

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 1  
5 POST OFFICE SQUARE, SUITE 100  
BOSTON, MASSACHUSETTS 02109-3912

STATEMENT OF BASIS

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM  
NOTICE OF INTENT TO TERMINATE

NPDES PERMIT NO.: **MA0000825**

PUBLIC NOTICE START AND END DATES: **March 31, 2025 – April 30, 2025**

NAME OF PERMITTEE:

**Global Companies LLC**

NAME AND ADDRESS OF FACILITY WHERE DISCHARGE OCCURS:

**Global Companies Terminal  
140 Lee Burbank Highway  
Revere, MA 02151**

RECEIVING WATERS:

**Chelsea River (MA71-06)  
Mystic River Watershed**

CLASSIFICATION: **SB**

CURRENT PERMIT: **Issued September 30, 2022; Effective December 1, 2022**

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## 1.0 Proposed Action

The United States Environmental Protection Agency’s (“EPA”) Region 1 office (“Region 1” or the “Region”) is proposing to terminate the National Pollutant Discharge Elimination System permit MA0000825 (“NPDES Permit” or “Final Permit”) issued to Global Companies LLC (“the Permittee” or “Global”) on September 30, 2022, for discharges of stormwater, groundwater, and hydrostatic test water to the Chelsea River from the property at 140 Lee Burbank Highway in Revere, Massachusetts (“the Terminal”). Prior to Final Permit issuance, on June 28, 2022, Global sold the Terminal to Revere MA Owner LLC (“Owner”). Following the sale, Global leased the Terminal from the Owner, and as of October 31, 2024, this lease term ended and Global ceased all petroleum storage operations at the Terminal. On October 7, 2024, the Region received a request from the Permittee pursuant to 40 CFR § 122.64 to revoke and terminate its NPDES Permit. Ltr. from M. Snell, Global, to M. Curley, EPA, & K. Crocker, DEP (hereinafter, “Oct. 7 Ltr.”).

As described in this Statement of Basis, EPA is proposing termination of the Permittee’s NPDES Permit based on the Permittee’s request. The cause(s) for termination and the process for this action are described in detail, below. EPA is seeking, and will accept, only comments that address the proposed termination, as designated in the Notice of Intent to Terminate and discussed in this Statement of Basis. EPA is not reopening the provisions of the Final Permit for public comment and modification.

## 2.0 Regulatory Authority

Congress enacted the Federal Water Pollution Control Act, codified at 33 U.S.C. §§ 1251 – 1387 and commonly known as the Clean Water Act (CWA or “the Act”), “to restore and maintain the chemical, physical, and biological integrity of the Nation’s waters.” CWA § 101(a), 33 USC 1251(a). To achieve this objective, the CWA makes it unlawful for any person to discharge any pollutant into the waters of the United States from any point source, except as authorized by specific permitting sections of the CWA, one of which is § 402. See CWA §§ 301(a), 402(a); 33 USC §§ 1311(a), 1342(a). Section 402(a) established one of the CWA’s principal permitting programs, the NPDES Permit Program. Under this section, EPA may “issue a permit for the discharge of any pollutant or combination of pollutants” in accordance with certain conditions. CWA § 402(a). NPDES permits generally contain discharge limitations and establish related monitoring and reporting requirements. See CWA § 402(a)(1), (2); 33 USC § 1342(a)(1), (2). The regulations governing EPA’s NPDES permit program are generally found in 40 CFR parts 122, 124, 125, and 136.

The Act authorizes the EPA to terminate a NPDES permit for cause, CWA § 402(a)(3), (b)(1)(C); 33 USC § 1342(a)(3), (b)(1)(C), and EPA has promulgated regulations implementing this authority. Specifically, 40 CFR § 124.5(a) specifies that NPDES permits “may be modified, revoked and reissued, or terminated either at the request of any interested person (including the permittee) or upon [EPA]’s initiative. However, permits may only be modified, revoked and reissued, or terminated for the reasons specified in § 122.62 or § 122.64.” Under § 122.64(a)(4), EPA may terminate a permit at the request of the permittee for the following cause: “A change in any condition that requires either a temporary or permanent reduction or elimination of any discharge or sludge use or disposal practice controlled by the permit (for example, plant closure or termination of discharge by connection to a POTW).”

While in some cases EPA may terminate a NPDES permit for cause simply “by notice to the permittee,” EPA is required to follow the public participation procedures in 40 CFR part 124 to terminate a permit when the permittee is “subject to pending State and/or Federal enforcement actions including citizen suits brought under State or Federal law.” 40 CFR § 122.64(b). Here, the Permittee is subject to two pending enforcement actions. On July 9, 2024, the Conservation Law Foundation (CLF) filed a citizen suit against the Permittee under Section 505 of the Clean Water Act, alleging NPDES permit violations by the Permittee at this Terminal and another nearby terminal (i.e., NPDES Permit No. MA0003280). Further, on August 30, 2024, EPA and the Permittee executed an Administrative Order on Consent requiring the Permittee to undertake certain actions at the same terminals, based on violations of specific effluent limits in the respective NPDES Permits. Therefore, in this case, EPA is issuing a notice of intent to terminate, which, under § 124.5(d)(1), “is a type of draft permit which follows the same procedures as any draft permit prepared under § 124.6.”

### **3.0 Facility and Permit Information**

#### **3.1 Description of Facility**

The former Terminal is bisected by Lee Burbank Highway (U.S. Route 1A) in East Boston and Revere, Massachusetts on the eastern bank of the Chelsea River, approximately two and one-half miles northeast of the confluence of the Mystic and Chelsea Rivers. Prior to its decommissioning, the Terminal was involved in the receipt, storage, and distribution of petroleum products. The Terminal received bulk quantities of petroleum products via ship or barge at three marine vessel docks located along the Chelsea River on the west side of Lee Burbank Highway (Route 1A). Product was then transferred underneath Lee Burbank Highway to the Facility’s tank farm located east of the highway. The tank farm consisted of vertical bulk above ground storage tanks (ASTs), horizontal bulk ASTs, additive tanks, secondary containment, a product piping network, stormwater run-off collection catch basins, underground water collection drains, and an electrical control/fire foam building. Final distribution of product was conducted primarily at the truck loading rack located in the Terminal yard at 140 Lee Burbank Highway. The terminal yard consisted of administrative

buildings, paved areas including a truck loading rack, a product transfer pipeline, oil water separators, the stormwater pumping and distribution lift stations, a groundwater/soil remediation system, an underground storage tank (UST) used in conjunction with the remediation system, and a rail car off-loading rack.

As noted earlier, Global has ceased all petroleum storage operations at the site, and the Owner is redeveloping the property for other commercial use.

### 3.2 Description of Permit

Global formerly operated three contiguous bulk petroleum storage terminals along Lee Burbank Highway – referred to by EPA in past NPDES permit proceedings as the REVCO Terminal, the Global Petroleum Terminal, and the South Terminal – under three separate, individual NPDES permits issued by EPA in 2014. See NPDES Permit Nos. MA0003298, MA0003425, and MA0000825, respectively. In accordance with the CWA, these three NPDES permits expired in 2019. See CWA § 402(a)(3), (b)(1)(B); 40 CFR § 122.46(a). The conditions of the expired permits, however, continued in force past their 2019 expiration date because Global had submitted timely applications for new permits. See 40 CFR 122.6(a); 2021 Fact Sheet at 5. In February 2021, in response to the applications, EPA proposed to consolidate the three permits for the adjacent Global facilities into a single permit, and EPA issued for public comment a Draft Permit that would apply to the consolidated terminals. 2021 Fact Sheet at 5.

In early 2022 – after the close of the public comment period on the 2021 Draft Permit but before EPA had issued the Final Permit – Global informed EPA and MassDEP that it was selling the property and leasing back a portion that it would continue to operate as a bulk petroleum storage terminal (the “Leaseback Terminal”). See Email from M. Leon, Global, to M. Curley, EPA (Jan. 13, 2022). The remainder of the property, including the former REVCO Terminal and a portion of the Petroleum Terminal, would be decommissioned by Global, redeveloped by the new owner, and no longer operated as a bulk petroleum storage terminal. See Ltr. from M. Leon, Global, to M. Curley, EPA, & K. Crocker, DEP (May 18, 2022). Global submitted a Notice of Termination for the REVCO NPDES Permit (MA0003298) to EPA on May 18, 2022, *id.*, and the sale was completed on June 28, 2022, Ltr. from K. Moraff, EPA, to M. Leon, Global (June 28, 2022). The substantial alteration in land use and the decommissioning and cessation of petroleum terminal operations on the property prior to issuance of the Final Permit critically changed the discharges and authorizations for outfalls from that portion of the property. Stormwater discharges from these outfalls by the Owner were no longer associated with operation of a bulk petroleum terminal. Because the changes resulted in elimination of the discharges authorized by Permit No. MA0003298 for the Global REVCO Terminal, EPA terminated that permit by letter dated June 28, 2022, in accordance with 40 CFR § 122.64(b).<sup>1</sup> *Id.*

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<sup>1</sup> The Permittee certified that it was not subject to any pending State and/or Federal enforcement actions at the

Although EPA had terminated the Global REVCO NPDES Permit (No. MA0003298), the two NPDES Permits covering discharges from the Global South (No. MA0000825) and Global Petroleum (No. MA0003425) terminals remained in force and covered stormwater, groundwater, and hydrostatic test water discharges from the Leaseback Terminal until the 2022 Final Permit became effective on December 1, 2022. As of that date, authorized discharges from the Leaseback Terminal became covered by consolidated Final Permit No. MA0000825. For the portion of the property not leased back but to be redeveloped, the Owner sought NPDES authorization under the Construction General Permit (CGP), which became effective on June 28, 2022 (NPDES Permit MAR100431). In addition, the Buyer also submitted a No Exposure Certification under EPA's MSGP for the Oceanair Parking Lot, which became effective on June 27, 2022 (MANOEJ0A7).

When EPA issued Draft Permit MA0000825 in February 2021, EPA also issued similar draft permits for several other bulk oil terminals along the Chelsea River, including for the Chelsea Sandwich Terminal (NPDES Permit No. MA0003280) owned and operated by Global. In April 2021, Global submitted comments to EPA on both draft permits that raised numerous issues, including the company's concern that it would not be able to comply immediately with the numeric effluent limits for some pollutants, including for certain metals and polycyclic aromatic hydrocarbons (PAHs). 2023 Final Permit RTC at 190-91, 236. With respect to these limits, the company requested "that EPA develop, with the Facility, a compliance schedule for each parameter that takes into account aspects such as engagement of engineering services, conducting studies to support engineering design, performing necessary engineering designs, contracting for the upgrades and construction." *Id.* at 190-91, 236. EPA issued a Response to Comments document with the final permits that responded to all significant comments EPA had received on the draft permits. In response to Global's comment requesting a compliance schedule for certain limits, EPA declined to include one in the Final Permit but noted that, "[t]o the extent the permittee cannot comply with a particular limit in the Final Permit upon the permit's effective date, EPA is willing to consider appropriate schedules, provided they bring the permittee into compliance with the limit as soon as possible." *Id.* at 191; *see also id.* at 236. EPA further noted that "a schedule to comply with a new limit could be established through the issuance of an administrative order rather than in the permit," should additional time to come into compliance prove necessary. *Id.* at 192 (*citing* CWA § 309(a), 33 USC § 1319(a)); *see also id.* at 236. Monitoring data collected by Global following issuance of the final permits have indicated exceedances of the new limits for certain metals, PAHs, and other pollutants at both the Leaseback Terminal and the Chelsea Sandwich Terminal. Beginning in January 2023 and continuing thereafter, Global communicated with EPA about these exceedances and about potential actions and a schedule to bring the facilities into compliance with permit limits.

#### 4.0 Basis of Proposed Permit Termination

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time, including citizen suits brought under State or Federal law. Ltr. from M. Leon, Global, to M. Curley, EPA (June 27, 2022). Thus, public participation was not required. 40 CFR § 122.64(b).

#### 4.1 Request for Permit Termination

As explained above, the Facility is no longer operating as a bulk petroleum storage terminal. On October 7, 2024, Global sent EPA and MassDEP a letter requesting “revocation of the existing NPDES Permit applicable to the [Leaseback] Terminal, which will no longer be used as a petroleum storage facility.” Oct. 7 Ltr. at 1. Global indicated that it had decommissioned the storage tanks, which included removing the contents of the tanks and cleaning the tanks, and that the tanks are “no longer capable of receiving product.” *Id.* at 2. Global also explained that the “tanks were inspected following cleaning,” and Global provided EPA and MassDEP with “gas free certifications” from a Marine Chemist indicating the tanks were empty and safe for dismantling and demolition. *Id.* at 2, Ex. B. Global represented that “the known associated product piping, conveyances and appurtenances” will also be cleaned and then evaluated by a Marine Chemist prior to the end of the lease. *Id.* at 2. Global stated that, at the end of the lease term, “[n]o hydrostatic test water from the [Leaseback] Terminal or remedial discharge through Outfall 003 from the former remediation system will be discharged” and that “the [Leaseback] Terminal will no longer be capable of functioning as a petroleum storage facility.” *Id.* Global further represented that the terms of the sale “to the Owner included a restriction on future use of the [property] as bulk petroleum storage,” *id.* at 1 and that the Owner intends to demolish the tanks and redevelop the property for other commercial use, *id.* at 2, 3.

While Global initially reported that the lease term ended on September 30, 2024, on October 11, 2024, Global sent EPA and MassDEP a supplemental letter indicating that, following “a walkthrough of the Terminal,” Global and the Owner had agreed to extend the lease term through October 31, 2024, so that Global could conduct “additional decommissioning and cleaning activities.” Ltr. from M. Snell, Global, to M. Curley, EPA, & K. Crocker, DEP (Oct. 11, 2024) at 1. Global reported that it “will update the information provided in the request for revocation as necessary following the completion of the additional decommissioning and cleaning activities and confirm that the lease has been terminated at the end of October 2024.” *Id.*

On November 21, 2004, Global sent EPA and MassDEP a second supplemental letter confirming that, as of October 31, 2024, Global “has completed the additional decommissioning and cleaning activities at the Terminal and that the lease is terminated.” Ltr. from M. Snell, Global, to M. Curley, EPA, & K. Crocker, DEP (hereinafter, “Nov. 21 Ltr.”).

#### 4.2 General Permit Coverage

On November 1, 2024, the Owner submitted a Notice of Intent for permit coverage under the EPA Region 1 General Permit for Dewatering and Remediation Discharges (DRGP NOI) requesting NPDES authorization to discharge groundwater and stormwater from the site to the Chelsea River. EPA denied the DRGP NOI on December 20, 2024, providing comments instructing the correction of certain NOI information. The Owner withdrew the DRGP NOI, revised the entries based on EPA’s comments, and resubmitted on January 6, 2025. EPA

approved the DRGP NOI on January 17, 2025. See DRGP Authorization No. MAG912185. The owner represents that the site “will be redeveloped into a warehouse and logistics facility after removal of the aboveground storage tanks (ASTs), buildings, former terminal racking, and conveyance piping.” DRGP NOI at 3. The DRGP NOI includes sampling results for various pollutant parameters in groundwater and stormwater collected at the site. *Id.* at 3-4. The Owner characterized the discharges as follows:

Excavations for the proposed buildings and associated project elements may extend below the groundwater table. Localized temporary dewatering may be required during excavation, foundation construction, and installation of utilities to control groundwater, seepage, precipitation, surface water runoff, and construction generated water to enable activities in-the-dry. Dewatering is planned to be conducted by pumping from localized open sumps within the excavation. Dewatering fluids will be pumped to a temporary construction dewatering treatment system prior to discharge.

*Id.* at 3.

Regarding treatment, the NOI indicates that “[g]roundwater and stormwater will be pumped from the excavation into one or more sedimentation tanks and bag filters to remove suspended solids. Activated carbon treatment and bone char carbon treatment are also anticipated. Supplemental treatment may be added to meet [DRGP] discharge criteria...,” including use of an onsite oil/water separator. *Id.* at 3, 6. DRGP discharge criteria refer to the numeric limits, set at the applicable criteria from Massachusetts Surface Water Quality Standards at 314 CMR 4.00 at zero dilution for any pollutant the applicant indicated as present in soil or groundwater at the site. In addition, under Part 2.1.3 of the DRGP, EPA may impose additional numeric and/or non-numeric limitations on a case-by-case basis specified through a regulatory action which has been afforded public notice and comment (e.g., a final individual permit). As a result, EPA included the numeric limits and certain additional monitoring requirements specified in individual NPDES Permit No. MA0000825 when the limit or monitoring requirement is more stringent than what the DRGP requires. These additional requirements were provided in writing to the Owner as an attachment to the authorization. See DRGP Authorization No. MAG912185, “Additional Case-By-Case Limitations and Monitoring Requirements.”

Separately, the Owner submitted a Notice of Intent for overage under EPA’s Construction General Permit (CGP) on December 9, 2024. Coverage became effective on December 23, 2024 (Authorization No. MAR1005IN). This general permit applies to construction-related stormwater discharges where one (1) or more acres is disturbed that are not otherwise covered by the DRGP. This general permit also applies to certain non-stormwater discharges, but importantly, does not authorize the discharge of pollutants in the dewatering discharges covered by the DRGP described above.

Therefore, for this termination, EPA has determined that discharges from the Facility are covered by the general permits, and the general permits’ requirements for the redevelopment

of the Facility are as stringent or more stringent than the site-specific requirements in individual NPDES Permit No. MA0000825.

#### 4.3 Enforcement Action

As explained above, the existence of an enforcement action necessitates that termination of NPDES Permit No. MA0000825 be publicly noticed pursuant to 40 CFR §§ 124.6(e) and 124.10(b)(1) (30-day comment period) as the expedited permit procedures afforded by 40 CFR § 122.64 are not available to the Permittee. On May 9, 2024, CLF sent Global a 60-day Notice of Intent to Sue alleging NPDES permit violations at the Leaseback Terminal and at the Chelsea Sandwich Terminal owned and operated by Global. Ltr. from H. Govern, CLF, to E. Slifka, Global (May 9, 2024). A Notice of Intent to Sue is a prerequisite to bringing a lawsuit under the Citizen Suit provision of the Act. CWA § 505(b), 33 USC § 1365(b). On July 9, 2024, CLF filed suit against Global in US District Court for the District of Massachusetts alleging NPDES permit violations at both facilities. Complaint, *Conservation Law Found. v. Global GP LLC*, No. 1:24-cv-11766 (D. Mass, filed July 9, 2024).

As also explained above, Global has been in communication with EPA about permit exceedances at both its facilities since shortly after the effective date of the 2022 final permits. Those discussions culminated in an August 2024 Administrative Order on Consent (AOC) issued by EPA pursuant to CWA § 309(a)(3) that requires Global to take several actions to address the exceedances, including by installing and operating a new treatment system at the Chelsea Sandwich Terminal to achieve compliance with permit limits. AOC ¶¶ IV.1-.4 With respect to the now-closed facility at issue in this permit termination proceeding, the AOC recognized Global's intent to decommission and permanently cease operation of the facility.<sup>2</sup> *Id.* ¶ III.17. As a result, the AOC addresses the exceedances by requiring Global to cease permanently all discharges authorized by NPDES Permit No. MA0000825 and to decommission the Leaseback Terminal by December 31, 2024. *Id.* ¶ IV.8.

#### 4.4 Discussion

As explained above, the CWA and EPA regulations authorize EPA to terminate a NPDES permit where there is a "change in any condition that requires either a temporary or permanent reduction or elimination of any discharge or sludge use or disposal practice controlled by the permit (for example, plant closure or termination of discharge by connection to a POTW)." 40 CFR § 122.64(a)(4); *see also* CWA § 402(b)(1)(C)(iii), 33 USC § 1342(b)(1)(C)(iii). In addition, EPA regulations provide that a "source excluded from a general permit solely because it already has an individual permit may request that the individual permit be revoked, and that it be covered by the general permit. Upon revocation of the individual permit, the general permit shall apply to the source." 40 CFR § 122.28(b)(3)(v).

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<sup>2</sup> Decommissioning involves removing the contents of all storage tanks; cleaning the tanks and obtaining certification from a marine chemist that they are gas free; removing the contents of the piping, conveyances, and appurtenances; and draining, flushing, and air gapping such piping, conveyances, and appurtenances. *Id.*



Here, Global has an individual permit that authorizes it to discharge pollutants in stormwater, hydrostatic test water, and groundwater from a bulk petroleum storage terminal to Chelsea Creek. The stormwater authorized was collected from several locations at the facility, including the truck loading rack, a terminal yard on the former Global South portion of the property that was once the site of a second truck loading rack, and secondary containment areas around the storage tanks and the tank farm. 2021 Fact Sheet at 13-14, 16-17, 20-21. Hydrostatic test water refers to water used to test tanks and piping for leaks. Hydrostatic testing involves filling a tank or pipe with water under pressure and monitoring pressure drops over time. *Id.* at 18. During terminal operations, hydrostatic test water was periodically generated, treated after use, and then discharged if it met applicable permit requirements. *Id.* Treated groundwater discharged at the facility consisted of groundwater treated through a treatment system which included air stripping, and liquid and vapor phase carbon that began operating in 1998. 2005 Fact Sheet (Global Petroleum) at 9-10. After treatment, Global discharged the collected groundwater via internal Outfall 003 and then Outfall 001 to the river. 2021 Fact Sheet at 15, 18. With the closure of the Terminal, Global ceased collecting and discharging groundwater. Oct. 7 Ltr. at 2.

The facility that has discharged these sources of wastewater in the past is now closed, and the activities and discharges described have been permanently eliminated. While the tanks and piping used in the past operations are still in the process of being removed at the time of the drafting of this Statement of Basis, the information in the record demonstrates that they have been emptied of the products formerly stored there, cleaned, and will be dismantled and permanently removed. Thus, there are no longer discharges of stormwater, groundwater or hydrostatic test water to Chelsea River from a bulk petroleum storage terminal. In addition, Global represents that a contractual restriction prevents the Owner from operating the site as a bulk petroleum storage terminal in the future. Nov. 21 Ltr.. Further, the Owner has indicated that the property will be redeveloped for other commercial use and has obtained general permit coverage under EPA's CGP for discharges of stormwater associated with construction activities on the property during the redevelopment. Moreover, to the extent dewatering or remediation discharges are necessary during or after redevelopment, the Owner has obtained coverage for these discharges under EPA's DRGP, as discussed above. In the event the redevelopment results in the discharge of pollutants subject to additional or alternate NPDES permits, such as EPA's Multi-Sector General Permit (MSGP) for discharges of stormwater associated with industrial activity, the Owner is obligated to obtain the applicable NPDES permit(s) with appropriate limits and conditions.

For the reasons explained above, EPA therefore proposes to terminate Global's individual NPDES permit pursuant to 40 CFR §§ 122.28(b)(3)(v) and 122.64(a)(4) on the basis that the permanent closure of the facility and redevelopment of the site has eliminated the discharges controlled by the individual permit and, to the extent stormwater and/or groundwater that comes into contact with residual contamination at the site associated with former use as a bulk petroleum storage terminal is discharged, those discharges are covered by the general permits.

In addition, the limits and conditions of the general permit coverage are at least as stringent as those in the individual permit.

## **5.0 State Permit**

Concurrently with EPA's issuance of the final NPDES Permit MA0000825, the Massachusetts Department of Environmental Protection ("MassDEP" or "the State") issued a similar permit to this Facility under the state's Clean Waters Act. MassDEP will therefore, follow its State regulations regarding revocation and termination. [EPA expects MassDEP to revoke and terminate the NPDES Permit concurrently with EPA].

## **6.0 Public Comments and Appeals**

All persons, including the Permittee, who believe termination of the NPDES Permit for this NPDES Permit is inappropriate must raise all issues and submit all available arguments and all supporting material for their arguments in full by the close of the public comment period, to:

Shauna Little  
EPA Region 1  
5 Post Office Square, Suite 100 (06-1)  
Boston, MA 02109-3912  
Telephone: (617) 918-1989  
Email: [little.shauna@epa.gov](mailto:little.shauna@epa.gov)

EPA is seeking, and will accept, only comments that address the proposed termination, as designated in the Notice of Intent to Terminate and discussed in this Statement of Basis. EPA is not reopening the provisions of the Final Permit for public comment or modification.

Following the close of the comment period, EPA will issue a final decision, forward a copy of the final decision to the Permittee, and provide a copy or notice of availability of the final decision to each person who submitted written comments or requested notice. In reaching a final decision on the Notice of Intent to Terminate, EPA will respond to all significant comments in a Response to Comments document attached to the final decision and make these responses available to the public on EPA's website. Within 30 days after EPA serves notice of the issuance of the final decision, an appeal of the federal action may be commenced by filing a petition for review with the Clerk of EPA's Environmental Appeals Board in accordance with the procedures at 40 CFR § 124.19.

Date: March 31, 2025

Ken Moraff, Director  
Water Division  
U.S. Environmental Protection Agency

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

**PUBLIC NOTICE** OF THE INTENT TO TERMINATE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT TO DISCHARGE INTO WATERS OF THE UNITED STATES UNDER SECTION 402 OF THE CLEAN WATER ACT (CWA), AS AMENDED, AND MASSDEP PUBLIC NOTICE OF THE INTENT TO TERMINATE THE DISCHARGE PERMIT TO DISCHARGE INTO WATERS OF THE COMMONWEALTH UNDER THE MASSACHUSETTS CLEAN WATERS ACT, M.G.L. C. 21, §§ 26-53.

PUBLIC NOTICE PERIOD: March 31, 2025 - April 30, 2025

PERMIT NUMBER: **MA0000825**

NAME AND MAILING ADDRESS OF PERMITTEE:

Global Companies LLC  
800 South Street, Suite 500  
Waltham, MA 02453

NAME AND ADDRESS OF THE FACILITY WHERE DISCHARGES OCCURRED:

Global Companies Terminal  
140 Lee Burbank Highway  
Revere, MA 02151

RECEIVING WATERS: Chelsea River (MA71-06)

RECEIVING WATERS CLASSIFICATION: Class SB

INTENT TO TERMINATE THE FINAL PERMITS:

EPA is issuing for public notice and comment this notice of intent to terminate the NPDES Permit for the above-identified facility in response to a request from the Permittee based on the Permittee's permanent closure of the facility. The facility was authorized to discharge a combination of stormwater, hydrostatic test water, groundwater, potable water, and/or other allowable non-stormwater sources. The CWA authorizes the EPA to terminate a NPDES permit for cause, CWA § 402(a)(3), (b)(1)(C); 33 USC § 1342(a)(3), (b)(1)(C). While in some cases EPA may terminate a NPDES permit for cause simply "by notice to the permittee," EPA is required to follow the public participation procedures in 40 CFR part 124 to terminate a permit when, as here, the permittee is "subject to pending State and/or Federal enforcement actions including citizen suits brought under State or Federal law." 40 CFR § 122.64(b). Therefore, EPA is issuing a notice of intent to terminate, which, under 40 CFR § 124.5(d)(1), "is a type of draft permit which follows the same procedures as any draft permit prepared under § 124.6."

The discharge permitted by EPA's NPDES permit MA0000825 is also permitted under the Massachusetts Clean Waters Act, M.G.L. c. 21, §§ 26-53, by MassDEP Surface Water Discharge (SWD) Permit

MA0000825. According to 314 CMR 2.10, "The Department may...terminate an individual permit...at the request of the permittee upon a showing, satisfactory to the Department, that the requested...termination is appropriate in view of circumstances for which the permittee is not at fault." Therefore, MassDEP is also issuing for public notice and comment this notice of intent to terminate the SWD Permit for the same facility in response to the same request from the Permittee.

#### INFORMATION ABOUT THE TERMINATION:

EPA has also issued a Statement of Basis that describes the reasons supporting the tentative decision to terminate the permit. The Statement of Basis 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](mailto:Little.Shauna@epa.gov)

MassDEP has also issued a Statement of Basis that describes the reasons supporting the tentative decision to terminate the permit. The Statement of Basis may be obtained at no cost at <https://www.mass.gov/info-details/massdep-permits-approvals-for-comment> or by contacting:

Xiaodan Ruan  
Massachusetts Department of Environmental Protection  
100 Cambridge Street, Suite 900  
Boston, MA 02114  
Telephone: (857) 256-4172  
[Xiaodan.ruan@mass.gov](mailto:Xiaodan.ruan@mass.gov)

#### PUBLIC COMMENT:

All persons, including applicants, who believe termination of this NPDES Permit and/or MassDEP SWD Permit is inappropriate must raise all reasonably ascertainable issues and submit all reasonably available arguments supporting their position by **April 30, 2025**, which is the close of the joint public comment period. Comments, including those pertaining to the separate state permit termination, should be submitted to the EPA and MassDEP contacts at the address or email listed above. If comments are submitted in hard copy form, please also email copies to the EPA and MassDEP contacts above.

#### FINAL DECISION:

Following the close of the comment period, the EPA Regional Administrator will issue a final permit decision and notify the applicant and each person who has submitted written comments or requested notice. MassDEP will do the same for the state permit.

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

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