

Comment on:	Federal Regulators	State and Local regulators	Public /eNGO	Regulated Community
What effluent is of the most concern to your organization.	All effluent, especially large volumes and / or that require considerable time and effort to treat; Effluent that brings about the most social / public concern. Controversial projects, take extra resources to manage technology and science based permitting in the middle of public square.	All regulated effluent. This depends on activity, timing, type of discharge and location of discharge.	All effluent, especially accidental spills, leaks,	All effluent, especially large volumes and / or that require considerable time and effort to treat;
Most effective and efficient means and methods to achieve regulatory compliance.	The most efficient and effective are solutions that properly treat effluent while reducing overall cost of compliance.	Technology advancements that eliminate need to permit effluent discharge - i.e. down hole injection.	Monitoring not only for compliance but also compile data for overall results and effects of permitted solutions.	Down hole injection, incineration, GAC and activated carbon technology;
Private citizens ability to bring NPDES / Sec. 404 appeals and litigation	It's a right. It's a necessary 600 lb guerilla that encourages regulator's accountability and fights complacency. It can either bring clarity to the meaning of the law or a disarray into how things have been done previously; It negatively impacts agencies' budgets.	It's a necessary check on the government's power. In practice, private citizens almost never bring law suits. eNGOs in some cases use this right as a tool to delay projects. eNGOs are businesses and should be treated as such when they bring clearly frivolous cases, yet are absolved of litigation costs when they fail to make a case.	Gives the public a seat at the table on decision that impact their environment and their quality of life.	It's a right to question permitting decisions and to demand proof of adequate attention to legal requirement. However, there should be provisions to ensure that citizens have responsibility not to advance frivolous claims to nuisance levels.

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<p>What stakeholders can do to help themselves.</p>	<p>Permittees should establish a relationship with the agency, do their homework, advance the design to the degree that agency can understand all project components and evaluate for permitting, collect baseline data that supports the proposed alternative, or the litigants will find it for you. Come up with solutions that meet the intent of the regulation and propose to the agency. If permit violation occurred, be honest, don't try to hide it, don't assume the worst, rather, find the cause and tackle appropriately. Don't goldplate, as it becomes a precedence for the next similar project. Make sure operators understand permit conditions and why they are there.</p>	<p>Use pre-application meetings to the fullest, submit complete application, address receiving waters in a meaningful way, establish good lines of communication as application requirements may not be all or may be too much for a specific project. Actively participate in the process of rule making / revising. Be clear to the applicant what the purpose of the requirement is, as he may be able to come up with a better solution that's fit for purpose;</p>	<p>Proactively engage people that are most likely to litigate or appeal permits. Understand key concerns early.</p>	<p>Improve positive interaction between state and federal agencies. On non-EIS projects, Federal agencies should have a respected lead coordinating office (similar to SOA-large project permitting office) otherwise permittees are navigating and coordinating separately with each agency. Watch for regulation-creep - don't impose permit stipulations that are not part of agency's jurisdiction to regulate. Regulators should follow their own rules. Improve consistency for requirements between agencies, within an agency; improve timeliness of responses; Regulators need to be more transparent and realistic in its establishment of permit requirements.</p>

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Unintended consequences (either positive or negative) of current regulatory system	With work in the OCS and with MMS split into BOEM and BEE there could be regulatory primacy issues with regulation enforcement.	ADEC assumption of the APDES program had a steep learning curve which led to permit backlog not being elevated as fast as desired; other transition issues. States do not recognize tribes as governmental entities. AK Coastal Management Program sunsetted.		Generational knowledge gap in regulatory agency's staff; Transition to APDES from NPDES revealed shortage of trained staff; Overly stringent permitting requirements can cause unnecessarily expensive engineering solutions to discharge problems; Backlog on re-issuing general permits created regulatory regime uncertainty for new applicants. It takes years to obtain an individual NPDES permit. A company must guess as to the volume and type of wastewater discharges years before a permit is needed so that an application can be submitted with any hope of obtaining a permit in time for a new project or a modification to an existing project
Other	In recent years EPA separated permit compliance from enforcement. This lead to disconnect of EPA staff that writes permit stipulations from the staff that enforces them. This in turn lead to adversarial posture by the EPA for inconsequential permit violations that are administrative in nature (i.e. frequency of sampling due to inability to access site, non-reporting on facility that's been taken out of service, etc.) . The result is step away from public / private partnership in protecting the environment and toward more prescriptive approach.	Pre-Application meetings and good communication are important to reveal agencies main interests and concerns and take care of design changes early in the project if needed. 95% of all permitted projects experience agency driven changes.		North Slope facilities are thirty plus years old. Original field development was done to facilitate extraction of known reserves at the time. Today, planned shutdowns / turnarounds are used to take down one treatment system at a time for regular preventative maintenance. Cook Inlet platform infrastructure doesnt have real estate to sight effluent water storage tanks, need to come up with other solutions.