

UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY – REGION 1 (EPA)
WATER DIVISION
5 POST OFFICE SQUARE
BOSTON, MASSACHUSETTS 02109

MASSACHUSETTS DEPARTMENT OF
ENVIRONMENTAL PROTECTION (MASSDEP)
COMMONWEALTH OF MASSACHUSETTS
100 CAMBRIDGE STREET, SUITE 900
BOSTON, MASSACHUSETTS 02114

JOINT EXTENSION OF PUBLIC NOTICE OF A DRAFT NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT MODIFICATION TO DISCHARGE INTO WATERS OF THE UNITED STATES UNDER SECTION 402 OF THE CLEAN WATER ACT (CWA), AS AMENDED, AND MASSDEP PUBLIC NOTICE OF EPA REQUEST FOR STATE CERTIFICATION UNDER SECTION 401 OF THE CWA.

ORIGINAL PUBLIC NOTICE PERIOD: 9/19/2023 – 11/20/2023

PUBLIC NOTICE EXTENDED TO: 12/20/2023

PERMIT NUMBER: MA0003891

PUBLIC MEETING DATE: 11/8/2023

PUBLIC HEARING DATE: 11/8/2023

PERMIT NUMBER, NAME AND MAILING ADDRESS OF APPLICANT, AND NAME AND ADDRESS OF THE FACILITY WHERE DISCHARGES OCCUR:

MA0003891

General Electric Company
159 Plastics Avenue
Pittsfield, MA 01201

RECEIVING WATERS: East Branch Housatonic River and Unkamet Brook

RECEIVING WATERS CLASSIFICATION: Class B

PREPARATION OF THE DRAFT PERMITS AND EPA REQUEST FOR CWA § 401 CERTIFICATION:

EPA is issuing for public notice and comment a Draft NPDES Permit for the above-identified facility, which discharges some combination of stormwater, groundwater, potable water, and/or other allowable non-stormwater sources from 13 outfalls. The effluent limits and permit conditions have been drafted pursuant to, and assure compliance with, the CWA, including EPA-approved State Surface Water Quality Standards at 314 CMR 4.00. MassDEP cooperated with EPA in the development of the Draft NPDES Permit. MassDEP retains independent authority under State law to publish for public notice and issue a separate Surface Water Discharge Permit for the discharge, not the subject of this notice, under the Massachusetts Clean Waters Act, M.G.L. c. 21, §§ 26-53.

In addition, EPA has requested that MassDEP grant or deny certification of this Draft Permit pursuant to Section 401 of the CWA and implementing regulations. Under federal regulations governing the NPDES program at 40 Code of Federal Regulations (CFR) § 124.53(e), state certification shall contain conditions that are necessary to assure compliance with the applicable provisions of CWA sections 208(e), 301, 302, 303, 306, and 307 and with appropriate requirements of State law, including any conditions more stringent than those in the Draft Permit that MassDEP finds necessary to meet these requirements. Furthermore,

MassDEP may provide a statement of the extent to which each condition of the Draft Permit can be made less stringent without violating the requirements of State law.

INFORMATION ABOUT THE DRAFT PERMIT:

The Draft Permit and explanatory Fact Sheet may be obtained at no cost at <https://www.epa.gov/npdes-permits/massachusetts-draft-individual-npdes-permits> or by contacting:

Shauna Little
U.S. Environmental Protection Agency – Region 1
5 Post Office Square, Suite 100 (WIP06-1)
Boston, MA 02109-3912
Telephone: (617) 918-1989
Little.Shauna@epa.gov

PUBLIC COMMENT:

All persons, including applicants, who believe any condition of this Draft Permit is inappropriate must raise all reasonably ascertainable issues and submit all reasonably available arguments supporting their position by **December 20, 2023**, which is the close of the public comment period. Comments, including those pertaining to EPA's request for CWA § 401 certification, should be submitted to the EPA contact at the address or email listed above. Upon the close of the public comment period, EPA will make all comments available to MassDEP. All commenters who want MassDEP to consider their comments in the state decision-making processes (i.e., the separate state permit and the CWA § 401 certification) must submit such comments to MassDEP during the state comment period for the state Draft Permit and CWA § 401 certification. For information on submitting such comments to MassDEP, please follow the instructions found in the state public notice at: <https://www.mass.gov/service-details/massdep-public-hearings-comment-opportunities>.

If comments are submitted in hard copy form, please also email a copy to the EPA contact above.

PUBLIC MEETING AND PUBLIC HEARING:

The Regional Administrator has determined, pursuant to 40 CFR §124.12, that a significant degree of public interest exists in the proposed permits and that a public hearing should be held to consider the permit. This notice serves to announce that a public hearing will be held. A public meeting and public hearing will be held on the following dates and times:

Public Informational Meeting:

DATE: **November 8, 2023**

TIME: 6:00 PM

LOCATION: Virtual Meeting Information will be provided on EPA's website, noted above

Public Hearing:

DATE: **November 8, 2023**

TIME: 7:00 PM

LOCATION: Virtual Meeting Information will be provided on EPA's website, noted above

The following is a summary of the procedures that will be followed at the public informational meeting:

- a. The Presiding Chairperson will have the authority to open and conclude the meeting and to maintain order.
- b. EPA will make a short presentation describing the NPDES permit process and the draft permit

conditions, and then accept clarifying questions from the audience.

- c. Formal oral comments concerning the draft permit will not be accepted at the public meeting. Formal oral comments will be accepted at the subsequent public hearing.

The following is a summary of the procedures that will be followed at the public hearing:

- a. The Presiding Chairperson will have the authority to open and conclude the hearing and to maintain order.
- b. Any person appearing at such a hearing may submit oral or written statements concerning the draft permit.

FINAL PERMIT DECISION:

Following the close of the comment period, and after the public hearing, the Regional Administrator will issue a final permit decision and notify the applicant and each person who has submitted written comments or requested notice.

KEN MORAFF, DIRECTOR
WATER DIVISION
UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY – REGION 1

LEALDON LANGLEY, DIRECTOR
DIVISION OF WATERSHED MGMT
MASSACHUSETTS DEPARTMENT OF
ENVIRONMENTAL PROTECTION