



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region 1
5 Post Office Square, Suite 100
Boston, MA 02109-3912

November 7, 2019

VIA ELECTRONIC FILING AND U.S. MAIL

Eurika Durr
Clerk of the Board
U.S. EPA Environmental Appeals Board
1200 Pennsylvania Avenue, NW (Mail Code 1103M)
Washington, D.C. 20460-0001

Cheri Cousens, Executive Director
Greater Lawrence Sanitary District
240 Charles Street
North Andover, MA 01845

Matthew J. Connolly
Michael A. Leon
Matthew Snell
Valerie A. Moore
Nutter McClennen & Fish, LLP
Seaport West, 155 Seaport Blvd.
Boston, Massachusetts 02210

**RE: Greater Lawrence Sanitary District
NPDES Permit No. MA0100447; NPDES Appeal No. 19-05**

Dear Sir or Madam:

In accordance with 40 C.F.R. §§ 124.16 and 124.60, Region 1 of the United States Environmental Protection Agency ("EPA") is providing notice of uncontested and severable permit conditions in connection with National Pollutant Discharge Elimination System ("NPDES") Permit No. MA0100447. EPA reissued that permit to the Greater Lawrence Sanitary District ("GLSD") on September 25, 2019.

GLSD timely petitioned EPA's Environmental Appeals Board ("EAB") for review of the permit on October 25, 2019. GLSD contested:

1. The effluent limit for phosphorous (Permit at Section I.A.1); and,
2. The effluent limit for total residual chlorine (Permit at Section I.A.1).

See Petition for Review by Greater Lawrence Sanitary District at 2. These conditions are collectively referred to as the “Contested Conditions.”

When a permit appeal is filed, EPA must issue a notification identifying which permit conditions are stayed as a result of the appeal and which permit conditions will go into effect. *See* 40 C.F.R. §§ 124.16(a)(2)(i) and (ii). While a permit appeal is pending, the contested permit conditions are stayed. *Id.* at § 124.16(a)(1). Uncontested permit conditions that are “inseverable” from contested conditions are also considered to be contested and are stayed. *Id.* at §§ 124.60(b)(4), 124.16(a)(2)(i). Uncontested permit conditions that are severable from contested conditions are not stayed and become enforceable conditions of the permit. *Id.* at §§ 124.16(a)(2)(i) and (ii).

EPA is notifying you that the Contested Conditions are stayed pending final agency action. *Id.* at § 124.16(a)(1). As the holder of an existing, administratively-continued permit, GLSD must continue to comply with conditions of that permit that correspond to the stayed conditions, in this case total residual chlorine. *Id.* at § 124.16(c)(2). EPA has determined that all other conditions of the permit are uncontested and severable, and accordingly will become fully effective and enforceable on January 1, 2020.

If you have any questions regarding this notice, please contact Samir Bukhari of the Office of Regional Counsel at (617) 918-1095.

Sincerely,



Dennis Deziel
Regional Administrator
US EPA-Region 1

cc: City of Lawrence
Town of North Andover
Town of Salem
City of Methuen
MassDEP

CERTIFICATE OF SERVICE

I hereby certify that a copy of the Notice of Uncontested and Severable Conditions, in the matter of Greater Lawrence Sanitary Sewer District, NPDES Appeal No. 19-05, was served on the following persons in the manner indicated:

By Electronic Filing:

Eurika Durr
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Washington, D.C. 20460-0001

By U.S. Mail:

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200 Common Street
Lawrence, MA 01840

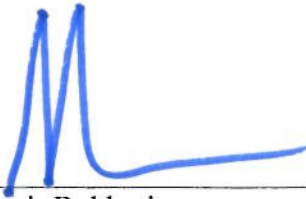
Town of North Andover
Department of Public Works
384 Osgood Street
North Andover, MA 01845

Town of Salem
Public Works Department
21 Cross Street
Salem, NH 03079

Town of Andover
Department of Public Works
397 Lowell Street
Andover, MA 01810

City of Methuen
41 Pleasant Street
Room 205
Methuen, MA 01844

Dated: November 8, 2019



Samir Bukhari