



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 1

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

January 19, 2007

Linda L. Segal
9 Aqueduct Road
Wayland, MA 01778-4605

Dear Ms. Segal:

This concerns your comments of April 12, 2006 on the draft National Pollutant Discharge Elimination System (NPDES) permit proposed for the discharge from the Town of Wayland Wastewater Treatment Plant (WWTP). Unfortunately, your request for a public hearing was not immediately noticed and, obviously, has not been addressed in a timely manner. It is prudent, at this point, to formally deny your request for a public hearing.

Your request implies that you want a hearing to discuss the issues already raised in your comment letter. A public hearing held on a draft NPDES permit is not a forum for discussion between and among the participants and attendees [including US Environmental Protection Agency (EPA) and the Massachusetts Department of Environmental Protection (MassDEP)]. Rather, the hearing serves as a forum for individuals to address their concerns for the record, which you have already done by submitting your comment letter to us.

You may know that EPA and MassDEP have been writing a Response to Comments (RTC) document to address the comments you and others raised during the extended public comment period. To the extent that you or others remain opposed to the final permit effluent limitations and conditions, and are not satisfied by the RTC, you retain the right to appeal the provisions of the final permit that you previously stated in your comment letter. You retain this right despite a denial of a public hearing.

Please contact Roger Janson, Chief of our Municipal Permits Branch, at (617) 918-1621 to discuss this matter if necessary.

Sincerely,

A handwritten signature in black ink, appearing to read "Stephen Perkins".

Stephen Perkins, Director
Office of Ecosystem Protection

cc. Glenn Haas, MassDEP

Toll Free • 1-888-372-7341

Internet Address (URL) • <http://www.epa.gov/region1>

Recycled/Recyclable • Printed with Vegetable Oil Based Inks on Recycled Paper (Minimum 30% Postconsumer)

EXHIBIT 39