

Administrative Adjustments to Final Potable Water Treatment Facility General NPDES Permit

The Notice of Availability of the Draft PWTF GP for MA and NH appeared in the Federal Register on August 10, 2016. Public comments were accepted for this General Permit for 30 days. As stated in the Notice of Availability, comments had to be received on or before September 9, 2016. EPA did not receive any public comments for the PWTF GP.

However, in between the draft and final issuance of the PWTF GP, several minor corrections to the PWTF GP were made by EPA based on new information received since August 10, 2016. For example, new information was obtained from EPA's lab regarding the ML (minimum level for analysis) for Total Residual Chlorine and the ML for Aluminum. The resulting non-substantive changes made to the Final Permit based on the new information include:

- 1) EPA adjusted the language in Footnote 10 in Part 2.1.1 of the permit and Footnote 8 in Part 3.1.1 of the permit to more accurately reflect the ML and DL (detection level) for TRC. Language was also added to clarify how to report TRC when it is not detected above the DL.
- 2) The ML for Aluminum (denoted in Footnote 12 in Part 2.1.1 of permit and Footnote 10 in Part 3.1.1) was correct. However, a minor addition was made to indicate that Inductively Coupled Plasma (ICP) Method 200.7 must be conducted in the axial mode. The definition for ML was also added to each of these footnotes.
- 3) The classification of waterbody (i.e. Class A or B) was removed from Footnote 4 of Part 2.1.2 of the permit and Footnote 4 of Part 3.1.2 of the permit to avoid misinterpretation.
- 4) Minor rewording of Part 2.1.3.1.e (Special Conditions>Best Management Practices (BMP) Plan) was done to clarify that these items are technology-based effluent limitations.
- 5) Part 2.1.3.1.f.iii was updated to reference the correct sections of Chapter 5.10 of the MassDEP Guidelines for Public Water Systems.

Also, in the fact sheet that accompanied the draft General Permit, EPA stated that they would seek concurrence from the U.S. Fish and Wildlife Service (USFWS) regarding the determination of effect on endangered species under their jurisdiction. Following the release of the draft General Permit, EPA had discussions with USFWS on this matter. Based on discussions with USFWS, EPA has determined that this General Permit has "no effect." The reason for this determination is because each Notice of Intent (NOI) that is submitted must assess site specific endangered species impacts using USFWS' Information, Planning, and Conservation (IPac) website, available at <https://ecos.fws.gov/ipac/>. Base on the findings

using this website, the applicant can either make a determination of impacts or if there are questions, seek input from USFWS directly. Since each NOI is individually screened prior to submission, the General Permit has no effect.