

Regional Counsel (ORC-158), Office of Regional Counsel, U.S. EPA Region 10, Seattle, WA 98101. Comments should reference "Portland Development Commission PPA, Grant Warehouse Time-Critical Removal Site" and "Docket No. CERCLA-10-2004-0022" and should be addressed to Dean Ingemansen at the above address.

**FOR FURTHER INFORMATION CONTACT:** Dean Ingemansen, Assistant Regional Counsel (ORC-158), Office of Regional Counsel, U.S. EPA Region 10, Seattle, WA 98101; phone: (206) 553-1744; fax: (206) 553-0163; e-mail: [ingemansen.dean@epa.gov](mailto:ingemansen.dean@epa.gov).

**SUPPLEMENTARY INFORMATION:** PDC plans to purchase the Site property, located at 3368 N.E. Martin Luther King, Jr. Blvd., Portland, Oregon, and consisting of Lots 29, 30, and 31 in Block 13, Albina, City of Portland, as part of the city's redevelopment of the Martin Luther King Boulevard corridor in NE Portland. PDC will purchase the property for its appraised value of \$177,000.00, complete remediation of the property, and then redevelop the property which is located in a low-income, environmental justice community. PDC's redevelopment plans include construction of some low-income housing and more desirable retail businesses.

PDC is also planning to complete remediation of the Site property to a level that will allow for unrestricted use. EPA's time-critical removal action in 1998 and 1999 merely addressed the immediate environmental threats posed by the uncontrolled storage of hazardous substances at the Site, whereas PDC's additional cleanup actions will allow for residential as well as commercial uses at the Site. PDC has budgeted approximately \$514,000 for remediation of the site property and for tearing down the warehouse itself. Part of this budget includes a \$200,000 Brownfields Site Remediation grant from EPA.

At the same time as EPA is entering into this PPA, the United States is also entering into a consent decree with the current Site owner, Mr. Erwin Grant. The consent decree provides that Mr. Grant will sell the Site property to PDC for its appraised fair market value of \$177,000.00, and that Mr. Grant will pass on to EPA one-half of that amount, or \$88,500.00 in cash, which will be placed into the EPA Hazardous Substances Superfund. Mr. Grant will then receive contribution protection and a covenant not to sue from the United States. The United States Department of Justice has published a notice in the **Federal Register** requesting comments

on the consent decree. Persons interested in submitting comments on the proposed consent decree should address those comments to the following: Assistant Attorney General, Environment and Natural Resources Division, PO Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to United States of America v. Erwin Grant and Real Property Located at 3368 N.E. Martin Luther King, Jr. Boulevard, D.J. Ref. 90-11-3-06611/1.

The Brownfields grant requires PDC to take title to the property before EPA can finalize the grant. EPA Headquarters has given PDC until January 29, 2004, to take title to the Site property. If PDC fails to take title by that date, the grant funding will no longer be available. EPA Headquarters has informed Region 10 and PDC that no extensions will be granted. As such, EPA is allowing fifteen days for public comment on the PPA. For fifteen calendar days following the date of publication of this notice, EPA will receive written comments relating to the proposed Prospective Purchaser Agreement. EPA's response to any comments received will be available for public inspection at the U.S. Environmental Protection Agency, 1200 Sixth Ave., Seattle, WA 98101.

Dated: December 23, 2003.

**L. John Iani,**

*Regional Administrator, Region 10.*

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7606-3]

### Notice of Availability of Draft National Pollution Discharge Elimination System (NPDES) General Permit for Discharges at Hydroelectric Generating Facilities in the States of MA and New Hampshire and Indian Lands in the State of Massachusetts

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice of availability of Draft NPDES General Permits MAG360000 and NHG360000: extension of comment period.

**SUMMARY:** In response to requests from sources that may be eligible for coverage under this general permit, EPA, Region 1 is extending the comment period for its Draft National Pollutant Discharge Elimination System (NPDES) general permit for specific discharges at Hydroelectric Generating Facilities to certain waters of the States of

Massachusetts and New Hampshire and Indian Lands in the State of Massachusetts. The Notice of Availability for this General Permit was published in the **Federal Register** on Friday, November 28, 2003 (68 FR 66826).

**DATES:** The comment period is being extended from December 29, 2003 to January 16, 2004. Comments must be received or postmarked by midnight on January 16, 2004. Interested persons may submit comments on the draft general permit as part of the administrative record to the EPA-Region 1 at the address given below. Within the comment period, interested persons may also request in writing a public hearing pursuant to 40 CFR 124.12 concerning the draft general permit. All public comments or requests for a public hearing must be submitted to the address below.

**ADDRESSES:** Written comments may be hand delivered or mailed to: EPA-Region 1, Office of Ecosystem Protection (CPE), 1 Congress Street, Suite 1100, Boston, Massachusetts 02114-2023 and also sent via e-mail to [wandle.bill@epa.gov](mailto:wandle.bill@epa.gov). No facsimiles (faxes) will be accepted. The draft permit is based on an administrative record available for public review at EPA-Region 1, Office of Ecosystem Protection (CPE), 1 Congress Street, Suite 1100, Boston, Massachusetts 02114-2023. Copies of information in the record are available upon request. A reasonable fee may be charged for copying.

**FOR FURTHER INFORMATION CONTACT:** Additional information concerning the draft permit may be obtained between the hours of 8 a.m. and 4 p.m. Monday through Friday excluding holidays from: William Wandle, Office of Ecosystem Protection, Environmental Protection Agency, 1 Congress Street, Suite 1100 (CPE), Boston, MA 02114-2023, telephone: 617-918-1605, e-mail: [wandle.bill@epa.gov](mailto:wandle.bill@epa.gov)

**SUPPLEMENTARY INFORMATION:** The draft general permit may be viewed over the Internet via the EPA-Region 1 Web site for dischargers in Massachusetts at <http://www.epa.gov/ne/npdes/mass.html> and for dischargers in New Hampshire at <http://www.epa.gov/ne/npdes/newhampshire.html>.

Dated: December 18, 2003.

**Robert W. Varney,**

*Regional Administrator, USEPA, Region 1.*

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