

JOINT PUBLIC NOTICE

U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA), REGION III

MD/DC BRANCH, MAIL CODE 3WP13
OFFICE OF WATERSHEDS
1650 ARCH STREET
PHILADELPHIA, PA 19103

GOVERNMENT OF THE DISTRICT OF COLUMBIA DEPARTMENT OF HEALTH, ENVIRONMENTAL HEALTH ADMINISTRATION WATERSHED PROTECTION DIVISION 51 N STREET, N.E., 5TH FLOOR WASHINGTON, D.C. 20002

PUBLIC NOTICE NUMBER: ML24

PUBLIC NOTICE ISSUE DATE: 3/28/02

EPA Region III proposes to issue a new permit for the Washington Aqueduct and to terminate the Aqueduct's NPDES permit number DC0000329. By this action, EPA proposes to incorporate all conditions contained in the old NPDES permit DC0000329 into the new NPDES permit DC0000019. The Government of the District of Columbia proposes to provide Clean Water Act (CWA) 401 certification for the discharge of process water containing aluminum bearing sediments and other discharges into the waters of the District of Columbia for the following facility:

NAME AND ADDRESS OF APPLICANT:

Department of the Army
Baltimore District, Corps of Engineers
Washington Aqueduct Division

NAME AND ADDRESS OF FACILITY WHERE DISCHARGE OCCURS:

Washington Aqueduct
5900 MacArthur Boulevard, N.W.
Washington, D.C. 20315-0220

NPDES PERMIT NUMBER: DC0000019

RECEIVING WATER: Potomac River, Rock Creek

PROCEDURES FOR FORMULATION OF FINAL DETERMINATION:

On the basis of preliminary review and application of lawful standards and regulations the Environmental Protection Agency (EPA), Region III proposes to issue an NPDES permit for the Washington Aqueduct and the D.C. Government Department of Health proposes to provide 401 certification for this facility. The EPA also wishes to terminate NPDES number DC0000329 and incorporate conditions contained therein in their entirety into the new permit DC0000019. The discharges from this facility will be subject to certain effluent limitations and special conditions in accordance with the Clean Water Act and D.C. laws. These proposed determinations are tentative.

Public Comment

Persons wishing to comment on the tentative determinations contained in the proposed permit are invited to do so in writing within 30 days of the date of this Public Notice. Comments must be received within this 30-day period to be considered in the formulation of a final determination regarding the application. All comments should include the name, address and telephone number of the commenter and a concise statement of the exact basis of any comment and the relevant facts upon which such comments are based. All written comments should be submitted to EPA at the above address to the attention of Mary Letzkus, (3WP13) Office of Watersheds.

Draft Administrative Record

Copies of the proposed permit along with the accompanying fact sheet, certification, biological evaluation and related documents and other information are on file and may be inspected and arrangements made for copying at the Region III office of the Environmental Protection Agency, Office of Watersheds, 1650 Arch Street, Philadelphia, PA 19125, at any time between 9:00 a.m. and 4:00 p.m., Monday through Friday, except during federal holidays. The Fact Sheet and further information may be obtained by writing to EPA Region III at the above address or by calling Mary Letzkus at (215) 814-2087. In addition, copies of the proposed permit and the administrative record on file may be inspected at the Martin Luther King, Jr. Library, 901 G Street, N.W., Washington, D.C. 20001 during normal business hours.

WATER QUALITY CERTIFICATION:

Comments concerning the D.C. Government water quality certification should be submitted to:

Jerusalem Bekele, Chief
Water Quality Division
Environmental Health Administration
District of Columbia Department of Health
51 N Street, N.E.
Washington, D.C. 20002

Following the thirty (30) day comment period, the EPA Regional Administrator will make a determination regarding the proposed permit. This determination regarding approval or denial of the permit will take effect as the final agency action on the permit unless a request for an evidentiary hearing is granted pursuant to 40 CFR 124.74.

Any person may submit a request for an evidentiary hearing within 30 days notice of the final permit decision. Such a request for an evidentiary hearing shall:

1. State the name, address, telephone number of the person making such a request;
2. Identify the interest of the requestor which is affected by the proposed issuance, denial or modification of the permit contained in the determination of the Regional Administrator;
3. Identify the names and addresses of all persons whom the request represents;
4. Include an agreement by the requestor to be subject to examination and cross-examination and to make any employee or consultant of such requestor or other person represented by the requestor available for examination and cross-examination at the expense of such requestor or such other person upon the request of the Presiding Officer, on his own motion, or on the motion of any party;
5. State with particularity the reasons for the request;
6. State with particularity the issues proposed to be considered in the hearing; and
7. Include proposed terms and conditions which, in the judgment of the requestor, would be required to carry out the intentment of the Act.

REGISTER OF INTERESTED PERSONS:

Any person interested in a particular application or group of applications may leave his name, address, and telephone number as part to the file for an application. This list of names will be maintained as a means for persons with an interest in an application to contact others with similar interests.