

US EPA ARCHIVE DOCUMENT

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION II
290 Broadway, 20th Floor
New York, New York 10007-1866

**NOTICE OF FORMULATION OF DRAFT UIC PERMIT
AND
NOTICE OF PUBLIC COMMENT PERIOD OF DRAFT PERMIT**

Public Notice No. 2017-09
Application No. **UIC3NY002**

Date: March 1, 2017

Texas Brine New York, LLC, 1346 Saltvale Road, Wyoming, New York 14591 has applied to the U.S. Environmental Protection Agency (EPA) under the provisions of the Safe Drinking Water Act, 42 U.S.C. 300f et. seq (the Act), for a new Underground Injection Control (UIC) permit to continue the operation of its Class III salt solution mining injection wells. The wells are located at approximately 42.802643⁰ north latitude and -78.082452⁰ west longitude, Saltvale Road, Wyoming, New York. The operating, monitoring and reporting requirements of the existing permit have been modified as detailed in the Statement of Basis.

Fresh water, fresh water mixed with excess brine precipitates, and recycled depleted brine with added Niagara River makeup water will continue to be injected into the Salina Salt Formation at a depth of approximately 1,300 feet below the surface. Injection pressure, as measured at the surface, shall not exceed a maximum of 500 pounds per square inch gauge.

This notice is being given to inform the public that EPA has prepared a draft permit, and to solicit public comment. The permit contains standards, prohibitions and other conditions necessary to carry out the provisions of the Act. Should there be significant interest displayed by written public comment, a Presiding Officer shall conduct a public hearing on the above-identified draft permit. The purpose of this public hearing will be to receive comments from interested parties and the public on the draft permit prepared by EPA. Notification of the Hearing will be published in advance so that all interested parties may participate. Once all public comments are submitted and a public hearing, if necessary, is held, the Director of the Division of Enforcement and Compliance Assistance of EPA Region II will make a final decision on whether or not to issue a permit and if issued the applicant will be required to comply with all conditions of the permit.

Written comments must be submitted within 30 days of the date of this notice (no later than **March 30, 2017**) to the following address:

Nicole Foley Kraft, Acting Chief
Water Compliance Branch
U.S. Environmental Protection Agency, Region II
290 Broadway, 20th Floor
New York, New York 10007-1866

All information submitted by the applicant is available as part of the administrative record, subject to provisions of law restricting the public disclosure of confidential information. The administrative record for the draft permit can be inspected at any time between 8:30 am and 4:00 pm. It is recommended that you

contact EPA at region2_uic@epa.gov to schedule a date and time to review the administrative record to allow time for EPA to make the necessary arrangements for your visit. Copies of documents comprising the administrative record can be obtained by submitting a Freedom of Information Act (FOIA) request online at <https://foiaonline.regulations.gov/foia/action/public/home> or by mailing a request to:

Freedom of Information Officer
U.S. EPA Region 2
290 Broadway, 26th Floor
New York NY 10007-1866

Please note that, pursuant to 40 C.F.R. Part 2, fees may apply to FOIA requests.

Kathleen Anderson
Acting Director
Division of Enforcement and Compliance Assistance