

# North Pacific Fishery Management Council

## CHAIRMAN

Mr. Elmer Rasmuson  
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## EXECUTIVE OFFICE

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## MEMORANDUM

DATE: March 14, 1977

TO: Record

FROM: Mark I. Hutton

SUBJECT: Environmental Protection Agency Facts Affecting  
Seafood Processors in Alaska

The Environmental Protection Agency (EPA) is charged with defining guidelines to preserve environmental quality. It is their definitions of water quality guidelines from seafood processing effluent that is of concern to us.

The EPA has divided the seafood industry into two groups which they confusingly call Phase I and Phase II. Phase I deals with catfish, tuna and more importantly crab and shrimp. Phase II deals with salmon, bottomfish, herring and scallops. The EPA further divides the processing plants into remote and non-remote categories. This breakdown has some merit as Cordova is non-remote and Bethel is remote. However, there are some serious problems with this classification as Juneau is considered non-remote and Dutch Harbor is considered remote. There are basic inconsistencies which cannot be understood in the traditional and predictable conceptualizations of overlapping tidal action, estuarine environments and production loads and population. This is only our problem if it adversely or unfairly affects the processing picture in Alaska for the next (critical) ten years. The remaining EPA division is between floating processors and permanent processors. They (EPA) are not capable of legally defining or defending either category in the marginal areas of processors on anchor, tied up, under power, not under power and/or changing locations?

The EPA has also defined two basic levels of guidelines for effluent treatments; each guideline required by law to consider biological and economical factors. Their definitions of Best Practical Technology (BPT) and Best Available Technology (BAT) are respectively good and poor deviations of the guidelines.

BPT guidelines are scheduled to be in place by July 1, 1977.  
BAT guidelines are scheduled to be in place by July 1, 1983.

BPT for Phases I and II in remote sites generally requires grinding of waste and discharge past a mean low tide level or in 7 meter water: but not to accumulate more than 3 inches on the bottom.

BPT for Phases I and II in non-remote sites generally requires the screening of all effluent water and the barging and dumping of those collected wastes.

The BAT for Phase I in remote sites generally requires the same screening and subsequent barging and ocean dumping of wastes.

The BAT for Phase I in non-remote sites requires the treatment of effluent waters in a dissolved air flotation (DAF) bath.

The BAT for Phase II in remote and non-remote sites was the same as for Phase I but now an entry into a Federal Register Bulletin suspends BAT (1983) guidelines from Phase II.

The suspension has come in part from the EPA's recognition of their own misinformed reports and ensuing faulty conclusions. By this I mean that the EPA estimated plant closures predictions violate their own acceptable economic parameters of the guage of an acceptable effluent guideline.

The suspension must also be reflective of a tremendous industry outcry and vocalizing as to the (1) documented use of an incorrect EPA statistical base, (2) documented incorrect EPA biological assumptions and (3) documented erroneous EPA estimates of treatment facilities based on invalid pilot EPA experiments.

A major question to be asked is "will the EPA suspend BAT guidelines for Phase I fish and shellfish?" If they do not suspend these guidelines then the EPA predicts that 100% (all 10) of the non-remote shrimp processors will be forced to close down and 28% (6/21) of the remote shrimp processors will be forced to close down.

Perhaps this is best illustrated on the following condensed chart.

I.

Phase I	Total Number of Plants In Alaska	EPA Estimated closures Attributed to 1977 BPT	EPA Estimated closures Attributed to 1983 BAT	Total Estimated Closures	Remarks:
Crab remote	40	0	4 (10%)	4 (10%)	Alaskan EPA official disagrees with 1977 BPT closure estimates
Crab non-remote	19	5 (26%)	6 (32%)	11 (58%)	
Shrimp remote	21	0	6 (28%)	6 (28%)	1983 BAT have not been suspended
Shrimp non-remote	10	0	10 (100%)	10 (100%)	1983 BAT have not been suspended

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Phase II			1983 BAT Guidelines Suspended		
Scallops	1	0	0	0	AK EPA official disagrees with 1977 BPT closure estimate
Bottomfish	1	1 (100%)	0	1 (100%)	

Salmon		(old guidelines)			
Fresh-frozen remote	24	8 (33%)	6 (25%)	14 (58%)	AK EPA official disagrees with 1977 BPT closure estimates for all salmon.
Fresh-frozen non-remote	7	4 (57%)	0	4 (57%)	Estimates of closures
canned remote	50	6 (12%)	5 (10%)	11 (22%)	" " " "
canned non-remote	9	3 (33%)	5 (56%)	8 (89%)	" " " "

AK EPA Estimates of Closures				
Salmon				
Fresh-frozen remote	24	0	-	?
Fresh-frozen non-remote	7	0	-	?
canned remote	50	0	-	?
canned non-remote	9	0	-	?



THE SECRETARY OF COMMERCE  
Washington, D.C. 20230

Mr. Elmer Rasmuson  
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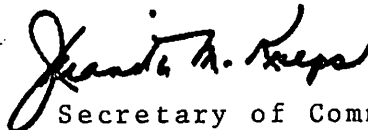
Dear Mr. Rasmuson:

Thank you for your letter of December 13 in which you expressed the desire of the North Pacific Fishery Management Council to have active participation in future foreign negotiations that involve fishery resources in the Council's geographic area.

I certainly understand your concern in this matter particularly as it affects your fishery management planning activities and the review of foreign fishing permit applications. As you undoubtedly know, this is a major policy question which is presently under review. In this regard, I can assure you that your views will be carefully considered. Once we have established a policy position, we will have it published in the Federal Register as an amendment to the Fishery Conservation and Management Interim Regulations. In turn, as comments are received from Councils and the general public, and appropriate modifications made, final regulations will be published. You will be advised of our actions.

Again, your views and continued interest are appreciated.

Sincerely,

  
Secretary of Commerce



Bristol  
Bay  
Native  
Corporation

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February 14, 1977

Mr. Jack Wick  
President  
Koniag, Inc.  
P. O. Box 746  
Kodiak, Alaska 99615

Dear Jack:

I am enclosing copies of correspondence from Jay Gage, President of wholly-owned subsidiary, Peter Pan Seafoods, Inc., together with other correspondence and material which he has sent to me regarding problems with the Environmental Protection Agency.

The attached information is self-explanatory but I would like to impress on you the effect that the guidelines will have on the fish processing industry which will automatically be reflected on the fishermen who supply them.

I urgently request you to send a telegram to Washington to our Congressional delegation as well as the other legislators mentioned in the letter of February 2 to Gage from Yonkers urging them to support the Yonker amendment.

Many thanks for your cooperation and best regards.

Very truly yours,

  
R. C. Bacon  
Executive Vice President

cc: J. Gage

Attachment