

US EPA ARCHIVE DOCUMENT

NOTICE OF PROPOSED ACTION

by the

U.S. Environmental Protection Agency
Region 9, WTR-2-3
75 Hawthorne Street
San Francisco, CA 94105-3901

Public Notice #: NW-W-15-1
Public Notice Date: November 13, 2014
Comment Period Closes: January 12, 2015

The U.S. Environmental Protection Agency, Region 9 (USEPA) is issuing a notice of proposed action under the Clean Water Act (CWA). The USEPA is proposing to issue a National Pollutant Discharge Elimination System (NPDES) permit NN0000019 to:

Arizona Public Service Company
Four Corners Power Plant
Fruitland, New Mexico 87416

The United States Environmental Protection Agency, Region 9 (USEPA) provides notice of, and requests public comment on, USEPA's proposed action relating to the National Pollutant Discharge Elimination System (NPDES) permit application for renewal of the above reference permit. USEPA is issuing a proposed NPDES permit in Indian Country that would permit the discharge of effluent from Morgan Lake to the No Name Wash, tributary to the Chaco River which eventually drains to Segment 2-401 of the San Juan River in compliance with the provisions of the Clean Water Act (CWA) (Public Law 92-500, as amended, 33 U.S.C 1251 et seq.) to Arizona Public Service Company (APS). The address for APS is P.O. Box 355, Station 4900, Fruitland, NM 87416. The proposed location of the action is at the existing Four Corners Power Plant (FCPP) located at the end of San Juan County Road 6675 in Fruitland, NM.

Comments must be sent or delivered in writing to Gary Sheth at one of the following addresses:

E-mail: sheth.gary@epa.gov

U.S. Mail: Gary Sheth (WTR-2-3)
Water Division
U.S. EPA Region 9
75 Hawthorne Street
San Francisco, CA 94105

Before the Public Hearings described below, EPA will hold two Public Information Meetings for the purpose of providing interested parties with additional information and an opportunity for informal discussion of the proposed Project. The date, time and location of the Public Information Meetings are as follows:

Date: December 15, 2014
Time: 6:00 p.m. – 7:00 p.m.
Location: Nenahnezad Chapter House
West Hwy 64, South on County
Road 6675
North on Navajo Route 365
Fruitland, NM 87416

Date: December 16, 2014
Time: 6:00 p.m. – 7:00 p.m.
Location: San Juan College
Henderson Fine Arts
Building
4601 College Blvd.
Farmington, NM 87402

Following the Public Information Meetings, EPA will hold two Public Hearings, pursuant to 40 CFR 124.12, to provide the public with further opportunity to comment on the proposed NPDES permit for APS FCPP. At these Public Hearings, any interested person may provide written comments or oral comments, in English or Dine, and relevant data pertaining to the proposed permit.

Date: December 15, 2014
Time: 7:00 p.m. – 9:00 p.m.
Location: Nenahnezad Chapter House
West Hwy 64, South on County
Road 6675
North on Navajo Route 365
Fruitland, NM 87416

Date: December 16, 2014
Time: 7:00 p.m. – 9:00 p.m.
Location: San Juan College
Henderson Fine Arts
Building
4601 College Blvd.
Farmington, NM 87402

English-Dine translation services will be provided at each Public Information Meeting and Public Hearing. If you require reasonable accommodation, please contact Philip Kum, EPA Region 9 Reasonable Accommodations Coordinator, by December 8, 2014 at (415) 947-3566, or kum.philip@epa.gov.

Information submitted by the Applicant as part of the Application is available as part of the administrative record of this proposed permit. The administrative record, including the draft permit, fact sheet, comments received, all data submitted by the applicant, and other relevant documents is open for public inspection during normal business hours (9:00 AM to 4:00 PM) at the USEPA Region 9 address above. Due to building security procedures, please call Gary Sheth at (415) 972-3516 at least 48 hours in advance to arrange a visit.

USEPA's proposed permit will also be available at the Region 9 Website at:
<http://www.epa.gov/region09/water/npdes/pubnotices.html>

All comments that are received will be included in the public docket without change and will be available to the public, including any personal information provided, unless the comment included Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Information that is considered to be CBI or otherwise protected should be clearly identified as such and should not be submitted through e-mail. If a commenter sends e-mail directly to the USEPA, the e-mail address will be automatically captured and included as part of the public comments. Please note that an e-mail or postal address must be provided with comments if the commenter wishes to

receive direct notification of USEPA's final decision regarding the Application and proposed permit.

Before taking final action on the Application, USEPA will consider all written comments submitted during the public comment period, including at the Public Hearings described above. USEPA will only respond to those oral comments that were presented during the scheduled Public Hearings.

USEPA will send notice of our final permit decision to each person who submitted comments and contact information during the comment period or requested notice of the final permit decision. USEPA will summarize the contents of all substantive comments and provide written responses in a document accompanying USEPA's final permit decision. USEPA will also make a transcript of the Public Hearing proceedings available to the public. Within 33 days after EPA issues the final permit, any person who filed comments on the draft permit or participated in the public hearing may petition the Environmental Appeals Board to review any condition of the permit decision (40 CFR Part 124.19).

If you have questions, or if you wish to obtain further information, please contact Gary Sheth at (415) 972-3516, via e-mail at sheth.gary@epa.gov, or at the mailing address above. If you would like to be added to our mailing list to receive future information about this proposed permit decision or other decisions issued by EPA Region 9 related to NPDES permits, please contact Gary Sheth at the phone number or e-mail provided above. Gary Sheth can also be reached through USEPA Region 9's toll-free general information line at (866) 372-9378.

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