



ALASKA POLLUTANT DISCHARGE ELIMINATION SYSTEM

INDIVIDUAL PERMIT

Permit Number: AKS-052558 (2013 Modification)

**ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Wastewater Discharge Authorization Program
555 Cordova Street
Anchorage, AK 99501**

In compliance with the provisions of the Clean Water Act (CWA), 33 U.S.C. §1251 et seq., as amended by the Water Quality Act of 1987, P.L. 100-4, this permit is issued under provisions of Alaska Statutes (AS) 46.03; the Alaska Administrative Code (AAC) as amended; and other applicable State laws and regulations. The

**the Municipality of Anchorage and
the Alaska Department of Transportation and Public Facilities
(hereinafter "permittees")**

is authorized to discharge from the all municipal separate storm sewer system (MS4) outfalls existing as of the effective date of this permit to receiving waters of the United States which include Cook Inlet, Eklutna River, Edmonds Creek, Mink Creek, Mirror Creek, Peters Creek, Fire Creek, Eagle River, Meadow Creek, South Fork Eagle River, Ship Creek, Chester Creek, North Fork Chester Creek, Middle Fork Chester Creek, South Fork Chester Creek, Fish Creek, Campbell Creek, North Fork Campbell Creek, South Fork Campbell Creek, Little Campbell Creek, Craig Creek, Furrow Creek, Hood Creek, Little Survival Creek, Rabbit Creek, Little Rabbit Creek, Potter Creek, Bird Creek, Indian Creek, and Glacier Creek, their tributaries, associated lake systems, and wetlands located within the corporate boundary of the Municipality of Anchorage, in accordance with the conditions set forth herein.

The original permit became effective **February 1, 2010**. This modification of the permit shall become effective **December 6, 2013**

This permit and the authorization to discharge shall expire at midnight, **January 31, 2015**.

The permittee shall reapply for a permit reissuance on or before **August 4, 2014**, 180 days before the expiration of this permit if the permittee intends to continue operations and discharge(s) at the facility beyond the term of this permit.

The permittee shall post or maintain a copy of this permit to discharge at the facility and make it available to the public, employees, and subcontractors at the facility.

Signature

November 6, 2013

Date

Wade Strickland
Printed Name

Program Manager
Title

II.B.2.(a) Ordinance or Other Regulatory Mechanisms.

Prior to the expiration date of this permit, the permittees must [develop a five-year implementation plan with a schedule for](#) the applicable ordinance, or other enforceable regulatory requirement(s) as allowed under state law, to require the installation and long-term maintenance of permanent storm water management controls at new development and redevelopment projects.

II.B.2.c.(iv) Riparian Zone Management.

Within five years from the effective date of this permit, the permittees must identify and prioritize riparian areas appropriate for permittee acquisition and protection. Prior to the expiration date of this permit, the permittees must examine the feasibility of reconstructing MS4 outfalls, and must disconnect at least one major MS4 outfall [or two minor outfalls](#) from discharging from receiving waters using vegetated swales or other appropriate techniques.

II.B.2.(f) Inspection and Enforcement of Permanent Storm Water Management Controls.

Within [five](#) years of the effective date of this permit, the permittee must ensure proper long term operation and maintenance of all permanent storm water management practices within the permit area. The permittees must develop an inspection program, and prioritize new development and redevelopment sites for inspections of permanent storm water management controls. Factors used to prioritize sites must include, but not be limited to: size of new development or redevelopment area; sensitivity and/or impaired status of receiving water(s); and, history of noncompliance at the site during the construction phase.

- (i) High priority sites must be inspected at least once annually between August through October. The inspections must determine whether storm water management or treatment practices have been properly installed (i.e., an “as built” verification). The inspections must evaluate the operation and maintenance of such practices, identify deficiencies and potential solutions, and assess potential impacts to receiving waters.
- (ii) The permittees must develop checklists to be used by inspectors during these inspections, and must maintain records of all inspections conducted on new development and redevelopment sites.
- (iii) Within [five](#) years of the effective date of this permit, the permittees must develop and implement an enforcement strategy similar to that required in Section II.B.1.(e) to maintain the integrity of permanent storm water management and treatment practices.

II.B.4.(c)(iii) Covered Sand and Salt Storage.

Within [five](#) years of the effective date of this permit, the permittees must build covered storage facilities at each of their primary materials storage locations.

IV.A.9. Evaluate Snow Storage Site Retrofits.

The permittees must retrofit [or build](#) at least two snow storage sites according to the criteria developed by MOA-Watershed Management Section (WMS) regarding siting, design and operation and/or by using infiltration, evapotranspiration or reuse techniques. The permittees are responsible for retrofitting/[building](#) at least one site within two years of the permit effective date; the second retrofit [or build](#) must be completed no later than [four](#) years of the permit effective date. The permittees must quantitatively assess the effectiveness of their retrofits by measuring changes in chloride and turbidity in melt water and must document results in a final project report to be submitted in the [fifth year](#) Annual Report.



ALASKA POLLUTANT DISCHARGE ELIMINATION SYSTEM

PERMIT FACT SHEET – Proposed Modification # 1

Permit Number: AKS052558

Municipal Separate Storm Sewer System Permit for the Municipality of Anchorage and the Alaska Dept. of Transportation and Public Facilities

**DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Wastewater Discharge Authorization Program
555 Cordova Street
Anchorage, AK 99501**

Public Comment Period Start Date: [September 5, 2013](#)

Public Comment Period Expiration Date: [October 7, 2013](#)

[Alaska Online Public Notice System](#)

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Division of Water
Wastewater Discharge Authorization Program
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Proposed modification of an Alaska Pollutant Discharge Elimination System (APDES) permit issued to

MUNICIPALITY OF ANCHORAGE and the ALASKA DEPARTMENT OF TRANSPORTATION and PUBLIC FACILITIES

The Alaska Department of Environmental Conservation (the Department or DEC) proposed to modify an APDES individual permit (permit) issued to the Municipality of Anchorage (MOA) and the Alaska Department of Transportation and Public Facilities (ADOT&PF). The permit authorizes and sets conditions on the discharge of pollutants from this facility to waters of the United States. 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 from the facility and outlines best management practices to which the facility must adhere.

This fact sheet explains the nature of potential modifications of the Municipal Separate Storm Sewer System (MS4) permit including:

- information on public comment, public hearing, and appeal procedures
- a listing of proposed effluent limitations and other conditions
- technical material supporting the conditions in the permit
- proposed monitoring requirements in the permit

The MS4 permit authorizes the discharge of storm water to waters of the United States located within the corporate boundary of the MOA from: (1) all portions of the MS4 owned and operated by MOA; and, (2) all portions of the MS4 within State of Alaska highway rights-of-way owned or operated by ADOT&PF.

The Department has both an informal review process and a formal administrative appeal process for final APDES permit decisions. An informal review request must be delivered within 15 days after receiving the Department's decision to the Director of the Division of Water at the following address:

Director, Division of Water
Alaska Department of Environmental Conservation
555 Cordova Street
Anchorage, AK 99501

Interested persons can review 18 AAC 15.185 for the procedures and substantive requirements regarding a request for an informal Department review.

See <http://www.dec.state.ak.us/commish/InformalReviews.htm> for information regarding informal reviews of Department decisions.

An adjudicatory hearing request must be delivered to the Commissioner of the Department within 30 days of the permit decision or a decision issued under the informal review process. An adjudicatory hearing will be conducted by an administrative law judge in the Office of Administrative Hearings within the Department of Administration. A written request for an adjudicatory hearing shall be delivered to the Commissioner at the following address:

Commissioner
Alaska Department of Environmental Conservation
410 Willoughby Street, Suite 303
Juneau AK, 99811-1800.

Interested persons can review 18 AAC 15.200 for the procedures and substantive requirements regarding a request for an adjudicatory hearing. See <http://www.dec.state.ak.us/commish/ReviewGuidance.htm> for information regarding appeals of Department decisions.

Documents are Available

The permit, fact sheet, [application](#), and related documents can be obtained by visiting or contacting DEC between 8:00 a.m. and 4:30 p.m. Monday through Friday at the addresses below. The permit, fact sheet, and other information are located on the Department's Wastewater Discharge Authorization Program website: <http://www.dec.state.ak.us/water/wwdp/index.htm>.

Alaska Department of Environmental Conservation Division of Water Wastewater Discharge Authorization Program 555 Cordova Street Anchorage, AK 99501 (907) 269-6285	Alaska Department of Environmental Conservation Division of Water Wastewater Discharge Authorization Program 410 Willoughby Avenue, Suite 310 Juneau, AK 99801 (907) 465-5180
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1.0 APPLICANT

This fact sheet provides information on the modification of an existing APDES permit for the following entity:

Name of Facility:	Municipality of Anchorage (MOA) and Alaska Dept. of Transportation and Public Facilities (ADOT/PF) Municipal Separate Storm Sewer System (MS4)
APDES Permit Number:	AKS052558
Facility Location:	Municipality of Anchorage
Mailing Address:	Watershed Management Section Municipality of Anchorage P.O. Box 196650 Anchorage, AK 99519-6650
Facility Contact:	Kristi Bischofberger

2.0 BACKGROUND ON MODIFICATION

According to 18 AAC 83.135, when the Department receives any new information, including information received or discovered through a facility inspection, a submittal by the permittee required by the permit, or a request to modify a permit, the Department may determine if there is cause to modify and reissue the permit. Cause to modify and reissue the permit includes new information that was not available at the time of permit issuance, and the new information would have justified the imposition of different permit conditions at the time of issuance. The Department, through permittee request to modify the permit has found cause to modify and reissue the permit based on new information.

3.0 PROPOSED REVISION TO PERMIT SECTION II.B.2(a)

3.1 Underline strikeout version

Ordinance or Other Regulatory Mechanisms. Prior to the expiration date of this permit, the permittees must ~~update and implement~~ develop a five-year implementation plan with a schedule for the applicable ordinance, or other enforceable regulatory requirement(s) as allowed under state law, to require the installation and long-term maintenance of permanent storm water management controls at new development and redevelopment projects.

3.2 Rationale

The permittees are conducting low impact development (LID) pilot projects in accordance with Part II.B.2(c) of the Permit. The results of these projects are due in year four of the Permit, and as the projects have just recently been constructed; the permittees have no information about either short or long-term durability of the applied techniques. The permittees require more time to ascertain which water management techniques will be successful in Anchorage prior to requiring private and public projects to meet compliance goals. The permittees request a longer implementation time to increase their ability to conduct, maintain, and assess the outcomes of the pilot projects.

4.0 PROPOSED REVISION TO PERMIT SECTION II.B.2 (c)(iv)

4.1 Underline strikeout version

Riparian Zone Management. Within five years from the effective date of this permit, the permittees must identify and prioritize riparian areas appropriate for permittee acquisition and protection. Prior to the expiration date of this permit, the permittee must examine the feasibility of reconstructing MS4 outfalls, and must disconnect at least one major MS4 outfall or two minor outfalls from discharging from receiving waters using vegetated swales or other appropriate techniques.

4.2 Rationale

The permittees have not found a major outfall scheduled for, or in need, of repair. There are significantly more minor outfalls compared to major outfalls in Anchorage, and there is a greater need for rehabilitation of minor (24 inch) culverts compared to major (36 inch and larger) culverts. The flexibility to disconnect either major or minor outfalls will allow the permittees to address actual existing end-of-pipe issues and may provide more critically needed watershed protection and/or information for the requested feasibility analysis. The Department maintains the intent of the Permit will be fully met with the disconnection of two minor culverts.

5.0 PROPOSED REVISION TO PERMIT SECTION II.B.2(f)

5.1 Underline strikeout version

Inspection and Enforcement of Permanent Storm Water Management Controls. Within ~~three~~ five years of the effective date of this permit the permittee must ensure proper long-term operation and maintenance of all permanent storm water management practices within the permit area. The permittees must develop an inspection program and prioritize new development and redevelopment sites for inspections of permanent storm water management controls. Factors used to prioritize sites must include, but not be limited to: size of new development or redevelopment area; sensitivity and/or impaired status of receiving water(s); and history of non-compliance at the site during the construction phase.

- (i) High priority sites must be inspected at least once annually between August through October. The inspections must determine whether storm water management or treatment practices have been properly installed (i.e., an “as built” verification). The inspections must evaluate the operation and maintenance of such practices, identify deficiencies and potential solutions, and assess potential impacts to receiving waters.
- (ii) The permittees must develop checklists to be used by inspectors during these inspections, and must maintain records of all inspections conducted on new development and redevelopment sites.
- (iii) Within ~~three~~ five years of the effective date of this permit, the permittee must develop and implement an enforcement strategy similar to that required in Section II.B.1(e) to maintain the integrity of permanent storm water management and treatment practices.

5.2 Rationale

The actions indicated in the inspection and enforcement of permanent controls requirement are dependent on the legally enforceable and transferable O&M agreement, required in Part II.B.2(e) due to be implemented in the fifth year of the permit. The requested change aligns the implementation of the inspection and enforcement activities with the O&M agreement, providing for a more feasible and effective program.

6.0 PROPOSED REVISION TO PERMIT SECTION II.B.4(c)(iii)

6.1 Underline strikeout version

Covered Sand and Salt Storage. Within ~~four~~ five years of the effective date of this permit, the permittees must build covered storage facilities at each of their primary materials storage locations.

6.2 Rationale

The original action was infeasible because the construction deadline could not be met without funding. DOT&PF made progress towards completion, utilizing the partial funding that was approved by the Governor and Legislature to design all three buildings and construct one of the buildings. The revised action is the same action to protect storm water quality, but only delayed by one year for two of the three buildings. These minor effects can be minimized by the implementation of temporary measures, such as installation of a berm around the sand piles.

7.0 PROPOSED REVISION TO PERMIT SECTION IV.A.9

7.1 Underline strikeout version

Evaluate Snow Storage Site Retrofits. The permittees must retrofit or build at least two ~~of their own existing~~ snow storage sites according to the criteria developed by MOA-Watershed Management Section (WMS) regarding siting, design and operation and/or by using infiltration, evapotranspiration or reuse techniques. The permittees are responsible for retrofitting/building at least one site within two years of the permit effective date; the second retrofit or build must be completed no later than ~~three~~ four years of the permit effective date. The permittees must quantitatively assess the effectiveness of their retrofits by measuring changes in chloride and turbidity in melt water and must document results in a final project report to be submitted in the ~~corresponding~~ fifth year Annual Report.

7.2 Rationale

Two unexpected problems contributed to delays in site selection and construction of the second retrofit project due in permit year three. Initially, the permittees engaged in unsuccessful attempts to purchase the land on which an existing snow storage site (Kleop Station) is located. Construction of retrofits at this site was dependent on MOA obtaining ownership of the land. Second, the winter preceding the third year of the permit term had a record snowfall for Anchorage. The snow disposal sites were filled to capacity and the melt season lasted well into late summer causing the permittees to miss the construction deadline for the alternative site at C Street.

During this period of the permit term, a new snow storage site was constructed using the MOA design criteria. The permittees propose this new site be allowed to substitute for the second retrofit as it is a full implementation of the snow storage site criteria, and provides for a good comparison to the re-designed existing site retrofit.

**Department of Environmental Conservation
Response to Comments**

For

**Municipality of Anchorage Municipal Separate Storm Sewer
System**

APDES Permit No. AKS052558

Public Noticed September 5, 2013 – October 7, 2013

November 6, 2013



**Alaska Department of Environmental Conservation
Wastewater Discharge Authorization Program
555 Cordova Street
Anchorage, AK 99501**

1 Introduction

1.1 Summary of Facility / Permit

The Municipality of Anchorage (MOA) and the Alaska Department of Transportation and Public Facilities (DOT/PF), hereafter referred to as “permittees” have managed urban storm water discharges from their Municipal Separate Storm Sewer System (MS4) in accordance with their Storm Water Management Program (SWMP) since the early 1990’s. The first MS4 permit was issued January 5, 1999, and expired on October 28, 2003; then permit coverage was administratively extended to February 1, 2010 when the second permit was issued. In June 2013 the permittees sought modifications to the permit. This permit modification is based on the permittees requests.

1.2 Opportunities for Public Participation

The Department of Environmental Conservation proposed to issue an Alaska Pollutant Discharge Elimination System (APDES) wastewater discharge permit to Municipality of Anchorage. To ensure public, agency, and tribal notification and opportunities for participation the Department:

- waived posting a preliminary draft of the permit on-line for a 10-day applicant review
- formally published public notice of the draft permit on *September 5, 2013* in the *Anchorage Daily News* and posted the public notice on the Department’s public notice web page
- posted the proposed final permit on-line for a 5-day applicant review
- sent email notifications via the APDES Program List Serve when the draft, and proposed final permits were available for review

The Department received no comments from interested parties on the draft permit. The Department also requested comment from the Departments of Natural Resources (DNR) Fish and Game (DFG), the National Marine Fisheries Service, the U.S. Fish and Wildlife Service, and the U.S. Environmental Protection Agency. No comments were received from any agencies.

This document summarizes the fact no comments were submitted and there is no need to justify any action taken or not taken by DEC in response to the comments.

1.3 Final Permit

The final permit was adopted by the Department on November 6, 2013. There were no changes from the public noticed permit. No changes are identified in the response to comments and reflected in the final fact sheet for the permit.

2 General Support and Opposition for the Permit

2.1 Comment Summary

The Department received no comments during the 30 day comment period or the 5 day final review period on the proposed permit modifications.