

FEDERAL ENERGY REGULATORY COMMISSION
MEMORANDUM

DATE: November 29, 2023

FROM: Samuel Burton, FERC Staff

TO: Public Files for the Wahpeton Expansion Project (Docket No. CP22-466-000)

SUBJECT: Response to Notice of Implementation of 40 CFR 121.12

On November 21, 2023, EPA responded to FERC Staff's notice of implementation of 40 CFR 121.12 – Wahpeton Expansion Project – CP22-466-000.

From: [R8CWA401](#)
To: [Samuel Burton](#)
Cc: [R8CWA401](#)
Subject: RE: U.S. Environmental Protection Agency Notification of FERC Receipt of WQC from WBI Energy for Docket No. CP22-466-000
Date: Tuesday, November 21, 2023 12:29:58 PM

You don't often get email from r8cwa401@epa.gov. [Learn why this is important](#)

Hello Samuel,

Thank you for the notice under Clean Water Act Section 401(a)(2) for the subject project.

In response to your request for review pursuant to 40 CFR § 121.12, EPA will not make a “may affect finding” on this notification. This is based on the project location, type, and amount of material discharged. You may proceed with processing the license or permit and need not wait the entire thirty (30) days provided by 40 CFR § 121.12.

Thank you,

Estella

Estella Moore (she/her/hers)
Life Scientist
USEPA Region 8 | Water Division
1595 Wynkoop St.
Denver, CO 80202
Moore.Estella@epa.gov
(303)312-6357

I acknowledge, with respect that the land on which I reside is the traditional and ancestral homelands of the Arapáho, Cheyenne, and Ute Nations and Peoples.

From: Bloom, Judy <Bloom.Judy@epa.gov>
Sent: Wednesday, November 8, 2023 1:51 PM
To: Samuel Burton <Samuel.Burton@ferc.gov>
Cc: R8CWA401 <R8CWA401@epa.gov>
Subject: RE: U.S. Environmental Protection Agency Notification of FERC Receipt of WQC from WBI Energy for Docket No. CP22-466-000

Thanks for the notification. Would you replace my name with our general email box?
R8CWA401@epa.gov

I am in a new position and this will guarantee we can get these to the right folks! Thanks!

From: Samuel Burton <Samuel.Burton@ferc.gov>
Sent: Wednesday, November 8, 2023 12:52 PM
To: Bloom, Judy <Bloom.Judy@epa.gov>
Subject: U.S. Environmental Protection Agency Notification of FERC Receipt of WQC from WBI Energy for Docket No. CP22-466-000

Caution: This email originated from outside EPA, please exercise additional caution when

deciding whether to open attachments or click on provided links.

As required by 40 C.F.R. § 121.12, we are notifying EPA that a water quality certification has been received by the Federal Energy Regulatory Commission (FERC) for the approved Natural Gas Act section 7(c) application for the Wahpeton Expansion Project filed under Docket No. CP22-466-000. The water quality certification can be accessed at: https://elibrary.ferc.gov/eLibrary/filelist?accession_number=20231026-5127. The FERC certificate application can be accessed at: https://elibrary.ferc.gov/eLibrary/filelist?accession_number=20220527-5343 which includes a general description of the proposed project. Please see the water quality certification request for a project summary including the nature of any discharge and size or scope of the activity, which can be accessed at: https://elibrary.ferc.gov/eLibrary/filelist?accession_number=20231026-5127.

Please respond to this email or call at (202) 502 – 8857 if you have any questions about this project.