

UNITED STATES OF AMERICA
ENVIRONMENTAL PROTECTION AGENCY
BOSTON REGION

In the Matter of:

PUBLIC HEARING:

RE: PROPOSED DRAFT NPDES DISCHARGE PERMIT FOR
THE CITY OF KEENE, NEW HAMPSHIRE

Keene Public Library
60 Winter Street
Keene, New Hampshire

Thursday
July 27, 2006

The above entitled matter came on for hearing,
pursuant to Notice at 6:10 p.m.

BEFORE:

ROGER JANSON, Director, NPDES Office
JEANNE VOORHEES, Environmental Scientist
U.S. Environmental Protection Agency
New England Region I
One Congress Street, Suite 1100
Boston, MA 02114

GEORGE BERLANDI, P.E., Supervisor
Permits & Compliance Section
New Hampshire Department of Environmental Services
6 Hazen Drive
Concord, NE 03302

APEX Reporting
(617) 426-3077

ORIGINAL

I N D E X

<u>SPEAKER</u>	<u>PAGE</u>
Michael Blastos	8/28
Angelo DiBernardo, Jr.	11
Frederick Parsells	15/21
Philip Pregent	15
Mr. Farrar	16/21
Glen Page	16
Lawrence Robinson	18/21
John Northcott	18
David Borden	19
Steve Clifton	21
David Dean	22

P R O C E E D I N G S

(6:10 p.m.)

MR. JANSON: Good evening, ladies and gentlemen.

My name is Roger Janson, with the New England Regional Office of the United States Environmental Protection Agency.

This hearing concerns the draft permit recently issued to the City of Keene for its wastewater treatment facility. This draft permit will be issued in final form upon consideration of the comments received during the public comment period.

The National Pollutant Discharge Elimination System Permit Program, or NPDES Program, issues permits to all facilities which discharge pollutants into waters in the United States.

The permit writer develops effluent limits, as well as monitoring and reporting requirements, based on information from the facility, federal regulations, state water quality standards, technical guidance published by EPA and the state and state and federal policy.

There's additional information on this program available in a Water Permitting 101 document, which is available in the back. If anybody wants to read a quick summary of the program, kind of from soup to nuts, please, feel free to take one. The document, also, includes several

1 website addresses where you can find additional information
2 about the program.

3 EPA released the draft permit for public notice,
4 on June 22nd, 2006, which opened the public comment period.
5 The notice for this hearing was published in The Keene
6 Sentinel and The Union Leader and was mailed to interested
7 parties. During this time, the draft permit and a fact
8 sheet explaining the permit have been available for
9 interested parties to review and comment and by sending
10 written comments to EPA (Attn: Jeanne-Kelly Voorhees) -- and
11 I might note, on the side, if anybody is writing her name
12 down, it's a double O; it's V, double O-R-H, double E-S --
13 and/or by participating in this public hearing. You have
14 all probably received or seen a copy of this permit and fact
15 sheet, but in case you have not and would like a copy, some
16 are available this evening, and if we run out of those and
17 you still would like one, please, let us know before you
18 leave this evening and we'll make sure you get one.

19 Tonight's hearing is an informal and
20 non-adversarial hearing providing interested parties with an
21 opportunity to make oral comments and/or to submit written
22 comments on the proposed permit. There will be no
23 cross-examination of either the panel or the commentators, and
24 I should mention right now that sitting to my right is
25 George Berlandi, from the New Hampshire DES. Any questions

1 directed to a commentor from a panel member or vice versa
2 will be for clarification purposes only.

3 This public hearing is being recorded and will
4 become part of the official administrative record for the
5 permit; however, to insure the record's accuracy, we highly
6 recommend and strongly urge that you submit written
7 statements in addition to any comments you might make
8 tonight.

9 Following the close of the public comment period,
10 which currently is scheduled for August 4th, 2006, EPA will
11 review and consider all comments received during the public
12 comment period, both in writing and at tonight's public
13 hearing. EPA will prepare a document known as a response to
14 comments that will describe and address the significant
15 issues raised during the comment period and what provisions,
16 if any, of the draft permit have been changed and the
17 reasons for any change.

18 When the permit is issued, both the response to
19 comments and the final permit will be mailed to everyone who
20 has commented on the draft permit, who has requested a copy
21 and who has filled out attendance cards here tonight,
22 whether or not you've indicated your desire to speak.

23 Anyone wishing to contest the final permit must
24 file a petition for review with the Environmental Appeals
25 Board, or better known as EAB. A couple of things,

1 important things to consider, if you're considering an
2 appeal, first, the petition for review must be received by
3 the EAB within 30 days after the permit is issued. More
4 information on how to calculate this period are included and
5 attached in the final permit and also, we have some
6 additional information in the back of the room that, again,
7 feel free to, please, take with you.

8 Only persons who filed comments on the draft
9 permit during the public comment period or participated in
10 the public hearing may petition the EAB to review the final
11 permit limitations and conditions and lastly, persons
12 seeking review of a permit decision, must raise all
13 reasonably ascertainable issues and submit all reasonably
14 available arguments supporting their position during the
15 comment period, including the public hearing tonight.
16 Issues or arguments that are not raised will not be
17 considered by the EAB on appeal.

18 There is one exception to this, and that is that
19 any person who failed to file comments or failed to
20 participate in the public hearing, may petition the EAB to
21 the extent of any changes from the draft to the final permit
22 decision.

23 More information on this process and EAB
24 requirements can be found in a handout entitled
25 Environmental Appeals Board Process, which is also available

1 in the back. There is a table setup behind the last door
2 where you'll find this.

3 There is also a handout, again, with website
4 addresses where you can find the information about the EAB
5 and the practice manual with appeals details.

6 I'm going to begin tonight's hearing with a short
7 presentation made by the permit applicant and
8 representatives of the permittee and then I will be opening
9 the floor to other members of the audience.

10 I'll start with elected officials or their
11 representatives and then call on commentators in the order in
12 which they have filled out tonight's cards.

13 Since we budgeted time from 6:00 to 9:00 for this
14 hearing, there shouldn't be a problem with people presenting
15 their materials over a five to 10 minute period, but I would
16 ask that if you have lengthy materials that you'd like to
17 read into the record, written materials, that you summarize
18 them and make sure we get the written materials.

19 Having said that, and before the hearing closes
20 tonight, just for the purposes of the audience, knowing we
21 had received a request at the agency from the city
22 requesting a time extension for the comment period, we have
23 a copy of a response to that request which we will deliver
24 to the city this evening. And before I formally close the
25 hearing, I will announce the length of time by which we have

1 determined to extend the comment period which we have done.

2 So, having said that, I would ask Mayor Blastos to
3 make the comment. Can we bring a mike over to the Mayor
4 over there?

5 MR. BLASTOS: That's why I sat close.

6 (Pause.)

7 MR. BLASTOS: Thank you and good evening.

8 We appreciate the opportunity to appear here this
9 evening before you and to make comments that we hope will
10 convince you. So, listen carefully to Keene's arguments.

11 Keene is a proactive, very proactive community in
12 its philosophy on the environmental issues. We are leaders
13 interstate and actually, we are recognized as leaders in the
14 nation, as well as having attended many international
15 conferences on global warming, the environment and the like,
16 and have always been looked at and sought about to make
17 comments and to speak.

18 You see, every conference that we attend or that I
19 have attended, Keene has always been the smallest community
20 there, but when you compare our accomplishments with the
21 bigger cities, the big boys, we're really right up there at
22 the forefront.

23 As an example, we are the first comm -- New
24 Hampshire community to participate in Cities for Climate
25 Protection. We have been implementing the use of bio-diesel

1 in the city's vehicle equipment fleet. We reuse our methane
2 gas from the city's closed landfill to generate power for
3 our city's solid waste reflection. So, not only does that
4 save us money, but it also reduces the emissions of
5 greenhouse gases.

6 We even go so far as to employ bicycle patrolmen;
7 rather than vehicular patrolmen as well.

8 We implemented a \$60,000.00 grant for restoration
9 work on Beaver Brook to improve its overall quality, as
10 Beaver Brook discharges into the Ashuelot River.

11 The city has actually balanced its environmental
12 responsibility with accountability to the rate payers and
13 that's very important.

14 After reviewing its efforts in the mid-1990s, the
15 city actually doubled its spending in sewer rehabilitation.
16 Most recently, the city committed to an aggressive 12
17 million plus dollar in sewer rehabilitation cleaning and
18 maintenance program over the next seven years to address its
19 aging sewer infrastructure program.

20 The city is concerned that the current permit
21 limits goes against the city's environmental stewardship and
22 accountability philosophy due to the lack of information on
23 the river as a whole.

24 The city is concerned that if a phosphorous limit
25 is set now, prior to the completion of a river study,

1 significant funds, as high as 10 million dollars, could be
2 spent and wasted.

3 The river does not visually appear to be impacted
4 by phosphorous. No dead fish. No documented algae blooms.
5 The prior river sampling shows a dissolved oxygen problem
6 was done in 2001, 2002 and since then, that condition have
7 changed.

8 Two significant oxygen reducing discharges have
9 been identified and removed from Beaver Brook. The city has
10 been removing 40 percent more phosphorous, since January,
11 2005, through chemical addition. Preliminary sampling in
12 May, 2006, show lower phosphorous concentration in the
13 Ashuelot downstream of the wastewater treatment plant than
14 had been found since testing began in 2001.

15 It is not unreasonable to wait for the state to
16 complete its work; so that local, technically based limits
17 are determined.

18 Without a comprehensive river study, it will be
19 difficult to develop appropriate phosphorus or any other
20 pollutants limits to allocate among all wastewater treatment
21 plants that discharge into the Ashuelot River.

22 The city is committed to the environment and is
23 prepared to upgrade its wastewater treatment plant when
24 appropriate limits are determined using scientific methods.

25 With that in mind, I say, gentlemen, once again,

1 we have appreciated the opportunity to speak to you and I'll
2 give you a copy of my record of my statement; so, that we
3 can have --

4 MR. JANSON: Thanks.

5 MR. BLASTOS: -- that for the record. Thank you.

6 MR. JANSON: Thank you, Mayor, and I was remiss in
7 my opening comments, which we always do, and we'd just like
8 to thank the City of Keene for making this facility
9 available to us this evening.

10 MR. BLASTOS: You're welcome.

11 MR. JANSON: For that, Mayor, thank you.

12 Next, I would ask, from the city, well, are there
13 any federal or state elected officials here or their
14 representatives, who would like to say anything before we
15 move forward?

16 (No response.)

17 MR. JANSON: Seeing none, then, I'll ask
18 Mr. Angelo DiBernardo, Keene City Council.

19 MR. DiBERNARDO: Thank you.

20 It's always difficult to follow the Mayor. He's
21 so eloquent, but we do what we have to do.

22 I thank you for the opportunity to speak this
23 evening and I'm not here to beg, nor demand anything. I'm
24 here in the hope that our communications will result in the
25 government setting up phosphorous discharge level that will

1 not only protect the environment, but will be affordable to
2 the citizens of our community.

3 The Mayor has touched upon the fact that Keene is
4 recognized as a leader in the protection of the environment,
5 and we are justly proud of our efforts to preserve nature.
6 We will continue to do our share and all that we ask is that
7 we do not be forced into spending millions of dollars in an
8 attempt to achieve a phosphate level that has been set prior
9 to the collection of pertinent data.

10 Without going into great detail, just let me
11 mention a few topics that could be considered before setting
12 the phosphate levels.

13 As the Mayor mentioned, the City of Keene has
14 stepped into an aggressive 12 million dollar plus program to
15 address deficiencies in the wastewater collection system.
16 This indicates that we, obviously, have concern and are
17 addressing environment issues.

18 The city has just implemented a 30 percent
19 increase and will continue to increase its sewer rates to
20 cover the cost of the current wastewater collection,
21 cleaning and repair programs.

22 To continue funding a wastewater collection,
23 cleaning and repair program over the next six years, will
24 require a residential rate payor to pay an average increase
25 of eight plus percent per year. So, the community is going

1 to feel the cost of addressing these problems.

2 To meet the proposed limit, approximately 10
3 million dollars will be needed to be expended. This level
4 of expenditure will require potential increases of an
5 additional 10 to 20 percent between 2006 to 2009, on top of
6 the already implemented 30 percent increases.

7 After completion of the river study, if a proper
8 phosphorous limit is greater than the EPA proposed limit,
9 then we may have wasted money if we have gone ahead. If we
10 had gone ahead before we know what our goal really should
11 be, we may be wasting money.

12 This would be wise, until the studies were
13 complete and we knew for sure what the proper phosphorous
14 level could be.

15 So, I guess, we're just asking for a little more
16 time to insure that all the testing is done before we set
17 this limit.

18 Hopefully, the river study would be scheduled for
19 2009 by the state and although this is quite a few months
20 away, it's not an unreasonable length of time and it just
21 seems wise to wait until we have that data and I would
22 appreciate that we do that.

23 There is no proof that the river is, is being
24 impacted at this moment and as the Mayor pointed out, there
25 is no reason to move quickly to address a problem that we're

1 not sure is there.

2 I guess, my big concern at the moment -- because I
3 believe, as the Mayor said, that the city is doing its best
4 to address the environmental issues, the biggest problem to
5 me is what it's going to cost the taxpayers, what it's going
6 to cost the community and we're not afraid to step up and
7 pay our bills for what should be done. We just don't want
8 to be premature and waste any money at all.

9 So, I guess, that's why waiting sometimes
10 certainly doesn't hurt, and that's what I'd be asking for.
11 Let's not move too quickly on this issue.

12 Also, Keene is the economic center of the county,
13 and anything that affects Keene has a tremendous impact on
14 the Monadnock region. So, as Keene goes, so goes the county
15 and if we spend wisely, it will benefit the entire southern
16 part of the state.

17 I guess that's -- all that I'm asking is that, be
18 advised that this project places a significant financial
19 burden on the citizens of Keene and whereas, we have a
20 proven history of doing the right thing when it comes to the
21 environment, please, don't force us to spend money on a
22 project until we have a proven goal that is based on
23 scientific evidence.

24 I thank you for your consideration.

25 MR. JANSON: Thank you, sir.

1 Although I'm a little unsure whether this
2 gentleman checked either yes or no, Mr. Fredrick Parsells?

3 MR. PARSELLS: I indicated that I wasn't sure.
4 So, it's not a yes or no at this time.

5 MR. JANSON: Okay.

6 MR. PARSELLS: Thank you.

7 MR. JANSON: I'll come back to you if you chose to
8 change your mind.

9 MR. PARSELLS: Thank you, very much.

10 MR. JANSON: Next, would be Philip Pregent,
11 Pregent.

12 MR. PREGENT: Pregent.

13 MR. JANSON: Pregent.

14 MR. PREGENT: Watch the cord. Okay.

15 (Pause.)

16 MR. PREGENT: Thank you, very much, for this
17 opportunity.

18 I will be very brief and after talking with the
19 city officials and hearing our Mayor and Councilor, I would
20 say that I'm very concerned that we do not have the state
21 regulations, and it's going to be some time before we do.

22 We do not have the necessary guidelines that we
23 would like and we have no current studies that we need to
24 make this a viable operation and we are only asking for a
25 fair evaluation before we have to tax the residents of the

1 City of Keene.

2 Thank you. This is so informal, but I would be
3 more than happy to give it to you if you would like.

4 (Laughter.)

5 MR. JANSON: Well, you, you can either --

6 MR. PREGENT: I will --

7 MR. JANSON: Believe me, your comments --

8 MR. PREGENT: I will leave that with great honor.

9 MR. JANSON: Your comments are recorded and
10 hopefully, in the end result, nobody's comments go unnoticed
11 and unanswered. So, we are obligated to do that.

12 MR. PREGENT: I understand.

13 MR. JANSON: So, please, please, be assured we
14 take all comments we receive seriously. May not always
15 agree with the outcome that we come out with, but we do
16 address everyone.

17 Next is Mr. Farrar, Farrar? However you would
18 pronounce it?

19 MR. FARRAR: I'm fine. Thank you.

20 MR. JANSON: Okay. I will put you back in that
21 column.

22 Then, moving on, would be the chairman from the
23 Swanzey Sewer Commission, Mr. Page.

24 (Pause.)

25 MR. PAGE: I'm Glen Page from the Swanzey Sewer

1 Commission. The North Swanzey of our town conveys
2 wastewater to the Keene Wastewater Treatment Facility. So,
3 our uses are directly impacted by any new requirements;
4 including this draft permit.

5 The Swanzey Sewer Commission does recommend and
6 support Keene's position of requesting a 180 day time
7 extension for public comment. The changes to the MPDES will
8 require a new treatment process, will require planning,
9 design and construction.

10 Some of the cost impact of these changes are not
11 known at this point, but they are thought to be significant,
12 in the order of eight to ten million dollars. Our sewer
13 users may be significantly impacted, and we need time to
14 understand the ramifications and educate our users.

15 Of particular concern is the information included
16 in the fact sheet for the draft permit. This information
17 indicates that all the studies have not been completed and
18 will not be completed until 2009 and therefore, these
19 changes may or may not be necessary.

20 How can we have our users pay a significant
21 increase in cost for treatment facilities that have unknown
22 permit limits at this time?

23 We ask that the EPA and the NHDES revisit the
24 sampling data performed in 2001 and 2002 because data was
25 collected prior to improvements made to the Keene Wastewater

1 Treatment Facility and may not reflect the current reflect
2 the current state of the river.

3 We also ask that the EPA wait until the TMDL river
4 study is performed with the new data before imposing these
5 new limits.

6 There are also plans to remove the Homestead Dam
7 in West Swanzey, which may change the characteristics of the
8 river and the EPA's assumptions.

9 Thank you for the opportunity to provide public
10 comment, and here's a copy.

11 MR. JANSON: Thank you, sir. Appreciate it.

12 (Pause.)

13 MR. JANSON: Next is Lawrence Robinson, who is a
14 Selectman in the Town of Marlboro.

15 MR. ROBINSON: I'm going to defer at this time.

16 MR. JANSON: Okay. The next gentleman is Mr. John
17 Northcott, also a Selectman in Marlboro.

18 MR. NORTHCOTT: Since we're a small town, I'll
19 keep my comments short and small.

20 We're a town of 2,000. We're a co-permittee with
21 the City of Keene. The town, itself, is very active in
22 conservation and the environment. We're one of the -- we've
23 set a new standard about a year and a half ago when the town
24 passed a million dollar bond issue to conserve land and get
25 easements.

1 We watch the Miniwawa Brook very closely, which
2 runs through, and I kind of feel like we've got a tiger by
3 the tail. All the big boys are playing and we're sort of,
4 dragged along. But I think the point I'd like to make and
5 to sum it up, is the Town of Marlboro really doesn't have
6 the means to finance a guess, and I can't, I have to stress
7 that we'd like to see a scientific study to determine
8 phosphorus rubbles and then, would be willing to pay our
9 share.

10 Thank you.

11 MR. JANSON: Thank you, sir.

12 Next would be a Mr. David Borden owner and
13 operator of the People's Linen.

14 MR. BORDEN: Hello. My name is Dave Borden from
15 People's Linen, here in Keene, New Hampshire. People's is
16 one of the larger water users in Keene and we support the
17 city's position on waiting for better studies to set this
18 limit.

19 I think, we employ about 150 people down there.
20 Most live from the Keene area. People's Linen Rental is
21 what they term in our industry, as linen rental type
22 laundry. We're not an industrial launderer. We're not a
23 hospital launderer, per se. We service the tourist
24 industry, the hotels and restaurants for the most part.

25 Let's see? It's nice to hear the Mayor's comments

1 because I think a lot of things in Keene are the same way.
2 We look to conserve. We're frugal Yankee ingenuity. We try
3 to do with less and when you do with less, you do some
4 things right. You save money, but I think you save the
5 environment too.

6 I feel like we're one of the leaders in our
7 industry, and in 1985, we employed more water conserving
8 machinery, and again, in 1998, we bought washers that are
9 continuous batch washers. They use less water to get the
10 job done.

11 Another thing that was developed by our trade
12 association is called the ESP Program, Environmental
13 Stewardship Program, and it's our industry association's way
14 of trying to do the right things before being asked to by
15 the EPA and trying to be proactive.

16 I think we -- just to finish up, we think that any
17 slack you can cut us to make this a real business decision;
18 so that we're not wasting the money, because we are going to
19 foot the bill for whatever is done and we feel good about
20 doing that just as long as it's spent prudently.

21 Thank you.

22 MR. JANSON: Thank you, Mr. Borden.

23 I'm now down to the four gentlemen who have passed
24 or said, maybe, and I'll start with the first one, who
25 hadn't yet been identified, and that would be Mr. Steve

1 Clifton. Steve?

2 MR. CLIFTON: I'd like to defer at this time.

3 MR. JANSON: Okay.

4 MR. CLIFTON: I'm all set. Mr. Page spoke well
5 for the Swanzey Sewer Commission.

6 MR. JANSON: Okay. Thank you.

7 Mr. Parsells?

8 MR. PARSELLS: Thank you, anything I would say
9 would be clearly redundant from what was said.

10 MR. JANSON: Okay. Thank you, sir.

11 Mr. Robinson?

12 MR. ROBINSON: I think that anything I would say
13 is redundant and my colleagues have said it quiet well.

14 MR. JANSON: Okay. And Mr. Farrar. I guess I
15 mispronounced it the first time.

16 MR. FARRAR: Farrar.

17 MR. JANSON: Farrar.

18 MR. FARRAR: I feel the same way. Thank you.

19 MR. JANSON: Okay. Having gone through all of
20 these, to my left is Jeanne Voorhees, who obviously had a
21 successful house closing and made it from Swampscott in time
22 for this.

23 (Laughter.)

24 MS. VOORHEES: Oh, thank you.

25 MR. BERLANDI: Congratulations.

1 MS. VOORHEES: Thank you. Sorry, I'm late.

2 MR. JANSON: In any event, is there anybody else
3 in the audience here who would like to make a statement?

4 Sir, if you would, just -- if you do, step up to
5 the microphone and identify yourself for the record. Thank
6 you.

7 MR. DEAN: All right. Thanks.

8 (Pause.)

9 MR. DEAN: Thanks. My name is David Dean. I am
10 River Steward for the Upper Connecticut River, for the
11 Connecticut River Watershed Council and I do not have a
12 written statement to turn in tonight, but I will by the end
13 of the comment period, whatever the date is.

14 Let me see? Just based on what I've heard
15 tonight, first off, my organization is involved with the
16 removal of the Homestead Dam, and there will be no change in
17 the phosphorous level due to its removal. The dam has
18 nothing to do with either adding or subtracting phosphorous
19 from the water column.

20 It does remove an opportunity for plant growth in
21 a slow moving reach of river. Obviously, once the dam is
22 gone, the river will return to a riverain setting.

23 Based on a very quick reading of the discussion
24 around phosphorous and unfortunately, I did not have a copy
25 of the fact sheet until this evening and I will do some more

1 work on it.

2 I don't think setting the phosphorous level as
3 it's set in the draft permit is a guess. It may not be
4 based on information that was taken from the river
5 yesterday, but it is based on 2001, 2002 data and it uses a
6 scientific standard in terms of setting the phosphorous
7 level as I understand it and I will make sure that Keene
8 gets a copy of my written comments once I've had a chance to
9 do research on that.

10 Also, this actually is not particularly a question
11 for EPA, but I'd like to know who came up with the estimated
12 cost of 10 million dollars for this because that is
13 information that is, in fact, not available in the
14 information that I see here this evening. So, maybe
15 somebody from Keene and I can talk briefly after this
16 hearing.

17 I will be submitting written comments by the
18 deadline.

19 Thank you.

20 MR. JANSON: Thank you, sir.

21 Before I ask if there is anybody else who would
22 like to talk, just as a point of clarification, once the
23 comment period is closed and we have all of the comments,
24 anybody who would like those comments are certainly free to
25 get copies of those comments. They're part of the record.

1 They're available to everybody.

2 Also, the transcript of this hearing, once it's
3 completed, is part of the record and is available and we
4 will be posting all of it on our website. So, it will be
5 easy for people to get a hold of presuming that we get past
6 all the firewalls and securities in our system, you'll find
7 it there.

8 Is there anybody else here this evening that would
9 like to speak?

10 (No verbal response.)

11 MR. JANSON: Well, now, we've created a little bit
12 of a conundrum for ourselves here because we advertised this
13 from 6:00 to 9:00. So, I feel compelled, I think, to stay
14 here beyond quarter of seven in case anybody comes in late,
15 a little bit later expecting to say something. So, we will
16 do that.

17 I will at least take a formal recess; so we won't
18 be recording idle and odd comments. I'd not like to fall
19 into the, kind of, President Bush, kind of, on the
20 microphone, off-the-record comment process. So we can avoid
21 that.

22 UNKNOWN: Yes. Please don't massage any
23 shoulders.

24 MR. JANSON: Right, and I won't do that either.

25 (Laughter.)

1 MR. JANSON: So, with that, I will adjourn -- not
2 adjourn. I will take a recess for at least 15 minutes until
3 approximately 7:00. I'm dealing with an old stem line watch
4 and I'm not sure whether it's running on time or not, but
5 I'm a minute or two off.

6 UNKNOWN: Perfect.

7 MR. JANSON: I'll take a recess, call for a recess
8 until 7:00 by the clock in the back of this room and that
9 works. At which time, I will then come back and if nobody
10 has come into the room, I'll probably put us back into
11 session very quickly to announce the public comment period
12 extension date.

13 I will probably put us back into recess for a
14 little bit of time, but anybody who feels as though they
15 want to leave at that point, can leave. I'll hold the fort
16 down for awhile. Thank you. You're released until 7:00
17 p.m.

18 (A recess was held from 6:44 p.m. to 7:03 p.m.)

19 MR. JANSON: I'm going to try to go back in to
20 session and then back into recess, and I'll, kind of, be as
21 brief as, for as long as it takes me to finish my talking
22 here.

23 I'm going to call this hearing back into session.

24 Is there anybody who has arrived since we went
25 into recess or anybody who would like to add any comments to

1 the record at this point?

2 (No verbal response.)

3 MR. JANSON: Now, I'm not going to officially move
4 to close the hearing yet. I think I'm obligated to be here
5 for awhile longer in case anybody does come in and ask to
6 speak. I will be going back into recess for an undefined
7 period of time folks. If they feel like leaving, certainly
8 feel free to leave.

9 We had brought with us and a copy delivered to the
10 City's counsel, Mr. Serell, a response to a request for a
11 time extension.

12 We have, for reasons that are stated in the
13 letter, which you can certainly read, we have moved to
14 extend the comment period to the close, actually, the close
15 of the business, it would be midnight on August 21st. The
16 21st? No. It's 21 days. The 25th. It's a Friday.
17 Thanks, Drew.

18 August 25th, which in essence means, as long as
19 it's in the mail by midnight, we'll get it Monday or Tuesday
20 or Wednesday and it would be considered to be in the record.
21 Certainly, I would encourage the city to work with Drew to
22 look at our response and, you know, I won't advise you what
23 to do one way or the other, but we have now set that as the
24 date.

25 That date and time applies to anybody here who has

1 made comments, and would like to add additional comments to
2 what they've already submitted, or would like to follow up
3 on their verbal comments to submit something in writing for
4 the record.

5 So again, it's midnight, August 25th. The permit
6 directs you where to send those comments, and to the
7 attention to Jeanne Kelly-Voorhees, who wrote the, the
8 permit writer.

9 Is there anything anybody would like to add for
10 the record before I move into recess again?

11 (No verbal response.)

12 MR. JANSON: Hearing no one, I will, then, --

13 MR. BLASTOS: I have a question?

14 MR. JANSON: Yes, Mayor?

15 MR. BLASTOS: Did you mention that you were going
16 to tell us the date that has been set, or --

17 MR. JANSON: Well, the original --

18 MR. BLASTOS: -- did I misunderstand you or --

19 MR. JANSON: The original date, based on the
20 notice, was August 4th, which again, I believe was a Friday
21 and we chose to extend it 21 days beyond to August 25th,
22 which is, also, a Friday. So, basically, four weeks, four
23 weeks from this coming Friday. Four weeks from tomorrow.

24 MR. BLASTOS: Okay. Thank you.

25 MR. JANSON: I have a little trouble with my

1 dates. I rolled out of bed at three this morning. So, I'm
2 loosing --

3 MR. BLASTOS: Travelling is not that bad.

4 MR. JANSON: No, no.

5 (Laughter.)

6 MR. JANSON: No, I was up early. I couldn't
7 sleep. So, with that, and unless there are any other
8 comments, I will, again, move to put this hearing into
9 recess for, it's about 7:07 on the clock. I'm going to put
10 it into recess until 7:30 and then see if there are any
11 stragglers who might come in.

12 This hearing is recessed until 7:30 p.m. as timed
13 by the clock in the back of the room.

14 (A recess was held from 7:07 p.m. to 7:32 p.m.)

15 MR. JANSON: If I can have everybody's attention
16 for a second?

17 I'm going to actually, put this back into session
18 again, reopen it, and I will do that starting now.

19 This hearing for the Keene Permit is back in
20 session.

21 Is there anybody in the audience that wishes to
22 either add a comment to the record or supplement the
23 comments previously made?

24 (No verbal response.)

25 MR. JANSON: I'm going to try for --

1 UNKNOWN: Nobody new has come in.

2 MR. JANSON: I'm going to try for -- no, no
3 penalty for finishing early, but I'm going to put the
4 hearing back into recess until eight o'clock, and at which
5 point, I will probably just close the hearing if nobody else
6 has come in.

7 UNKNOWN: That seems more than reasonable.

8 MR. JANSON: Deal with it later. Having said that
9 this hearing is now, back in recess until 8:00 p.m.

10 (A recess was held from 7:33 p.m. to 8:02 p.m.)

11 MR. JANSON: All right. This hearing on the draft
12 permit issue to the City of Keene is now back in session.

13 I note, for the record, that since we went into
14 recess at 7:30, no additional folks have entered the room.
15 In fact, everybody has basically left with a couple of
16 exceptions.

17 Is there anybody in the room that would like to
18 either add or amend the record?

19 (No verbal response.)

20 MR. JANSON: Hearing none, I will now move to
21 formally close the hearing.

22 I would like to remind everybody, for the record,
23 that we have extended the public comment period until
24 midnight on August 25th, which is a Friday four weeks from
25 tomorrow.

1 With that, I will now close the hearing, and thank
2 everybody for attending.

3 (Whereupon, on July 27th, 2006, at 8:02 p.m., the
4 public hearing was closed.)

CERTIFICATE OF REPORTER AND TRANSCRIBER

This is to certify that the attached proceedings
before: U.S. ENVIRONMENTAL PROTECTION AGENCY
in the Matter of:

DRAFT NPDES DISCHARGE PERMIT FOR
THE CITY OF KEENE, NEW HAMPSHIRE

Place: Keene New Hampshire

Date: June 27, 2006

were held as herein appears, and that this is the true,
accurate and complete transcript prepared from the notes
and/or recordings taken of the above entitled proceeding.

D. Strzemienski 07/27/06

Reporter Date

L. O'Leary 08/18/06

Transcriber Date

