THE STATE of ALASKA
GOVERNOR MICHAEL J. DUNLEAVY

Department of Environmental Conservation
DIVISION OF WATER
Anchorage

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Fairbanks, AK 99709
Main: 907.451.2298
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7/22/2019

Re: Notice of Intent to Seek Penalties for Clean Water Act Violations
Opportunity to Confer

Dear City and Borough of Juneau (CBJ),

The purpose of this letter is to inform you that the Alaska Department of Environmental Conservation (DEC) intends to pursue enforcement actions against the Juneau Douglas Wastewater Treatment Facility (JDWWTF) and the Mendenhall Wastewater Treatment Facility (MHWWTF) for violations of the Clean Water Act (CWA). By this letter, we are providing you the opportunity to discuss this matter with DEC prior to the filing of a complaint.

The alleged violations of the CWA arise from CBJ failure to comply with the Alaska Pollutant Discharge Elimination System (APDES) Individual Permits, with unique identifier AK0022951 (MHWWTF) and AK0023213 (JDWWTF), effective 8/01/14 and 6/01/15, respectively. Specifically, CBJ failed meet permit effluent limits periodically between the time periods of September 2015 through March 2019. During this time period, the JDWWTF violated 31permitted effluent limits and the MHWWTF violated 55 permit effluent limits.

Under Alaska Statutes 46.03.760(e), DEC is entitled to recover civil penalties for violations of Alaska regulations or APDES permits of not less than $500 nor more than $100,000 for the initial violation, nor more than $10,000 for each day after that on which the violation continues for each violation. Under the CWA, DEC is entitled to recover civil penalties of up to $53,484 per violation per day.

Pre-filing discussions allow us to reach a better understanding of issues where our information may be incomplete, gives us an opportunity to discuss possible settlement options, and can lead to resolution of enforcement matters without resorting to the time and expense of litigation. If we are unable to reach an acceptable resolution within 30 days of initiating negotiations, DEC may file a civil lawsuit to recover civil penalties, seek appropriate injunctive relief (e.g., corrective action to secure compliance), and recover attorney's fees.

If you wish to schedule a meeting, or if you have any questions about this letter, please contact Emma Pokon, Assistant Attorney General, at (907) 269-5100 within **7 days** of receipt of this letter.

Sincerely,

Tiffany Larson
Compliance Program Manager