



TRIDENT SEAFOODS CORPORATION

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VIA ELECTRONIC MAIL

July 31st, 2023

Ms. Anne Weaver
Alaska Department of Environmental Conservation
555 Cordova Street
Anchorage, AK 99501
anne.weaver@alaska.gov

RE: Draft AK0037303 30-day Public Review Comments

Dear Ms. Weaver,

Please find Trident Seafoods Corporation's (Trident) comments on the Alaska Department of Environmental Conservation (DEC) draft permit No. AK0037303.

To facilitate review of these comments, the section number associated with ADEC's Preliminary Permit document is listed with each comment when applicable.

General Comments:

- Section 1.4.2.7, 1.4.3.3, 1.4.3.3.1, 1.4.3.3.4, 1.5.2.1 (and throughout fact sheet): Trident asks to change "seafood waste treatment system" to "solids recovery unit (i.e. screen)" to reflect that screens are part of the production and by-product recovery process, in that the units recover valuable solids that make up a sold commodity (fish meal) that also happen to commensurately meet the solids size limitation in the draft permit.

1.2 Discharges not Covered

- Section 1.2.6 seems to hold Trident responsible for discharges from vessels. In instances where Trident is the owner of the vessels, this makes sense, but this permit does not regulate third party vessels, nor does Trident, as the permittee, have the authority to control activities aboard third party vessels. Discharges of pollutants in vessel bilge waters are already prohibited due to the fact that they are a point source discharging pollutants into a waters of the US without an APDES permit, so the clause, "including vessel bilge waters," is unnecessary.

1.4 General Requirements

- Section 1.4.3.3 – Requires waste treatment system inspection within 12 months of the effective date of the permit. However, 1.4.3.5 requires daily visual inspections of the waste screening and conveyance system. Trident requests either removal of the waste treatment inspection in 1.4.3.3 or clarification of the requirements of the waste treatment inspection in 1.4.3.3.

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- Section 1.4.3.3.4 – Requires a log of repairs to the seafood waste treatment and to include with the Annual Report. However, 1.4.3.5 requires a written log to be maintained at the facility and made available to DEC upon request. Trident requests clarification on whether the log of repairs will need to be provided in the Annual Report or provided to the Department upon request.
- Section 1.4.5.10 – Any additional effluent or receiving water monitoring to be required by DEC must be implemented through a permit modification, as otherwise Trident lacks due process to comment on and challenge the lawfulness or reasonableness of the monitoring requirements. This provision legally must be deleted.
- *Tables 3 & 4*
 - Includes provisions to monitor for arsenic, copper and zinc with the fact sheet basis stating that DEC's Noncontact Cooling Water GP requires such sampling so there this permit should as well. However, there isn't a technical basis for conducting metals sampling as the source water is not from groundwater where metals can naturally be elevated to levels of concern and the processes employed at the Akutan facility do concentrate metals if they were to be developed. As such, there is not a legal or technical basis for inclusion of such monitoring in the permit and the requirements shall be dropped from the final permit.
- *Tables 3-5*
 - Flow – The basis for the limits on flow rate is unclear, as the fact sheet sections 4.4.3 and 4.4.4 do not include an explanation. Trident requests removal of the flow limit, as flow is not a pollutant. If a flow limit is deemed required, Trident requests a reasonable potential multiplier factor be applied since current limits only reflect maximum observed flow rates during the effluent monitoring study.
- *1.9 Compliance Schedule*
 - Trident requests clarity on the compliance schedule regarding the project area ZOD coverage limitation. The intended scope seems to be in reference to the delineated area in Appendix F (Figure 1). Furthermore, there is no definition of the "Historic Monitoring Area" and if this delineated area falls under the scope of the compliance schedule noted in condition 1.9.1.
 - 1.9.3 – Trident requests to move this Report to the timeframe laid out in 1.9.4, essentially combining the description of potential upgrades, cost estimates, and proposed schedule for construction into a single report. The timeframe will allow

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Trident to make operational adjustments and observe lagging indicators of such adjustments through visual surveys still fit within the 5-year compliance schedule.

- 1.9.7 – Trident requests to remove the term optimization from facility upgrades as that may take additional adjustments post known indicators (i.e., visual surveys).
- *2.3 Removed Substances*
 - This provision is not a Clean Water Act section 402 or its implementing NPDES or APDES regulations provision. There is no legal basis for such a provision to be included in an APDES permit and therefore must be removed from the permit. Other resource management and environmental regulations cover such activities.
- *2.4 Air and Land Releases*
 - This provision is not a Clean Water Act section 402 or its implementing NPDES or APDES regulations provision. There is no legal basis for such a provision to be included in an APDES permit and therefore must be removed from the permit. Other resource management and environmental regulations cover such activities.

Sincerely,



Shawn Stokes
Regulatory Affairs Director