

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
1 WINTER STREET
BOSTON, MASSACHUSETTS 02108

EPA PUBLIC NOTICE OF DRAFT NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS TO DISCHARGE INTO WATERS OF THE UNITED STATES UNDER SECTION 402 OF THE CLEAN WATER ACT (CWA), AS AMENDED, PUBLIC MEETING, PUBLIC HEARING, AND ENVIRONMENTAL JUSTICE ANALYSIS, AND MASSDEP PUBLIC NOTICE OF EPA REQUEST FOR STATE CERTIFICATION UNDER SECTION 401 OF THE CWA

PUBLIC NOTICE PERIOD: **2/10/2021 – 4/11/2021**

PERMIT NUMBERS: **MA0004006, MA0003280, MA0001929, MA0001091, MA0000825**

PUBLIC MEETING DATE: **3/15/2021**

PUBLIC HEARING DATE: **3/29/2021**

PERMIT NUMBERS, NAME AND MAILING ADDRESS OF APPLICANTS, AND NAME AND ADDRESSES OF THE FACILITY WHERE DISCHARGES OCCURS:

MA0004006

Sunoco Partners Marketing and Terminals LP
467 Chelsea Street
Boston, MA 02128
for
Sunoco Logistics East Boston Terminal
467 Chelsea Street
Boston, MA 02128

MA0003280

Chelsea Sandwich LLC
11 Broadway
Chelsea, MA 02150
for
Chelsea Sandwich Terminal
11 Broadway
Chelsea, MA 02150

MA0001929

Irving Oil Terminals Inc
41 Lee Burbank Highway
Revere, MA 02151
for
Irving Oil Terminal
40/41 Lee Burbank Highway
Revere, MA 02151

MA0001091

Gulf Oil Limited Partnership
80 William Street, Suite 400
Wellesley Hills, MA 02481
for
Gulf Oil Terminal
281 Eastern Avenue
Chelsea, MA 02150

MA0000825

Global Companies LLC
140 Lee Burbank Highway
Revere, MA 02151
for
Global Companies LLC Terminal
49/96, 71/140, and 101/186 Lee Burbank Highway
Revere, MA 02151

RECEIVING WATERS: Chelsea River and Sales Creek

RECEIVING WATERS CLASSIFICATION: Class SB (Chelsea River) and SA (Sales Creek)

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

EPA is issuing for public notice and comment Draft NPDES Permits for the above-identified facilities, which discharge some combination of treated stormwater, hydrostatic test water, groundwater, boiler blowdown/condensate, and/or other allowable non-stormwater sources. The effluent limits and permit conditions imposed 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 Permits. MassDEP retains independent authority under State law to issue separate Surface Water Discharge Permits for the discharges, 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 certification of the Draft Permits 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 Permits that MassDEP finds necessary to meet these requirements. In addition, MassDEP may provide a statement of the extent to which each condition of a Draft Permit can be made less stringent without violating the requirements of State law.

INFORMATION ABOUT THE DRAFT PERMITS:

The Draft Permits and explanatory Fact Sheets may be obtained at no cost at <https://www.epa.gov/npdes-permits/chelsea-river-bulk-petroleum-storage-facilities-npdes-permits> or by contacting:

Shauna Little
U.S. Environmental Protection Agency – Region 1
5 Post Office Square, Suite 100 (06-1)
Boston, MA 02109-3912
Telephone: (617) 918-1989
Little.Shauna@epa.gov

Following U.S. Centers for Disease Control and Prevention (CDC) and U.S. Office of Personnel Management (OPM) guidance and specific state guidelines impacting our regional offices, EPA's workforce has been encouraged to telework to help prevent transmission of the coronavirus. While in this workforce telework status, there are practical limitations on the ability of Agency personnel to allow the public to review the administrative record in person at the EPA Boston office. However, any electronically available documents that are part of the administrative record can be requested from the EPA contact above.

PUBLIC COMMENT PERIOD:

All persons, including applicants, who believe any condition of any of the Draft Permits is inappropriate must raise all reasonably ascertainable issues and submit all reasonably available arguments supporting their position by **April 11, 2021**, 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. In reaching final decisions on the Draft Permits the Regional Administrator will respond to all significant comments and make the responses available to the public.

Due to the COVID-19 National Emergency, 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 in Chelsea, Massachusetts to consider the permits. 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: **March 15, 2021**

TIME: 7:00pm

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

Public Hearing:

DATE: **March 29, 2021**

TIME: 7:00pm

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 permits 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.

ENVIRONMENTAL JUSTICE ANALYSIS:

EPA and MassDEP cooperated in development of an Environmental Justice Analysis (EJA) for the NPDES permitting actions for these facilities in Chelsea, East Boston and Revere. EPA is accepting comments on the EJA during the same time period as accepting comments on the draft permits. All persons wishing to submit comments on the EJA must submit comments as noted above, with an indication that the comment(s) pertain to the EJA.

FINAL PERMIT DECISION:

Following the close of the comment period, and after the public hearing the Regional Administrator will issue final permit decisions and notify the applicants 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