

MASSACHUSETTS DEPARTMENT OF
ENVIRONMENTAL PROTECTION
COMMONWEALTH OF MASSACHUSETTS
1 WINTER STREET
BOSTON, MASSACHUSETTS 02108

UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY – REGION 1
OFFICE OF ECOSYSTEM PROTECTION
5 POST OFFICE SQUARE
BOSTON, MASSACHUSETTS 02109

**JOINT PUBLIC NOTICE OF A REVISED DRAFT NATIONAL POLLUTANT
DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT TO DISCHARGE INTO
WATERS OF THE UNITED STATES UNDER SECTIONS 301 AND 402 OF THE CLEAN
WATER ACT, AS AMENDED, AND SECTIONS 27 AND 43 OF THE MASSACHUSETTS
CLEAN WATERS ACT, AS AMENDED, AND REQUEST FOR STATE CERTIFICATION
UNDER SECTION 401 OF THE CLEAN WATER ACT.**

DATE OF ORIGINAL PUBLIC NOTICE: 08/01/2017 - 08/30/2017

DATE OF PUBLIC NOTICE: **March 5, 2019 – April 3, 2019**

PERMIT NUMBER: **MA0000531**

PUBLIC NOTICE NUMBER: **MA-006-19**

NAME AND MAILING ADDRESS OF APPLICANT:

Boston Sand & Gravel Company
100 N. Washington Street, 2nd Floor
Boston, MA 02114

NAME AND ADDRESS OF THE FACILITY WHERE DISCHARGE OCCURS:

Boston Sand & Gravel Company
500 Front Street
Charlestown, MA 02129

RECEIVING WATER: Unnamed Tributary to the Charles River (“Millers River”, Outfall 001)

PREPARATION OF THE REVISED DRAFT PERMIT:

The U.S. Environmental Protection Agency (EPA) and the Massachusetts Department of Environmental Protection (“MassDEP”) have cooperated in the development of a revised Draft Permit for Boston Sand & Gravel’s Charlestown facility, which discharges commingled process water and stormwater. The effluent limits and permit conditions imposed have been drafted to assure that State Water Quality Standards and provisions of the Clean Water Act will be met. EPA has requested that the State certify this revised Draft Permit pursuant to Section 401 of the Clean Water Act and expects that the revised Draft Permit will be certified.

INFORMATION ABOUT THE REVISED DRAFT PERMIT:

A draft NPDES permit was released for public comment on August 1, 2017 (“2017 Draft Permit”). EPA received comments from Boston Sand & Gravel on the 2017 Draft Permit, including a request to review DMR data collected after a new treatment technology was installed to more effectively remove metals in the discharge. EPA Region 1 and the Massachusetts Department of Environmental Protection (“MassDEP”) reviewed the DMR data and determined that a technology-based effluent limitation rather than a water quality-based effluent limitation, as in the 2017 Draft Permit, was appropriate for copper. The effluent limitations in this revised Draft Permit are imposed to protect water quality in the Unnamed Tributary of the Charles River.

A fact sheet supplement (which includes the basis for the revised draft permit conditions; and significant factual, legal and policy questions considered in preparing this revised draft permit) may be obtained at no cost at http://www.epa.gov/region1/npdes/draft_permits_listing_ma.html or by contacting:

Undine Kipka
U.S. Environmental Protection Agency – Region 1
5 Post Office Square, Suite 100 (OEP06-1)
Boston, MA 02109-3912
Telephone: (617) 918-1335
kipka.undine@epa.gov

The administrative record containing all documents relating to this revised Draft Permit including all data submitted by the applicant may be inspected at the EPA Boston office mentioned above between 9:00 a.m. and 5:00 p.m., Monday through Friday, except holidays.

FINAL PERMIT DECISION AND APPEALS:

Following the close of the comment period, and after a public hearing, if such hearing is held, the Regional Administrator will issue a final permit decision and forward a copy of the final decision to the applicant and each person who has submitted written comments or requested notice. Within 30 days following the notice of the final permit decision any interested person may submit a request for a formal hearing to reconsider or contest the final decision.

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

KEN MORAFF, DIRECTOR
OFFICE OF ECOSYSTEM PROTECTION
UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY - REGION 1