



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

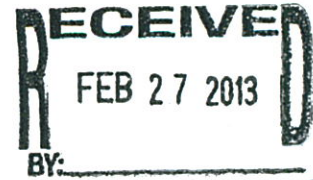
REGION 1  
5 POST OFFICE SQUARE, SUITE 100  
BOSTON, MA 02109-3912

Effective  
April 1, 2013

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

**FEB 25 2013**

Bradley O. Furlon, Chief Operator/District Manager  
Hoosac Water Quality District  
667 Simonds Road  
Williamstown, MA 01267



Re: NPDES Permit No. MA0100510  
Hoosac Water Pollution Control Facility

Dear Mr. Furlon:

Enclosed is your final National Pollutant Discharge Elimination System (NPDES) permit issued pursuant to the Clean Water Act (the "Federal Act"), as amended, and the Massachusetts Clean Water Act (the "State Act"), 21 M.G.L. §§43-45, as amended. The Environmental Permit Regulations, at 40 C.F.R. §124.15, 48 Fed. Reg. 14271 (April 1, 1983), require this permit to become effective on the date specified in the permit.

Also enclosed is a copy of the Massachusetts State Water Quality Certification for your final permit, the EPA's response to the comments received on the draft permit, Part II General Conditions, and information relative to appeals and stays of NPDES permits. Should you desire to contest any provision of the permit, your petition should be submitted to the Environmental Appeals Board as outlined in the enclosure and a similar request should also be filed with the Director of the Office of Watershed Management in accordance with the provisions of the Massachusetts Administrative Procedures Act, the Division's Rules for the Conduct of Adjudicatory Proceedings and the Timely Action Schedule and Fee Provisions (see enclosure).

We appreciate your cooperation throughout the development of this permit. Should you have any questions concerning the permit, feel free to contact Michele Cobban Barden at 617-918-1539.

Sincerely,

David M. Webster, Chief  
Water Permits Branch  
Office of Ecosystem Protection

Enclosures: Final Permit, MA State Water Quality Certification, Response to Comments, Part II General Conditions, Appeals Information

cc: MassDEP, Division of Watershed Management  
Steve McMahon, Executive Director, Hoosic River Watershed Association

Toll Free • 1-888-372-7341

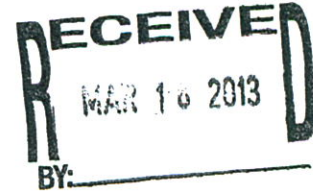
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REGION 1  
5 POST OFFICE SQUARE, SUITE 100  
BOSTON, MA 02109-3912



**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

March 14, 2013

Bradley O. Furlon, Chief Operator/District Manager  
Hoosac Water Quality District  
667 Simonds Road  
Williamstown, MA 01267

Re: NPDES Permit No. MA0100510

Dear Mr. Furlon:

This letter is to inform you that EPA found a typographical error in the National Pollutant Discharge Elimination System (NPDES) permit issued to the Hoosac Water Quality District for the Hoosac Water Pollution Control Facility on February 22, 2013.

Column four of the effluent limits table on page 2 of the permit is incorrectly labeled "Average Weekly". The column should have been labeled "Maximum Daily". This change only affects the reporting requirements for mass discharges of BOD<sub>5</sub> and TSS. The permittee shall report the maximum daily loadings for BOD<sub>5</sub> and TSS rather than the average weekly loadings.

The enclosed page reflects the permit correction noted above. Please place the corrected page in the appropriate location in the final permit. This change constitutes a minor modification to your NPDES permit in accordance with 40 CFR Section 122.63(a).

EPA has discussed this minor modification with you, and you have consented to the correction of this typographical error. If you have any further questions, please contact Michele Cobban Barden at (617) 918-1539.

Sincerely,

Ken Moraff, Acting Director  
Office of Ecosystem Protection

Enclosures

cc: David Ferris, MassDEP  
George Harding, EPA  
Diane Boisclair, EPA

AUTHORIZATION TO DISCHARGE UNDER THE  
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

In compliance with the provisions of the Federal Clean Water Act, as amended, (33 U.S.C. §§1251 *et seq.*; the "CWA"), and the Massachusetts Clean Waters Act, as amended, (M.G.L. Chap. 21, §§ 26-53),

**Hoosac Water Quality District**

is authorized to discharge from the facility located at:

**Hoosac Water Pollution Control Facility  
667 Simmonds Road  
Williamstown, MA 01267**

to receiving water named:

**Hoosic River (MA-11-05)**

in accordance with effluent limitations, monitoring requirements and other conditions set forth herein.

The Towns of Williamstown, North Adams and Clarksburg are co-permittees for Part I.B. Unauthorized Discharges, and Part I.C. Operation and Maintenance of the Sewer System, which include conditions regarding the operation and maintenance of the collection systems, owned and operated by the Towns. The responsible Town Departments are:

|  |   |   |
|--|---|---|
| <b>Town of Williamstown</b><br>31 North Street<br>Williamstown, MA 01267 | <b>Town of North Adams</b><br>10 Main Street<br>North Adams, MA 01247 | <b>Town of Clarksburg</b><br>Town Hall – River Road<br>Clarksburg, MA 01247 |
|--|---|---|


This permit shall become effective on the first of the month following 30 days after signature.


This permit and the authorization to discharge expire at midnight, five (5) years from the effective date.

This permit supersedes the permit issued on September 27, 2006.

This permit consists of 17 pages in Part I including effluent limitations and monitoring requirements, 25 pages in NPDES Part II Standard Conditions, and Attachment A – Revised Freshwater Chronic Toxicity Test Procedure and Protocol (dated May 2007), Attachment B – Reassessment of Technically Based Industrial Discharge Limits, and Attachment C – NPDES Permit Requirement for Industrial Pretreatment Annual Report.

Signed this <sup>2<sup>nd</sup></sup> day of February, 2013

  
 Director  
 Office of Ecosystem Protection  
 Environmental Protection Agency  
 Boston, MA

  
 Director  
 Massachusetts Wastewater Management Program  
 Department of Environmental Protection  
 Commonwealth of Massachusetts  
 Boston, MA

| <p>A.1. During the period beginning on the effective date and lasting through expiration, the permittee is authorized to discharge treated effluent from outfall serial number <b>001</b> to Hoosic River. Such discharges shall be limited and monitored as specified below.</p> |  | <p align="center"><u>EFFLUENT LIMITS</u></p> |                             |                               |                              |                             |                                     |                                      | <p align="center"><u>MONITORING REQUIREMENTS</u><sup>3</sup></p> |  |  |
|---|--|--|-----------------------------|-------------------------------|------------------------------|-----------------------------|-------------------------------------|--------------------------------------|--|--|--|
| <p><u>EFFLUENT CHARACTERISTIC</u></p>   | <p><u>AVERAGE MONTHLY</u></p>  | <p><u>AVERAGE WEEKLY</u></p>                 | <p><u>MAXIMUM DAILY</u></p> | <p><u>AVERAGE MONTHLY</u></p> | <p><u>AVERAGE WEEKLY</u></p> | <p><u>MAXIMUM DAILY</u></p> | <p><u>MEASUREMENT FREQUENCY</u></p> | <p><u>SAMPLE TYPE</u></p>            |  |  |  |
| <p>FLOW<sup>2</sup></p>   | <p>*****</p>   | <p>*****</p>                                 | <p>*****</p>                | <p>6.5 MGD</p>                | <p>*****</p>                 | <p>Report MGD</p>           | <p>CONTINUOUS</p>                   | <p>RECORDER</p>                      |  |  |  |
| <p>FLOW<sup>2</sup></p>   | <p>*****</p>   | <p>*****</p>                                 | <p>*****</p>                | <p>Report MGD</p>             | <p>*****</p>                 | <p>*****</p>                | <p>CONTINUOUS</p>                   | <p>RECORDER</p>                      |  |  |  |
| <p>BOD<sub>5</sub><sup>4</sup></p>  | <p>1344 lbs/Day</p>  | <p>*****</p>                                 | <p>Report lbs/day</p>       | <p>25 mg/l</p>                | <p>37 mg/l</p>               | <p>41 mg/l</p>              | <p>3/WEEK</p>                       | <p>24-HOUR COMPOSITE<sup>5</sup></p> |  |  |  |
| <p>TSS<sup>4</sup></p>  | <p>1344 lbs/Day</p>  | <p>*****</p>                                 | <p>Report lbs/day</p>       | <p>25 mg/l</p>                | <p>37 mg/l</p>               | <p>41 mg/l</p>              | <p>3/WEEK</p>                       | <p>24-HOUR COMPOSITE<sup>5</sup></p> |  |  |  |
| <p>Dissolved Oxygen<sup>1</sup></p>   | <p align="center">Not less than 6.0 mg/l</p>                                     |  |                             |                               |                              |                             |                                     | <p>1/DAY</p>                         | <p>GRAB</p>  |  |  |
| <p>pH RANGE<sup>1</sup></p>   | <p align="center">6.5 - 8.3 SU (SEE PERMIT PAGE 6 OF 18, PARAGRAPH I.A.1.b.)</p> |  |                             |                               |                              |                             |                                     | <p>1/DAY</p>                         | <p>GRAB</p>  |  |  |
| <p>ESCHERICHIA COLI<sup>1,6</sup><br/>(April 1 - October 31)</p>  | <p>*****</p>   | <p>*****</p>                                 | <p>*****</p>                | <p>126 cfu/<br/>100 ml</p>    | <p>*****</p>                 | <p>409 cfu/<br/>100 ml</p>  | <p>3/WEEK</p>                       | <p>GRAB</p>                          |  |  |  |
| <p>TOTAL CHLORINE RESIDUAL<sup>1,7</sup><br/>(April 1 - October 31)</p>   | <p>*****</p>   | <p>*****</p>                                 | <p>*****</p>                | <p>0.06 mg/l</p>              | <p>*****</p>                 | <p>0.11 mg/l</p>            | <p>1/DAY</p>                        | <p>GRAB</p>                          |  |  |  |
| <p>WHOLE EFFLUENT TOXICITY<sup>8, 9, 10, 11</sup></p>   | <p align="center">Acute LC<sub>50</sub> ≥ 100%<br/>Chronic NOEC ≥ 18%</p>        |  |                             |                               |                              |                             |                                     | <p>4/YEAR</p>                        | <p>24-HOUR COMPOSITE<sup>5</sup></p>                             |  |  |

**CONTINUED FROM PREVIOUS PAGE**

| <u>EFFLUENT CHARACTERISTIC</u>   |                   | <u>EFFLUENT LIMITS</u> |                       |                      |                        |                       |                      | <u>MONITORING REQUIREMENTS</u> <sup>3</sup> |                                   |  |
|--|-------------------|------------------------|-----------------------|----------------------|------------------------|-----------------------|----------------------|---|-----------------------------------|--|
|  |                   | <u>AVERAGE MONTHLY</u> | <u>AVERAGE WEEKLY</u> | <u>MAXIMUM DAILY</u> | <u>AVERAGE MONTHLY</u> | <u>AVERAGE WEEKLY</u> | <u>MAXIMUM DAILY</u> | <u>MEASUREMENT FREQUENCY</u>                | <u>SAMPLE<sup>3</sup> TYPE</u>    |  |
| A.1. During the period beginning the effective date and lasting through expiration, the permittee is authorized to discharge from treated effluent from outfall serial number 001 to Connecticut River. Such discharges shall be limited and monitored as specified below. |                   |                        |                       |                      |                        |                       |                      |   |                                   |  |
| TOTAL PHOSPHORUS<br>(April 1 – October 31)   | *****<br>*****    | *****<br>*****         | *****<br>*****        | 0.6 mg/l             | *****<br>*****         | *****<br>*****        | *****<br>*****       | 3/WEEK                                      | 24-HOUR<br>COMPOSITE <sup>5</sup> |  |
| TOTAL PHOSPHORUS<br>(November 1 – March 31)  | *****<br>*****    | *****<br>*****         | *****<br>*****        | 1.0 mg/l             | *****<br>*****         | *****<br>*****        | *****<br>*****       | 1/WEEK                                      | 24-HOUR<br>COMPOSITE <sup>5</sup> |  |
| DISSOLVED<br>ORTHOPHOSPHORUS<br>(November 1 – March 31)  | *****<br>*****    | *****<br>*****         | *****<br>*****        | Report mg/l          | *****<br>*****         | *****<br>*****        | *****<br>*****       | 1/MONTH                                     | 24-HOUR<br>COMPOSITE <sup>5</sup> |  |
| AMMONIA NITROGEN<br>as N <sup>12</sup><br>(June 1 – October 31)  | 313 lbs/day       | 627 lbs/day            | *****<br>*****        | 5.8 mg/l             | 11.6 mg/l              | *****<br>*****        | *****<br>*****       | 3/WEEK                                      | 24-HOUR<br>COMPOSITE <sup>5</sup> |  |
| AMMONIA NITROGEN<br>as N <sup>12</sup><br>(November 1 – May 31)  | Report<br>lbs/day | Report<br>lbs/day      | *****<br>*****        | Report mg/l          | Report mg/l            | *****<br>*****        | *****<br>*****       | 3/WEEK                                      | 24-HOUR<br>COMPOSITE <sup>5</sup> |  |

Sampling Location: Manhole just prior to discharge.

Footnotes:

1. Required for State Certification.
2. Report annual average, monthly average, and the maximum daily flow. The limit is an annual average, which shall be reported as a rolling average. The value will be calculated as the arithmetic mean of the monthly average flow for the reporting month and the monthly average flows of the previous eleven months.
3. Effluent sampling shall be of the discharge and shall be collected at the point specified on page 3. Any change in sampling location must be reviewed and approved in writing by EPA and MassDEP.

A routine sampling program shall be developed in which samples are taken at the same location, same time and same days of the week each month. Occasional deviations from the routine sampling program are allowed, but the reason for the deviation shall be documented in correspondence appended to the applicable discharge monitoring report.

All samples shall be tested using the analytical methods found in 40 CFR§136, or alternative methods approved by EPA in accordance with the procedures in 40 CFR §136.

4. Sampling required for influent and effluent.
5. 24-hour composite samples will consist of at least twenty four (24) grab samples taken during one consecutive 24 hour period, either collected at equal intervals and combined proportional to flow or continuously collected proportionally to flow.
6. The monthly average limits for E.coli bacteria are expressed as geometric means. E. coli sampling shall be conducted concurrently with a total residual chlorine sample.

The E.coli limits will become effective on April 1, 2013. Monitoring requirements will be in effect upon the effective date of the permit.

7. Total residual chlorine monitoring is required whenever chlorine is added to the treatment process (i.e. TRC sampling is not required if chlorine is not added for disinfection or other purpose). The limitations are in effect seasonally (April 1-October 31).

The minimum level (ML) for total residual chlorine is defined as 20 ug/l. This value is the minimum level for chlorine using EPA approved methods found in the most currently approved version of Standard Methods for the Examination of Water and Wastewater, Method 4500 CL-E and G. One of these methods must be used to determine total residual chlorine. For effluent limitations less than 20 ug/l, compliance/non-compliance will be determined based on the ML. Sample results of 20 ug/l or less shall be reported as zero on the discharge monitoring report.

Chlorination and dechlorination systems shall include an alarm system for indicating

system interruptions or malfunctions. Any interruption or malfunction of the chlorine dosing system that may have resulted in levels of chlorine that were inadequate for achieving effective disinfection, or interruptions or malfunctions of the dechlorination system that may have resulted in excessive levels of chlorine in the final effluent shall be reported with the monthly DMRs. The report shall include the date and time of the interruption or malfunction, the nature of the problem, and the estimated amount of time that the reduced levels of chlorine or dechlorination chemicals occurred.

8. The permittee shall conduct chronic (and modified acute) toxicity tests four (4) times per year. The chronic test may be used to calculate the acute LC<sub>50</sub> at the 48 hour exposure interval. The permittee shall test the daphnid, Ceriodaphnia dubia, only. Toxicity test samples shall be collected during the second week of the months of February, May, August and November. The test results shall be submitted by the last day of the month following the completion of the test. The results are due by March 31<sup>st</sup>, June 30<sup>th</sup>, September 30<sup>th</sup>, and December 31<sup>st</sup>, respectively. The tests must be performed in accordance with test procedures and protocols specified in **Attachment A** of this permit.

| Test Dates<br>Second Week in          | Submit Results By:                                 | Test Species                           | Acute Limit LC50 | Chronic Limit C-NOEC |
|---------------------------------------|--|--|------------------|----------------------|
| February<br>May<br>August<br>November | March 31<br>June 30<br>September 30<br>December 31 | <u>Ceriodaphnia dubia</u><br>(daphnid) | ≥100             | ≥18%                 |

After submitting one year and a minimum of four consecutive sets of WET test results, all of which demonstrate compliance with the WET permit limits, the permittee may request a reduction in the WET testing requirements. The permittee is required to continue testing at the frequency specified in the permit until notice is received by certified mail from the EPA that the WET testing requirement has been changed.

9. The LC<sub>50</sub> is the concentration of effluent which causes mortality to 50% of the test organisms. Therefore, a 100% limit means that a sample of 100% effluent (no dilution) shall cause no more than a 50% mortality rate.
10. C-NOEC (chronic-no observed effect concentration) is defined as the highest concentration of toxicant or effluent to which organisms are exposed in a life cycle or partial life cycle test which causes no adverse effect on growth, survival or reproduction, based on statistically significant difference from dilution control, at a specific time of observation as determined from hypothesis testing. As described in the EPA WET Method Manual EPA 821-R-02-013, Section 10.2.6.2, all test results are to be reviewed and reported in accordance with EPA guidance on the evaluation of the concentration-

response relationship. The “18% or greater” limit is defined as a sample which is composed of 18% (or greater) effluent with the remainder being dilution water.

11. If toxicity test(s) using receiving water as diluent show the receiving water to be toxic or unreliable, the permittee shall either follow procedures outlined in **Attachment A (Toxicity Test Procedure and Protocol) Section IV., DILUTION WATER** in order to obtain an individual approval for use of an alternate dilution water, or the permittee shall follow the Self-Implementing Alternative Dilution Water Guidance which may be used to obtain automatic approval of an alternate dilution water, including the appropriate species for use with that water. This guidance is found in Attachment G of *NPDES Program Instructions for the Discharge Monitoring Report Forms (DMRs)*, which may be found on the EPA Region I web site at:

<http://www.epa.gov/Region1/enforcementandassistance/dmr.html>.

If the guidance is revoked, the permittee shall revert to obtaining individual approval as outlined in **Attachment A**. Any modification or revocation to this guidance will be transmitted to the permittees. However, at any time, the permittee may choose to contact EPA-New England directly using the approach outline in **Attachment A**.

#### **Part I.A.1. (Continued)**

- a. The discharge shall not cause a violation of the water quality standards of the receiving waters.
- b. The pH of the effluent shall not be less than 6.5 or greater than 8.3 at any time.
- c. The discharge shall not cause objectionable discoloration of the receiving waters.
- d. The effluent shall not contain a visible oil sheen, foam, or floating solids at any time.
- e. The permittee's treatment facility shall maintain a minimum of 85 percent removal of both total suspended solids and biochemical oxygen demand. The percent removal shall be based on monthly average values.
- f. The permittee shall minimize the use of chlorine while maintaining adequate bacterial control.
- g. The results of sampling for any parameter done in accordance with EPA approved methods above its required frequency must also be reported.
- h. If the average annual flow in any calendar year exceeds 80 percent of the facility's design flow, the permittee shall submit a report to MassDEP by March 31 of the following calendar year describing its plans for further flow increases and



describing how it will maintain compliance with the flow limit and all other effluent limitations and conditions.

- g. Only those municipalities specifically listed as co-permittees are authorized to discharge to the wastewater treatment facilities maintained by the permittee.
2. All POTWs must provide adequate notice to the Director of the following:
- a. Any new introduction of pollutants into the POTW from an indirect discharger which would be subject to section 301 or 306 of the Clean Water Act if it were directly discharging those pollutants; and
  - b. Any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of issuance of the permit.
  - c. For purposes of this paragraph, adequate notice shall include information on:
    - (1) The quantity and quality of effluent introduced into the POTW; and
    - (2) Any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW.
3. Prohibitions Concerning Interference and Pass Through:
- a. Pollutants introduced into POTW's by a non-domestic source (user) shall not pass through the POTW or interfere with the operation or performance of the works.
4. Toxics Control
- a. The permittee shall not discharge any pollutant or combination of pollutants in toxic amounts.
  - b. Any toxic components of the effluent shall not result in any demonstrable harm to aquatic life or violate any state or federal water quality standard which has been or may be promulgated. Upon promulgation of any such standard, this permit may be revised or amended in accordance with such standards.
5. Numerical Effluent Limitations for Toxicants

EPA or MassDEP may use the results of the toxicity tests and chemical analyses conducted pursuant to this permit, as well as national water quality criteria developed pursuant to Section 304(a)(1) of the Clean Water Act (CWA), state water quality criteria, and any other appropriate information or data, to develop numerical effluent limitations for any pollutants, including but not limited to those pollutants listed in Appendix D of 40 CFR Part 122.

## **B. UNAUTHORIZED DISCHARGES**

The permittee and co-permittees are authorized to discharge only in accordance with the terms and conditions of this permit and only from the outfall listed in Part I A.1. of this permit. Discharges of wastewater from any other point sources, including sanitary sewer overflows (SSOs), are not authorized by this permit and shall be reported to EPA and MassDEP in accordance with Section D.1.e. (1) of the Standard Conditions of this permit (Twenty-four hour reporting).

Notification of SSOs to MassDEP shall be made on its SSO Reporting Form (which includes DEP Regional Office telephone numbers). The reporting form and instruction for its completion may be found on-line at <http://www.mass.gov/dep/water/approvals/surffms.htm#sso>.

## **C. OPERATION AND MAINTENANCE OF THE SEWER SYSTEM**

Operation and maintenance of the sewer system shall be in compliance with the Standard Conditions of Part II and the following terms and conditions. The permittee and co-permittees are required to complete the following activities for the collection system which it owns:

### **1. Maintenance Staff**

The permittee and co-permittees shall provide an adequate staff to carry out the operation, maintenance, repair, and testing functions required to ensure compliance with the terms and conditions of this permit. Provisions to meet this requirement shall be described in the Collection System O & M Plan required pursuant to Section C.5. below.

### **2. Preventive Maintenance Program**

The permittee and co-permittees shall maintain an ongoing preventive maintenance program to prevent overflows and bypasses caused by malfunctions or failures of the sewer system infrastructure. The program shall include an inspection program designed to identify all potential and actual unauthorized discharges. Plans and programs to meet this requirement shall be described in the Collection System O & M Plan required pursuant to Section C.5. below.

### **3. Infiltration/Inflow**

The permittee and co-permittees shall control infiltration and inflow (I/I) into the sewer system as necessary to prevent high flow related unauthorized discharges from their collection systems and high flow related violations of the wastewater treatment plant's effluent limitations. Plans and programs to control I/I shall be described in the Collection System O & M Plan required pursuant to Section C.5. below.

4. Collection System Mapping

**Within 30 months of the effective date of this permit,** the permittee and co-permittees shall prepare a map of the sewer collection system it owns (see page 1 of this permit for the effective date). The map shall be on a street map of the community, with sufficient detail and at a scale to allow easy interpretation. The collection system information shown on the map shall be based on current conditions and shall be kept up to date and available for review by federal, state, or local agencies. Such map(s) shall include, but not be limited to the following:

- a. All sanitary sewer lines and related manholes;
- b. All combined sewer lines, related manholes, and catch basins;
- c. All combined sewer regulators and any known or suspected connections between the sanitary sewer and storm drain systems (e.g. combination manholes);
- d. All outfalls, including the treatment plant outfall(s), CSOs, and any known or suspected SSOs, including stormwater outfalls that are connected to combination manholes;
- e. All pump stations and force mains;
- f. The wastewater treatment facility(ies);
- g. All surface waters (labeled);
- h. Other major appurtenances such as inverted siphons and air release valves;
- i. A numbering system which uniquely identifies manholes, catch basins, overflow points, regulators and outfalls;
- j. The scale and a north arrow; and
- k. The pipe diameter, date of installation, type of material, distance between manholes, and the direction of flow.

5. Collection System Operation and Maintenance Plan

The permittee and co-permittees shall **develop and implement a Collection System Operation and Maintenance Plan.**

- a. **Within six (6) months of the effective date of the permit,** the permittee shall submit to EPA and MassDEP
  - (1) A description of the collection system management goals, staffing, information management, and legal authorities;
  - (2) A description of the collection system and the overall condition of the collection system including a list of all pump stations and a description of recent studies and construction activities; and
  - (3) A schedule for the development and implementation of the full Collection System O & M Plan including the elements in paragraphs b.1. through b.8. below.

- b. The full Collection System O & M Plan shall be submitted and implemented to EPA and MassDEP within twenty four (24) months from the effective date of this permit. The Plan shall include:
- (1) The required submittal from paragraph 5.a. above, updated to reflect current information;
  - (2) A preventive maintenance and monitoring program for the collection system;
  - (3) Description of sufficient staffing necessary to properly operate and maintain the sanitary sewer collection system and how the operation and maintenance program is staffed;
  - (4) Description of funding, the source(s) of funding and provisions for funding sufficient for implementing the plan;
  - (5) Identification of known and suspected overflows and back-ups, including manholes. A description of the cause of the identified overflows and back-ups, corrective actions taken, and a plan for addressing the overflows and back-ups consistent with the requirements of this permit;
  - (6) A description of the permittee's programs for preventing I/I related effluent violations and all unauthorized discharges of wastewater, including overflows and by-passes and the ongoing program to identify and remove sources of I/I. The program shall include an inflow identification and control program that focuses on the disconnection and redirection of illegal sump pumps and roof down spouts; and
  - (7) An educational public outreach program for all aspects of I/I control, particularly private inflow.
  - (8) An Overflow Emergency Response Plan to protect public health from overflows and unanticipated bypasses or upsets that exceed any effluent limitation in the permit.

## 6. Annual Reporting Requirement

The permittee and co-permittees shall submit a summary report of activities related to the implementation of its Collection System O & M Plan during the previous calendar year. The report shall be submitted to EPA and MassDEP annually by March 31. The summary report shall, at a minimum, include:

- a. A description of the staffing levels maintained during the year;
- b. A map and a description of inspection and maintenance activities conducted and corrective actions taken during the previous year;
- c. Expenditures for any collection system maintenance activities and corrective actions taken during the previous year;
- d. A map with areas identified for investigation/action in the coming year;
- e. If treatment plant flow has reached 80% of the design flow (5.2 mgd) or there have been capacity related overflows, submit a calculation of the maximum daily, weekly, and monthly infiltration and the maximum daily, weekly, and monthly inflow for the reporting year; and

- f. A summary of unauthorized discharges during the past year and their causes and a report of any corrective actions taken as a result of the unauthorized discharges reported pursuant to the Unauthorized Discharges section of this permit.

7. Alternate Power Source

In order to maintain compliance with the terms and conditions of this permit, the permittee and co-permittees shall provide an alternative power source(s) sufficient to operate the portion of the publicly owned treatment works<sup>1</sup> it owns and operates.

**D. SLUDGE CONDITIONS**

1. The permittee shall comply with all existing federal and state laws and regulations that apply to sewage sludge use and disposal practices, including EPA regulations promulgated at 40 CFR Part 503, which prescribe “Standards for the Use or Disposal of Sewage Sludge” pursuant to Section 405(d) of the CWA, 33 U.S.C. § 1345(d).
2. If both state and federal requirements apply to the permittee’s sludge use and/or disposal practices, the permittee shall comply with the more stringent of the applicable requirements.
3. The requirements and technical standards of 40 CFR Part 503 apply to the following sludge use or disposal practices.
  - a. Land application - the use of sewage sludge to condition or fertilize the soil
  - b. Surface disposal - the placement of sewage sludge in a sludge only landfill
  - c. Sewage sludge incineration in a sludge only incinerator
4. The requirements of 40 CFR Part 503 do not apply to facilities which dispose of sludge in a municipal solid waste landfill. 40 CFR § 503.4. These requirements also do not apply to facilities which do not use or dispose of sewage sludge during the life of the permit but rather treat the sludge (e.g. lagoons, reed beds), or are otherwise excluded under 40 CFR § 503.6.
5. The 40 CFR Part 503 requirements including the following elements:
  - General requirements
  - Pollutant limitations
  - Operational Standards (pathogen reduction requirements and vector attraction reduction requirements)
  - Management practices
  - Record keeping

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<sup>1</sup> As defined at 40 CFR §122.2, which references the definition at 40 CFR §403.3

- Monitoring
- Reporting

Which of the 40 CFR Part 503 requirements apply to the permittee will depend upon the use or disposal practice followed and upon the quality of material produced by a facility. The EPA Region 1 Guidance document, “EPA Region 1 - NPDES Permit Sludge Compliance Guidance” (November 4, 1999), may be used by the permittee to assist it in determining the applicable requirements.<sup>2</sup>

6. The sludge shall be monitored for pollutant concentrations (all Part 503 methods) and pathogen reduction and vector attraction reduction (land application and surface disposal) at the following frequency. This frequency is based upon the volume of sewage sludge generated at the facility in dry metric tons per year

|                           |            |
|---------------------------|------------|
| less than 290             | 1/ year    |
| 290 to less than 1,500    | 1 /quarter |
| 1,500 to less than 15,000 | 6 /year    |
| 15,000 +                  | 1 /month   |

Sampling of the sewage sludge shall use the procedures detailed in 40 CFR 503.8.

7. Under 40 CFR § 503.9(r), the permittee is a “person who prepares sewage sludge” because it “is ... the person who generates sewage sludge during the treatment of domestic sewage in a treatment works ....” If the permittee contracts with *another* “person who prepares sewage sludge” under 40 CFR § 503.9(r) – i.e., with “a person who derives a material from sewage sludge” – for use or disposal of the sludge, then compliance with Part 503 requirements is the responsibility of the contractor engaged for that purpose. If the permittee does not engage a “person who prepares sewage sludge,” as defined in 40 CFR § 503.9(r), for use or disposal, then the permittee remains responsible to ensure that the applicable requirements in Part 503 are met. 40 CFR §503.7. If the ultimate use or disposal method is land application, the permittee is responsible for providing the person receiving the sludge with notice and necessary information to comply with the requirements of 40 CFR Part 503 Subpart B.
8. The permittee shall submit an annual report containing the information specified in the 40 CFR Part 503 requirements (§ 503.18 (land application), § 503.28 (surface disposal), or § 503.48 (incineration)) by **February 19** (see also “EPA Region 1 - NPDES Permit Sludge Compliance Guidance”). Reports shall be submitted to the address contained in the reporting section of the permit. If the permittee engages a contractor or contractors for sludge preparation and ultimate use or disposal, the annual report need contain only the following information:

<sup>2</sup> This guidance document is available upon request from EPA Region 1 and may also be found at: <http://www.epa.gov/region1/npdes/permits/generic/sludgeguidance.pdf>

- a. Name and address of contractor(s) responsible for sludge preparation, use or disposal
- b. Quantity of sludge (in dry metric tons ) from the POTW that is transferred to the sludge contractor(s), and the method(s) by which the contractor will prepare and use or dispose of the sewage sludge.

## E. INDUSTRIAL PRETREATMENT PROGRAM

### 1. Limitations for Industrial Users:

- a. Pollutants introduced into POTWs by a non-domestic source (user) shall not pass through the POTW or interfere with the operation or performance of the works.
- b. The permittee shall develop and enforce specific effluent limits (local limits) for Industrial Users(s) and all other users as necessary, which together with appropriate changes in the POTW Treatment Plant's facilities or operation, are essential to ensure continued compliance with the POTW's NPDES permit or sludge use or disposal practices. Specific local limits shall not be developed and enforced without individual notice to persons or groups who have requested such notice and an opportunity to respond. Within 90 days of the effective date of this permit, the permittee shall prepare and submit a written technical evaluation to the EPA analyzing the need to revise local limits. As part of this evaluation, the permittee shall assess how the POTW performs with respect to influent and effluent pollutants, water quality concerns, sludge quality, sludge processing concerns/inhibition, biomonitoring results, activated sludge inhibition, worker health and safety, and collection system concerns. In preparing this evaluation, the permittee shall complete and submit the attached form (Attachment B – Reassessment of Technically Based Industrial Discharge Limits) with the technical evaluation to assist in determining whether existing local limits need to be revised. Justifications and conclusions should be based on actual plant data if available and should be included in the report. Should the evaluation reveal the need to revise local limits, the permittee shall complete the revisions within 120 days of notification by EPA and submit the revisions to EPA for approval. The Permittee shall carry out the local limits revisions in accordance with EPA's Local Limit Development Guidance (July 2004).

### 2. Industrial Pretreatment Program

- a. The permittee shall implement the Industrial Pretreatment Program in accordance with the legal authorities, policies, procedures, and financial provisions described in the permittee's approved Pretreatment Program and the General Pretreatment Regulations, 40 CFR §403. At a minimum, the permittee must perform the following duties to properly implement the Industrial Pretreatment Program (IPP):
  1. Carry out inspection, surveillance, and monitoring procedures which will determine, independent of information supplied by the industrial user,

whether the industrial user is in compliance with the Pretreatment Standards. At a minimum, all significant industrial users shall be sampled and inspected at the frequency established in the approved IPP, but in no case less than once per year, and maintain adequate records.

2. Issue or renew all necessary industrial user control mechanisms within 90 days of their expiration date or within 180 days after the industry has been determined to be a significant industrial user.
  3. Obtain appropriate remedies for noncompliance by any industrial user with any pretreatment standard and/or requirement.
  4. Maintain an adequate revenue structure for continued implementation of the Pretreatment Program.
- b. The permit shall provide the EPA and the MA DEP with an annual report describing the permittee's pretreatment program activities for the twelve month period ending 60 days prior to the due date in accordance with 40 CFR §403.12(i). The annual report shall be consistent with the format described in Attachment C (NPDES Permit Requirement for Industrial Pretreatment Annual Report) and shall be submitted no later than March 1st of each year.
- c. The permittee must obtain approval from EPA prior to making any significant changes to the industrial pretreatment program in accordance with 40 CFR §403.18(c).
- d. The permittee must assure that applicable National Categorical Pretreatment Standards are met by all categorical industrial users of the POTW. These standards are published in the Federal Regulations at 40 CFR §405 et. seq.
- e. The permittee must modify its pretreatment program to conform to all changes in the Federal Regulations that pertain to the implementation and enforcement of the Industrial Pretreatment Program. The permittee must provide EPA, in writing, within 180 days of the effective date of this permit, proposed changes to the permittee's pretreatment program deemed necessary to assure conformity with current Federal Regulations. At a minimum, the permittee must address in its written submission the following areas: (1) enforcement response plan; (2) revised sewer use ordinances; (3) sludge control evaluations. The permittee will implement these proposed changes pending EPA's approval under 40 CFR §403.18.

## F. MONITORING AND REPORTING

1. **For a period of one year from the effective date of the permit**, the permittee may either submit monitoring data and other reports to EPA in hard copy form or report electronically using NetDMR, a web-based tool that allows permittees to electronically



submit discharge monitoring reports (DMRs) and other required reports via a secure internet connection. **Beginning no later than one year after the effective date of the permit, the permittee shall begin reporting using NetDMR,** unless the facility is able to demonstrate a reasonable basis that precludes the use of NetDMR for submitting DMRs and reports. Specific requirements regarding submittal of data and reports in hard copy form and for submittal using NetDMR are described below:

a. Submittal of Reports Using NetDMR

NetDMR is accessed from: <http://www.epa.gov/netdmr>. **Within one year of the effective date of this permit,** the permittee shall begin submitting DMRs and reports required under this permit electronically to EPA using NetDMR, unless the facility is able to demonstrate a reasonable basis, such as technical or administrative infeasibility, that precludes the use of NetDMR for submitting DMRs and reports (“opt-out request”).

**DMRs shall be submitted electronically to EPA no later than the 15th day of the month following the completed reporting period.** All reports required under the permit shall be submitted to EPA, including the MassDEP Monthly Operations and Maintenance Report, as an electronic attachment to the DMR. Once a permittee begins submitting reports using NetDMR, it will no longer be required to submit hard copies of DMRs or other reports to EPA and will no longer be required to submit hard copies of DMRs to MassDEP. However, permittees shall continue to send hard copies of reports other than DMRs (including Monthly Operation and Maintenance Reports) to MassDEP until further notice from MassDEP.

b. Submittal of NetDMR Opt-Out Requests

Opt-out requests must be submitted in writing to EPA for written approval at least sixty (60) days prior to the date a facility would be required under this permit to begin using NetDMR. This demonstration shall be valid for twelve (12) months from the date of EPA approval and shall thereupon expire. At such time, DMRs and reports shall be submitted electronically to EPA unless the permittee submits a renewed opt-out request and such request is approved by EPA. All opt-out requests should be sent to the following addresses:

**Attn: NetDMR Coordinator**  
**U.S. Environmental Protection Agency, Water Technical Unit**  
**5 Post Office Square, Suite 100 (OES04-4)**  
**Boston, MA 02109-3912**

And

**Massachusetts Department of Environmental Protection**  
**Surface Water Discharge Permit Program**  
**627 Main Street, 2<sup>nd</sup> Floor**  
**Worcester, Massachusetts 01608**

c. Submittal of Reports in Hard Copy Form

Monitoring results shall be summarized for each calendar month and reported on separate hard copy Discharge Monitoring Report Form(s) (DMRs) **postmarked no later than the 15<sup>th</sup> day of the month following the completed reporting period**. All reports required under this permit, including MassDEP Monthly Operation and Maintenance Reports, shall be submitted as an attachment to the DMRs. Signed and dated originals of the DMRs, and all other reports or notifications required herein or in Part II shall be submitted to the Director at the following address:

**U.S. Environmental Protection Agency**  
**Water Technical Unit (OES04-SMR)**  
**5 Post Office Square - Suite 100**  
**Boston, MA 02109-3912**

Duplicate signed copies of all reports or notifications required above shall be submitted to the State at the following addresses:

**MassDEP – Western Region**  
**Bureau of Resource Protection (Municipal)**  
**436 Dwight Street, Suite 402**  
**Springfield, MA 01103**

Toxicity test reports only to:

**Massachusetts Department of Environmental Protection**  
**Surface Water Discharge Permit Program**  
**627 Main Street, 2<sup>nd</sup> Floor**  
**Worcester, Massachusetts 01608**

Any verbal reports, if required in **Parts I** and/or **II** of this permit, shall be made to both EPA-New England and to MassDEP.

**G. STATE PERMIT CONDITIONS**

1. This authorization to discharge includes two separate and independent permit authorizations. The two permit authorizations are (i) a federal National Pollutant Discharge Elimination System permit issued by the U.S. Environmental Protection Agency (EPA) pursuant to the Federal Clean Water Act, 33 U.S.C. §§1251 et seq.; and (ii) an identical state surface water discharge permit issued by the Commissioner of the Massachusetts Department of Environmental Protection (MassDEP) pursuant to the Massachusetts Clean Waters Act, M.G.L. c. 21, §§ 26-53, and 314 C.M.R. 3.00. All of the requirements contained in this authorization, as well as the standard conditions contained in 314 CMR 3.19, are hereby incorporated by reference into this state surface water discharge permit.
2. This authorization also incorporates the state water quality certification issued by MassDEP under § 401(a) of the Federal Clean Water Act, 40 CFR 124.53, M.G.L. c. 21, § 27 and 314 CMR 3.07. All of the requirements (if any) contained in MassDEP's water quality certification for the permit are hereby incorporated by reference into this state surface water discharge permit as special conditions pursuant to 314 CMR 3.11.
3. Each agency shall have the independent right to enforce the terms and conditions of this permit. Any modification, suspension or revocation of this permit shall be effective only with respect to the agency taking such action, and shall not affect the validity or status of this permit as issued by the other agency, unless and until each agency has concurred in writing with such modification, suspension or revocation. In the event any portion of this permit is declared invalid, illegal or otherwise issued in violation of state law such permit shall remain in full force and effect under federal law as a NPDES Permit issued by the U.S. Environmental Protection Agency. In the event this permit is declared invalid, illegal or otherwise issued in violation of federal law, this permit shall remain in full force and effect under state law as a permit issued by the Commonwealth of Massachusetts.