UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

Certified Mail No. 7004 2510 0006 9180 4049
Return Receipt Requested

FEB 28 2008

Mr. Willem Martins
COS Samoa Packing Company, Inc.
P.O. Box 957
Pago Pago, Tutuila
American Samoa 96799

RE: Final Fact Sheet and Permit for COS Samoa Packing Company, Inc., NPDES Permit No. AS0000027

Dear Mr. Martins:

The U.S. Environmental Protection Agency ("EPA") has issued a final National Pollutant Discharge Elimination System ("NPDES") permit for:

COS Samoa Packing Company, Inc.,
Atu'u, Maoputasi,
American Samoa 96799.

The public comment period was from January 9 to February 7, 2008. During the public comment period, several comments were submitted to EPA by **gdc** on behalf of COS Samoa Packing Company, Inc. on the draft NPDES permit for the COS Samoa Packing Company, Inc. facility. No other public comments were received on the draft NPDES permit. On February 19, 2008, EPA provided **gdc** and COS Samoa Packing Company, Inc. a response to these comments. After considering the expressed views of all interested persons and agencies, and pertinent federal and American Samoa statutes and regulations, EPA has issued a final NPDES permit which does not differ significantly from the draft permit. Please find enclosed the final fact sheet and final NPDES permit.

The final NPDES permit is hereby issued upon the date of signature and shall become effective 33 days from the date from when the final permit was signed unless there is a written request for an evidentiary hearing for the permit. Pursuant to 40 CFR 124.74, a request for an evidentiary hearing must state each of the legal or factual questions alleged to be at issue and must demonstrate one of the following for each issue being raised in the hearing request: 1) that the issue was raised during the public comment period; or 2) that the requester could not have reasonably anticipated the relevance or materiality of the issue during the comment period. Any

request for an evidentiary hearing must be submitted within 33 days from the date when the final permit was signed.

EPA will routinely deny any evidentiary hearing request which is postmarked later than the 33rd day from the date when the final permit was signed. Also, EPA will routinely deny any evidentiary hearing request which raises only legal issues. Any denial of a request for an evidentiary hearing may be appealed to the Administrator within 30 days from the date of notice of the denial. The requester must exhaust all administrative review before seeking judicial review.

If you have any questions regarding the final permit or permitting process, please contact Mr. Carl Goldstein by telephone at (415) 972-3767 or electronic mail at goldstein.carl@epa.gov.

Sincerely,

Douglas E. Eberhardt
Chief, NPDES Permits Office

Enclosures (2)

cc: Director, ASEPA
Mr. Steve Costa, gdc
Mr. Patrick Leonard, USFWS
Mr. Chris Yates, NMFS