

UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY
OFFICE OF ECOSYSTEM PROTECTION
REGION I
BOSTON, MASSACHUSETTS 02203

TIME EXTENSION OF THE PUBLIC NOTICE OF A TENTATIVE DECISION BY THE EPA REGION I ADMINISTRATOR TO DENY AN APPLICATION FOR SECTION 301(h) VARIANCES FROM THE SECONDARY TREATMENT REQUIREMENTS OF THE CLEAN WATER ACT (THE "ACT"), AS AMENDED, FOR THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT PROGRAM.

DATE OF NOTICE: October 19, 2007

NPDES PERMIT NUMBER ME0100749

NAME AND ADDRESS OF APPLICANT

Winterport Sewerage District
34 Sampson St.
Winterport, Maine 04496

NAME AND ADDRESS OF FACILITY WHERE DISCHARGE OCCURS:

Winterport Sewerage District
Wastewater Treatment Facility
34 Sampson St.
Winterport, Maine 04496

RECEIVING WATERS: Penobscot River Tidal Waters

REASON FOR EXTENDING THE PUBLIC NOTICE PERIOD:

This Public Notice is hereby extended (40 C.F.R. §124.10) in response to a request submitted to the U.S. Environmental Protection Agency (EPA) for additional time to review the draft decision and submit comments. Please note that any comments submitted during the initial public notice period of September 27, 2007 thru October 26, 2007 are considered to be valid and part of the official record. There is no need to resubmit any comments submitted during the initial public notice period.

PREPARATION OF THE TENTATIVE DECISION:

In 1987 Congress amended Section 301(h) of the Clean Water Act by adding the following prohibition:

No permit issued under this subsection shall authorize the discharge of any pollutant into saline estuarine waters which at the time of application do not support a balanced indigenous population of shellfish, fish and wildlife, or allow recreation in and on the waters or which exhibit ambient water quality below applicable water quality standards adopted for the protection of public water supplies, shellfish, fish and wildlife or recreational activities or such other standards necessary to assure support and protection of such uses.

The Winterport Wastewater Treatment facility discharges to estuarine waters which the State of Maine has identified as impaired in the State of Maine 2004 Integrated Water Quality Monitoring and Assessment Report. Therefore, Robert W. Varney, the EPA Region I Regional Administrator has made a tentative decision to deny the 301(h) waiver.

INFORMATION ABOUT THE TENTATIVE DECISION:

All those who wish to receive a copy of the tentative Decision or have questions pertaining to the decision may do so by writing or calling EPA's contact person named below:

Doug Corb
US EPA
One Congress Street
Suite 1100 - CMP
Boston, MA 02114-2023
Telephone: (617) 918-1565
E-Mail: corb.doug@epa.gov

The administrative record containing all documents relating to this tentative decision is on file and 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.

PUBLIC COMMENT AND REQUEST FOR PUBLIC HEARING:

All persons, including applicants, who believe any condition of this tentative decision, is inappropriate, must raise all issues and submit all available arguments and all supporting material for their arguments in full by **November 23, 2007**, to the U.S. EPA, 1 Congress Street, Suite 1100, Boston, Massachusetts 02114-2023. Any person, prior to such date, may submit a request in writing to EPA for a public hearing to consider this tentative decision. Such requests shall state the nature of the issues proposed to be raised in the hearing. A public hearing may be held after at least thirty days public notice whenever the Regional Administrator finds that response to this notice indicates significant public interest.

STEPHEN S. PERKINS, DIRECTOR
OFFICE OF ECOSYSTEM PROTECTION
ENVIRONMENTAL PROTECTION AGENCY – REGION 1