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RECEIVED GUAM ENVIRONMENTAL PROTECTION AGENCY

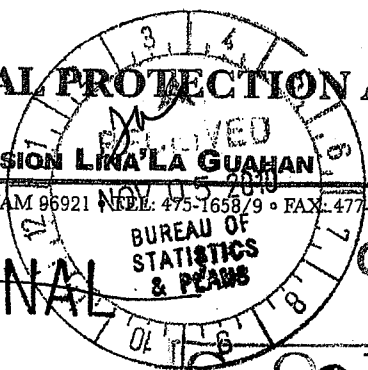


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AGENSIA PRUTEKSION LINA'LA GUAHAN

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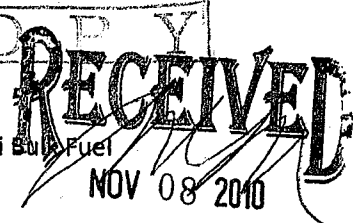
Environmental Protection Agency



Oct 18 2010

Peterra, Inc.
P.O. Box 3549
Hagatna, Guam 96925

ORIGINAL



Attn: Mr. Joseph Yamashita, Vice President

Re: Section 401 Water Quality Certification, (Guam Power Authority Piti Bulk Fuel Terminal), NPDES GU0020354, Application: 401WQC 10-05

Buenas Mr. Yamashita,

Guam Environmental Protection Agency

The Guam Environmental Protection Agency has reviewed the subject National Pollutant Discharge Elimination System (NPDES GU0020354) for discharge of pollutants from Point Numbers 001, 002, 003 Treated Storm Water and Tank Bottom Draws from it bulk petroleum storage terminal .

The discharge occurs overland from three separate outfalls which then flows into the Piti Channel which empties into the Apra Harbor. The discharge from Outfall 001 is 3.1 MGD; 2.3 MGD from Outfall 002 and 0.01 MGD from Outfall 003 are based on the maximum storage capacities for each. While in contrast, the average discharge from Outfall 001, Outfall 2, and Outfall 3 are 0.1 MGD, 0.1 MGD, and 0.01 MGD respectively .

Tank bottom draws are required to be sent to an oil/water separator and the treated water is then sent to an evaporation pond in the northwest corner of the bermed area for Outfall 001.

Water Quality Classification Designation:

The Guam Water Quality Standards categorize the Piti Channel as S-3 (low). S-3 waters designated uses include activities used for commercial, agricultural, and industrial activities. Aesthetic enjoyment and compatible recreation are acceptable in this water category designation as well as being of sufficient water quality for the maintenance of aquatic life.

According to the Guam Water Quality Standards concentrations of suspended matter (Total Non-Filterable Suspended Solids (TSS)) at any point shall not be increased more than 25% from ambient, except when due to natural conditions. The concentration of dissolved oxygen in all surface and marine water shall not be decreased to less that 75% saturation at any time. The pH for all surface water shall remain in the range of 6.5 to 9.0; pH for near shore marine waters shall remain at 6.5 to 8.5. Furthermore, water temperature for all surface and marine waters shall not change more than 1.0 degree centigrade from ambient conditions.

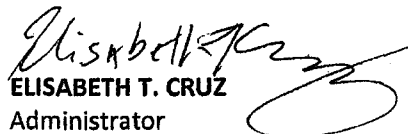
Concentrations of oil and petroleum products are prohibited for surface and marine waters when: 1) detectable visible film, or sheen, or discharge results in visible discoloration of the surface of a corresponding oil or emits a petroleum product odor; 2) causes injury to fish, invertebrates or results in the objectionable degradation of drinking water; or 3) forms an oil deposit on the shores or bottom of the receiving water (Guam Water Quality Standards, Guam EPA, 2001 Revision).

401 Water Quality Certification:

The Guam Environmental Protection Agency hereby issues 401 Water Quality Certification with the following conditions:

1. The applicant must install an appropriate flow measurement device at each outfall.
2. The applicant shall notify Guam EPA when the oil/water separator is not functioning within 24 hours and submit the actions taken and/or Best Management Practices (BMP) implemented to address the problem.
3. Tank bottom draws shall be sent to an oil/water separator for treatment. The treated water must then be sent to an evaporation pond.
4. The applicant shall regularly inspect, maintain and clean the oil water separator and keep maintenance records to be made readily available during general facility inspections.
5. The applicant must submit a *Pollution Prevention Plan* for review and approval prior to any discharge.
6. The applicant shall adhere to all GU0020354 NPDES Permit Conditions.

Sincerely,


ELISABETH T. CRUZ
Administrator

Enclosure: 401 Water Quality Certificate

CC: ACOE, Guam Office
USEPA Region 9
Bureau of Statistics and Plans, GCMP
Dept. of Agriculture, DAWR
Guam Power Authority, General Manager



GUAM ENVIRONMENTAL PROTECTION AGENCY

Section 401 Water Quality Certification:

Section 401 Water Quality Certification for (Guam Power Authority, Piti Bulk Fuel Storage Terminal Discharge: c/o Peterra, Inc., Mr. Joseph Yamashita)

The Guam Environmental Protection Agency hereby issues Section 401 Water Quality Certification: **401WQC 10-05** in accordance with the Clean Water Act, Public Law 95-127 and the Guam Water Quality Standards 2001 Revisions (GWQS), pursuant to the Guam Water Pollution Control Act, Chapter 47, Title 10 GCA. These discharge limits are authorized under Guam's anti-degradation policy GWQS 5101.B.

Section 401 Water Quality Certification permit is only valid until all permit conditions are met necessary to assure compliance with applicable provisions of the Clean Water Act sections 208(e), 301, 302, 303, 306, and 307, and Guam Water Quality Standards. 401WQC will be valid for 5 years or until the associated NPDES GU0020354 expires.

The Issuance of Water Quality Certification does not exempt or waive any other local and federal requirements or allow the applicant to injure or damage surrounding properties.

No person shall willfully deface, alter, forge, counterfeit, or falsify this certification.


ELISABETH T. CRUZ
Administrator

date:

10/18/10