



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10

1200 Sixth Avenue, Suite 900  
Seattle, WA 98101-3140

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ENVIR. APPEALS BOARD  
WATER AND  
WATERSHEDS

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. David Connor  
Alyeska Pipeline Service Co.  
P.O. Box 196660  
Anchorage, Alaska 99519

DEC 12 2012

Re: Notification of Stayed Permit Conditions – National Pollutant Discharge Elimination System (NPDES) Permit for Alyeska Pipeline Service Company-Valdez Marine Terminal, Ballast Water Treatment Facility, NPDES Permit No. AK-002324-8

Dear Mr. Connor:

On October 30, 2012, the U.S. Environmental Protection Agency Region 10 (EPA) issued the above-referenced NPDES Permit to the Alyeska Pipeline Service Company. On December 5, 2012 the Environmental Appeals Board notified Region 10 that the Permittee filed a petition for review of the permit (Appeal No. NPDES 12-04). This letter serves as notification, pursuant to 40 C.F.R. § 124.16(a)(2), of those permit conditions that are stayed as a result of the petition for review.

The following contested conditions of NPDES Permit No. AK-002324-8 are stayed until final agency action under 40 C.F.R. §124.19(f):

- **Part I.B.1, Table 2:** Effluent monitoring requirements for acute and chronic whole effluent toxicity (WET) testing
- **Part I.H.:** Whole Effluent Toxicity Testing Requirements

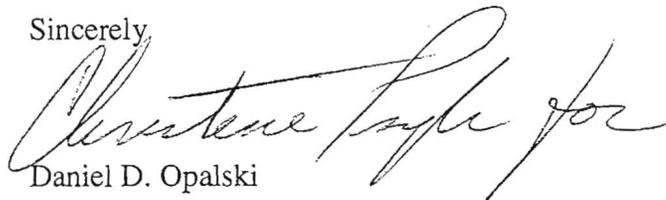
Until final agency action, the following conditions in the 2004 NPDES Permit No. AK-002324-8 will remain in effect, pursuant to 40 C.F.R. §124.16(c):

- **Part I.A.3:** Effluent monitoring requirements for acute and chronic WET testing
- **Part III.A.1.:** Chronic Toxicity Testing
- **Part III.A.2.:** Acute Toxicity Testing
- **Parts III.A.3 – A.7:** General WET Testing requirements

The remainder of the October 30, 2012 permit conditions are uncontested and severable from the contested conditions and, in accordance with 40 C.F.R. §§ 124.16(a)(2) and 124.20(d), will become fully effective and enforceable 33 days after the date this notice is mailed.

Please feel free to contact Michael Lidgard at (206) 553-1755, or via email at [Lidgard.Michael@epa.gov](mailto:Lidgard.Michael@epa.gov) or Erin Seyfried at (206) 553-1448 or via email at [Seyfried.Erin@epa.gov](mailto:Seyfried.Erin@epa.gov) should you have any questions regarding this letter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Christene Payne for".

Daniel D. Opalski

Director

Office of Water and Watersheds

cc: **Environmental Appeals Board**

Mr. Wade Strickland, Alaska Department of Environmental Conservation – Anchorage

Mr. Svend Brandt-Erichsen, Marten Law

Mr. Mark Swanson, Prince William Sound Regional Citizens' Advisory Council