

## NOTICE OF PUBLIC HEARING

by the

U. S. Environmental Protection Agency  
Region IX, WTR-5  
75 Hawthorne Street  
San Francisco, CA 94105-3901  
Telephone: (415) 947-4113

Public Notice Number: GU-09-W-09

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The U.S. Environmental Protection Agency, Region IX (EPA) is issuing this notice of a public hearing regarding the proposed actions under the Clean Water Act (CWA) and EPA regulations.

EPA is reopening the comment period and announcing a public workshop and hearing regarding the tentative decisions to deny applications for renewed variance from secondary treatment requirements of the Clean Water Act pursuant to CWA section 301(h) from the following dischargers:

**Guam Waterworks Authority**  
**Northern District Sewage Treatment Plant**  
Route 34  
Harmon Annex, GU 96912

**AND**

**Guam Waterworks Authority**  
**Agana Sewage Treatment Plant**  
Marine Drive, Route 1  
Hagatna, GU 96932

**Comment Period:** The public comment period on these tentative decisions is extended through June 30, 2009 in accordance with 40 CFR 125.59(i)(4)(i) and 124.14.

**Public Workshop and Public Hearing** EPA has scheduled a public workshop followed by a public hearing for the tentative decisions. During the workshop, EPA will present a summary of the tentative decisions and respond to questions to clarify EPA's proposal. At the public hearing, a court reporter will be present and any person may submit oral or written statements or data concerning the tentative decisions for the administrative record. Reasonable limits may be set upon the time allowed for oral statements. Persons seeking a reasonable accommodation should contact the person listed below.

The public workshop and hearing are scheduled at the following times and location:

Date: Wednesday, June 3, 2009  
Time: 6:00 p.m. - 7:00 p.m. Public Workshop  
7:00 p.m. - 9:00 p.m. Public Hearing

Location: College of Liberal Arts and Social Sciences Lecture Hall  
UOG Station  
University of Guam  
Mangilao, GU 96923  
<http://www.uog.edu/>

#### **Northern District Sewage Treatment Plant**

For the Northern District Sewage Treatment Plant (STP), the Guam Waterworks Authority has proposed to discharge less-than-secondary treated effluent to marine waters of the Philippine Sea off Tanguisson Point through an outfall approximately 328 m (1,075 ft) from the edge of the reef flat at a depth of 42.6 m (140 ft). The Regional Administrator of EPA, pursuant to CWA section 301(h) and 40 CFR Part 125, Subpart G, has tentatively concluded that this treatment plant does not qualify for a renewed variance and has tentatively decided to deny the variance request.

#### **Agana Sewage Treatment Plant**

For the Agana Sewage Treatment Plant (STP), the Guam Waterworks Authority has proposed to discharge less-than-secondary treated effluent to marine waters of the Philippine Sea off Agana Bay through an outfall approximately 366 m (1,200 ft) from the edge of the reef flat at a depth of 84 m (275 ft). The Regional Administrator of EPA, pursuant to CWA section 301(h) and 40 CFR Part 125, Subpart G, has tentatively concluded that this treatment plant does not qualify for a renewed variance and has tentatively decided to deny the variance request.

#### **Access to Public Information**

The administrative record, which includes the tentative decision documents, fact sheets, variance applications, all data submitted by the applicant, and other relevant documents, is available for review at the EPA address above, Monday through Friday, between 9:00 a.m. and 3:00 p.m. For the public's convenience, the tentative decisions, fact sheets, and the variance applications are also available at the Guam Environmental Protection Agency's office at 17-3304 Mariner Avenue, Tiyan, Guam 96913, between 9:00 a.m. and 3:00 p.m., and on EPA Region 9's website at: <http://www.epa.gov/region09/water/npdes/pubnotices.html>. Further information, including copies of the tentative decisions, fact sheets, and variance applications, can be obtained from Richard Remigio at (415) 947-4113.

#### **Correspondence Information**

Persons wishing to comment on one or both of the tentative decisions must submit their comments at the public hearing or in writing by the close of the public comment period on June 30, 2009. Comments may be submitted in person, by mail, or by email to the attention of Richard

Remigio at the address shown above, or by email to [R9-ND-301h-Comments@epa.gov](mailto:R9-ND-301h-Comments@epa.gov) regarding Northern District STP or [R9-Agana-301h-Comments@epa.gov](mailto:R9-Agana-301h-Comments@epa.gov) regarding Agana STP.

At the completion of this public comment period, EPA will consider all timely public comments before making a final decision on each application. Upon issuance of a final decision, EPA will notify the applicant and persons who testified at the public hearing, submitted written comments or requested notice of the final decision. This notice will include reference to the procedures for appealing the final decision.

All persons who believe the tentative decision to deny the variance request is inappropriate must raise all reasonably ascertainable issues and submit all reasonably available arguments supporting their position by the close of the public comment period. Any supporting materials that are submitted shall be included in full and may not be incorporated by reference, unless they are already part of the Administrative Record, or consist of State or Federal statutes and regulations, EPA documents of general applicability, or other generally available reference materials.

Please bring the foregoing notice to the attention of all persons who you know would be interested in this matter.