



COMPREHENSIVE WASTEWATER
MANAGEMENT PLAN
SUPPLEMENTAL REPORT
JULY 2021

Manchester-by-the-Sea, MA

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SECTION 1 – INTRODUCTION

1.1 Purpose

The purpose of this report is to provide supplemental information relative to the 2016 Comprehensive Wastewater Management Plan (CWMP) prepared by CDR Maguire to reflect additional work completed to date as well as address comments provided by Massachusetts Department of Environmental Protection (MassDEP).

This supplemental report includes sections for the new 2020 National Pollutant Discharge Elimination System (NPDES) discharge permit, additional sewer rehabilitation work that has been completed since the 2016 submittal, and a summary of the 2018 Wastewater Treatment Plant (WWTP) Evaluation and other work completed since the 2016 CWMP submittal.

SECTION 2 – EXECUTIVE SUMMARY

2.1 Executive Summary

Comments received from MassDEP on December 23, 2020 regarding executive summary revisions have been addressed in the final August 2016 CWMP document.

The Massachusetts Environmental Policy Act (MEPA) Thresholds section within the executive summary states that no aspects of the CWMP requires filing of an Environmental Notification Form (ENF) or Environmental Impact Report (EIR). While a MEPA review may not be required for the primary recommendation, filing of an ENR or EIR may be required if a secondary alternative is undertaken, specifically the Raymond Street expansion. Additional review of the area should be completed should this alternative be selected in the future.

SECTION 3 – On-Site Wastewater Management Plan (OSWMP)

3.1 OSWMP

Comments received from MassDEP on December 23, 2020 regarding the On-Site Wastewater Management Plan (OSWMP) have been addressed in the final August 2016 CWMP document.

Following the 2016 CWMP submittal, the Town's Board of Health (BOH) Department has taken steps in updating their OSWMP. The BOH has gone through sensitive neighborhoods, one by one, including West Manchester, Ocean Street, and Raymond Street. The BOH has reviewed the existing system record history in these areas. In addition, Title V inspections are regularly requested as part of the program and the BOH oversees

any updates made to the systems. Inspections are also required during building permit review and approvals for properties with on-site septic systems.

Formal adoption of the OSWMP is currently pending and expected to be reviewed in upcoming BOH Meetings.

SECTION 4 – NPDES DISCHARGE PERMIT

4.1 2020 NPDES Permit

The Town of Manchester-by-the-Sea is currently operating under the U.S. Environmental Protection Agency (EPA) National Pollutant Discharge Elimination System (NPDES) Permit No. MA0100871. A new NPDES Permit was issued by the U.S. Environmental Protection Agency (EPA) on April 10, 2020 to the Manchester-by-the-Sea Wastewater Treatment Plant which supersedes the permit issued on June 28, 2011. The permit is issued for a five-year period from the last day of the month proceeding the effective date.

The Manchester WWTF NPDES current permit limits the wastewater flow to 0.67 million gallons per day on a 12-month rolling average. The flow limit has been revised from the previous permit issued in 2011 to an annual rolling average, eliminating the two seasonal limits.

The Wastewater Treatment Plant is authorized to discharge treated effluent to Manchester Bay under the limits and monitoring requirements set forth by the permit.

Similar to the previously issued permit, treatment limits under the 2020 permit require the plant to treat the incoming wastewater to secondary treatment limits (30/30 limit). The 30/30 limit is a measure of the quality of the effluent and is defined as 30 mg/l BOD and a 30 mg/l TSS. New Limits and conditions of the permit are attached to this report in Appendix A.

The Town is currently in the process of completing the requirements set forth by the NPDES permit including Collection System Mapping and a Collection System Operation and Maintenance Plan (O&M).

SECTION 5 – SEWER REHABILITATION WORK

5.1 General

Many Inflow and Infiltration (I/I) removal efforts have been made since the original CWMP submittal in 2016. All completed sewer rehabilitation work has been reported in semi-annual status report submittals as required by Paragraph 23 (d) of the Administrative Consent Order (ACOP-NE-13-IN003). Semi-annual reports are submitted on or before January 2 and July 1 of each calendar year. An NPDES I/I update report is also submitted to EPA yearly identifying the actions taken by the Town to prevent I/I related effluent limit violations, and all unauthorized discharges of wastewater.

5.2 Sewer Rehabilitation by Year

A map of all sewer rehabilitation that has been completed since 2015 is shown in Figure No. 5-1.

2015-2016 Rehabilitation

Approximately 3,200 linear feet (LF) of closed-circuit television (CCTV) inspection was completed in 2015 under the 2015-2016 Sewer Rehabilitation Contract, awarded to Insituform Technologies. Additional CCTV was completed in 2016 and consisted of all remaining vitrified clay (VC) pipe within Basins 1, 5, and 6 as well as the piping influent to the Old Essex Road PS. In total, over 18,000 linear feet of sewer was subject to CCTV inspection during 2015-2016.

Approximately 200 manholes were inspected in Basins 2, 3, and 5 and 167 manholes were inspected in subareas 4 and 6. These manhole investigations completed the manhole investigation work throughout the entire collection system.

Subsequent to the CCTV and manhole investigations, collection system rehabilitation was completed within Basin 1 based on sewer deficiencies found. Sewer rehabilitation work consisted of cured in place pipe (CIPP) sewer lining, point repairs, manhole lining/repairs, root treatment, and additional CCTV inspection. Rehabilitation included 9,200 linear feet of sewer line cleaning, 2,392 linear feet of root treatment, and 7,046 linear feet of sewer lining installations.

2017 Rehabilitation

In 2017, the Town issued an additional sewer rehabilitation contract which included approximately 6,373 linear feet of additional CCTV inspection with a focus in Basins 1, 2, and 5 as well as the Harbor Loop in Subarea 6. The contract was awarded to Rapid Flow Inc.

The Town installed a manhole in place of a cleanout identified as MH 125 in the Harbor Loop. This installation allowed access into the sewer for the completion of CCTV in the

Harbor Loop. Heavy cleaning was then performed on the highly corroded pipes and further inspection of the manholes was completed. A collapse in the sewer was identified between MH 122 and MH 123, 112 feet downstream of MH 123. An emergency repair was performed in September 2017 through an emergency permit obtained by the Town. The treatment plant reported an approximately 55,000 gallons per day (gpd) decrease in flow following the repair, which equates to 8 percent of the permitted flow.

Additional sewer rehabilitation work within the contract included 7,571 linear feet CIPP sewer lining, 550 linear feet pipe replacement, point repairs, 103 manhole repairs, root treatment, and additional recommended CCTV inspection.

The Town also performed the repair of a break on Beach Street during this time where a significant infiltration source was found.

2019-2021 Rehabilitation

In 2019, the Town issued the Harbor Loop Sewer Lining contract. Green Mountain Pipeline Services, LLC was contracted to perform 1,150 linear feet of CIPP sewer lining along the entire length of the Harbor Loop sewer. The service laterals located along the Harbor Loop area were also lined in areas of tidal influence. Associated manholes on the Harbor Loop sewer were also epoxy lined and watertight manhole covers installed.

Over 5,000 linear feet of CCTV investigation was included in the contract to inspect areas in Town with suspected I/I as directed by the Town. As a result of the investigations 2,650 linear feet of CIPP sewer lining was performed as recommended. Additionally, a total of over 4,000 linear feet of additional CIPP lining of known system deficiencies identified in previous investigations were also included in the contract.

The added sewer lining covered additional areas of tidal influence and river influence, and areas with known high groundwater. With the completion of the Harbor Loop Sewer Lining contract, the suspected areas for saline intrusion have been rehabilitated including the Harbor Loop area and Beach Street area. A map of all sewer rehabilitation completed in the Harbor Loop Sewer Lining contract is shown in Figure No. 5-2.

5.3 Salinity Analysis

The Town of Manchester-by-the-Sea has performed salinity testing since 2012 to target suspected locations of saltwater intrusion sources in the system. Salinity metering and additional investigations led to rehabilitation of the Beach Street Sewer in 2013 eliminating approximately 29,000 gpd of tidal infiltration located 30 feet downstream of MH 155A. The Town subsequently identified and removed the tidal infiltration source identified as a leaking service in September 2013. Once this repair was made, there was a significant decrease in the salinity measured in the Beach Street system.

Since the CWMP was submitted in 2016, salinity meters were installed in 2016, 2018, and 2020. The two areas of concern with salinity intrusion were metered to compare to past data; Beach Street area and the Harbor Loop area.

The 2016 metering and investigations led to the rehabilitation in both the Beach Street and Harbor Loop areas. Rehabilitation on the Beach Street sewer in 2017, downstream of MH 155A, eliminated approximately 2,900 gpd of tidal intrusion. Following, rehabilitation of the Harbor Loop sewer in 2017 was performed as an emergency repair eliminating approximately 55,000 gpd of tidal intrusion as mentioned previously.

Salinity metering in 2020 was performed to compare data following the rehabilitation in the sewer of both areas. The metering results indicated that there is likely still some infiltration of saltwater occurring in the Beach Street area. However, the salinity levels are consistent with previous year studies and remain relatively low. Following the 2020 metering, the Town performed additional lining of the Beach Street sewer and Harbor Loop area not previously lined to complete rehabilitation in the suspected area. Additionally, sewer lining was completed on Central Street and Bridge Street along the harbor.

In the Harbor Loop area, the depth of flow in the system was consistent during low and high tides indicating there are no additional significant tidal inflow sources present.

Since sewer rehabilitations have been performed in both the Harbor Loop and Beach Street areas, the Manchester-by-the-Sea treatment facility has not reported any issues concerning salinity affecting the treatment at the plant. Though there is salinity present in the system, the levels do not appear to be significant. Further, the salinity levels found currently are not impacting the performance of processes at the plant. The Town is continuing to monitor and perform preventative maintenance including CCTV and manhole inspections of the coastal areas to prevent any future issues.

5.4 Sump Pump Removal

In accordance with the ACOP-NE-13-1N003, the Town was required to develop and maintain a plan for the removal of illicit sump pump connections discharging into the sewer collection system. Sump pump connections to the sewer system are considered to be a possible contributor to I/I into the system.

The Town implemented an ongoing Sump Pump Inspection Program in 1993 to reduce the number of sump pumps illicitly connected to the system. This was completed by including a sump pump inspection with the final water meter reading that accompanies the sale of a house. During a property transfer, a homeowner typically requests an inspection as well as a final water meter reading from the Water Department. During this time, sump pump inspections are completed as well.

For each inspected parcel in the database, the following information is provided:

- Parcel Owner

- Street Address
- Date Mailed-Owners must provide written notice to the Town in advance of property transfer in order to arrange for sump pump inspection. The mailing dates of such notices are recorded.
- Response Date – Upon receipt of notification by a property owner, the Town subsequently provides a written response. The mailing dates of such notices are recorded.
- Inspection Date – Date inspection was carried out by a representative inspector appointed by the Town.
- Compliance Date – Date a noncompliant property was verified as compliant, through the removal of an illicit sump pump and subsequent re-inspection. If upon inspection no sump pump is found, no Compliance Date was recorded. If a compliant sump pump (discharging outside, instead of into the sewer) was found, a Compliance Date matching the Inspection Date was recorded.

In 2015, CDR Maguire prepared a memorandum which assessed the Town's existing sump pump removal program and effectiveness of the inspection protocol. The document also estimated the potential impact of illicit sump pump connections based on historical findings. According to the 2015 report, a total of 589 parcels within the collection system were found to have been inspected as part of the Town's existing program which represents approximately 48.2 percent of the sewer service area. Of the parcels inspected, a total of nine illicit sump pump connections were discovered and corrected (1.5 percent).

A total of 48.2 percent of parcels in the system have been inspected for illicit sump pump connections and if these are representative of the entire system, it is assumed that there are ten additional illicit sump pump connections remaining in the system. If these connection locations are similar to those found thus far, it is likely they will be scattered throughout the system and not confined to one area.

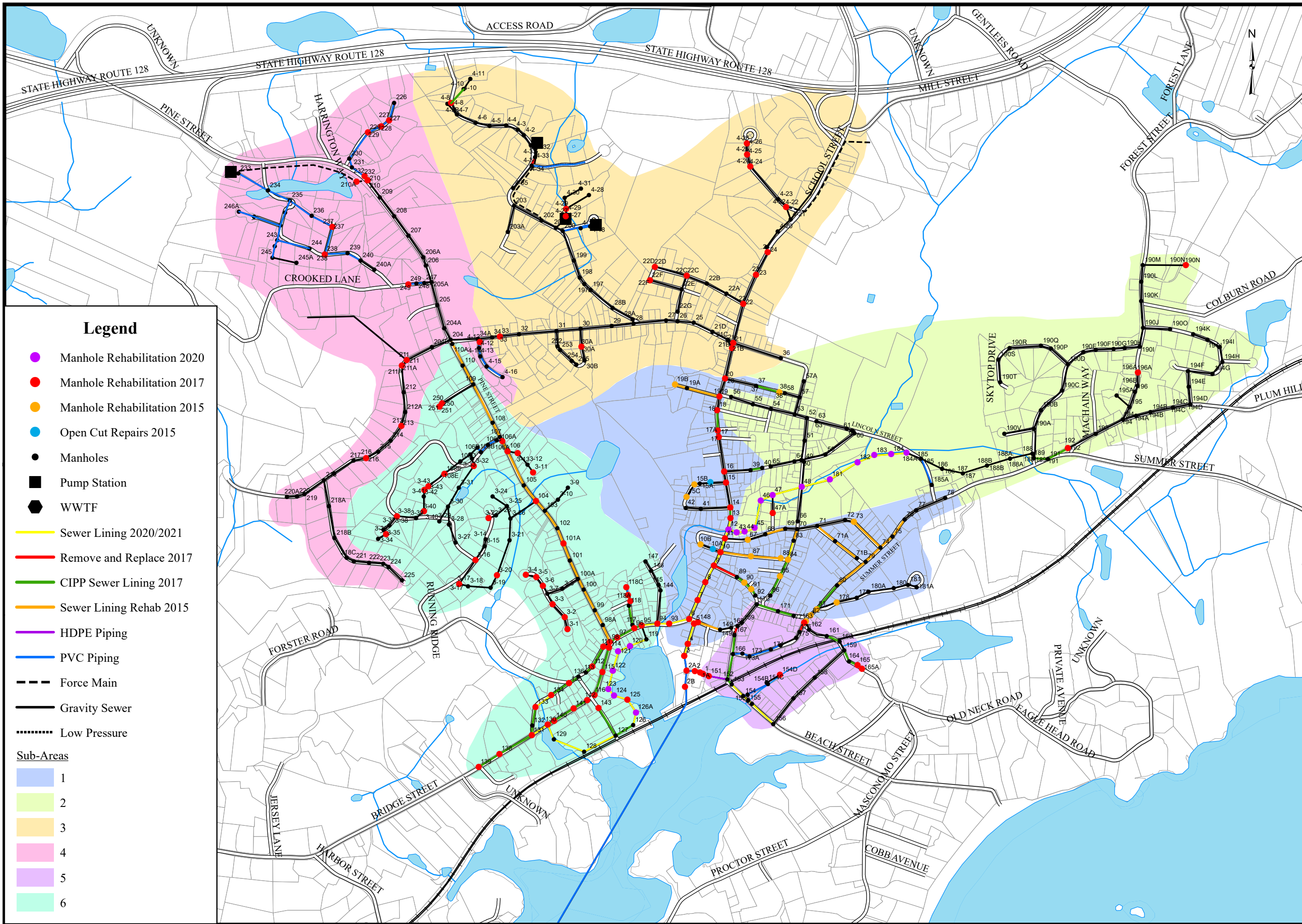
The findings of the memo concluded that the current Sump Pump Inspection Program is sufficient to meet the Town's needs and a more robust program is not necessary; however, the Town should maintain inspecting parcels during final reads.

From 2014 to present, an additional 134 parcels within the collection system were recorded as inspected by the Town as part of the existing program. Of the parcels inspected, no illicit sump pump connections were found to be tied into the system.

In March 2020, a flow monitoring program was performed in accordance with the Post Monitoring Plan. Flow hydrographs from Meters 5, 6, and 7 all showed consistent spikes in flow which could indicate that sump pumps are present in those subareas. This could be

contributing to increased inflow. Further investigation into these subareas is planned to locate possible illicit sump pump connections to the sewer system.

The Town continues to utilize their sump pump program using property transfer opportunities to inspect and identify illicit sump pumps. Additionally, inflow investigations are performed as needed based on data collected during flow metering programs performed.



Legend

- Manhole Rehabilitation 2020
 - Manhole Rehabilitation 2017
 - Manhole Rehabilitation 2015
 - Open Cut Repairs 2015
 - Manholes
 - Pump Station
 - ⬢ WWTF
 - Sewer Lining 2020/2021
 - Remove and Replace 2017
 - CIPP Sewer Lining 2017
 - Sewer Lining Rehab 2015
 - HDPE Piping
 - PVC Piping
 - Force Main
 - Gravity Sewer
 - ⋯ Low Pressure
- Sub-Areas**
- 1
 - 2
 - 3
 - 4
 - 5
 - 6

Figure No.

5-1

Sewer Collection System Rehabilitation
Manchester by the Sea, Massachusetts



TATA & HOWARD

Date: July 2021

Scale: 1" = 900'

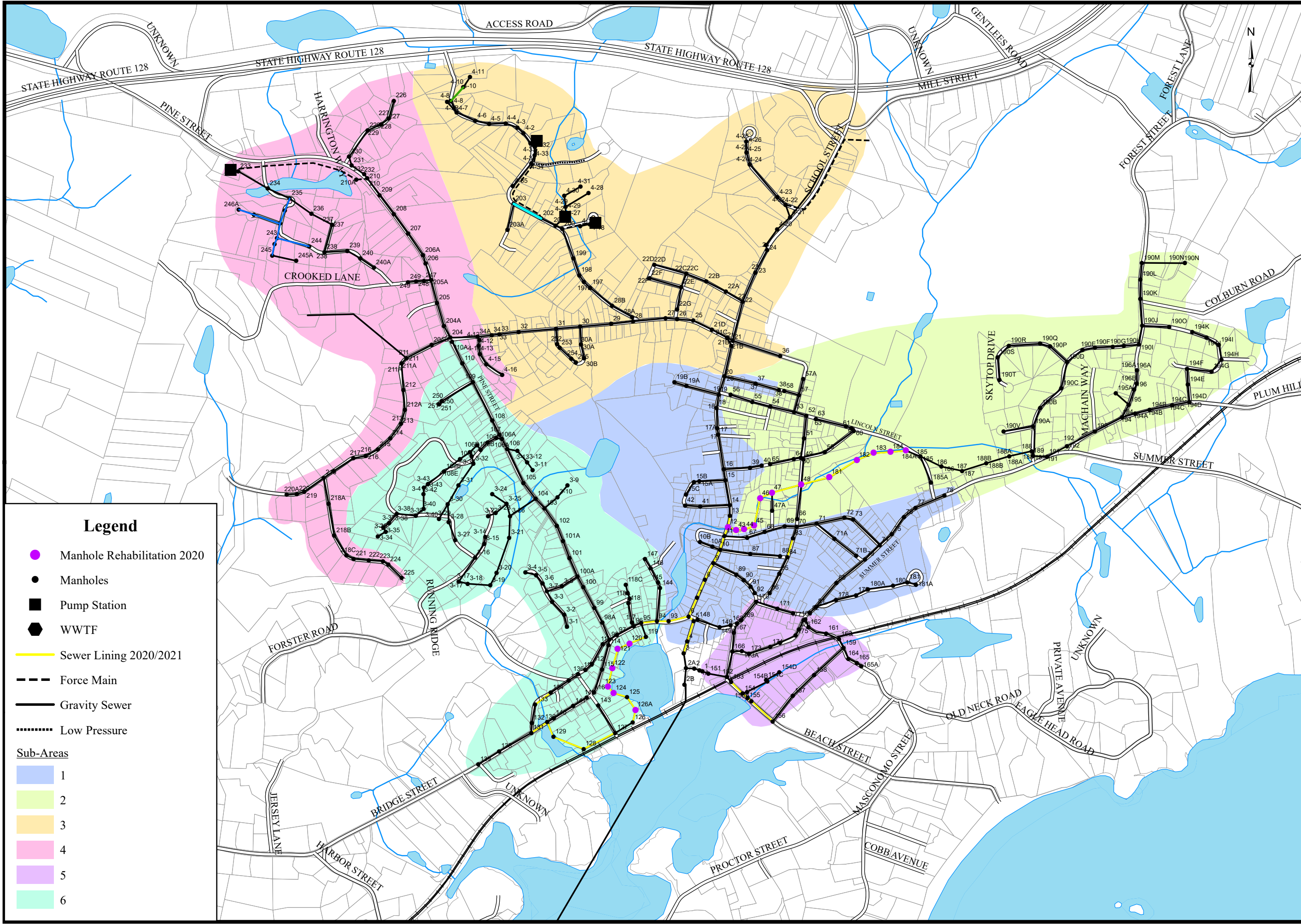


Figure No.

5-2

2020/2021 Sewer Collection System Rehabilitation

Manchester by the Sea, Massachusetts



TATA & HOWARD

Date: July 2021 Scale: 1" = 900'

SECTION 6 – 2018 WWTP EVALUATION

6.1 General

On March 29, 2018, Tata & Howard (T&H) submitted a Wastewater Treatment Plant Evaluation to the Town of Manchester-by-the-Sea (MBTS). The purpose of this evaluation was to identify specific recommendations for improvements to the MBTS WWTF.

In May 2017, T&H visited the MBTS WWTP to evaluate the equipment and processes and determine if the standards set forth by *TR-16 Guides for the Design of Wastewater Treatment Works (TR-16 Guides)* and *Recommended Standards for Wastewater Facilities (10 State Standards)* were met for the actual flows seen by the plant. Detailed descriptions and conditions were provided for the equipment and processes.

The recommended improvements were broken into two phases due to the number of recommendations as well as the capital investment required. The priority of each improvement was based on the risk of failure and consequence of failure. See Table No. 6-1 and Table No. 6-2 for summary of recommended improvements.

**Table No. 6-1
Phase I: Recommended Improvements**

Concern	Category	Priority	Recommended Improvement
Heating system	Capital improvement	Immediate*	Comprehensive heating upgrades for all buildings
Influent pump cavitation adjustments	Capital improvement	High	Adjust SCADA to limit speed to reduce potential for cavitation
Chlorine analyzer	Capital improvement	High	Replace chlorine analyzer
Sludge pump and valve replacement	Capital improvement	High	Replace sludge pumps with larger impellers. Replace all sludge valves.
Grit screw housing	Capital improvement	High	Replace unit.
SCADA and control panels upgrade	Capital improvement	High	Comprehensive SCADA and control upgrade
Motors in classified area	Capital improvement	High	Upgrade wiring and equipment for Class 1 Division 1 Area
Wiring in Headworks Building	Capital improvement	High	Upgrade wiring and equipment for Class 1 Division 1 Area
Wiring in sludge thickening room	Capital improvement	High	Upgrade wiring and equipment for Class 1 Division 1 Area

Table No. 6-1 (Continued)
Phase I: Recommended Improvements

Concern	Category	Priority	Recommended Improvement
Gas detection	Capital improvement	High	Inspect and replace all gas detection devices
Electrical manholes and conduits	Capital improvement	High	Inspect, and repair as needed
Aeration blower automation	Capital improvement	High	Automate blower operation with DO probe
Aeration Operation	Capital improvement	Medium	
New plant water system	Capital improvement	Medium	Install new plant water system
Sludge disposal improvements	Capital improvement	Medium	Install equipment for storage and handling of sludge discharge hose
Float trees & level sensors in the clarifiers	Capital improvement	Medium	Replace level measurement devices and mounting hardware
RAS pump room to exit door stairwell	Capital improvement	Medium	Repair and/or replace stairs, install dehumidifier
Influent wet well mixers	Capital improvement	Medium	Install wet well mixers.
All electrical rooms HVAC	Capital improvement	Medium	HVAC upgrades including A/C units for all buildings
Rotary drum thickener	Capital improvement	Medium	Replace TS pump and polymer feed system
Main switch gear	Capital improvement	Medium	Inspect and replace all surge protection devices as needed
New mechanical screens at Headworks	Capital improvement	Medium	Install new mechanical screens
All gear, MCCs, panels, etc.	Capital improvement	Medium	Install new lightning protection system
All gear, MCCs, panels, etc.	Capital improvement	Medium	Install new grounding connections/systems
VFDs in electrical room	Capital improvement	Medium	Install new grounding connections/systems

**Table No. 6-2
Phase II: Recommended Improvements**

Concern	Category	Priority	Recommended Improvement
Activated sludge process	Capital improvement	Medium	Test and implement activated sludge operational adjustments
Aeration blower replacement/resizing	Capital improvement	Low	Replace one existing unit with two smaller units
Upgrade froth spray and chlorine pumping system	Capital improvement	Low	Install froth spray system with chlorine injection
Drain in WAS and TS tanks to storm drain	Capital improvement	Low	Reroute drains
Septage Upgrades	Capital improvement	Low	Update WWTP to accept septage
Security system	Capital improvement	Low	Replace non functioning elements of security system
Yard lighting	Capital improvement	Low	Install exterior lighting
Lighting	Capital improvement	Low	Replace remaining interior light fixtures
Effluent pump replacement	Capital improvement	Low	Replace one existing unit with two smaller units

In 2019, the Town issued the WTP & WWTP Heating System Replacement contract which completed upgrades to the heating system in all buildings of the WWTP. Currently, the Town is in the process of upgrading the return activated sludge (RAS) pumps, sludge pumps, and grit classifier. Implementation of remaining recommended phased upgrades from the WWTP evaluation are planned to begin fiscal year 2023.

SECTION 7 – CONCLUSION

The CWMP along with this supplemental update is intended to be a tool for the Town over the next 20-year planning period and will be made available to use by Town staff upon approval. The recommended plan is a comprehensive strategy for wastewater management for the Town. Hard copies are provided to the DPW Director and WWTP Chief Operator to serve as a guide.

The Town has completed significant rehabilitation to the sewer collection system and is committed to maintaining the sewer collection into the future with its ongoing I/I program. The I/I removal plan has had significant effect on the infiltration and inflow in the system. A review of the WWTF flow indicates that the 12-month rolling average has not exceeded the 80% permitted flow threshold since the December 2011/January 2012 occurrence

which triggered the ACO issuance. The 12-month rolling average flow as of June 2021 is 48.1% of permitted flow.

Any planned sewer extension and connections will be coordinated with the ongoing I/I removal program so that flows to the treatment plant remain within design parameters of the plant and the Town's NPDES permit. The Town is committed to addressing any I/I issues found within the collection system to prevent any violations to the plant's NPDES discharge permit.

Appendix A

**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),

Town of Manchester-by-the-Sea, Massachusetts

is authorized to discharge from the facility located at

**Manchester-by-the-Sea Wastewater Treatment Plant
12 Church Street
Manchester-by-the-Sea, MA 01944**

to receiving water named

Manchester Bay (Salem Sound)

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

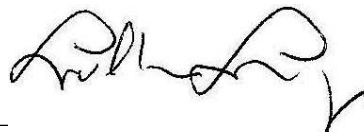
This permit shall become effective on the date of signature.

This permit expires at midnight, five years from the last day of the month preceding the effective date.

This permit supersedes the permit issued on June 28, 2011.

This permit consists of the cover page(s), **Part I, Attachment A** (Marine Acute Toxicity Test Procedure and Protocol, July 2012) and **Part II** (NPDES Part II Standard Conditions, April 2018).

Signed this day of



Ken Moraff, Director
Water Division
Environmental Protection Agency
Region 1
Boston, MA

Lealdon Langley, Director
Division of Watershed Management
Department of Environmental Protection
Commonwealth of Massachusetts
Boston, MA

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. During the period beginning on the effective date and lasting through the expiration date, the Permittee is authorized to discharge treated effluent through Outfall Serial Number 001 to Manchester Bay. The discharge shall be limited and monitored as specified below; the receiving water and the influent shall be monitored as specified below.

Effluent Characteristic	Effluent Limitation			Monitoring Requirements ^{1,2,3}	
	Average Monthly	Average Weekly	Maximum Daily	Measurement Frequency	Sample Type ⁴
Effluent Flow ⁵	0.67 MGD Rolling Average	---	---	Continuous	Recorder
Effluent Flow ⁵	Report, MGD		Report, MGD	Continuous	Recorder
BOD ₅	30 mg/L 165 lb/day	45 mg/L 252 lb/day	Report mg/L	2/week	Composite
BOD ₅ Removal	≥ 85 %	---	---	---	---
TSS	30 mg/L 165 lb/day	45 mg/L 252 lb/day	Report mg/L	2/week	Composite
TSS Removal	≥ 85 %	---	---	---	---
pH Range ⁶	6.5 - 8.5 S.U.			1/day	Grab
Total Residual Chlorine ^{7,8}	Report mg/L	---	1.0 mg/L	3/day	Grab
Fecal Coliform ⁸	14 organisms/ 100 mL	---	28 organisms/ 100 mL	1/week	Grab
<i>Enterococci</i> ⁸	35 colonies/ 100 mL	---	104 colonies/ 100 mL	1/week	Grab
Total Nitrogen ⁹	Report mg/L Report lb/day	---	Report mg/L Report lb/day	1/month	Composite
Total Kjeldahl Nitrogen	Report mg/L Report lb/day	---	Report mg/L Report lb/day	1/month	Composite
Total Nitrate + Nitrite	Report mg/L Report lb/day	---	Report mg/L Report lb/day	1/month	Composite

Effluent Characteristic	Effluent Limitation			Monitoring Requirements ^{1,2,3}	
	Average Monthly	Average Weekly	Maximum Daily	Measurement Frequency	Sample Type ⁴
Whole Effluent Toxicity (WET) Testing^{10,11}					
LC ₅₀	---	---	≥ 50 %	2/year	Composite
Salinity	---	---	Report ppt	2/year	Composite
Ammonia Nitrogen	---	---	Report mg/L	2/year	Composite
Total Cadmium	---	---	Report mg/L	2/year	Composite
Total Copper	---	---	Report mg/L	2/year	Composite
Total Nickel	---	---	Report mg/L	2/year	Composite
Total Lead	---	---	Report mg/L	2/year	Composite
Total Zinc	---	---	Report mg/L	2/year	Composite

Ambient Characteristic ¹²	Reporting Requirements			Monitoring Requirements ^{1,2,3}	
	Average Monthly	Average Weekly	Maximum Daily	Measurement Frequency	Sample Type ⁴
Salinity	---	---	Report ppt	2/year	Grab
Ammonia Nitrogen	---	---	Report mg/L	2/year	Grab
Total Cadmium	---	---	Report mg/L	2/year	Grab
Total Copper	---	---	Report mg/L	2/year	Grab
Total Nickel	---	---	Report mg/L	2/year	Grab
Total Lead	---	---	Report mg/L	2/year	Grab
Total Zinc	---	---	Report mg/L	2/year	Grab
pH ¹³	---	---	Report S.U.	2/year	Grab
Temperature ¹³	---	---	Report °C	2/year	Grab

Influent Characteristic	Reporting Requirements			Monitoring Requirements ^{1,2,3}	
	Average Monthly	Average Weekly	Maximum Daily	Measurement Frequency	Sample Type ⁴
BOD ₅	Report mg/L	---	---	2/month	Composite
TSS	Report mg/L	---	---	2/month	Composite

Footnotes:

1. Effluent samples shall yield data representative of the discharge. 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. The Permittee shall report the results to the Environmental Protection Agency Region 1 (EPA) and the State of any additional testing above that required herein, if testing is in accordance with 40 C.F.R. Part 136.
2. In accordance with 40 C.F.R. § 122.44(i)(1)(iv), the Permittee shall monitor according to sufficiently sensitive test procedures (i.e., methods) approved under 40 C.F.R. Part 136 or required under 40 C.F.R. chapter I, subchapter N or O, for the analysis of pollutants or pollutant parameters (except WET). A method is “sufficiently sensitive” when: 1) The method minimum level (ML) is at or below the level of the effluent limitation established in the permit for the measured pollutant or pollutant parameter; or 2) The method has the lowest ML of the analytical methods approved under 40 C.F.R. Part 136 or required under 40 C.F.R. chapter I, subchapter N or O for the measured pollutant or pollutant parameter. The term “minimum level” refers to either the sample concentration equivalent to the lowest calibration point in a method or a multiple of the method detection limit (MDL), whichever is higher. Minimum levels may be obtained in several ways: They may be published in a method; they may be based on the lowest acceptable calibration point used by a laboratory; or they may be calculated by multiplying the MDL in a method, or the MDL determined by a laboratory, by a factor.
3. When a parameter is not detected above the ML, the Permittee must report the data qualifier signifying less than the ML for that parameter (e.g., < 50 µg/L, if the ML for a parameter is 50 µg/L). For reporting an average based on a mix of values detected and not detected, assign a value of “0” for all non-detects for that reporting period and report the average of all the results.
4. Each composite sample 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 proportional to flow.
5. Report annual average, monthly average, and the maximum daily flow in million gallons per day (MGD). The annual average limit 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.
6. The pH shall be within the specified range at all times. The minimum and maximum pH sample measurement values for the month shall be reported in standard units (S.U.).

7. The Permittee shall minimize the use of chlorine while maintaining adequate bacterial control. Monitoring for total residual chlorine (TRC) is only required for discharges which have been previously chlorinated or which contain residual chlorine.

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. *Enterococci* and Fecal Coliform monitoring shall be conducted concurrently with TRC monitoring, if TRC monitoring is required. The monthly average limit for Fecal Coliform is expressed as a geometric mean. For samples tested using the Most Probable Number (MPN) method, the units may be expressed as MPN. The units may also be expressed as colony forming units (cfu) when using the Membrane Filtration method.
9. Total Nitrogen shall be calculated as the sum of Total Kjeldahl Nitrogen and Total Nitrate + Nitrite.

The total nitrogen loading values reported each quarter shall be calculated as follows: Total Nitrogen (lb/day) = [(average monthly total nitrogen concentration (mg/L) * total monthly effluent flow (Millions of Gallons (MG)) / # of days in the month] * 8.34

10. The Permittee shall conduct acute toxicity tests (LC₅₀) in accordance with test procedures and protocols specified in **Attachment A** of this permit. LC₅₀ is defined in Part II.E. of this permit. The Permittee shall test the Inland Silverside (*Menidia beryllina*). Toxicity test samples shall be collected, and tests completed, during the same weeks of June and September. The complete report for each toxicity test shall be submitted as an attachment to the monthly DMR submittal immediately following the completion of the test.
11. For Part I.A.1., Whole Effluent Toxicity Testing, the Permittee shall conduct the analyses specified in **Attachment A**, Part VI. CHEMICAL ANALYSIS for the effluent sample. If toxicity test(s) using the receiving water as diluent show the receiving water to be toxic or unreliable, the Permittee shall follow procedures outlined in **Attachment A**, Section IV., DILUTION WATER.

Minimum levels and test methods are specified in **Attachment A**, Part VI. CHEMICAL ANALYSIS.

12. For Part I.A.1., Ambient Characteristic, the Permittee shall conduct the analyses specified in **Attachment A**, Part VI. CHEMICAL ANALYSIS for the receiving water sample collected as part of the WET testing requirements. Such samples shall be taken from the receiving water at a point immediately outside of the permitted discharge's zone of influence at a reasonably accessible location, as specified in **Attachment A**. Minimum levels and test methods are specified in **Attachment A**, Part VI. CHEMICAL ANALYSIS.
13. A pH and temperature measurement shall be taken of each receiving water sample at the time of collection and the results reported on the appropriate DMR. These pH and temperature measurements are independent from any pH and temperature measurements required by the WET testing protocols.

Part I.A. continued.

2. The discharge shall not cause a violation of the water quality standards of the receiving water.
3. The discharge shall be free from pollutants in concentrations or combinations that, in the receiving water, settle to form objectionable deposits; float as debris, scum or other matter to form nuisances; produce objectionable odor, color, taste or turbidity; or produce undesirable or nuisance species of aquatic life.
4. The discharge shall be free from pollutants in concentrations or combinations that adversely affect the physical, chemical, or biological nature of the bottom.
5. The discharge shall not result in pollutants in concentrations or combinations in the receiving water that are toxic to humans, aquatic life or wildlife.
6. The discharge shall be free from floating, suspended and settleable solids in concentrations or combinations that would impair any use assigned to the receiving water.
7. The discharge shall be free from oil, grease and petrochemicals that produce a visible film on the surface of the water, impart an oily taste to the water or an oily or other undesirable taste to the edible portions of aquatic life, coat the banks or bottom of the water course, or are deleterious or become toxic to aquatic life.
8. The Permittee must provide adequate notice to EPA-Region 1 and the State of the following:
 - a. Any new introduction of pollutants into the Publicly-Owned Treatment Works (POTW) from an indirect discharger which would be subject to Part 301 or Part 306 of the Clean Water Act if it were directly discharging those pollutants or in a primary industry category (see 40 C.F.R. Part 122 Appendix A as amended) discharging process water; 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.
9. Pollutants introduced into the POTW by a non-domestic source (user) shall not pass through the POTW or interfere with the operation or performance of the works.

B. UNAUTHORIZED DISCHARGES

1. This permit authorizes discharges only from the outfall listed in Part I.A.1, 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 in accordance with Part II.D.1.e.(1) (24-hour reporting). See Part I.H below for reporting requirements.
2. Starting December 21, 2020, the Permittee must provide notification to the public within 24 hours of becoming aware of any unauthorized discharge, except SSOs that do not impact a surface water or the public, on a publicly available website, and it shall remain on the website for a minimum of 12 months. Such notification shall include the location and description of the discharge; estimated volume; the period of noncompliance, including exact dates and times; and, if the noncompliance has not been corrected, the anticipated time it is expected to continue.
3. 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 <https://www.mass.gov/how-to/sanitary-sewer-overflowbypassbackup-notification>.

C. OPERATION AND MAINTENANCE OF THE SEWER SYSTEM

Operation and maintenance (O&M) of the sewer system shall be in compliance with the Standard Conditions of Part II and the following terms and conditions. The Permittee shall 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. 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 O&M Plan

The Permittee shall develop and implement a Collection System O&M Plan.

- a. Within six (6) months of the effective date of the permit, the Permittee shall submit to EPA and the State
 - (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 the State 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 the State annually by March 31. The first annual report is due the first March 31st following submittal of the collection system O&M Plan required by Part I.C.5.b. of this permit. 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. 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; and
- f. If the average annual flow in the previous calendar year exceeded 80 percent of the facility's 0.67 MGD design flow (0.54 MGD), or there have been capacity related overflows, the report shall include:
 - (1) Plans for further potential flow increases describing how the Permittee will maintain compliance with the flow limit and all other effluent limitations and conditions; and
 - (2) A calculation of the maximum daily, weekly, and monthly infiltration and the maximum daily, weekly, and monthly inflow for the reporting year.

D. 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 it owns and operates, as defined in Part II.E.1 of this permit.

E. INDUSTRIAL USERS

1. The Permittee shall submit to EPA and the State the name of any Industrial User (IU) subject to Categorical Pretreatment Standards under 40 C.F.R. § 403.6 and 40 C.F.R. chapter I, subchapter N (Parts 405-415, 417-436, 439-440, 443, 446-447, 454-455, 457-461, 463-469, and 471 as amended) who commences discharge to the POTW after the effective date of this permit.

This reporting requirement also applies to any other IU who discharges an average of 25,000 gallons per day or more of process wastewater into the Publicly-Owned Treatment Works (POTW) (excluding sanitary, noncontact cooling and boiler blowdown wastewater); contributes a process wastewater which makes up five (5) percent or more of the average dry weather hydraulic or organic capacity of the POTW; or is designated as such by the Control Authority as defined in 40 C.F.R. § 403.12(a) on the basis that the industrial user has a reasonable potential to adversely affect the wastewater treatment facility's operation, or for

violating any pretreatment standard or requirement (in accordance with 40 C.F.R. § 403.8(f)(6)).

2. In the event that the Permittee receives reports (baseline monitoring reports, 90-day compliance reports, periodic reports on continued compliance, etc.) from industrial users subject to Categorical Pretreatment Standards under 40 C.F.R. § 403.6 and 40 C.F.R. chapter I, subchapter N (Parts 405-415, 417-436, 439-440, 443, 446-447, 454-455, 457-461, 463-469, and 471 as amended), the Permittee shall forward all copies of these reports within ninety (90) days of their receipt to EPA and the State.

F. 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 C.F.R. Part 503, which prescribe “Standards for the Use or Disposal of Sewage Sludge” pursuant to § 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 C.F.R. 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 C.F.R. Part 503 do not apply to facilities which dispose of sludge in a municipal solid waste landfill, 40 C.F.R. § 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 C.F.R. § 503.6.
5. The 40 C.F.R. Part 503 requirements include 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.¹

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, as follows:

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 C.F.R. § 503.8.

7. Under 40 C.F.R. § 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 C.F.R. § 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 C.F.R. § 503.9(r), for use or disposal, then the Permittee remains responsible to ensure that the applicable requirements in Part 503 are met. 40 C.F.R. § 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 C.F.R. § 503 Subpart B.
8. The Permittee shall submit an annual report containing the information specified in the 40 C.F.R. 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 electronically using EPA’s Electronic Reporting tool (“NeT”) (see “Reporting Requirements” section below).

G. SPECIAL CONDITIONS

1. The permittee shall operate the effluent diffuser according to the best management practices below:
- The effluent diffuser shall be maintained to ensure proper operation. Proper operation means that the outfall pipe be intact, operating as designed, and have unobstructed flow. Maintenance may include dredging in the vicinity of the

¹ 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>

diffuser, removal of solids/debris in the diffuser header pipe, and repair/replacement.

- b. To determine if maintenance will be required, the Permittee shall inspect and videotape the operation of the diffuser either remotely or using a qualified diver or marine contractor. The inspections and videotaping shall be performed every two years with the first inspection occurring within twelve (12) months of the effective date of the permit. EPA and MassDEP shall be contacted at least seven days prior to a dive inspection.
 - c. Any necessary maintenance dredging must be performed only during the marine construction season authorized by the Massachusetts Department of Marine Fisheries and only after receiving all necessary permits from the Massachusetts Department of Environmental Protection, U.S. Coast Guard, U.S. Army Corps of Engineers, and other appropriate agencies.
 - d. Copies of reports summarizing the results of each diffuser inspection shall be submitted to EPA and MassDEP within 60 days of each inspection. Where it is determined that maintenance will be necessary, the Permittee shall provide the proposed schedule for the maintenance.
2. The Permittee shall verbally notify the Massachusetts Division of Marine Fisheries within 4 hours of any emergency condition, plant upset, bypass, SSO discharges or other system failure which has the potential to violate bacteria permit limits. Within 24 hours a written notification of a permit excursion or plant failure shall be sent to the following address:

Division of Marine Fisheries
Shellfish Management Program
30 Emerson Avenue
Gloucester, MA 01930
(978) 282-0308

H. REPORTING REQUIREMENTS

Unless otherwise specified in this permit, the Permittee shall submit reports, requests, and information and provide notices in the manner described in this section.

1. Submittal of DMRs Using NetDMR

The Permittee shall continue to submit its monthly monitoring data in discharge monitoring reports (DMRs) to EPA and the State no later than the 15th day of the month electronically using NetDMR. When the Permittee submits DMRs using NetDMR, it is not required to submit hard copies of DMRs to EPA or the State. NetDMR is accessible through EPA's Central Data Exchange at <https://cdx.epa.gov/>.

2. Submittal of Reports as NetDMR Attachments

Unless otherwise specified in this permit, the Permittee shall electronically submit all reports to EPA as NetDMR attachments rather than as hard copies. *See* Part I.H.6. for more information on State reporting. Because the due dates for reports described in this permit may not coincide with the due date for submitting DMRs (which is no later than the 15th day of the month), a report submitted electronically as a NetDMR attachment shall be considered timely if it is electronically submitted to EPA using NetDMR with the next DMR due following the report due date specified in this permit.

3. Submittal of Biosolids/Sewage Sludge Reports

By February 19 of each year, the Permittee must electronically report their annual Biosolids/Sewage Sludge Report for the previous calendar year using EPA's NPDES Electronic Reporting Tool ("NeT"), or another approved EPA system, which is accessible through EPA's Central Data Exchange at <https://cdx.epa.gov/>.

4. Submittal of Requests and Reports to EPA Water Division (WD)

a. The following requests, reports, and information described in this permit shall be submitted to the NPDES Applications Coordinator in EPA Water Division (WD):

- (1) Transfer of permit notice;
- (2) Request for changes in sampling location;
- (3) Request for reduction in testing frequency;
- (4) Request for change in WET testing requirement; and
- (5) Report on unacceptable dilution water / request for alternative dilution water for WET testing.
- (6) Report of new industrial user commencing discharge
- (7) Report received from existing industrial user

b. These reports, information, and requests shall be submitted to EPA WD electronically at R1NPDESReporting@epa.gov.

5. Submittal of Reports to EPA Enforcement and Compliance Assurance Division (ECAD) in Hard Copy Form

a. The following notifications and reports shall be signed and dated originals, submitted as hard copy, with a cover letter describing the submission:

- (1) Prior to 21 December 2020, written notifications required under Part II.B.4.c, for bypasses, and Part II.D.1.e, for sanitary sewer overflows (SSOs). Starting on 21 December 2020, such notifications must be done electronically using EPA's NPDES Electronic Reporting Tool ("NeT"), or another approved EPA system, which will be accessible through EPA's Central Data Exchange at <https://cdx.epa.gov/>.

b. This information shall be submitted to EPA ECAD at the following address:

U.S. Environmental Protection Agency
Enforcement and Compliance Assurance Division
Water Compliance Section
5 Post Office Square, Suite 100 (04-SMR)
Boston, MA 02109-3912

6. State Reporting

Duplicate signed copies of all WET test reports shall be submitted to the Massachusetts Department of Environmental Protection, Division of Watershed Management, at the following address:

Massachusetts Department of Environmental Protection
Bureau of Water Resources
Division of Watershed Management
8 New Bond Street
Worcester, Massachusetts 01606

7. Verbal Reports and Verbal Notifications

- a. Any verbal reports or verbal notifications, if required in Parts I and/or II of this permit, shall be made to both EPA and to the State. This includes verbal reports and notifications which require reporting within 24 hours (e.g., Part II.B.4.c.(2), Part II.B.5.c.(3), and Part II.D.1.e).
- b. Verbal reports and verbal notifications shall be made to:

EPA ECAD at 617-918-1510
and
MassDEP's Emergency Response at 888-304-1133

I. STATE PERMIT CONDITIONS

1. This authorization to discharge includes two separate and independent permit authorizations. The two permit authorizations are 1) 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 2) 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 CMR 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 EPA. 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.



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