



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

Department of Environmental
Conservation

DIVISION OF WATER
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March 15, 2016

Buck Lindekugel
Southeast Alaska Conservation Council
244 Gold Street
Juneau, AK 99801

RE: Remand Decision Individual Permit No. AK0053708

Dear Mr. Lindekugel:

I have completed my review of the Wastewater Discharge Authorization Program (WDAP) response to my Informal Review Decision to remand the Niblack Project Alaska Pollutant Discharge Elimination System Individual Permit No. AK0053708. The request for Informal Review is dated August 17, 2015. I completed my review of the Informal Review Request and remanded the decision to staff on August 31, 2015.

One issue was remanded to the WDAP for further Review.

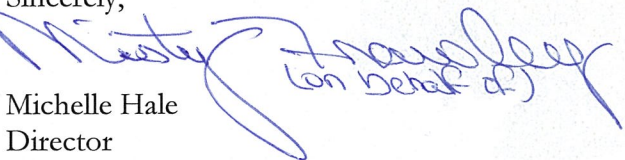
Review Issue A. I remanded the permit on Issue A, as the Fact Sheet, Response to Comments, and the administrative record did not appear to contain adequate support and analysis of why the proposed treatment system is the most effective or how it meets the highest statutory and regulatory requirements.

With respect to the review issue identified above, based on the WDAP's updated analysis included in the enclosed Fact Sheet, I consider Review Issue A to be resolved, and the permit remains in effect. No changes have been made to the permit. Changes to the Fact Sheet are found in Section 4.3 (Mixing Zone Analysis) and also include the correction of a clerical error in Section 8.2 (Essential Fish Habitat).

Consistent with Alaska Administrative Code (AAC) 18 AAC 15.185(c), interested parties may seek an adjudicatory hearing under 18 AAC 15.200 or Alaska Statute 44.62.

Please, contact me if you have any further questions or concerns.

Sincerely,


Michelle Hale
Director

Enclosure: Fact Sheet—Revision 1 for Permit No. AK0053708

cc: Heatherdale Resources Ltd.