FACT SHEET

NPDES Permit Number: AK-000039-6
Date:
Public Notice Expiration Date:
Technical Contact: Cindi Godsey (907) 271-6561 or
1-800-781-0983 (within Alaska)
godsey.cindi@epa.gov

The U.S. Environmental Protection Agency (EPA) Plans To Issue A Wastewater Discharge Permit To:

Cook Inlet Pipeline Company
Drift River Terminal

and the State of Alaska proposes to Certify the Permit

EPA Proposes NPDES Permit Issuance.

EPA proposes to issue a *National Pollutant Discharge Elimination System* (NPDES) permit to Cook Inlet Pipeline Company's Drift River Terminal Facility. The draft permit sets conditions on the discharges of pollutants from the facility to an unnamed ditch that flows into Redoubt Bay. In order to ensure protection of water quality and human health, the permit places limits on the types and amounts of pollutants that can be discharged.

This Fact Sheet includes:

- information on public comment, public hearing, and appeal procedures
- a description of the current discharge
- a description of the discharge location and a map and
- technical material supporting the conditions in the permit

Alaska State Certification.

EPA requests that the Alaska Department of Environmental Conservation (ADEC) certify the NPDES permit under section 401 of the Clean Water Act. EPA may not issue the NPDES permit until the state has granted, denied, or waived certification. The state of Alaska has provided a draft certification for the permit (See Appendix A). For more information concerning this review, please contact Sharmon Stambaugh at (907) 269-7565 or 555 Cordova Street, Anchorage, Alaska 99501 or Sharmon_Stambaugh@dec.state.ak.us

Consistency Determination
6 AAC 50.820 states that an existing project "is not subject to a consistency review . . . unless the applicant proposes a modification." Since no modification from the previous project has been proposed, the final consistency determination issued on June 17, 1998, still applies to this facility.

Public Comment

EPA will consider all comments before issuing the final permit. All comments should include name, address, phone number, a concise statement of basis of comment and relevant facts upon which it is based. All written comments should be addressed to the Office of Water Director at U.S. EPA, Region 10, 1200 Sixth Avenue, OW-130, Seattle, WA 98101; submitted by facsimile to (206) 553-0165; or submitted via e-mail to godsey.cindi@epa.gov

After the Public Notice expires and all significant comments have been considered, EPA's regional Director for the Office of Water will make a final decision regarding permit reissuance. If no comments requesting a change in the draft permit are received, the tentative conditions in the draft permit will become final, and the permit will become effective upon issuance. If significant comments are received, EPA will address the comments and issue the permit along with a response to comments. The permit will become effective 30 days after the issuance date, unless the permit is appealed to the Environmental Appeals Board (EAB) within 30 days.

Persons wishing to comment on State Certification should submit written comments by the public notice expiration date to the Alaska Department of Environmental Conservation c/o Sharmon Stambaugh, 555 Cordova Street, Anchorage, Alaska 99501 or Sharmon_Stambaugh@dec.state.ak.us

Documents are Available for Review.

The draft NPDES permit and related documents can be reviewed or obtained by visiting or contacting EPA's Regional Office in Seattle between 8:30 a.m. and 4:00 p.m., Monday through Friday (See address below). Draft permits, Fact Sheets, and other information can also be found by visiting the Region 10 website at www.epa.gov/r10earth/water.htm

United States Environmental Protection Agency
Region 10
1200 Sixth Avenue, OW-130
Seattle, Washington 98101
(206) 553-0523 or
1-800-424-4372 (within Alaska, Idaho, Oregon and Washington)

The fact sheet and draft permit are also available at:

EPA Alaska Operations Office
222 W. 7th Avenue #19
Anchorage, Alaska 99513-7588
(800) 781-0983 toll free in Alaska only

Alaska Department of Environmental Conservation
610 University Avenue
Fairbanks, Alaska 99709

For technical questions regarding the permit or fact sheet, contact Cindi Godsey at (907) 271-6561 or godsey.cindi@epa.gov. Services can be made available to persons with disabilities by contacting Audrey Washington at (206) 553-0523.

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A. APPLICANT

Cook Inlet Pipeline Company (CIPL)
Drift River Terminal.

PO Box 91159	909 W. 9th Avenue
Anchorage, Alaska 99519	Anchorage, AK 99501

Facility location: Drift River at Redoubt Bay on the west side of Cook Inlet

A renewal application was submitted April 2, 2003 and clarification of the application was received on May 13, 2003.

B. ACTIVITY

The purpose of the Drift River Terminal is to serve as a shipping point for crude oil produced in Cook Inlet (see Figure 1). The Cook Inlet Pipe Line brings crude oil from production facilities on the west side of Cook Inlet to storage tanks at the Drift River Terminal. The oil is then transferred to tanker ships via buried pipeline to an offshore loading platform. Two discharges have been associated with this activity: treated ballast water from an onshore treatment facility and domestic wastewater from the offshore loading platform, Christy Lee.

1. Ballast Water Treatment System — Outfall 001
Latitude 60º34'43" Longitude 152º08'18"

The main, and most routine, source of wastewater to the system is ballast water. Seven other sources are identified in the permit application. The first group contains three types of water: hydrostatic test water, pipeline displacement water and breakout tank ballast water. These three types of water are generated only when repairs, maintenance or inspections are conducted on various pieces of equipment. The fourth type is purge water from monitoring wells. Water collected each time from groundwater monitoring wells is sampled and stored separately in drums until lab analyses are complete. The water from the drums would be treated in the ballast water treatment system if the only contamination of the water was crude oil contamination. Storm water and groundwater collected during maintenance projects is the fifth type of source water. This water, if contaminated by crude oil, would be collected and routed through the treatment system if repairs or maintenance of underground equipment is needed. Spill response water and groundwater remediation, the last two types of source water, are for contingency purposes. Spill response water would be generated in the event that a spill or release of crude oil occurs in Cook Inlet. This source would be the decanted water from oil spill response vessels deployed to collect spilled crude oil in Cook Inlet. There are no groundwater remediation projects underway at this time. However, the facility wishes to include the potential for treating this water in the proposed permit.

The current ballast water treatment system (see Figure 2) begins in the 90,000 barrel ballast water storage tank. When tankers arrive with ballast, the ballast is off loaded and initially stored in the ballast water storage tank for a minimum of 24 hours. This allows for gravity separation of the liquid phases in the ballast water. The separated oil is collected from the ballast tank and routed back to a breakout storage tank. The underlying water is routed to one of two dissolved air floatation (DAF) tanks. The oil skimmed from the DAF unit also goes into a breakout storage tank and the water is then routed to an oil/water separator. Like the oil collected from the ballast storage tank and the DAF unit, any oil collected in the oil/water separator is routed to a breakout storage tank and is later loaded back onto a tanker. After the oil/water separator, the water is routed to an air stripper.

There are six activated carbon vessels that are used to polish the ballast before discharge. The water exiting the carbon vessels is continuously monitored with a gas chromatograph. The gas chromatograph is calibrated before each batch of ballast is processed and has an alarm which is set at 5 ppb BTEX (the limit in the proposed permit is 10 ppb for Total Aromatic Hydrocarbons).

The designed flow rate for the treatment system is 200 gallons per minute for a maximum of approximately 300,000 gallons per day. After the carbon vessels, the ballast is discharged through outfall 001 to an unnamed ditch.

2. Sanitary and Domestic Wastewater — Outfall 002
   Latitude 60º33'19.3" Longitude 152º08'2.7"

Up to four people occupy the quarters on the loading platform during a loading operation. Domestic wastewater is generated from showers, sinks, galleys and laundries. These discharges will mostly be contaminated with minor amounts of domestic cleansers. The facility has requested continued coverage of a discharge from the marine sanitation device. The sanitary wastewater are currently commingled with the domestic wastewater and discharged through the outfall 002.

C. RECEIVING WATERS

In a letter from the Alaska Department of Environmental Conservation (ADEC) to CIPL dated November 6, 1989, ADEC determined that there is a hydrologic connection between the ditch that the effluent flows through and the groundwater. ADEC designated the ditch as a water of the State. Compliance with the Alaska Water Quality Standards (WQS) found in 18 AAC 70 would be required prior to entering the ditch.

The ditch is classified in 18 AAC 70 as Classes (1)(A), (B), (C), and (D) for use in drinking, culinary, and food processing, agriculture, aquaculture, and industrial

water supply; contact and secondary recreation; and growth and propagation of fish, shellfish, other aquatic life and wildlife.

Redoubt Bay is classified in 18 AAC 70 as Classes (2)(A), (B), (C), and (D) for use in water supply (aquaculture, seafood processing and industrial), water recreation (contact and secondary), growth and propagation of fish, shellfish, other aquatic life and wildlife, and harvesting for consumption of Raw Mollusks or other raw aquatic life.

D. OCEAN DISCHARGE CRITERIA EVALUATION

EPA has prepared a document entitled "Ocean Discharge Criteria Evaluation for Cook Inlet (Oil and Gas Lease Sale 149) and Shelikof Strait" (ODCE). Since the proposed permit is for a facility in an area the document has evaluated, EPA is proposing to use this document to satisfy the requirements of Section 403 of the Act. The discharges contained in the proposed permit that flow to marine waters are sanitary and domestic wastewater from the Christy Lee Platform.

The ODCE directly addresses the discharge of sanitary and domestic wastewaters. Sanitary discharges in this proposed general permit are required be treated by a Coast Guard approved marine sanitation device (MSD). Domestic wastewater discharges are not measured analytically but are not expected to produce substantial pollutant loading. Neither of these discharges are expected to have a detrimental effect on the marine environment especially considering the sporadic nature of the discharge.

E. BACKGROUND

The Cook Inlet Pipe Line Company ballast water treatment facility is an existing discharge which was first issued an NPDES permit in December 1973. The permit was reissued in September 1979 and in September 1987 then modified in September 1988. That permit expired on October 29, 1992. The permit was reissued on October 28, 1998.

In April of 1997, the EPA issued an administrative penalty complaint against the Cook Inlet Pipeline Company for violations of its National Pollutant Discharge Elimination System (NPDES) permit. The water discharge from the facility exceeded the permit limits for total hydrocarbon, pH, oil/grease, Total Suspended Solids and BETX on 35 occasions spanning a period from 1992 to 1996. A penalty of $120,000 was proposed. EPA and the facility agreed to settle the complaint through a Consent Order in November 1997. The facility agreed to pay a penalty of $98,000.

F. STATUTORY BASIS FOR EFFLUENT LIMITATIONS

Sections 301(b), 304, 308, 401 and 402 of the Clean Water Act provide the basis for the effluent limitations and permit conditions contained in the draft permit. The general requirements of this sections are discussed below. A discussion of the derivation of specific effluent limitations follows in Part G.

1. **Technology-Based Limitations**

a. *Regulatory Requirements*

By July 1, 1984, all permits were required by Section 301(b)(2) of the Act to contain effluent limitations which: (1) control toxic pollutants (40 CFR § 401.15) by means of the best available technology economically achievable (BAT), and (2) represent best conventional pollutant control technology (BCT) for all categories and classes of point sources. BCT effluent limits apply to conventional pollutants (pH, BOD, oil and grease, suspended solids and fecal coliform). Permits were required to impose effluent limitation which control nonconventional pollutants by means of BAT no later than July 1, 1987.

BAT and BCT guidelines have not been proposed for discharge from ballast water treatment plants associated with transshipment terminals. In the absence of effluent guidelines, permit conditions must be established using best professional judgment (BPJ) procedures (40 CFR §§ 122.43, 122.44 and 125.3). Therefore, this permit incorporates BAT and BCT effluent limitations based on Region 10's best professional judgement.

BAT and BCT guidelines have been promulgated for treated ballast water discharge from petroleum refining point sources in 40 CFR Part 419, Subpart A. BCT limits were determine to be:

	Daily Maximum	Monthly Average
BOD_5, mg/L	48	26
TSS, mg/L	33	21
Oil & Grease, mg/L	15	8

pH shall be between 6 and 9 standard units

BOD_5 and COD were not limited in the previous permit based on BPJ. The level of BOD_5 reported in the permit application still supports this determination. 40 CFR 419.13(d) states, “In any case in which the applicant can demonstrate that the chloride ion concentration in the effluent exceeds 1,000 mg/l (1,000 ppm), the Regional Administrator may substitute TOC as a parameter in lieu of COD. Effluent limitations for TOC shall be based on effluent data from the plant correlating TOC

to BOD_5." The effluent from CIPL's ballast water treatment plant has chloride levels much higher than 1000 mg/L. Since the parameter in lieu of COD is based on a correlation with BOD_5 and there is not a concern with the level of BOD_5, there will be no COD monitoring included in the final permit.

b. *BPJ Determination*

EPA previously evaluated whether BAT/BCT effluent limitations for the CIPL should be based on improved treatment requiring additional treatment processes. EPA has determined that the current operating performance (January 1992 to present) of this facility should serve as a basis for BAT/BCT effluent limitations. This determination is based on the following considerations:

i. Age of equipment and facilities, processes involved.

The ballast water treatment plant is approximately 35 years old. Additions to the treatment process (described below) make the current treatment process nearly equivalent to that considered BAT/BCT for petroleum refining point sources. The facility has achieved effluent concentrations of oil and grease and TSS within the BAT/BCT limits promulgated for the petroleum refining point source category.

ii. Engineering aspects of the application of various types of control techniques; process changes

The facility has added carbon adsorption and air stripping to their treatment process. At this time, no other potential treatment methods are being considered as a basis for BAT at this particular facility.

Regarding removal of conventional pollutants, no technology performance data available to Region 10 indicate that more stringent limitations based on other technologies are appropriate at this time.

iii. Cost Considerations

Since Region 10's determination that the currently utilized treatment technology is nearly equivalent to BAT/BCT treatment for this facility, there is no incremental cost involved in attaining the technology-based limits of the proposed permit.

2. **Water Quality Based Limits**

In addition to the technology-based effluent limitations, the permit includes effluent limitations which are required to ensure compliance with WQS. These standards vary with the beneficial use they are established to protect. In water bodies with more than one designated beneficial use, the most restrictive criteria apply.

G. SPECIFIC EFFLUENT LIMITATIONS

1. **Ballast Water Treatment System** — Outfall 001

a. *Discharge Flow Rate* — EPA proposes, as requested by the permittee, to set the discharge flow rate limitation at the design rate of 300,000 gallons per day for the ballast water treatment facility at Drift River Terminal.

b. *Oil and Grease* — Oil and grease is a conventional pollutant controlled under BCT. Using the EPA method for calculating permit limits at a 95th percentile based on the long-term mean and coefficient of variation of available data (U.S. EPA, March 1991), possible permit limits were calculated (the theoretical 95th percentiles). This method assumes a lognormal distribution of effluent concentrations which may not perfectly represent the actual situation. A comparison with actual operation data, based on BPJ, shows that these newly calculated limits correlate fairly well with the operating data over the last five years (See Figure 3). The proposed limits have, therefore, been adjusted to a level which would have been exceeded less than 5% of the time. The following table displays the oil and grease limits calculated by the Technical Support Document method in the first column and, in the second column, the levels which the actual data support as being exceeded less than 5% of the time.

	95th Percentile concentrations (mg/L)	
	Theoretical	Actual
Maximum	4.18	4.94
Monthly average	1.97	1.99

These calculations however, fall below the ML of the n-hexane method (method 1664) for oil and grease. Method 1664, included in the permit, has a published MDL of 1.6 mg/L and an ML of 5 mg/L. In light of this information and the uncertainty of the data, due to its proximity to the ML used to calculate the limitations in the proposed permit, the effluent limitations in the final permit will remain 7 and 9 mg/L for the average monthly and daily maximum limitations, respectively.

c. *Petroleum Hydrocarbons* — The WQS is most restrictive for the use of Water supply- aquaculture. It says that total aqueous hydrocarbons (TAqH) may not exceed 15 µg/L in the water column. Concentrations of TAqH must be determined and summed using a combination of EPA Method 602 (plus Xylenes) to quantify monoaromatic hydrocarbons and EPA Method 610 to quantify polynuclear aromatic hydrocarbons. Total aromatic hydrocarbons (TAH) may not exceed 10 µg/L. Concentrations of TAH will be determined by EPA Method 602 (plus Xylenes). The WQS also require that surface waters and adjoining shorelines be free from floating oil, film, sheen or discoloration.

d. *Total Suspended Solids* (TSS) — TSS is a conventional pollutant appropriately regulated under a BCT limitation. The removal of suspended particulate material from the treated ballast water is accomplished at every step of the process used. It is Region 10's best professional judgment that the existing treatment system can achieve the proposed maximum daily TSS limit of 33 mg/L. This limit is equal to the daily maximum limit recommended by the guidelines for ballast water for Petroleum Refining Point Sources.

e. *pH* — The previous permit contained a pH range of 6.5 to 8.5 standard units based on the state's § 401 Certification. This limitation will be retained in the current permit.

f. *Whole Effluent Toxicity* (WET) — The state water quality standards require that an effluent discharged to water may not impart chronic toxicity to aquatic organisms at the point of the discharge [18 AAC 70.030]. Because of the limited number of discharge events during the current permit cycle, sufficient data does not exist to support the development of a WET limit at this time. The proposed permit will require the permittee to monitor for whole effluent toxicity, and this information will be used in the next permitting cycle to determine if a WET limit is required. In addition to monitoring, the permit also includes a trigger level for accelerated WET testing. If chronic toxicity, above the trigger level of 1.5 TU_C, is detected, additional testing will be required. The information collected will allow EPA to better determine compliance with the WQS.

2. **Domestic Wastewater** — Outfall 002

Domestic Wastewater is defined by ADEC in their Wastewater Disposal regulations (18 AAC 72) as: waterborne human wastes or graywater derived from dwellings, commercial buildings, institutions, or similar structures: "domestic wastewater includes the contents of individual removable containers used to collect and temporarily store human wastes.

a. *Discharge flow rate* — The flow limitation will remain 650 gpd, the level in the current permit, according to a request made by CIPL to ADEC in a letter dated February 27, 1998.

b. *Residue* — Applicable state standards for residue state that the discharge "may not, alone or in combination with other substances or wastes, make water unfit or unsafe for use, or cause acute or chronic problem levels as determined by bioassay or other appropriate methods. May not, alone or in combination with other substances, cause a film, sheen, or discoloration on the surface or floor of the water body or adjoining shorelines, cause leaching of toxic or deleterious substances; or cause a sludge, solid, or emulsion to be deposited beneath or upon the surface of the water . . . or upon adjoining shorelines" EPA has determined that for the discharge of domestic wastewater, prohibition of an oily sheen and the discharge of excess kitchen oils from food preparation will meet this criteria. For sanitary wastewater discharges, a restriction on floating solids and foam will suffice.

Permit Effluent Limitations			
Effluent Characteristics Outfall 001	Discharge Limitations		Basis for Effluent Limitation
	30 day average	daily maximum	
Flow, gallons per day (gpd)	---	300,000	Technology
Oil & Grease*, mg/L	7	9	Technology
Total Suspended Solids (TSS), mg/L	---	33	Technology
Total Aromatic Hydrocarbons, µg/L	**	10	Water Quality
Total Aqueous Hydrocarbons, µg/L	**	15	Water Quality
pH, standard units	6.5 to 8.5		Water Quality

H. BASIS FOR MONITORING AND REPORTING REQUIREMENTS

EPA must include monitoring requirements in the permit to monitor compliance with effluent limitations pursuant to 40 CFR § 122.44(i)(1)(i). Effluent and ambient monitoring may also be required to gather data for future effluent limitations or monitor effluent impacts on receiving water quality. Flow monitoring is required pursuant to 40 CFR § 122.44(i)(1)(ii). Reporting requirements are pursuant to 40 CFR § 122.48.

I. BEST MANAGEMENT PRACTICES (BMPs)

It is national policy that, whenever feasible, pollution should be prevented or reduced at the source, that pollution which cannot be prevented should be recycled in an environmentally safe manner, and that disposal or release into the environment should be employed only as a last resort and should be conducted in an environmentally safe manner (Pollution Prevention Act of 1990, 42 U.S.C. 13101).

Pursuant to Section 402(a)(1) of the Clean Water Act, development and implementation of Best Management Practices (BMP) Plans may be included as a condition in NPDES permits. Section 402(a)(1) authorizes EPA to include miscellaneous requirements in permits on a case-by-case basis which are deemed necessary to carry out the provisions of the Act. BMPs, in addition to numerical effluent limitations, are required to control or abate the discharge of pollutants in accordance with 40 CFR § 122.44(k). The BMP Plan requirement has also been incorporated into this permit in accordance with EPA's Guidance Manual for Developing Best Management Practices (BMP) (EPA, October 1993).

The proposed permit requires the development and implementation of a BMP Plan which prevents or minimizes the generation of pollutants, their release, and/or potential release from the facility to the waters of the United States. The requirements of the general plan are outlined in the proposed permit.

In addition to the developing and implementing the BMP Plan, the operator is also required to certify that the BMP Plan is complete, on-site, and available upon request. Certification is required no later than six months after the effective date of the permit. 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 increase discharge of pollutants. The BMP Plan will become an enforceable condition of the permit; a violation of the BMP Plan is a violation of the permit.

J. QUALITY ASSURANCE PLAN (QAP)

Under 40 CFR § 122.41(e), the permittee must properly operate and maintain all facilities which it uses to achieve compliance with the conditions of the permit. This regulation also requires the permittee to ensure adequate laboratory controls and appropriate quality assurance procedures.

The draft permit requires the permittee review the current QAP and if necessary update the plan. If any updates are made to the QAP, the new QAP shall be sent to EPA and ADEC for review and approval within 90 days of the effective date of the permit. The QAP is intended to address sampling techniques, sample preservation and shipment procedures, instrument calibration and preventive maintenance procedures and personnel qualifications and training.

K. OTHER REQUIREMENTS

1. Spill Prevention Control and Containment (SPCC) Plan

Part III.C. of the proposed permit was established in accordance with Part 40 CFR 122.44(k)(3). The purpose of this requirement is to control the potential discharge of pollutants, resulting from fuel spills, from entering receiving waters.

2. Endangered Species

Letters were sent to U.S. Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service (NMFS) on May 15, 2003, requesting a species list for the area of the facility. On June 18, 2003, USFWS stated in their response that their "records indicate there are no federally listed or proposed species and/or designated or proposed critical habitat within the action are of the proposed project." NMFS stated in their response, dated June 5, 2003, that "endangered humpback whales occur in the near shore waters of Cook Inlet, mostly in the spring to fall months. However, humpback whales are very rarely observed near this area and would not be expected to occur at the project site. Steller sea lions occur within the waters of Cook Inlet. However, no significant haulouts or rookeries are recorded near the proposed site." Therefore, EPA does not expect the discharges covered by the permit to have an adverse effect on any threatened or endangered species.

3. Essential Fish Habitat

Section 305(b) of the Magnuson-Stevens Act [16 USC 1855(b)] requires federal agencies to consult with NMFS when any activity proposed to be permitted, funded, or undertaken by a federal agency may have an adverse effect on designated Essential Fish Habitat (EFH) as defined by the Act. The EFH regulations define an adverse effect as any impact which reduces quality and/or quantity of EFH and may include direct (e.g. contamination or physical disruption), indirect (e.g. loss of prey, reduction in species' fecundity), site-specific, or habitat-wide impacts, including individual, cumulative, or synergistic consequences of actions.

EPA has determined that issuance of this permit is not likely to have an adverse effect on EFH in the vicinity of the discharge. Effluent limitations have been incorporated into the draft permit based on criteria considered to be protective of overall water quality in the unnamed drainage ditch flowing into Cook Inlet. The discharge events in the past have been intermittent into the drainage ditch. The discharges into Cook Inlet from the Christy Lee platform have been small as well as intermittent. NMFS will be provided with a the draft permit and this fact sheet during the public comment period. Any

comments received from NMFS regarding EFH will be considered prior to final issuance of this permit.

4. **State Certification**

Section 301(b)(1)(C) of the Act requires that an NPDES permit contain conditions which ensure compliance with applicable State water quality standards or limitations. The limitations for TAqH, TAH, residue and pH were established pursuant to WQS. Section 401 of the Act requires that States certify that Federally issued permits are in compliance with State law. No permits can be issued until the requirements of Section 401 are satisfied.

This draft permit is proposed for operations discharging to waters of the state of Alaska. A draft certification by the Alaska Department of Environmental Conservation is included in the Appendix A. The draft certification grants a waiver, in accordance with State Regulations 18 AAC 72.040(d), from secondary treatment standards for the discharge of sanitary wastewater from the Christy Lee Platform.

5. **Coastal Zone Management Act**

On June 17, 1998, this project was found to be consistent with the Alaska Coastal Management Program (ACMP). According to the current regulations, 6 AAC 50.820, projects found to be consistent do not have to undergo another consistency determination process unless a modification is proposed.

6. **Length of Permit**

This permit expires five years from the effective date of the permit but may be administratively extended if the conditions of 40 CFR § 122.6(a) are met.

REFERENCES

40 CFR 419 Subpart A. Petroleum Refining Point Source Category, Topping Subcategory.

U.S. EPA, Region 10. 1995.
Final Draft Ocean Discharge Criteria Evaluation For Cook Inlet (Oil and Gas Lease Sale 149) and Shelikof Strait. Prepared with the assistance of Tetra Tech, Inc., September 9, 1994 and revised by EPA January 1995.

U.S. EPA 1982.
Development Document for Effluent Limitations Guidelines and Standards for the Petroleum Refining Point Source Category. EPA 440/1-82/014

U.S. EPA 1991.
Technical Support Document for Water Quality-based Toxics Control. March 1991. EPA/505/2-90-001

Letter from Cook Inlet Pipeline Company to ADEC dated February 27, 1998, requesting a reduction of the treatment level and effluent limitations required by state regulations for sanitary effluent discharges.

Figure 1

Figure 2

DIVISION OF AIR & WATER QUALITY
WASTEWATER DISCHARGE PROGRAM

610 University Avenue
Fairbanks, AK 99709
PHONE: (907) 451-2360
FAX: (907) 451-2187

James A. Shew, Manager
Cook Inlet Pipe Line Company
P.O. Box 91159
Anchorage, AK 99509-1159

Certified Mail #
Return Receipt Requested

Re: Certificate of Reasonable Assurance for NPDES Permits AK-000039-6 Drift River Terminal and Christy Lee Platform

DEC File Reference: 2339.48.026

Dear Mr. Shew:

In accordance with Section 401 of the Federal Clean Water Act and provisions of the Alaska Water Quality Standards, the Department of Environmental Conservation has issued the enclosed Certificate of Reasonable Assurance for NPDES Permit AK-000039-6 discharges associated with shipping of crude oil produced in Cook Inlet. These discharges consist of treated ballast water from an onshore facility at the Drift River Terminal and domestic wastewater from a marine sanitation device from an offshore loading platform, the Christy Lee.

Any person who disagrees with this decision may request an adjudicatory hearing in accordance with 18 AAC 15.195- 18 AAC 15.340 or an informal review by the Division Director in accordance with 18 AAC 15.185. Informal review requests must be delivered to the Director of Air and Water Quality, 555 Cordova Street, Anchorage, AK 99501. Adjudicatory hearing requests must be delivered to the Commissioner of the Department of Environmental Conservation, 410 Willoughby Avenue, Suite 303, Juneau, Alaska 99801, within 30 days of the permit decision. If a hearing is not requested within 30 days, the right to appeal is waived.

Please be advised that, pursuant to 18 AAC 15.120(c), the certification of this NPDES permit constitutes the permit required under AS 46.03.100. 18 AAC 15.120(c) also states, “Any rights or privileges inuring to the benefit of EPA in the NPDES permit, including any right to enter, inspect, sample, and have access to records, also inure to the benefit of the department. Any reports or other information filed with EPA in accordance with the NPDES permit must be contemporaneously filed with the department.”

By copy of this letter we are advising the Environmental Protection Agency of our actions and enclosing a copy of the certification for their use.

If you have any questions concerning the certification, please contact Sharmon Stambaugh at (907) 465-7565 or Sharmon_Stambaugh@dec.state.ak.us .

Sincerely,

William D. McGee
Technical Engineer

Enclosure: Certificate of Reasonable Assurance

cc: Cindi Godsey, EPA/Anchorage
Stewart Seaberg, ADF&G/Anchorage
Michael Patterson, CIPL/Drift River Terminal
Tim Wingerter, ADEC/Fairbanks
Robert Robichaud, EPA Region 10/Seattle
Mary Walter/ADNR/Anchorage
Mike Munger/Cook Inlet Regional Advisory Council
Bob Shavelson/Cook Inlet Keeper
Dan Bevington/Kenai Peninsula Borough

STATE OF ALASKA
DEPARTMENT OF ENVIRONMENTAL CONSERVATION

CERTIFICATE OF REASONABLE ASSURANCE

A Certificate of Reasonable Assurance, as required by Section 401 of the Clean Water Act, has been requested by Cook Inlet Pipe Line Company for discharges associated with shipping of crude oil produced in Cook Inlet. These discharges consist of treated ballast water from an onshore facility at the Drift River Terminal (Outfall 001) and domestic wastewater from a marine sanitation device from an off-shore loading platform, the Christy Lee (Outfall 002).

The discharge from the ballast treatment system (Outfall 001) is located at Latitude 60°34'43" N, Longitude 152° 08'18" W, on the west side of Cook Inlet, Alaska, near Drift River with discharge into an unnamed freshwater ditch and then to the tidal flats of Cook Inlet. The discharge from the offshore loading platform (Outfall 002) is located at Latitude 60°33'19.3" N, Longitude 152° 08'2.7" W, and consists of sanitary and domestic wastewater with discharge into the marine waters of Cook Inlet. Both facilities operate intermittently during crude oil off-loading operations.

Public notice of the application for this certification was made in accordance with 18 AAC 15.140.

Water Quality Certification is required for the proposed activity, because the activity will be authorized by an Environmental Protection Agency permit identified as NPDES Permit No. AK-000039-6 and discharges will result.

After review of the public comments received in response to the public notice, the Alaska Department of Environmental Conservation certifies that there is reasonable assurance that the activity and the resulting discharge is in compliance with the requirements of Section 401 of the Clean Water Act, which includes the Alaska Water Quality Standards, 18 AAC 70, provided that the condition below is adhered to.

I.The Department grants a waiver from secondary treatment standards for the personnel facility on the Christy Lee platform that uses a Marine Sanitation Device (MSD) to process sanitary wastes. Residual chlorine must be removed prior to discharge.

Rationale: In accordance with Wastewater Disposal regulations 18 *AAC 72.050(d) the Department may reduce the level of treatment of domestic waste from secondary standards as defined in* 18 *AAC 72.990(59). The limited and intermittent use of the MSD does not warrant secondary treatment and Cook Inlet will not be adversely impacted. The level of treatment may not be less than primary treatment as defined in 18AAC 72.990(50). MSD units do provide primary treatment.*

Date

William D. McGee
Technical Engineer