



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 1
1 CONGRESS STREET, SUITE 1100
BOSTON, MASSACHUSETTS 02114-2023

VIA FIRST CLASS MAIL AND ELECTRONIC SUBMISSION

February 2, 2009

U.S. Environmental Protection Agency
Clerk of the Board, Environmental Appeals Board (MC 1103B)
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460-0001

**Re: Upper Blackstone Water Pollution Abatement District
Notification of Draft Permit Modification
NPDES Appeal No. 08-14 (Northern RI Chapter 737 Trout Unlimited)
NPDES Permit No. MA 0102369**

Dear Ms. Durr:

In connection with the above-referenced NPDES permit appeal, I am providing notice to the Board that the Region has issued a draft permit modification to incorporate into the permit issued to the Upper Blackstone Water Pollution Abatement District an effluent limit for total aluminum and associated monitoring requirements. In its petition for review, Trout Unlimited (NPDES Appeal No. 08-14) appealed the Region's decision not to include an effluent limitation for aluminum in the permit. In its Opposition to Petitions for Review filed on December 18, 2008, the Region indicated that, upon review of Trout Unlimited's petition, the Region intended to propose a modification to the permit and would advise the Board upon its issuance. *See Region's Opposition* at n.1 and 135. The Region has issued the draft modification; the public comment period runs from January 30, 2009 through February 28, 2009. The proposed modification and statement of basis can be found at the Region's website at http://www.epa.gov/region1/npdes/draft_permits_listing_ma.html.

If you have any questions, please do not hesitate to contact me at 617-918-1711.

Sincerely,

A handwritten signature in black ink, appearing to read "Karen McGuire".

Karen McGuire, Esq.
Amanda J. Helwig, Esq.
U.S. EPA, Region 1

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Notification of Draft Permit Modification in connection with NPDES Appeal No. 08-14, were sent to the following persons in the manner indicated:

By Electronic Submission and First Class U.S. Mail:

U.S. Environmental Protection Agency
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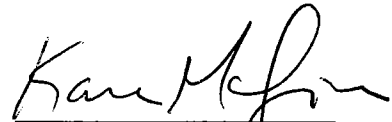
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Dated: February 2, 2008



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