

PUBLIC NOTICE

Notice is hereby given that the Massachusetts Department of Environmental Protection (MassDEP), under authority granted by the Massachusetts Clean Waters Act, M.G.L. c. 21, §§ 26 – 53, and the implementing regulations at 314 CMR 3.00 and 4.00, is proposing to: (1) issue a federal Clean Water Act Section 401 Water Quality Certification (WQC) for the U.S. Environmental Protection Agency's (EPA) proposed 2025 Draft NPDES Permit Modification (Federal Permit) (MA Permit No. MA0000787) to Massachusetts Port Authority (Massport) and Co-Permittees for the Logan International Airport for their facility's pollutant discharges to the Boston Harbor, Boston Inner Harbor, and Winthrop Bay (MA70-01, MA70-02, and MA70-10); and (2) issue the 2025 Draft Massachusetts Surface Water Discharge Permit Modification (SWDP Modification) for the same discharge pursuant to the Massachusetts Clean Waters Act. Logan International Airport is located at 1 Harborside Drive, East Boston, Massachusetts. The proposed WQC, proposed SWDP Modification, and a link to the proposed Federal Permit Modification are all available at <https://www.mass.gov/info-details/massdep-permits-approvals-for-comment>. Alternatively, a copy of the documents can be obtained by contacting Xiaodan Ruan, MassDEP Surface Water Discharge Program, at 857-256-4172 or at xiaodan.ruan@mass.gov.

Written comments on both the proposed WQC and the proposed SWDP Modification will be accepted until 5:00 p.m. on April 21, 2025. MassDEP strongly encourages written comments to be submitted by email to massdep.publiccommentnpdes@mass.gov; subject line: Logan International Airport. If not possible, please send by mail to MassDEP NPDES Program, c/o Xiaodan Ruan, 100 Cambridge Street, Suite 900, Boston, MA 02114.

Following the close of the comment period, MassDEP will issue a final WQC and final SWDP Modification and forward copies to the applicant and each person who has submitted written comments or requested notice. The final determination will contain information regarding the opportunity to file an adjudicatory appeal pursuant to 310 CMR 1.01. Information regarding intervention and participation can be found at 310 CMR 1.01(7).

For special accommodations, please call the MassDEP Diversity Office at 617-292-5751. TTY# MassRelay Service 1-800-439-2370. This information is available in alternate format upon request.

By Order of the Department

Bonnie Heiple, Commissioner

MODIFICATION**MASSACHUSETTS PERMIT TO DISCHARGE POLLUTANTS TO SURFACE WATERS**

In compliance with the provisions of the Massachusetts Clean Waters Act, as amended (M.G.L. Chap. 21, §§ 26 - 53) and the implementing regulations at 314 CMR 3.00 and 4.00,

MASSACHUSETTS PORT AUTHORITY (MASSPORT) AND CO-PERMITTEES
ONE HARBORSIDE DRIVE
EAST BOSTON, MA 02128-2909

is authorized to discharge from the facility located at

LOGAN INTERNATIONAL AIRPORT
ONE HARBORSIDE DRIVE
EAST BOSTON, MA 02128-2909

to receiving waters named

BOSTON HARBOR, BOSTON INNER HARBOR, WINTHROP BAY (BOSTON HARBOR BASIN)

in accordance with the following effluent limitations, monitoring requirements and additional conditions:

1. The issuance date of this Permit Modification is the date it is signed by the Massachusetts Department of Environmental Protection (MassDEP).¹
2. This Permit Modification shall become effective on [DATE].²
3. This Permit Modification shall expire at midnight on October 31, 2028.
4. This Permit Modification modifies the Permit issued on November 1, 2023.
5. Pursuant to MassDEP's authority under M.G.L. c. 21, §§26-53, 314 CMR 3.00, and 314 CMR 4.00, the 2023 State Permit incorporates by reference: Part IA., Effluent Limitations and Monitoring Requirements; Part IB., Unauthorized Discharges; Part IC., Special Conditions; Part ID., Reporting Requirements; and Part II, Standard Conditions, as set forth in the 2023 final NPDES Permit No. MA0000787,³ issued by the United States Environmental Protection Agency (EPA), Region 1, issued to Massport and its co-permittees ("Permittee") on August 24, 2023, and attached hereto by reference as Appendix 1 and available on EPA's website at <https://www.epa.gov/npdes-permits/massachusetts-draft-individual-npdes-permits>; provided, however:

¹ Any person aggrieved by the issuance of this Permit Modification may file an appeal within 30 days of the issuance date. See Attachment A for further details on appeal rights and how to file an appeal.

² According to 314 CMR 2.08(1), if no comments objecting to the issuance or terms of the Permit Modification were received by the Department during the public comment period, then the Permit Modification shall be effective upon issuance. If comments objecting to the issuance or the terms of the Permit Modification were received by the Department during the public comment period, then the Permit Modification shall become effective 30 days after issuance.

³ This draft MassDEP Permit Modification references the 2025 draft EPA Permit Modification. The final version of this MassDEP Permit Modification will reference the final version of the EPA Permit Modification. The final version of this MassDEP Permit Modification may reflect changes between the 2025 draft EPA Permit Modification and the final version of that EPA Permit Modification.

- a. that the reporting required by Part IB.1 shall be in accordance with 314 CMR 3.19(20)(e) (24-hour reporting); and
 - b. that, if there is a conflict between the definitions in 314 CMR 3.02 and/or 314 CMR 4.00 and the definitions in Part IIE, the definitions in 314 CMR 3.02 and/or 314 CMR 4.00 shall control, as applicable.
6. This Permit Modification incorporates by reference a new section in the 2025 EPA Permit Modification, Part I.C.6., Compliance Schedule for Bacteria.
7. This Permit Modification incorporates by reference the Standard Permit Conditions set forth in 314 CMR 3.19.
8. The Permittee and Co-permittees are severally liable under Part IB., Part IC., and Part ID. for their own activities. Attached as Appendix A is the current list of Co-permittees.

Issued on this ____ day of _____, 20__

Lealdon Langley, Director
Division of Watershed Management
Department of Environmental Protection

Appendix A
Massport Logan International Airport
2024 List of Co-Permittees

1. Aero Mag 2000 BOS LLC
2. Aero Snow Removal Corporation
3. American Airlines, Inc.
4. British Airways
5. Cape Air
6. Delta Airlines, Inc.
7. dNata/Ground Services International, Inc.
8. Federal Express
9. FSM
10. Jet Blue
11. Keystone Management
12. LSG SkyChefs
13. Nouria Energy Corp./Shell Station
14. Paul Revere Transportation LLC/Green Bus Depot
15. Prime Flight
16. Signature Flight Support
17. Southwest Airlines Co.
18. Swissport Fueling
19. Swissport USA
20. Triangle Aviation Services
21. United Airlines
22. United Parcel Service (UPS)

MASSACHUSETTS DEPARTMENT OF ENVIRONMENTAL PROTECTION

FACT SHEET

**MODIFICATION TO
MASSACHUSETTS PERMIT TO DISCHARGE POLLUTANTS TO SURFACE WATERS**

MA PERMIT NUMBER: MA0000787

NAME AND MAILING ADDRESS OF PERMITTEE:
MASSACHUSETTS PORT AUTHORITY (MASSPORT) AND CO-PERMITTEES
ONE HARBORSIDE DRIVE
EAST BOSTON, MA 02128-2909

NAME AND ADDRESS OF FACILITY WHERE DISCHARGE OCCURS:
LOGAN INTERNATIONAL AIRPORT
ONE HARBORSIDE DRIVE
EAST BOSTON, MA 02128-2909

RECEIVING WATER AND CLASSIFICATION:
BOSTON HARBOR, BOSTON INNER HARBOR, WINTHROP BAY (BOSTON HARBOR BASIN)

PUBLIC NOTICE DETAILS:
Public comment time period: March 21, 2025 – April 21, 2025
Address where comments can be received:
Via email: massdep.publiccommentnpdes@mass.gov or to the below mailing address
Include the following subject line: Massport Logan International Airport

MASSDEP CONTACT:
Person to contact for additional information: Xiaodan Ruan, xiaodan.ruan@mass.gov, 857-256-4172

MAILING ADDRESS:
MassDEP NPDES Program, c/o Xiaodan Ruan, 100 Cambridge Street, Suite 900, Boston, MA 02114.

This Fact Sheet for the above-referenced draft MassDEP Modification to Surface Water Discharge Permit (SWDP) incorporates by reference the entire Statement of Basis for the 2025 draft Modification to NPDES Permit No. MA0000787, issued by the United States Environmental Protection Agency (EPA), Region 1, to the Massport and Co-permittees on March 21, 2025, including all attachments to the Statement of Basis. In addition to the information contained in the EPA Statement of Basis incorporated herein by reference, MassDEP includes the information that follows.

PROPOSED ACTION

The Massachusetts Department of Environmental Protection (MassDEP) is proposing a modification to the 2023 Surface Water Discharge Permit MA0000787 (SWDP) issued on November 1, 2023 to the Massachusetts Port Authority (Massport) and the Co-permittees listed in Appendix A of the draft SWDP modification for industrial stormwater discharges from Logan International Airport in East Boston to Boston Harbor, Boston Inner Harbor, and Winthrop Bay.

Massport appealed both the 2023 MassDEP SWDP and the 2023 EPA NPDES Permit and requested additional time to meet the bacteria limits in these permits. A Compliance Schedule was developed that outlines milestones for the development of bacterial investigation plans, execution of these plans, and reporting to the regulatory agencies. Massport began work on these milestones during the appeal process and, as agreed to by all parties during the settlement process, Massport is required to fully comply with the bacteria limits in these permits by October 31, 2038. In accordance with M.G.L. c. 21, s. 43(10), 314 CMR 2.10, and 314 CMR 3.13(1), MassDEP has determined that modification of the 2023 SWDP to incorporate a compliance schedule for meeting the permit's bacteria limits is appropriate in these circumstances.

EPA is modifying the 2023 NPDES permit to include the abovementioned Compliance Schedule as a new permit section (Part I.C.6.). 314 CMR 3.11(10) and 314 CMR 4.03(1)(b)) authorize MassDEP to incorporate compliance schedules into SWDPs. This MassDEP draft modification of the 2023 SWDP incorporates by reference EPA's NPDES permit modification that adds the Compliance Schedule in Part I.C.6.

To review the proposed Compliance Schedule, see EPA's draft NPDES Permit Modification and for more information, see EPA's Statement of Basis at: <https://www.epa.gov/npdes-permits/massachusetts-draft-individual-npdes-permits>.

MassDEP is issuing for public comment only the new Compliance Schedule language in Part I.C.6. of the draft EPA NPDES Permit Modification. MassDEP is seeking, and will accept, only comments that address the proposed Compliance Schedule as described above. All other aspects of the 2023 final SWDP will remain in effect and are not being reopened for public comment and modification per 314 CMR 3.13(1).

REQUEST FOR A PUBLIC HEARING

According to 314 CMR 2.07(1), applicants or permittees for a surface water discharge permit can request a public hearing, or MassDEP can determine a public hearing is in the public interest. In either case, MassDEP shall schedule and conduct such hearing in a community within the area(s) affected by the facility or discharge which is the subject of the permit. MassDEP may satisfy a public hearing requirement through a public hearing jointly held with EPA.

DRAFT

Clean Water Act Section 401 Water Quality Certification
For the 2025 Proposed NPDES Permit Modification
For the Massachusetts Port Authority (Massport) and Co-Permittees
Permit No. MA0000787

The Massachusetts Department of Environmental Protection (MassDEP), having examined Massport and Co-permittees' ("Permittee") National Pollutant Discharge Elimination System (NPDES) permit modification application for Logan International Airport to discharge to Boston Harbor, Boston Inner Harbor, and Winthrop Bay, and having reviewed the United States Environmental Protection Agency (EPA) – Region 1's 2025 draft NPDES Permit Modification for Logan International Airport (Permit No. MA0000787), issued March 21, 2025 ("2025 draft NPDES Permit Modification"), hereby certifies that there is a reasonable assurance that the stormwater discharges will not violate applicable Massachusetts water quality requirements, if made in accordance with the provisions of the 2023 final NPDES Permit, as modified by the provisions of the 2025 draft NPDES Permit Modification. The Massachusetts Surface Water Quality Standards authorize the inclusion of compliance schedules in surface water pollutant discharge permits. 314 CMR 4.03(1)(b), provides that MassDEP may include compliance schedules through permit modifications when the permittee cannot comply with permit limitations. Massport has demonstrated that a compliance schedule for the bacteria limits included in the 2023 NPDES permit (and corresponding state surface water discharge permit) is warranted due to Logan Airport's extensive stormwater conveyance system and the comprehensive investigations required to identify and remove bacteria sources contributing to stormwater discharges that exceed the permit limits for bacteria. The terms and conditions contained in the 2025 draft NPDES Permit Modification for Logan International Airport will ensure that the stormwater discharges will comply with the applicable provisions of the Federal Clean Water Act Sections 208(e), 301, 302, 303, 306, and 307, and with appropriate requirements of State law, including, without limitation, the Massachusetts Clean Waters Act, M.G.L. c. 21, §§ 26-53, and the Massachusetts Surface Water Quality Standards published at 314 CMR 4.00 when all activities required by the compliance schedule are successfully completed.

To meet the requirements of Massachusetts laws, each of the conditions in the 2025 draft NPDES Permit Modification shall not be made less stringent unless new data or other information is presented and MassDEP determines recertification is appropriate in consideration of the relevant water quality considerations.

Signed this ____ day of _____, 20____

Lealdon Langley, Director
Massachusetts Department of Environmental Protection
Bureau of Water Resources
Division of Watershed Management