United States Environmental Protection Agency

EPA REGION 10 Enforcement and Compliance Assurance Division

INSPECTION REPORT

Inspection Entry Date/Time	06/07/2023 09:40 AM (PT)	Announced: No
Inspection Exit Date/Time	06/07/2023 03:40 PM (PT)	Access: Granted
Weather	46°F, Overcast, Drizzly	
Media	Water	
Statute/Programs	Clean Water Act, NPDES, Industrial	
Type of Inspection	Compliance Evaluation Inspection	
Permittee Name	Silver Bay Seafoods, LLC	
Facility or Site Name	Silver Bay Seafoods – Kodiak Plant	
Facility/Site Physical Address	517 Shelikof Street	
City, State, Zip Code	Kodiak, Alaska 99615	
Borough	Kodiak	
Facility GPS Coordinates	57.786393, -152.415894	
Mailing Address	4039 21st Avenue W, Suite 201	
City, State, Zip Code	Seattle, Washington 98199	
FRS ID	110010780976	
Permit Numbers	AKG528353 – APDES General Permit for Seafood Processors Operating Onshore Facilities in Kodiak, Alaska AKR06AF77 – Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activity (MSGP)	
SIC	2092 (Fresh & frozen seafood processing (pt)	

Lead Inspector:			
RAYMOND ANDREWS	Digitally signed by RAYMOND ANDREWS Date: 2023.07.20 11:38:40 -07'00'		
Raymond Andrews	EPA REGION 10	andrews.raymond@epa.gov	(206) 553-4252
Supervisor Review:			
PETER CONTRERAS	Digitally signed by PETER CONTRERAS Date: 2023.07.20 12:59:23 -07'00'		
Peter Contreras	EPA Region 10	contreras.peter@epa.gov	(206) 553-6708

SECTION I – Opening Conference

I arrived at the Silver Bay Seafoods – Kodiak Plant (the "Site" or "Facility"), located at 517 Shelikof Street, Kodiak, Alaska, at 09:40 AM (PT) on 06/07/2023 for an unannounced inspection. I presented my credentials to Kyffon Brinegar, the Plant Manager; Ken Holt, Chief Engineer; and Jinko Domingo, QA Manager; and informed them I was there to conduct an inspection to determine compliance with the Clean Water Act (CWA) and the Alaska Pollutant Discharge Elimination System (APDES) general permit for Seafood Processors Operating Onshore Facilities in Kodiak, Alaska ("Permit"), permit # AKG528353 and the Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activity (MSGP), permit #AKR06AF77. This report is based on information supplied by Silver Bay Seafoods representatives, direct observations made by me, and records and reports maintained by the permittee. In addition, information gathered prior to or after the inspection from a review of EPA, State, and/or public records may be included in this report.

NOTE: There are two items of note.

1. The facility was not processing at the time of the inspection.
2. As stated above, the facility was inspected under two different permits, but the findings of the inspections are combined into this single report.

Attendees

Organization	Attendee Name	Title	Present in Opening Conf.	Present in Closing Conf.
EPA Region 10	Raymond Andrews	Lead Inspector	Yes	Yes
Silver Bay Seafoods	Kyffon Brinegar	Plant Manager	Yes	Yes
Silver bay Seafoods	Jinko Domingo	QA Manager	Yes	Yes
Silver Bay Seafoods	Ken Holt	Chief Engineer	Yes	Yes
Silver Bay Seafoods	Tiffany Lake	Director of Compliance	Yes	Yes

Facility/Site Information

Responsible Official	Tiffany Hanson, Director of Compliance, tiffany.lake@silverbayseafoods.com
Type of Operation	The facility is a fish processing plant, which process salmon, herring, white fish, etc., into fresh and frozen filets and other products.
Size of Facility	The site's total footprint is approximately 1.83 acres. Processing activities are conducted in a building with a combined 81,000 square feet of space over two levels.
Number of Employees and Hours of Operation	When processing, the facility employs approximately 250 people working two 12-hour shifts 24-hours a day, seven hours a day.
How many outfalls does the facility have?	The facility discharges through a single underwater outfall into St Paul Harbor. NOTE: Facility personnel said the facility discharges through a single outfall but there are two outfalls shown on the SWPPP map and the name of one outfall is cut off.
How often do you visually inspect the outfall?	The outfall's discharge point is underwater. The facility is not required to inspect the outfall this year. Per Table 9 of permit AKG528353, the facility is required to conduct a dive survey every (or in?) 4 years.
Do you maintain any other environmental permits?	The facility has two active permits. AKG528353 – seafood processing operations AKR06AF77 – industrial stormwater.
Industrial Sector/Sub-sector	For permit AKR06AF77, the facility is in Industrial Sector U (Food and Kindred Products); Subsector U2 (Fats and Oils Products).

How is process wastewater treated? (AKG825353)	Wastewater from all processing areas is collected in the "Wastewater Main Sump". The contents of the sump are pumped to a 1mm x 20mm rotary screen for screening of seafood solids. The screens are used to dewater solids from the processing wastewater prior to discharge through the outfall. The screened wastewater is gravity fed to the outfall for discharge. The solids are conveyed to the Bio-dry hopper, which are then transport to the Kodiak Fish Meal Plant.
How is industrial stormwater treated? (AKR06AF77)	All industrial stormwater is collected in a tank under the dock and pumped to the roto screen to be comingled with seafood wastewater before screening and sampling. When no production occurs, the stormwater tank continues to pump to the main sump and out the outfall. Per facility representatives, industrial stormwater samples are collected after it co-mingles with process wastewater.
What waste does the facility generate? What do you do with it?	The waste byproduct is fish parts which go to "bio-dry" first and then are sent to a fish meal plant for processing.
Do you use in-house or contract out for laboratory analyses? Or both?	In-house analysis - temperature of effluent, flow; pH is analyzed by a contract lab down lab down the road, lab - Kodiak Seafood Laboratory At the time of the inspection, the facility analyzed flow and temperature in-house. All other parameters; pH, total residual chlorine (TRC), biochemical oxygen demand (BOD), total suspended solids (TSS), total dissolved solids, settleable solids, oil and grease (O&G), and total ammonia were analyzed by a local contract lab. The contract lab used by the facility is: Kodiak Seafood Laboratory, Inc. 301 Research Court Kodiak, Alaska 99615 Phone: (907) 481-1700 Per Jinko Domino, the facility does not conduct its own water sample analysis for pH or total residual chlorine (TRC). Water samples are sent "down the road" to the contract lab for analysis. According to 40 CFR Part 136, Table II, both TRC and pH have a 15-minute hold time. It does not seem possible TRC, and pH are analyzed within the required 15-minutes if the samples are sent down the road for analysis.

SECTION II – Observations
No Areas of Concern were observed during the site tour.

SECTION III – Records Review
Records may not be in sequential order.

Record: Other - Spill Prevention Control & Countermeasure (SPCC) Plan - AKR06AF77		**AOC:** No
Ref #: RA1-RR-012	**Reviewed By:** Raymond Andrews	**Reviewed Date:** 06/07/2023
At the time of inspection, I reviewed the facility's SPCC, revision dated February 1, 2023. I did not find and issues.		
Record: Other - Annual Reports - AKG528353		**AOC:** No
Ref #: RA1-RR-011	**Reviewed By:** Raymond Andrews	**Reviewed Date:** 06/07/2023
At the time of the inspection, I reviewed the facility's annual reports for 2021 and 2022.		

Record: Other - Collective Ambient Receiving Water Quality Monitoring Study - AKG528353		**AOC:** No
Ref #: RA1-RR-010	**Reviewed By:** Raymond Andrews	**Reviewed Date:** 06/07/2023
At the time of the inspection, I reviewed the Collective Ambient Receiving Water Quality Monitoring Study, dated April 2022.		
Record: Other - Quality Assurance Project Plan (QAPP) Review Certification - AKG528353		**AOC:** Yes
Ref #: RA1-RR-009	**Reviewed By:** Raymond Andrews	**Reviewed Date:** 06/07/2023
At the time of inspection, I reviewed the facility's annual QAPP certification, signed February 2, 2023. I found that although the review certification was signed and dated, the facility did not check the box indicating the certification had been completed.		
Record: Other - Best Management Practices (BMP) Plan Review Certification - AKG528353		**AOC:** Yes
Ref #: RA1-RR-008	**Reviewed By:** Raymond Andrews	**Reviewed Date:** 06/07/2023
At the time of inspection, I reviewed the facility's BMP Plan review certification, signed February 2, 2023. I found that although the review certification was signed and dated, the facility did not check the box indicating the certification had been completed.		
Record: Other - 2022 Notice of Intent (NOI) - AFG528353		**AOC:** No
Ref #: RA1-RR-007	**Reviewed By:** Raymond Andrews	**Reviewed Date:** 07/07/2023
At the time of the inspection, I reviewed the facility's 2022 NOI to discharge under the APDES permit, AKG528000.		
Record: Other - EPA's Integrated Compliance Information System (ICIS) Database		**AOC:** Yes
Ref #: RA1-RR-006	**Reviewed By:** Raymond Andrews	**Reviewed Date:** 07/17/2023
Post inspection, I reviewed information in EPA's ICIS database from July 2018 through June 2023. I found the facility did not submit monitoring data on their Discharge Monitoring Reports (DMRs) for the monitoring periods ending July 8, 2021, and April 30, 2022.		
Record: Other - Best Management Practices (BMP) Plan - AKG528353		**AOC:** No
Ref #: RA1-RR-005	**Reviewed By:** Raymond Andrews	**Reviewed Date:** 06/07/2023
At the time of inspection, I reviewed the facility’s BMP plan. The copy I reviewed didn’t have the date of creation and was unsigned. The BMP plan also appeared to be missing: 1. Facility plans, drawings, or maps. 2. Purpose of the BMP Plan. 3. Statement of BMP Objectives.		
Record: Other - Quality Assurance Project Plan (QAPP) - AKG528353		**AOC:** Yes
Ref #: RA1-RR-004	**Reviewed By:** Raymond Andrews	**Reviewed Date:** 06/07/2023
At the time of inspection, I reviewed the facility’s QAPP. The copy I reviewed didn’t have the date of creation and was unsigned. The QAPP also appeared to be missing: 1. Number of samples, analytical detection & quantification limits, precision & accuracy. 2. Map with sampling points. 3. Qualification & training of monitoring personnel. 4. Contract lab information. (2.9.9.5) Table 3 of the QAPP shows a total residual chlorine (TRC) holding time of 15-minutes. Table 6 shows a TRC holding time of 1-minute. A holding time of 15-minutes is the correct holding time. I suggested analyzing TRC and pH, which also has a 15-minute hold time, at the time of collection.		

Record: Other - Stormwater Pollution Prevention Plan (SWPPP) and SWPPP Map - AKR06AF77		**AOC:** Yes
Ref #: RA1-RR-003	**Reviewed By:** Raymond Andrews	**Reviewed Date:** 06/07/2023
At the time of the inspection, I reviewed the facility's SWPPP, dated January 1, 2023. The copy I reviewed was unsigned. The SWPPP and the SWPPP map were missing components as noted in the Areas of Concern, below. Facility personnel said the facility discharges through a single outfall but there are two outfalls shown on the SWPPP map.		
Record: Other - Facility Quarterly Visual Inspection - AKR06AF77		**AOC:** No
Ref #: RA1-RR-002	**Reviewed By:** Raymond Andrews	**Reviewed Date:** 06/07/2023
At the time of inspection, I reviewed a random Quarterly Visual Inspection report, dated September 24, 2022.		
Record: Other - Facility Routine Monthly Inspection Reports - AKR06AF77		**AOC:** No
Ref #: RA1-RR-001	**Reviewed By:** Raymond Andrews	**Reviewed Date:** 06/07/2023
At the time of inspection, I reviewed a random Monthly Facility Inspection, dated August 3, 2022.		

SECTION IV – Sampling Activities

No sampling was conducted.

SECTION V – Areas of Concern

Area of Concern may not be in sequential order.
The presentation of Areas of Concern does not constitute a formal compliance determination or violation.

AOC Reference #: RA1-OC-FD	**Opening Conference**
Permit Requirement **Permit AKG528000, Part 2.2.5.8**, "All effluents discharged to waters of the U.S. must meet the limits found in Table 2." **Permit AKG528000, Part 2.2.5.8, Table 2**, "Final Effluent Limits Applicable to All Permittees" indicates the facility must monitor pH. **40 CFR, Part 136, Table II** shows TRC and pH must be analyzed within 15-minutes of collection.	
AOC: The facility was not analyzing total residual chlorine (TRC) or pH within 15-minutes of collection.	

AOC Reference #: RA1-OC-FD	**Opening Conference**
Permit Requirement **Permit AKR06AF77, Part 7.1.2**, "If discharges authorized by this permit commingle with discharges not authorized under this permit, any required sampling of the authorized discharges must be performed at a point before they mix with other waste streams."	
AOC: The facility collects stormwater samples after the water has co-mingled with process wastewater.	

AOC Reference #: RA1-RR-006	**Records Review: Other - EPA's Integrated Compliance Information System (ICIS) Database**
Permit Requirement **Permit Part 2.2.4.11.1**, "The permittee must submit a DMR for each month by the 15th day of the following month."	
AOC: The facility did not submit monitoring data on their Discharge Monitoring Reports (DMRs) for the monitoring periods ending July 8, 2021, and April 30, 2022.	

AOC Reference #: RA1-RR-008	**Records Review: Other - Best Management Practices (BMP) Plan Review Certification - AKG528353**
Permit Requirement **Permit Part 2.10.2**, "The permittee shall review the BMP Plan whenever process changes occur. At a minimum, the permittee shall document annual review of their BMP Plan."	
AOC: The review certification was signed and dated; however, the facility did not check the box indicating the certification had been completed.	

AOC Reference #: RA1-RR-009	**Records Review: Other - Quality Assurance Project Plan (QAPP) Review Certification - AKG528353**
Permit Requirement **Permit Part 2.9.3**, "A permittee shall document annual review of their QAPP."	
AOC: The review certification was signed and dated; however, the facility did not check the box indicating the certification had been completed.	

AOC Reference #: RA1-RR-005	**Records Review: Other - Best Management Practices (BMP) Plan - AKG528353**
Permit Requirement **Permit Part 2.10.4.2**, **"**The BMP Plan must include the following information and management practices at a minimum… Facility plans, drawings, or maps." **Permit Part 2.10.4.4**, "The BMP Plan must include the following information and management practices at a minimum…Statement of BMP Purpose." **Permit Part 2.10.4.5**, "The BMP Plan must include the following information and management practices at a minimum…Statement of BMP Objectives."	
AOC: At the time of inspection, I reviewed the facility's BMP plan. The BMP plan also appeared to be missing: 1. Facility plans, drawings, or maps. 2. Purpose of the BMP Plan. 3. Statement of BMP Objectives.	

AOC Reference #: RA1-RR-004	Records Review: Other - Quality Assurance Project Plan (QAPP) - AKG528353

Permit Requirement
Permit Part 2.9.2, "The permittee must develop and implement a facility-specific QAPP for all monitoring required by this permit. The QAPP must be developed and implemented within 60 days of receiving authorization under this general permit…"
Permit Part 2.9.9, "At a minimum, the QAPP shall include…"
Permit Part 2.2.9.1, "…Details on number of samples…analytical detection and quantitation limits…precision and accuracy requirements…"
Permit Part 2.9.9.3, "…Maps indicating the location of each sampling point."
Permit Part 2.9.9.4, "…Qualification and training of monitoring personnel."
Permit Part 2.9.9.5, "At a minimum, the QAPP shall include…Name, address, and telephone number of all laboratories used by or proposed to be used by the permittee."

AOC:
At the time of inspection, I reviewed the facility's QAPP. The copy I reviewed did not have the date of creation and was not signed.

The QAPP appeared to be missing:
1. Number of samples, analytical detection & quantification limits, precision & accuracy.
2. Map with sampling points.
3. Qualification & training of monitoring personnel.
4. Contract lab information.

AOC Reference #: RA1-RR-003	Records Review: Other - Stormwater Pollution Prevention Plan (SWPPP) - AKR06AF77

Permit Requirement
Permit Part 5.2.3.3, "Provide a map showing…the size of the property in acres…locations of all existing structural control measures…locations of all storm water conveyances including ditches, pipes, and swales…locations of all storm water monitoring points…locations of storm water inlets and outfalls, with a unique identification code for each outfall…"

AOC:
At the time of the inspection, I reviewed the facility's SWPPP, dated January 1, 2023, and the SWPPP map.

The facility's SWPPP uses a site diagram in place of an actual map. The map diagram appeared to be missing:
1. Size of site in acres
2. Locations of stormwater structural controls.
3. Stormwater conveyances.
4. Locations of stormwater monitoring points.
5. Complete outfall names for both outfalls. The number for one outfall was cut off. Additionally, facility personnel said the facility had a single outfall, but two outfalls are shown on the map.

The SWPPP appeared to be missing:
1. documentation of the evaluation for the presence of non-stormwater discharges.
2. Information required in the "Monitoring and Inspection" section. The missing sections were:
    a. Locations of sample collection.
    b. Numeric control values.
    c. Procedures for performing the three types of inspections
        i. Routine
        ii. Quarterly
        iii. Comprehensive.

SECTION VI – Closing Conference
I held a closing conference with facility personnel at 03:40 PM (PT) on 06/07/2023. During the closing conference, I discussed my observations and Areas of Concern I identified during the inspection. Observations and Areas of Concern have not yet been evaluated for a formal compliance determination

SECTION VII – Follow Up

Post inspection, the facility provided me with some missing information and documents correcting some of the noted Areas of Concern.

SECTION VII – List of Appendices

1. Appendix 1 – Photo Log

APPENDIX 1: Photo Log

All photos were taken by Lead EPA Inspector, Ray Andrews, during the inspection.

Photos were not manipulated beyond minor cropping for sizing and labels or callouts to draw attention to the subject of the photo.

All photos taken during the inspection are included in the Photo Log; however, no photos are included in the inspection report because none directly support an Area of Concern.

- P1010773 – Monthly Facility Inspection Form, August 3, 2022, page 1
- P1010774 – Monthly Facility Inspection Form, August 3, 2022, page 2
- P1010775 – Monthly Facility Inspection Form, August 3, 2022, page 3
- P1010776 – Monthly Facility Inspection Form, August 3, 2022, page 4
- P1010777 – Monthly Facility Inspection Form, August 3, 2022, page 5
- P1010778 – Monthly Facility Inspection Form, August 3, 2022, page 6
- P1010779 – Quarterly Visual Assessment, September 9, 2022, page 1
- P1010780 – Quarterly Visual Assessment, September 9, 2022, page 2
- P1010781 – Quarterly Visual Assessment, September 9, 2022, page 3
- P1010782 – Quarterly Visual Assessment, September 9, 2022, page 4
- P1010783 – Best Management Practices (BMP) Plan, cover page
- P1010784 – Best Management Practices (BMP) Plan, page 2
- P1010785 – Quality Assurance Project Plan (QAPP), cover page
- P1010786 – Quality Assurance Project Plan (QAPP), annual review page
- P1010787 – Stormwater Pollution Prevention Plan (SWPPP), revised January 1, 2023, cover page
- P1010788 – Stormwater Pollution Prevention Plan (SWPPP), revised January 1, 2023, Table of Contents page