

May 27, 2022

**REOPENING OF PUBLIC COMMENT PERIOD
AUTHORIZATION TO DISCHARGE TO WATERS OF THE UNITED STATES,
NPDES PERMIT NO. NM0020141**

On January 29, 2022, the U.S. Environmental Protection Agency (EPA) noticed for public comment the reissuance of NPDES Permit NO. NM0020141 for the Los Alamos County wastewater treatment facility in Los Alamos, New Mexico under Section 402 of the Clean Water Act (CWA or “the Act”), 33 U.S.C. § 1251. The proposed permit authorizes the County to discharge into the Pueblo Canyon. After one extension, the public comment period on reissuance of the permit formally ended on March 30, 2022.

On March 30, 2022, Los Alamos County, which is the operator of facility requested that EPA reopen the comment period to allow submittal of additional information on the Record that would help EPA in responding to comments provided during the comment period and make a final permit decision.

40 CFR 124.14 (b)(3) allows EPA to reopen the comment period “if any data information or arguments submitted during the public comment period ... appear to raise substantial new questions concerning a permit...” in order “to give interested persons an opportunity to comment on the information or arguments submitted.”

40 CFR 124.14 (c) states that “comments filed during the reopened comment period shall be limited to the substantial new questions that caused its reopening. The public notice under §124.10 shall define the scope of the reopening.”

In accordance with the regulations cited above, EPA is granting Los Alamos County’s request to reopen the public comment period related to EPA’s reissuance of NPDES Permit NO. **NM0020141**, for an additional 45 days, in order to allow interested persons, including Los Alamos County to comment on and respond to issues submitted during the original comment period. **Accordingly, the scope of the re-opened comment period is limited to the following:**

1. Water Quality-based Effluent Limitations proposed based on compliance with New Mexico Water Quality Standards for Dioxin.
2. Monitoring and reporting requirements for parameters included in the table in Part V.C.4.d. -Toxics on pages 7 & 8 of the Fact Sheet regarding the SSM requirement.

EPA is soliciting comments and supporting data as to the above issues ONLY. The additional 45-day public comment period begins on **May 27, 2022** and ends on **July 11, 2022**.

Note: The New Mexico Environment Department is not reopening the State's comment period on CWA §401 Certification of the permit.

All comments should be submitted, preferable via email, to:

Ms. Evelyn Rosborough
U.S. Environmental Protection Agency
NPDES/Wetland Review Section (6WD-PN)
1201 Elm Street, Suite 500
Dallas, Texas 75270-2102
(214) 665-7515 or rosborough.evelyn@epa.gov