



THE STATE  
of **ALASKA**  
GOVERNOR MICHAEL J. DUNLEAVY

Department of Environmental  
Conservation

DIVISION OF WATER

PO BOX 111800  
Juneau, AK 99811  
Main: 907.465-6594  
fax: 907.465.5177

September 9, 2019

Guy Archibald  
Southeast Alaska Conservation Council  
2207 Jordan Ave.  
Juneau, AK 99801

Re: Decision on Request for Informal Review of Waste Management Permit 2019DB0001

Dear Mr. Archibald:

I have completed my evaluation of your August 6, 2019 request for informal review of the Division of Water Wastewater Discharge Authorization Program's decision to issue the subject permit. Your review request has been deemed timely, consistent with 18 AAC 15.185 and prior correspondence.

Pursuant to 18 AAC 15.185(d)(2), I have decided to remand the permit back to Division of Water staff for additional review. Staff will evaluate the applicability and potential implications of the Ninth Circuit Court *Hawai'i Wildlife Fund v. County of Maui* ruling with regard to the appropriate wastewater discharge permit strategy. Additionally, staff will address a range of comments submitted during the public notice period, including an evaluation of the statistical methodology used to determine effluent trigger limits. Accordingly, the Response to Comments document will be updated to reflect decisions made on previously submitted comments during the public notice period.

We expect staff will require approximately 90 days to complete their review under the remand. Decisions available to the Division following the remand range from continuing the permit, with or without minor modification, to revoking the subject permit. Public notification of permit modifications, if any, will be consistent with the requirements of 18 AAC 15.

Consistent with 18 AAC 15.185(d)(2), I am advising you of the right to seek an informal review or an adjudicatory hearing under 18 AAC 15.200 or Alaska Statute 44.62 not later than 30 days after division staff issues a final decision on remand.

Sincerely,

A handwritten signature in blue ink, appearing to read "Amber LeBlanc".

Amber LeBlanc  
Acting Director