



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
WATER

December 14, 2015

Chairman
Native Village of Chenega
P.O. Box 8079
Chenega Bay, Alaska 99574-8079

Re: Consultation on Alaskan Seafood Processing Effluent Guidelines

Dear Honorable Tribal Leader:

The U.S. Environmental Protection Agency (EPA) is initiating consultation and coordination with a number of federally recognized tribes in Alaska on a proposed Clean Water Act rulemaking concerning seafood processing facilities in certain locations in Alaska. This letter invites you, your interested colleagues, and designated consultation officials to participate in an informational webinar about the proposed Alaska Seafood Processing Effluent Guidelines.

The webinar is scheduled for **January 13, 2016 at 9:00 am, Anchorage, Alaska time.** Enclosed is information on how to participate.

The purpose of the webinar is to provide additional facts concerning EPA's rulemaking, respond to your questions, and hold discussions with you, and other tribal leaders regarding EPA's Alaskan seafood processing rulemaking. During the webinar or in follow-up to it, you will have the opportunity to provide input to EPA on this rulemaking. You will also have the opportunity to request government-to-government consultation with EPA on this action.

Background

EPA's Alaskan seafood processing rulemaking seeks to upgrade the nature and quality of discharges from seafood processing facilities in or near locations in Alaska including Anchorage, Cordova, Juneau, Ketchikan, Petersburg, Dutch Harbor, the Kenai Peninsula, and Sitka. Under the effluent guidelines currently in effect for seafood processing facilities in or near these locations, facilities are required to grind excess seafood processing solids to no larger than ½ inch before they can be discharged in the facilities' effluent into near-shore navigable waters through the facilities' outfall pipe. This practice has resulted in numerous problems, including accumulation of waste sludge piles near-shore which smother life on the sea floor; and generation of toxic hydrogen sulfide gas and noxious conditions caused by

odors, bacteria and waste decomposition. These problems are described more fully in EPA's Notice of Data Availability (NODA) published in November 2013 (<http://www.gpo.gov/fdsys/pkg/FR-2013-11-07/pdf/2013-26483.pdf>). An alternative to this current requirement is to require that the excess seafood processing solids be screened out prior to near-shore discharge. Under this alternative, facilities could handle the resulting solids through a number of different practices, including by-product recovery (fish meal, fish oil, etc.), composting, landfilling, sending to a local wastewater treatment plant or off-shore ocean disposal.

In 2010, EPA sent a questionnaire to nine companies requesting updated information about their seafood processing facilities and waste disposal practices. EPA analyzed these industry data and other available information. In November 2013, EPA published a Notice of Data Availability (NODA) in the Federal Register to make the newly gathered data and information, and preliminary results of the Agency's analyses available to the public for review and comment. The NODA also provided preliminary indications of how these results may be reflected in EPA's final response to an industry petition and in amendments to the currently applicable ELGs requirements for facilities in Alaska currently allowed to discharge excess solids.

As described in the 2013 NODA, EPA is considering finalizing amended ELGs and we are requesting your input. Additional information describing the history of EPA's regulatory actions and data gathering activities is enclosed with this letter.

Informational Webinar

EPA will conduct a tribal informational webinar on January 13, 2016 at 9:00 am, Anchorage, Alaska time, with the assistance of EPA Region 10's Tribal Coordinators for the locations listed above. The webinar will be an opportunity for tribal representatives to provide input and any additional information to EPA regarding the discharge from on-shore seafood processing facilities, and to request government-to-government consultation with the Agency. To participate in the webinar, please send an email to hessenauer.meghan@epa.gov with the subject header: AK Seafood Webinar Information. Meghan will then send you the webinar login information.

We look forward to the opportunity to engage with you and/or your staff on this topic and are very interested in your perspectives. If you have any questions about this letter or the EPA process, please contact Meghan Hessenauer at 202-566-1040, hessenauer.meghan@epa.gov or Lindsay Guzzo in our Region 10 office at 206-553-0268, guzzo.lindsay@epa.gov.

Sincerely,



Robert K. Wood, Director
Engineering and Analysis Division

Enclosure

cc: Daniel D. Opalski, Director, Office of Water and Watersheds
Region 10 Tribal Environmental Staff

Alaskan Seafood Processing Effluent Guidelines

Summary

EPA is concerned about seafood processing waste disposal in certain areas of Alaska. Seafood processing waste can negatively impact water quality and human health. Adverse effects associated with seafood processing wastewater discharges can include:

- Accumulations of underwater waste piles in near-shore locations.
- Increased gathering of scavengers in discharge locations.
- Noxious conditions caused by odors, bacteria and waste decomposition.
- Smothering of life on the sea floor.

Background

Effluent Limitations Guidelines (ELGs) are national technology-based wastewater discharge standards that are developed by EPA on an industry-by-industry basis. The current federal regulations for wastewater discharges for this industry were last updated in the 1970s. In general, the existing ELGs for Alaska are based on grinding processing solids in wastewater to meet a discharge requirement of not greater than ½ inch in any dimension prior to near-shore discharge to waters of the United States. EPA is considering an alternative to the existing ELG requirement that would place limitations on oil and grease and total suspended solids based on excess seafood processing solids being screened-out of the wastewater prior to near-shore discharge. Under this alternative, facilities could handle the resulting solids through a number of different practices, including by-product recovery (fish meal, fish oil, etc.), composting, landfilling, sending to a local

wastewater treatment plant or off-shore ocean disposal.

What action is EPA considering?

EPA is currently reviewing wastewater discharge practices of the on-shore seafood processing industry in Alaska. In particular, EPA is evaluating the costs, feasibility, and achievability of basing federal discharge requirements for certain locations in Alaska on the more stringent screening technology.

Locations that may be affected by this action include:

On-shore seafood processing facilities in Anchorage, Cordova, Juneau, Ketchikan, Petersburg, Kodiak, Dutch Harbor, Kenai Peninsula, and Sitka.

How tribes can inform this action:

EPA is interested in obtaining information from tribes that may be affected by wastewater discharge practices from seafood processing facilities in these locations.

- Have tribes experienced negative environmental or human health impacts as a result of these near-shore operations?
- Do tribes own or are their members employed by on-shore processors?
- Would tribes be impacted by the changes under consideration?
- Is there other information your tribe would like to share with EPA related to seafood processing facilities in these locations?

Where can I find more information?

More information is available on EPA's website:

<http://www2.epa.gov/eg/alaskan-seafood-processing-effluent-guidelines>

EPA will continue tribal outreach activities, including an informational webinar on January 13, 2016 at 9:00 am Anchorage, Alaska time.

To participate in the webinar, send an email to:

hessenauer.meghan@epa.gov with the subject header: AK Seafood Webinar Information.

Contact Information:

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