



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

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

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**  
**SEP 12 2014**

Lee Azinheira, Director  
Manfield Department of Public Works  
6 Park Row  
Mansfield, MA 02048

Re: NPDES Permit No. MA0101702  
for MFN Regional Water Pollution Control Facility

Dear Azinheira:

Enclosed is the final National Pollutant Discharge Elimination System (NPDES) permit issued to the MFN Regional Water Pollution Control Facility ("WPCF"), in Norton, Massachusetts, pursuant to the Clean Water Act, as amended, and the Massachusetts Clean Water Act, 21 M.G.L. §§ 43-45, as amended. The Town of Mansfield transports sewage for treatment to the MFN Regional WPCF and the Town is included as a co-permittee on the NPDES permit. The provisions applicable to co-permittees are set forth in Parts 1.B. and 1.C. of the draft permit. The permit will become effective on the date specified in the permit unless you file a timely petition for review with EPA's Environmental Appeals Board (EAB) pursuant to 40 C.F.R. § 124.19. See 40 C.F.R. § 124.15 (issuance and effective date of permit).

Also enclosed is a copy of the Massachusetts State Water Quality Certification for the final permit, the EPA's response to the comments received on the draft permit, Part II Standard Conditions, and information relative to appeals and stays of NPDES permits. Should you desire to contest any provision of the permit, your petition must be submitted to the Environmental Appeals Board as outlined below and in the enclosure. If you also wish to appeal the state permit, you must file a similar request for review 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).

The current regulations governing NPDES permit appeals are found at 40 C.F.R. § 124.19 and took effect on March 26, 2013. A copy of the regulations and more specific information about appeals are enclosed for your convenience. If you do wish to appeal this permit to the Environmental Appeals Board, please refer to these new regulations and to materials on the website of the Environmental Appeals Board (<http://www.epa.gov/eab>) for information concerning procedural and substantive requirements applicable to NPDES permit appeals. Please note in particular the new provisions related to filing and service requirements set forth at 40 C.F.R. § 124.19(a) and (i), and to the content and form of briefs set forth at § 124.19(a) and (d).

Toll Free • 1-888-372-7341

Internet Address (URL) • <http://www.epa.gov/region1>

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We appreciate your cooperation throughout the development of this permit. Should you have any questions concerning the permit, feel free to contact Susan Murphy at 617-918-1534.

Sincerely,

A handwritten signature in black ink, appearing to read "David M. Webster". The signature is fluid and cursive, with a large initial "D" and "W".

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, Appealing NPDES Permits

cc: MassDEP, Division of Watershed Management



Commonwealth of Massachusetts  
Executive Office of Energy & Environmental Affairs

## Department of Environmental Protection

One Winter Street Boston, MA 02108 • 617-292-5500

DEVAL L. PATRICK  
Governor

MAEVE VALLELY BARTLETT  
Secretary

DAVID W. CASH  
Commissioner

September 4, 2014

David Webster, Water Permit Branch Chief  
USEPA – New England  
5 Post Office Square, Suite 100 (OEP06-1)  
Boston, MA 02109-3912

**Re: Water Quality Certification  
NPDES Permit MA0101702  
MFN Regional Wastewater District Water Pollution Abatement Facility**

Dear Mr. Webster:

Your office has requested that Massachusetts Department of Environmental Protection (“MassDEP”) issue a water quality certification pursuant to Section 401(a) of the Federal Clean Water Act (the “Act”) and 40 CFR 124.53 for the above referenced NPDES permit.

MassDEP has reviewed the proposed permit and has determined that the conditions of the permit will achieve compliance with sections 208(e), 301, 302, 303, 306, and 307 of the Federal Act, and with the provisions of the Massachusetts Clean Waters Act, M.G.L. c. 21, ss. 26-53, and regulations promulgated thereunder. The permit conditions are sufficient to comply with the antidegradation provisions of the Massachusetts Surface Water Quality Standards [314 CMR 4.04] and the policy [October 21, 2009] implementing those provisions.

MassDEP hereby certifies the referenced permit. This certification supersedes the May 30, 2014 Water Quality Certification issued for the Mansfield Water Pollution Abatement Facility with this same permit number and renders that Water Quality Certificate null and void. This certification also superseded the August 8, 2014 Water Quality Certification issued for MFN Regional Wastewater District.

Sincerely,

David Ferris, Director  
Massachusetts Wastewater Management Program  
Bureau of Resource Protection

cc: Susan Murphy, US EPA (via e-mail)  
Claire Golden, MassDEP (via e-mail)

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),

**MFN Regional Wastewater District**

is authorized to discharge from the facility located at

**MFN Regional Water Pollution Control Facility  
Intersection of Hill Street and Crane Street, Norton, MA**

to receiving water named **Three Mile River**

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

The Towns of Mansfield, Norton and Foxboro are co-permittees for PART 1.B. UNAUTHORIZED DISCHARGES and PART 1.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 authorities are:

Town of Mansfield DPW - Sewer Division 6 Park Row Mansfield, MA 02048	Town of Norton Water & Sewer Department 166 John Scott Boulevard Norton, MA 02766	Town of Foxboro Water & Sewer Department 40 South Street Foxboro, MA 02035
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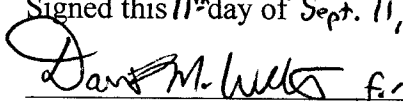
This permit will become effective on the first day of the calendar month immediately following sixty days after signature.


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

This permit supersedes the permit issued to the Town of Mansfield on April 9, 2004

This permit consists of **Part I** (19 pages including effluent limitations and monitoring requirements); **Attachments A** (USEPA Region 1 Freshwater Chronic Toxicity Test Procedure and Protocol, March 2013), **B** (USEPA Region 1 Freshwater Acute Toxicity Test Procedure and Protocol, February 2011) **C** (Reassessment of Technically Based Industrial Discharge Limits) and **D** (NPDES Permit Requirement For Industrial Pretreatment Annual Report), and **Part II** (25 pages including NPDES Part II Standard Conditions).

Signed this 11<sup>th</sup> day of Sept. 11, 2014

  
Ken Moraff, Director  
Office of Ecosystem Protection  
Environmental Protection Agency  
Boston, MA

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

PART I

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 001 to the Three Mile River. Such discharges shall be limited and monitored as specified below.

<u>EFFLUENT CHARACTERISTIC</u>							<u>EFFLUENT LIMITS</u>					<u>MONITORING REQUIREMENTS</u> <sup>3</sup>		
PARAMETER	AVERAGE MONTHLY	AVERAGE WEEKLY	AVERAGE MONTHLY	AVERAGE WEEKLY	MAXIMUM DAILY	AVERAGE WEEKLY	AVERAGE MONTHLY	AVERAGE WEEKLY	MAXIMUM DAILY	MEASUREMENT FREQUENCY	SAMPLE TYPE			
FLOW <sup>2</sup>	*****	*****	3.14 MGD	*****	Report MGD	*****	Report MGD	*****	Report MGD	CONTINUOUS	RECORDER			
FLOW <sup>2</sup>	*****	*****	Report MGD	*****	*****	*****	Report MGD	*****	*****	CONTINUOUS	RECORDER			
BOD <sub>5</sub> <sup>4</sup> (May 1-October 31)	262 lb/day	262 lb/day	10 mg/l	262 lb/day	10 mg/l	10 mg/l	10 mg/l	10 mg/l	Report mg/l	3/WEEK	24-HOUR COMPOSITE <sup>5</sup>			
BOD <sub>5</sub> <sup>4</sup> (November 1-April 30)	786 lb/day	1,178 lb/day	30 mg/l	1,178 lb/day	30 mg/l	45 mg/l	30 mg/l	45 mg/l	Report mg/l	3/WEEK	24-HOUR COMPOSITE <sup>5</sup>			
TSS <sup>4</sup> (May 1-October 31)	262 lb/day	262 lb/day	10 mg/l	262 lb/day	10 mg/l	10 mg/l	10 mg/l	10 mg/l	Report mg/l	3/WEEK	24-HOUR COMPOSITE <sup>5</sup>			
TSS <sup>4</sup> (November 1-April 30)	786 lb/day	1,178 lb/day	30 mg/l	1,178 lb/day	30 mg/l	45 mg/l	30 mg/l	45 mg/l	Report mg/l	3/WEEK	24-HOUR COMPOSITE <sup>5</sup>			
pH RANGE <sup>1</sup>	6.5 - 8.3 S.U. (SEE PERMIT PARAGRAPH I.A.1.b.)													
TOTAL RESIDUAL CHLORINE <sup>1,7</sup>	*****	*****	24 ug/l	*****	42 ug/l	*****	24 ug/l	*****	42 ug/l	2/DAY	GRAB			
FECAL COLIFORM <sup>1,6</sup> (April 1-October 31) (First year only, see note 6)	*****	*****	200 cfu/100 ml	*****	400 cfu/100 ml	*****	200 cfu/100 ml	*****	400 cfu/100 ml	2/WEEK	GRAB			
ESCHERICHIA COLI <sup>1,6</sup> (April 1-October 31) (Report only for first year, see note 6)	*****	*****	126 cfu/100 ml	*****	409 cfu/100 ml	*****	126 cfu/100 ml	*****	409 cfu/100 ml	2/WEEK	GRAB			
TOTAL COPPER	*****	*****	24 ug/l	*****	29 ug/l	*****	24 ug/l	*****	29 ug/l	1/MONTH	24-HOUR COMPOSITE <sup>5</sup>			
DISSOLVED OXYGEN (April 1-October 31)	NOT LESS THAN 6.0 mg/l													
	1/DAY													

CONTINUED FROM PREVIOUS PAGE

		EFFLUENT LIMITS					MONITORING REQUIREMENTS <sup>3</sup>		
		AVERAGE MONTHLY	AVERAGE WEEKLY	AVERAGE MONTHLY	AVERAGE WEEKLY	MAXIMUM DAILY	MEASUREMENT FREQUENCY	SAMPLE TYPE	
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 001 to the Three Mile River. Such discharges shall be limited and monitored as specified below.								
PARAMETER	AVERAGE MONTHLY	AVERAGE WEEKLY	AVERAGE MONTHLY	AVERAGE WEEKLY	MAXIMUM DAILY	MEASUREMENT FREQUENCY	SAMPLE TYPE		
AMMONIA-NITROGEN (April 1 - April 30)	262 lbs/day	*****	10 mg/l	*****	Report mg/l	2/WEEK	24-HOUR COMPOSITE <sup>5</sup>		
AMMONIA-NITROGEN (May 1 - May 31)	131 lbs/day	*****	5 mg/l	*****	Report mg/l	2/WEEK	24-HOUR COMPOSITE <sup>5</sup>		
AMMONIA-NITROGEN (June 1 - October 31)	26 lbs/day	*****	1 mg/l	*****	Report mg/l	2/WEEK	24-HOUR COMPOSITE <sup>5</sup>		
AMMONIA-NITROGEN (November 1 - March 31)	Report lbs/day	*****	30 mg/l	*****	Report mg/l	1/MONTH	24-HOUR COMPOSITE <sup>5</sup>		
TOTAL NITROGEN <sup>8</sup> (May 1 - October 31)	131 lbs/day	*****	Report mg/l	*****	Report mg/l	2/WEEK	24-HOUR COMPOSITE <sup>5</sup>		
TOTAL NITRATE NITROGEN	Report lbs/day		Report mg/l		Report mg/l				
TOTAL NITRITE NITROGEN	Report lbs/day		Report mg/l		Report mg/l				
TOTAL KJELDAHL NITROGEN	Report lbs/day		Report mg/l		Report mg/l				
TOTAL NITROGEN <sup>8,9</sup> (November 1 - April 30)	Report lbs/day	*****	Report mg/l	*****	Report mg/l	1/MONTH	24-HOUR COMPOSITE <sup>5</sup>		
TOTAL NITRATE NITROGEN	Report lbs/day		Report mg/l		Report mg/l				
TOTAL NITRITE NITROGEN	Report lbs/day		Report mg/l		Report mg/l				
TOTAL KJELDAHL NITROGEN	Report lbs/day		Report mg/l		Report mg/l				
TOTAL PHOSPHORUS <sup>8</sup> (April 1 - October 31)	4.45 lbs/day	*****	0.17 mg/l	*****	Report mg/l	2/WEEK	24-HOUR COMPOSITE <sup>5</sup>		
TOTAL PHOSPHORUS (November 1 - March 31)	26 lbs/day	*****	1.0 mg/l	*****	Report mg/l	1/MONTH	24-HOUR COMPOSITE <sup>5</sup>		

CONTINUED FROM PREVIOUS PAGE

EFFLUENT CHARACTERISTIC						EFFLUENT LIMITS				MONITORING REQUIREMENTS <sup>3</sup>		
PARAMETER	AVERAGE MONTHLY	AVERAGE WEEKLY	AVERAGE MONTHLY	AVERAGE WEEKLY	MAXIMUM DAILY	MEASUREMENT FREQUENCY	SAMPLE TYPE					
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 the Three Mile River. Such discharges shall be limited and monitored as specified below.												
WHOLE EFFLUENT TOXICITY <sup>10, 11, 12, 13</sup>	Acute LC <sub>50</sub> ≥ 100% Chronic C-NOEC ≥ 45%										4/YEAR	24-HOUR COMPOSITE <sup>5</sup>
Hardness <sup>14</sup>	*****	*****	*****	*****	*****	Report mg/l	24-HR COMP <sup>5</sup>					
Ammonia Nitrogen as N <sup>14</sup>	*****	*****	*****	*****	*****	Report mg/l	24-HR COMP <sup>5</sup>					
Total Recoverable Aluminum <sup>14</sup>	*****	*****	*****	*****	*****	Report mg/l	24-HR COMP <sup>5</sup>					
Total Recoverable Cadmium <sup>14</sup>	*****	*****	*****	*****	*****	Report mg/l	24-HR COMP <sup>5</sup>					
Total Recoverable Copper <sup>14</sup>	*****	*****	*****	*****	*****	Report mg/l	24-HR COMP <sup>5</sup>					
Total Recoverable Nickel <sup>14</sup>	*****	*****	*****	*****	*****	Report mg/l	24-HR COMP <sup>5</sup>					
Total Recoverable Lead <sup>14</sup>	*****	*****	*****	*****	*****	Report mg/l	24-HR COMP <sup>5</sup>					
Total Recoverable Zinc <sup>14</sup>	*****	*****	*****	*****	*****	Report mg/l	24-HR COMP <sup>5</sup>					

Sampling Location: Composite sampling just after filtration; flow measured at Parshall flume after filtration; grab samples taken after chlorine contact chamber

## 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 4. 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. Fecal coliform and *Escherichia coli* bacteria limits and monitoring requirements are in effect during the period April 1 through October 31 only, to reflect the seasonal disinfection period. The average monthly limits for fecal coliform and *E. coli* are expressed as geometric means. Samples for fecal coliform bacteria and *E. coli* shall be taken concurrently. *E. coli* monitoring shall be conducted concurrently with a total residual chlorine sample.

The fecal coliform limits and monitoring requirements are in effect until one year from the permit effective date. The fecal coliform limits and monitoring requirements will end one year from the permit effective date.

The *E. coli* effluent limitations go into effect one year from the permit effective date. The monitoring and report requirements for *E. coli* go into effect on the effective date of this permit. The monitoring frequency for *E. coli* is 1/month until one year from the permit effective date and 2/week thereafter.

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 year-round.

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.

Within one year of the permit effective date, the 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 comply with the 0.17 mg/l total phosphorus limit, the 131 lb/day total nitrogen limit and the optimization requirement of footnote 9 in accordance with the schedule contained in Section F below. Upon the effective date of the permit, and until the date specified in Section F below for compliance with the total nitrogen final limit of 131 lb/day, monitoring for total nitrogen during the May 1 to October 31 period shall be conducted once per week.
9. The permittee shall operate the treatment facility to reduce the discharge of total nitrogen during the months of November to April to the maximum extent possible. All available treatment equipment in place at the facility shall be operated unless equal or better performance can be achieved in a reduced operational mode. The addition of a carbon source that may be necessary in order to meet the total nitrogen limit during the months of May through October is not required during the months of November through April.
10. The permittee shall conduct chronic and acute toxicity tests *four* times per year. The permittee shall test the daphnid, Ceriodaphnia dubia, and the fathead minnow, Pimephales promelas. 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 March 31, June 30, September 30 and December 31, respectively. The tests must be performed in accordance with test procedures and protocols specified in **Attachments A and B** of this permit.

Test Dates Second Week in	Submit Results By:	Test Species	Acute Limit LC <sub>50</sub>	Chronic Limit C-NOEC
February May August November	March 31 June 30 September 30 December 31	<u>Ceriodaphnia dubia</u> (daphnid) <u>Pimephales promelas</u> (fathead minnow)	≥ 100%	≥ 45%

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.

11. 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.
12. 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 a 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 “45% or greater” limit is defined as a sample which is composed of 45% (or greater) effluent, the remainder being dilution water.
13. 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 this 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 outlined in **Attachment A**.

14. For each whole effluent toxicity test the permittee shall report on the appropriate discharge monitoring report, (DMR), the concentrations of the hardness, ammonia nitrogen as nitrogen, total recoverable aluminum, cadmium, copper, lead, nickel, and zinc found in the 100 percent effluent sample. All these aforementioned chemical parameters shall be determined to at least the minimum quantification level shown in **Attachment A**. Also the permittee should note that all chemical parameter results must still be reported in the appropriate toxicity report.

**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.
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**

This permit authorizes discharges only from the outfall(s) listed in Part I.A.1. and only in accordance with the terms and conditions 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 General Requirements of this permit (Twenty-four hour reporting).

Notification of SSOs to MassDEP shall be made on its SSO Reporting Form (which includes MassDEP Regional Office telephone numbers). The reporting form and instruction for its completion may be found on-line at <http://www.mass.gov/eea/agencies/massdep/service/approvals/sanitary-sewer-overflow-bypass->

backup-notification.html.

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

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

1. Maintenance Staff

The permittee 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 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 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 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 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 completed, implemented and submitted 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;
  - (7) An educational public outreach program for all aspects of I/I control, particularly private inflow; and
  - (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 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 its design flow (2.5 MGD) based on the annual average flow during the reporting year, 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 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.

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

**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
  - Monitoring
  - Reporting

Which of the 40 C.F.R. 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>

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<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>



- 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:
  - 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 USERS AND PRETREATMENT PROGRAM**

- 1. The permittee shall develop and enforce specific effluent limits (local limits) for Industrial User(s), and all other users, as appropriate, which together with appropriate changes in the POTW Treatment Plant's Facilities or operation, are necessary 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 (120 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 of 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 C) 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. 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):
  - a. 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.
  - b. 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.
  - c. Obtain appropriate remedies for noncompliance by any industrial user with any pretreatment standard and/or requirement.
  - d. Maintain an adequate revenue structure for continued implementation of the Pretreatment Program.
3. The permittee shall provide the EPA and MassDEP with an annual report describing the permittee's pretreatment program activities for the twelve (12) month period ending 60 days prior to the due date in accordance with 403.12(i). The annual report shall be consistent with the format described in Attachment D of this permit and shall be submitted no later than **October 1** of each year.
4. 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).

5. 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.
6. The permittee must modify its pretreatment program, if necessary, 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 this permit's effective date proposed changes, if applicable, 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; and (3) slug control evaluations. The permittee will implement these proposed changes pending EPA Region I's approval under 40 CFR 403.18. This submission is separate and distinct from any local limits analysis submission described in Part I.E.1.

#### **F. COMPLIANCE SCHEDULE**

In order to comply with the new permit limits for total nitrogen and total phosphorus, the permittee shall take the following actions:

1. Within one year of the effective date of the permit, the Permittee shall submit to EPA and MassDEP a status report relative to the planning and design of the facilities necessary to achieve the total nitrogen and total phosphorus permit limits.
2. Within two years of the effective date of the permit, the Permittee shall complete design of the facility improvements required to achieve the total nitrogen and total phosphorus permit limits.
3. Within three years of the effective date of the permit, the Permittee shall initiate construction of the facility improvements required to achieve the total nitrogen and total phosphorus permit limits.
4. Within four years of the effective date of the permit, the Permittee shall submit to EPA and MassDEP a status report relative to construction of the facility improvements required to achieve the total nitrogen and total phosphorus permit limits.
5. The permit limits of 131 lb/dayl total nitrogen and 0.17 mg/l total phosphorus shall go into effect sixty (60) months from the effective date of the permit. Until such date the existing permit limit of 0.20 mg/l total phosphorus shall remain in effect.
6. The permittee shall notify EPA and MassDEP of its compliance or noncompliance with the requirements of this part in writing no later than 14 days after each interim or final date of compliance.

**G. 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.

As NetDMR requires that reports be submitted as an attachment to a DMR, any report required under this permit shall be considered to be timely if it is electronically submitted to EPA with the next DMR due following the permit-specified report due date.

- 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 be 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 – Southeast Region**  
**Bureau of Resource Protection**  
**20 Riverside Drive**  
**Lakeville, MA 02347**

Copies of toxicity tests and nitrogen optimization 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.

**H. 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 C.F.R. 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.