this permit.

C. Duty to Provide Information

The Permittee must furnish to EPA, within the time specified in the request, any information that EPA may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The Permittee must also furnish to EPA, upon request, copies of records required to be kept by this permit.

D. Other Information

When the Permittee becomes aware that it failed to submit any relevant facts in a permit application, or that it submitted incorrect information in a permit application or any report to EPA, it must promptly submit the omitted facts or corrected information in writing.

E. Signatory Requirements

All applications, reports or information submitted to EPA must be signed and certified as follows.

1. All permit applications must be signed as follows:
 - a. For a corporation: by a responsible corporate officer.
 - b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively.
 - c. For a municipality, state, federal, Indian tribe, or other public agency: by either a principal executive officer or ranking elected official.
2. All reports required by the permit and other information requested by EPA must 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;
 - 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, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company; and
 - c. The written authorization is submitted to the Director of the Office of Compliance and Enforcement.
3. Changes to authorization. If an authorization under Part IX.E.2 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 IX.E.2 must be submitted to the Director of the Office of Compliance and Enforcement 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 must 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.”

F. Availability of Reports

In accordance with 40 CFR 2, information submitted to EPA pursuant to this permit may be claimed as confidential by the Permittee. In accordance with the Act, permit applications, permits and effluent data are not considered confidential. Any confidentiality claim must be asserted at the time of submission by stamping the words “confidential business information” on each page containing such information. If no claim is made at the time of submission, EPA may make the information available to the public without further notice to the Permittee. If a claim is asserted, the information will be treated in accordance with the procedures in 40 CFR 2, Subpart B (Public Information) and 41 Fed. Reg. 36902 through 36924 (September 1, 1976), as amended.

G. Inspection and Entry

The Permittee must allow the Director of the Office of Compliance and Enforcement, EPA

Region 10; 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 the Permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
4. Sample or monitor at reasonable times, for the purpose of assuring permit compliance or as otherwise authorized by the Act, any substances or parameters at any location.

H. Property Rights

The issuance of this permit does not convey any property rights of any sort, or any exclusive privileges, nor does it authorize any injury to persons or property or invasion of other private rights, nor any infringement of federal, tribal, state or local laws or regulations.

I. Transfers

This permit is not transferable to any person except after written notice to the Director of the Office of Water and Watersheds as specified in Part VII.I.3. The Director may require modification or revocation and reissuance of the permit to change the name of the Permittee and incorporate such other requirements as may be necessary under the Act. (See 40 CFR 122.61; in some cases, modification or revocation and reissuance is mandatory).

J. State Laws

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the 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.

X. Definitions and Acronyms

“Act” means the Clean Water Act.

“Administrator” means the Administrator of the EPA, or an authorized representative.

“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 areas.

“Bypass” means the intentional diversion of waste streams from any portion of a treatment facility.

“CFR” means Code of Federal Regulations.

“Contiguous Zone” means the zone of the high seas contiguous to the territorial seas extending out to 12 nautical miles (NM) from the baseline from which the breadth of the territorial sea is measured.

“Cooling Water” means once-through non-contact cooling water.

“CWA” means the Clean Water Act.

“Director of the Office of Compliance and Enforcement” means the Director of the Office of Compliance and Enforcement, EPA Region 10, or an authorized representative.

“Director of the Office of Water and Watersheds” means the Director of the Office of Water and Watersheds, EPA Region 10, or an authorized representative.

“Discharge of a pollutant” means any addition of any “pollutant” or combination of pollutants to “waters of the United States” from any “point source.”

“EPA” means the United States Environmental Protection Agency.

“Federal Waters” means the contiguous zone, and the ocean, which include the exclusive economic zone (EEZ)

“GP” means general permit.

“Gray water” means galley, bath, and shower wastewater.

“Marine sanitation device (MSD)” includes any equipment for installation on board a vessel which is designed to receive, retain, treat, or discharge sewage, or any process to treat such sewage.

“Mince” means finely chopped seafood, particularly fish.

“MSD” means marine sanitation device.

“Navigable waters of the US” means navigable waters as defined in section 502(7) of the FWPCA, and includes: (1) all navigable waters of the United States, as defined in judicial decisions prior to the passage of the 1972 Amendments of the Federal Water Pollution Control Act, (FWPCA) (Pub. L. 92-500) also known as the Clean Water Act (CWA), and tributaries of such waters as; (2) interstate waters; (3) intrastate lakes, rivers, and streams which are utilized by interstate travelers for recreational or other purposes; and (4) intrastate lakes, rivers, and streams from which fish or shellfish are taken and sold in interstate commerce.

“NM” means nautical mile.

“NMFS” means United States National Marine Fisheries Service.

“NOAA” means National Oceanic and Atmospheric Administration.

“NOI” means a Notice of Intent, that is, an application, to be authorized to discharge under a general NPDES permit. See attachment A.

“NPDES” means National Pollutant Discharge Elimination System, the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits . . . under sections 307, 402, 318, and 405 of the CWA.

“Ocean” means any portion of the high seas beyond the contiguous zone 33 U.S.C. § 1362(10).

“Pollution” means the man-made or man induced alteration of the chemical, physical, biological or radiological integrity of the water.

“Prohibited (by-catch) species” means those species identified in 50 CFR 679.21(b)(1), including salmon, herring, crab, and halibut, that are prohibited to be retained by groundfish trawl fishing vessels. Any such species inadvertently taken in connection with groundfish fishing operations are required to be sorted and all prohibited (by-catch) species or parts thereof are to be returned to the sea immediately, with a minimum of injury (50 CFR 679.21(b)(ii)).

“Regional Administrator” means the Regional Administrator of Region 10 of the EPA, or the authorized representative of the Regional Administrator.

“Sanitary wastes” means human body waste discharged from toilets and urinals.

“Seafood” means the raw material, including freshwater and saltwater fish and shellfish, to be processed, in the form in which it is received at the processing plant.

“Seafood process waste” means the waste fluids (including stickwater), organs, flesh, bones and chitinous shells produced in the conversion of aquatic animals from a raw form to a marketable form.

“Seafood process waste residue” means the floating solids, debris, sludge, deposits, foam, and scum produced in the processing of raw seafood to finished product.

“Severe property damage” means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

“SOPs” means standard operating procedures.

“State waters” means territorial seas.

“Territorial seas” means those waters measured from the line of ordinary low water along the portion of the coast that is in direct contact with the open sea and/or the baseline marking the seaward limit of inland waters, extending seaward for 3 NM, 33 U.S.C. § 1362(8).

“Unwashed mince” means minced fish which is neither washed nor dewatered and is frozen into blocks.

“Upset” means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the Permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

“USFWS” means United States Fish and Wildlife Service.

“Washed mince” means minced fish which is washed, dewatered and frozen into blocks. Surimi is included in this classification.