

**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),

**CSX Transportation, Inc.
500 Water Street - J275
Jacksonville, FL 32202**

is authorized to discharge from the facility located at:

**CSX Transportation, Inc. (CSXT)
Beacon Park Yard
170 Cambridge Street
Allston, MA 02134**

to receiving water named

Charles River

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

This permit modifies the permit issued on July 1, 2005, which became effective on November 18, 2005.

The modified permit expires five years from November 18, 2005.

This modified permit includes 15 pages in Part I consisting of the effluent limitations and monitoring requirements and 35 pages in Part II consisting of General Conditions and Definitions.

Signed this 2nd day of February, 2006.

/s/ SIGNATURE ON FILE

Linda M. Murphy, Director
Office of Ecosystem Protection
Environmental Protection Agency
Region I

Environmental

Glenn Haas, Director,
Division of Watershed Management
Bureau of Resource Protection
Massachusetts Department of

Protection

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

- During the period beginning the effective date and lasting through expiration, the Permittee is authorized to discharge treated storm water and process water at outfall serial number **001A** to the Salt Creek Chamber which is part of a storm water drainage system that flows to the Charles River. Such discharge shall be limited, monitored and reported by the Permittee as specified below.

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>		<u>Monitoring Requirement</u>	
	<u>Average Monthly</u>	<u>Maximum Daily</u>	<u>Measurement Frequency</u>	<u>Sample Type</u>
Flow Rate Effluent (gpd) ¹	21,500	225,000	Continuous ²	Recorder
Oil & Grease (mg/l) ⁴	*****	15	1 / Week	Grab
pH (SU) ^{3,6}	*****	6.5 to 8.3	Continuous ²	Recorder
Benzene (ug/l) ⁵	*****	51.0	1 / Month	Grab
Total Suspended Solids (TSS) (mg/l) ⁵	*****	100.0	1 / Month	Grab
Surfactant (mg/l) ⁵	*****	Report	1 / Month	Grab
Priority Pollutants (ug/l) ⁷	*****	Report	2 / Year	Grab

(See next page for Footnotes)

Footnotes for Outfall 001A Table, above:

1. Flow rates shall be continuously monitored at a representative location between the point of discharge from the last oil/water separator (400 gallons per minute (GPM)) and the point of discharge into the Salt Creek Chamber. On a monthly basis, CSX Transportation (CSXT) shall report the average monthly flow value and maximum daily flow value from the representative location in gallons per day (gpd) on Discharge Monitoring Report Forms (DMRs) before the 15th of the following month.
2. Continuously monitor for this Permit means that whenever CSXT is discharging water to an outfall the parameter shall be monitored at a minimum interval of every fifteen minutes and the results recorded with the time, date and the number of the outfall. The values shall be recorded on a chart or in electronic form and needs to be made available on paper during a site visit, inspection or upon written request by the Massachusetts Department of Environmental Protection or the U.S. Environmental Protection Agency. The Permittee shall use EPA Method 150.2 for continuous monitoring of pH, and use applicable instruments according to the manufacturing specifications that are commercially available to monitor and record flow rate. For operation and maintenance activities and for equipment failures or other malfunctions of the monitoring and recording equipment, the Permittee shall estimate the flow rate if the equipment becomes inoperable using standard engineering principles at least once per day for a maximum of seven days or sooner. The chosen equipment for flow rate shall have an accuracy of ± 100 GPD.
3. Required for State Certification.
4. A weekly grab sample for O&G testing shall be taken during normal operating conditions at a representative location between the point of discharge from the last oil/water separator (400 GPM) and the point of discharge into the Salt Creek Chamber. Normal operating conditions means the samples are taken when the last oil/water separator is operating during normal working hours. During an extreme storm event that causes CSX to operate the last oil/water separator above 130,000 gallons per day at any time in a calendar day, daily grab samples shall be taken, or if the event occurs after normal working hours, a grab sample shall be taken the next calendar day, including Saturdays, Sundays, and holidays. On a monthly basis, CSXT shall report on its DMRs the maximum daily value of the testing results in milligrams per liter (mg/l) before the 15th of the following month. All samples shall be tested using the NPDES approved EPA analytical methods for the designated effluent characteristic in accordance with 40 CFR §136. Alternative methods can be used if they are approved by EPA in writing and are in accordance with the procedures in 40 CFR § 136.
5. A monthly grab sample shall be taken during normal operating conditions at a representative location between the point of discharge from the last oil/water separator (400 GPM) and the point of discharge into the Salt Creek Chamber. Normal operating conditions means the samples are taken when the final 400 GPM oil/water separator is operating during normal working hours. On a monthly basis, CSXT shall report on DMRs the maximum daily value of the testing results in milligrams per liter (mg/l) before the 15th of the following month. All samples shall be tested using the NPDES approved EPA analytical methods for the designated effluent characteristic in accordance with 40 CFR §136. Alternative methods can be used if approved by EPA in writing and are in accordance with the procedures in 40 CFR §136.

Footnotes for Outfall 001A Table, above: (Continued)

6. CSXT is required to continuously monitor and record the pH in standard units (SU) at a representative location between the point of discharge from the last oil/water separator (400 GPM) and the point of discharge into the Salt Creek Chamber. For each month, CSXT shall report on DMRs the minimum daily value and the maximum daily value before the 15th of the following month. See also Part I.A.4, below. A Permittee that continuously monitors the pH of its waste water within an applicable range shall meet that range, except excursions are permitted subject to the following limitations: (1) the total time during which the pH values are outside the required ranges shall not exceed 7 hours and 26 minutes in any calendar month; and (2) no individual excursion from the range of pH values shall exceed 60 minutes. The Director may adjust the requirements for the length of an individual excursion, if a different period of time is appropriate based upon the treatment system, plant configuration or other technical factors. An excursion is defined as an unintentional and temporary incident in which the pH value of the discharge waste water exceeds the limit for pH.
7. Twice a year, once during the second week in the month of April and once during the second week in the month of October, CSXT shall analyze grab samples for all NPDES Priority Pollutants (PPs). Currently, the PPs include 126 toxic chemicals, which can be found at 40 C.F.R. Part 423, Appendix A. All samples shall be tested using NPDES approved EPA analytical methods found in 40 CFR §136. Alternative methods can be used if approved by EPA in writing and are in accordance with the procedures in 40 CFR §136. A grab sample shall be taken at a representative location between the point of discharge from the last oil/water separator (400 GPM) and the point of discharge into the Salt Creek Chamber during normal operating conditions. CSXT shall report the analytical results in units of micrograms per liter (ug/l) for each PP by attaching the report to the DMR and report the total of all the PPs on the DMR. The results of the April sampling are due before May 30th. The results of the October sampling are due before November 30th. CSXT may request a reduction of the number of PPs to be sampled after two consecutive years of not detecting a PP.

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

2. During the period beginning the effective date and lasting through expiration, the Permittee is authorized to discharge treated groundwater at outfall serial number **002A** to a storm water drainage system that flows to the Charles River Chamber which is part of a storm water drainage system that flows to the Charles River. Such discharge shall be limited, monitored and reported by the Permittee as specified below.

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>		<u>Monitoring Requirement</u>	
	<u>Average Monthly</u>	<u>Maximum Daily</u>	<u>Measurement Frequency</u>	<u>Sample Type</u>
Flow Rate Effluent (gpd) ⁹	Report	165,600	Continuous ²	Recorder
pH (SU) ^{10, 11}	*****	6.5 to 8.3	Continuous ²	Recorder
Total Petroleum Hydrocarbons (TPHs) (mg/l) ¹²	*****	5	1 / Month	Grab
Naphthalene (ug/l) ¹²	*****	20	1 / Month	Grab
Benzene (ug/l) ¹²	*****	5.0	1 / Month	Grab
Benzene, ethyl benzene, toluene and xylene (ug/l) ¹²	*****	100	1 / Month	Grab
Methyl t-Butyl Ether (MTBE) (ug/l) ¹²	*****	70	1 / Month	Grab
Total Suspended Solids (mg/l) ¹²	*****	30.0	1 / Month	Grab
Priority Pollutants (ug/l) ¹³	*****	Report	2 / Year	Grab

(See next page for Footnotes)

Footnotes for Outfall 002A Table, above:

2. See Footnote #2 for Outfall 001A, above.
9. Flow rates shall be continuously monitored at a representative location between the point of discharge from the ground water recovery and treatment (GWRT) system and the point of discharge into the Charles River Chamber. On a monthly basis, CSXT shall report the average monthly flow value and maximum daily flow value from the representative location in gpd on Discharge Monitoring Report Forms (DMRs) before the 15th of the following month.
10. Required for State Certification.
11. CSXT is required to continuously monitor and record the pH in SU at a representative location between the point of discharge from the GWRT system and the point of discharge into the Charles River Chamber. For each month, CSXT shall report on DMRs the minimum daily value and the maximum daily value before the 15th of the following month. See also Part I.A.4, below. A Permittee that continuously monitors the pH of its waste water within an applicable range shall meet that range, except excursions are permitted subject to the following limitations: (1) the total time during which the pH values are outside the required ranges shall not exceed 7 hours and 26 minutes in any calendar month; and (2) no individual excursion from the range of pH values shall exceed 60 minutes. The Director may adjust the requirements for the length of an individual excursion, if a different period of time is appropriate based upon the treatment system, plant configuration or other technical factors. An excursion is defined as an unintentional and temporary incident in which the pH value of the discharge waste water exceeds the limit for pH.
12. A monthly grab sample shall be taken during normal operating conditions at the point of discharge. Normal operating conditions means the samples are taken when the GWRT system is operating during normal working hours. On a monthly basis, CSXT shall report on DMRs the maximum daily value of the testing results in ug/l, except TSS and TPH should be reported in mg/l, before the 15th of the following month. All samples shall be tested using the NPDES approved EPA analytical methods for the designated effluent characteristic in accordance with 40 CFR §136. Alternative methods can be used if approved by EPA in writing and are in accordance with the procedures in 40 CFR §136.
13. Twice a year, once during the second week in the month of April and once during the second week in the month of October, CSXT shall analyze grab samples for all NPDES Priority Pollutants (PPs). Currently, the PPs include 126 toxic chemicals, which can be found at 40 C.F.R. Part 423, Appendix A. All samples shall be tested using NPDES approved EPA analytical methods found in 40 CFR §136. Alternative methods can be used if approved by EPA in writing and are in accordance with the procedures in 40 CFR §136. A grab sample shall be taken at a representative location between the point of discharge from the GWRT system and the point of discharge into the Charles River Chamber during normal operating conditions. CSXT shall report the analytical results in ug/l for each PP by attaching the report to the DMR and report the total of all the PPs on the DMR. The results of the April sampling are due before May 30th. The results of the October sampling are due before November 30th. CSXT may request a reduction of the number of PPs to be sampled after two consecutive years (four sampling events) of not detecting a PP.

Part I.A Conditions for All Outfalls

3. The discharges shall not cause or contribute to a violation of a water quality standard.
4. The pH of the effluents shall not be less than 6.5 nor greater than 8.3 at any time.
5. The effluent shall be continuously monitored for temperature *if and when* the Permittee uses steam or any other process that adds heat to its waste water or storm water effluent.
6. The discharges shall not cause objectionable discoloration of the receiving waters.
7. The effluents shall contain neither a visible oil sheen, foam, nor floating solids at any time.
8. The effluents shall not contain material in concentrations or in combinations which are hazardous or toxic to aquatic life or which would impair the uses designated by the classification of the receiving waters.
9. The results of sampling for any parameter above its required frequency must also be reported, in accordance with 40 CFR § 122.41(l)(4)(ii).
10. This Permit shall be modified, or revoked and reissued to comply with any applicable effluent standard or limitation issued or approved under Sections 301(b)(2)(C) and (D), 304(b)(2), and 307(a)(2) of the Clean Water Act, if the effluent standard or limitation so issued or approved:
 - (1) contains different conditions or is otherwise more stringent than any effluent limitation in this Permit; or
 - (2) controls any pollutant not limited by this Permit.

If the Permit is modified or reissued, it shall be revised to reflect all currently applicable requirements of the Act.

11. All existing manufacturing, commercial, mining, and silvi-cultural dischargers must notify the Director as soon as they know or have reason to believe (40 CFR 122.42):
 - a. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant which is not limited in the Permit, if that discharge will exceed the highest of the following "Notification levels":
 - (1) One hundred micrograms per liter (100 ug/l);
 - (2) Two hundred micrograms per liter (200 ug/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 ug/l) for 2,4-dinitrophenol and for

2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/l) for antimony;

- (3) Five (5) times the maximum concentration value reported for that pollutant in the permit application in accordance with 40 CFR §122.21(g)(7); or
- (4) Any other notification level established by the Director in accordance with 40 CFR §122.44(f).

b. That any activity as occurred or will occur which would result in the discharge, on a non-routine or infrequent basis, of any toxic pollutant which is not limited in the Permit, if that discharge will exceed the highest of the following “notification levels”:

- (1) Five hundred micrograms per liter (500 ug/l);
- (2) One milligram per liter (1 mg/l) for antimony;
- (3) Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with 40 CFR §122.21(g)(7); or
- (4) Any other notification level established by the Director in accordance with 40 CFR §122.44(f).

c. That they have begun or expect to begin to use or manufacture as an intermediate or final product or byproduct any toxic pollutant which was not reported in the permit application.

12. 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.

13. Numerical Effluent Limitations for Toxics

EPA or DEP 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 C.F.R. Part 122.

14. Facility Specific Permit Limitation

This Permit only covers two discharges from the approximately 4-acre CSX Transportation location. See the shaded area of Figure 1 (Locus Map for CSX Transportation, Inc., Permit No. MA0025704, Allston, MA) that is attached to this Permit.

B. STORM WATER POLLUTION PREVENTION PLAN

1. The Permittee shall amend its Storm Water Pollution Prevention Plan (SWPPP) to include the monitoring required by this Permit. CSXT shall assure the SWPPP is consistent with SWPPP requirements of Part 4 of EPA's NPDES Storm Water Multi-Sector General Permit for Industrial Activities and Sector P - Land Transportation, Subsector - Railroad Transportation (see 65 FR 64,745 (2000)). Additionally, the SWPPP shall include the best management practices (BMPs) appropriate for this specific facility to control storm water discharges from activities that could contribute pollutants to waters of the United States through storm water.

The SWPPP shall include maintenance activities to be performed by CSXT at Outfalls 001 and 002¹. The maintenance activities include:

- a. Booms in place at the outfalls shall be maintained to ensure they are in proper working order,
- b. Any oil, scum debris, trash, etc. collected around the boom are shall be regularly removed and properly disposed of,
- c. Boom maintenance shall occur at minimum frequency of once per month and
- d. There shall be no discharge of floating solids, visible foam, debris, or oil sheen other than in trace amounts.

The SWPPP for the discharge shall address all potential sources of pollutants in the rail yard including, but not limited to, the minimization of oil and fuel spills at the fueling pad and the Car Shop, the chemicals stored in rail cars, fuels and oils stored in above ground storage tanks, and materials stored in the rail yard including scrap metal piles, the storage of new railroad ties, chemicals in rail cars, and all other materials stored outside that have the potential to spill or could contribute to the discharges. In addition, the SWPPP shall continue to describe and ensure the implementation of practices, which are to be used to

¹ These maintenance activities are a continuation of the requirements set out in In the Matter of Consolidated Rail Corporation, Findings of Violation and Order for Compliance, Docket No. 96-15, 6/26/96 (Order) and the permit issued on September 30, 1987.

reduce the pollutants in storm water discharges associated with industrial activity at the facility and to assure compliance with the terms and conditions of this Permit.

2. The amended SWPPP shall be completed, signed and submitted to EPA and MA DEP within **90 days after the effective date** of this Permit. CSXT is required to fully implement the SWPPP for all outfalls. The original SWPPP and the amended SWPPP become enforceable elements on and after the effective date of this Permit. Consequently, the SWPPP is as enforceable as any effluent limit.
3. The Permittee shall maintain, update and implement the Storm Water Pollution Prevention Plan to account for any changes that occur at the facility which could impact the plan. The Permittee shall be required to provide an annual report that includes the proper certification to EPA and the MA DEP documenting the previous year's inspections and maintenance activities were conducted, results recorded, records maintained, and the facility is in compliance with the SWPPP. The report with the proper certification shall be signed in accordance with 40 C.F.R. § 122.22 and a copy of the certification will be sent each year to EPA and MA DEP **within 30 days of the annual anniversary of the effective date of this Permit**. The Permittee shall keep a copy of the most recent SWPPP at the facility and shall make it available for site visits, inspections or upon written request to EPA and MA DEP.
4. The SWPPP shall contain the following elements:
 - a. Pollution Prevention Team
 - b. Site Description
 - c. Receiving Waters and Wetlands
 - d. Summary of Potential Pollutant Sources
 - e. Spills and Leaks
 - f. Sampling Data
 - g. Storm Water Controls
 - i. Description of Existing and Planned Best Management Practices (BMP)
 - ii. BMP Types to be Considered
 - iii. Non-Structural BMPs
 1. Good Housekeeping
 2. Minimize Exposure
 3. Preventive Maintenance
 4. Spill Prevention and Response Procedures
 5. Routine Facility Inspections
 6. Employee Training
 - iv. Structural BMPs

1. Sediment and Erosion
2. Management of Runoff
3. Example BMPs

v. Other Controls

Details of each element, above, can be found in Section 4 of the Storm Water Multi-Sector General Permit at 65 FR 64812-64815 (2000).

5. The SWPPP shall include, at a minimum, the following items:

- a. Description of Potential Pollutant Sources - The SWPPP must provide a description of potential sources which may be reasonably expected to add significant amounts of pollutants to storm water discharges or which may result in the discharge of pollutant draining the facility. The description must address each pollutant for which monitoring is required (see Sections I.A.1 & 2, above). The SWPPP must identify all activities and significant materials, which may potentially be significant pollutant sources. The SWPPP shall include:
 - i. A drainage site map indicating: a delineation of the drainage area of each storm water outfall, each existing structural control measure to reduce pollutants in storm water runoff, locations where significant materials are exposed to storm water, locations where significant leaks or spills have occurred, a delineation of all impervious surfaces, all surface water bodies, all separate storm sewers, and the locations of the following activities where such areas are exposed to storm water: fueling stations, vehicle and equipment maintenance and/or cleaning areas, material handling areas, process areas and waste disposal areas. CSXT shall include a map that delineates all known or suspected storm water pipes that run through its property and to note where the pipes connect;
 - ii. A topographic map extending one-quarter of a mile beyond the property boundaries of the facility;
 - iii. An estimate of the overall runoff coefficient for the site, determined by an acceptable method, such as area weighting;
 - iv. A narrative description of significant materials that have been treated, stored or disposed of in a manner to allow exposure to storm water between the time of three years prior to the issuance of this Permit to the present; method of on-site storage or disposal; materials management practices employed to minimize contact of these materials with storm water runoff between the time of three years prior to the issuance of this Permit and the present; materials loading and access areas; the location and description of existing structural and nonstructural control measures to reduce pollutants in storm water runoff; and description of any treatment

the storm water receives;

- v. A list of significant spills and significant leaks of toxic or hazardous pollutants that occurred at the facility three (3) years prior to the effective date of this Permit to the present;
 - vi. A list of any pollutants limited in effluent guidelines to which a facility is subject under 40 CFR Subchapter N, any pollutants listed on an NPDES permit to discharge process water, and any information required under 40 CFR 122.21(g)(iii)-(v);
 - vii. For each area of the facility that generates storm water discharges with a reasonable potential for containing significant amounts of pollutants, a prediction of the direction of flow and an estimate of the types of pollutants, which are likely to be present in storm water;
 - viii. A summary of existing sampling data describing pollutants in storm water discharges from the facility; and
 - ix. A list of any allowable non-storm water discharges, except discharges from fire fighting activities that are known or are reasonably expected to be present at the site. Allowable non-storm water discharges are limited to fire hydrant flushings; external building wash down that do not use detergents; lawn watering; uncontaminated ground water; springs; air conditioning condensate; potable waterline flushings; irrigation drainage; and foundation or footing drains where flows are not contaminated with process materials, such as solvents, or contaminated by contact with soils, where spills or leaks of toxic or hazardous materials has occurred. If any of these discharges may reasonably be expected to be present and to be mixed with storm water discharges, they must be specifically identified and addressed in the facility's SWPPP.
- b. Storm Water Management Controls - The facility must develop a description of storm water management controls appropriate for the facility and implement such controls. The appropriateness for implementing controls listed in the SWPPP must reflect identified potential sources of pollutants at the facility. The description of storm water management controls must address the following minimum components, including a schedule for implementing such controls:
- i. Pollution Prevention Team - The SWPPP must identify a specific individual(s) within the facility organization as members of a team that are responsible for developing the SWPPP and assisting the facility manager in its implementation, maintenance, and revision. The SWPPP must clearly identify the responsibilities of each team member.

The activities and responsibilities of the team must address all aspects of facility's SWPPP.

- ii. Risk Identification and Assessment/Material Inventory - The SWPPP must assess the potential of various sources at the facility to contribute pollutants to storm water discharge associated with the industrial activity. The SWPPP must include an inventory of the types of materials handled. Each of the following must be evaluated for the reasonable potential for contributing pollutants to runoff: loading and unloading operations, outdoor manufacturing or processing activities, significant dust or particulate generating processes, and on-site waste disposal practices. Factors to consider include the toxicity of chemicals; quantity of chemicals used, produced, or discharged; the likelihood of contact with storm water, and the history of significant leaks or spills of toxic or hazardous pollutants.
- iii. Preventative Maintenance - A preventative maintenance program must involve inspections and maintenance of storm water management devices (i.e. oil/water separators, catch basins, track mats) as well as inspecting and testing facility equipment and systems to uncover conditions that could cause breakdown or failures resulting in discharges of pollutants to surface waters.
- iv. Good Housekeeping - Good housekeeping requires the maintenance of a clean orderly facility.
- v. Spill Prevention and Response Procedure - Areas where potential spills can occur and their accompanying drainage points, must be identified clearly in the SWPPP. The potential for spills to enter the storm water drainage system must be eliminated whenever feasible. Where appropriate, specific material handling procedures, storage requirements, and procedures for cleaning up spills must be identified in the SWPPP and made available to the appropriate personnel.
- vi. Storm Water Management - The SWPPP must contain a narrative consideration of the appropriateness of traditional storm water management practices. Based on an assessment of the potential of various sources at the facility to contribute pollutants to the storm water discharge, the SWPPP must provide that measures, determined to be reasonable and appropriate, must be implemented and maintained.
- vii. Sediment and Erosion Prevention - The SWPPP must identify which areas; due to topography, activities, or factors; have a high potential for

significant soil erosion and identify measures to limit erosion.

- viii. Employee Training - Employee training programs must inform personnel responsible for implementing activities identified in the SWPPP, or otherwise responsible for storm water management at all levels, of the components and goals of the SWPPP. Training should address topics such as spill response, good housekeeping and material management practices. The SWPPP must identify periodic dates for such training.
 - ix. Visual Inspections - Qualified facility personnel must be identified to inspect designated equipment and facility areas. Material handling areas must be inspected for evidence of, or the potential for, pollutants entering the drainage system. A tracking or follow up procedure must be used to ensure that the appropriate action has been taken in response to the inspection. Records of inspections must be maintained for five (5) years.
 - x. Recordkeeping and Internal Reporting Procedures - Incidents such as spill, or other discharges, along with other information describing the quality and quantity of storm water discharges must be included in the records. All inspections and maintenance activities must be documented and maintained on site for at least five (5) years.
- c. Site Inspection - An annual site inspection must be conducted by appropriate personnel named in the SWPPP to verify that the description of potential pollutant sources required under part B.1 is accurate, that the drainage map has been updated or otherwise modified to reflect current conditions, and controls to reduce pollutants in storm water discharges identified in the SWPPP are being implemented and are adequate. A tracking or follow-up procedure must be used to ensure that the appropriate action has been taken in response to the inspection. Records documenting significant observations made during the site inspection must be retained as part of the SWPPP for a minimum of five (5) years.
- d. Consistency with Other Plans - Storm water management controls may reflect requirements for Spill Prevention Control and Countermeasure (SPCC) plans under Section 311 of the CWA or Best Management Practices (BMP) Programs otherwise required by an NPDES permit and may incorporate any part of such plans into the SWPPP by reference.
- e. Amending the SWPPP - The Permittee shall immediately amend the SWPPP whenever there is a change in design, construction, operation, or maintenance, which has a significant effect on the potential for the discharge of pollutants to the waters of the State; a release of reportable quantities of hazardous substances and oil; or if the SWPPP proves to be ineffective in achieving the general objectives of controlling pollutants in storm water discharges.

C. MONITORING AND REPORTING

Monitoring results obtained during each calendar **month** shall be summarized and reported on Discharge Monitoring Report Form(s) postmarked **no later than the 15th day of the following month**. Other monitoring results shall be submitted as required by this Permit.

Signed and dated originals of these, and all other reports required herein, shall be submitted to the Director and the State at the following addresses:

Environmental Protection Agency
Water Technical Unit (SEW)
P.O. Box 8127
Boston, Massachusetts 02114

and

Massachusetts Department of Environmental Protection
Bureau of Waste Prevention
Northeast Regional Office
1 Winter Street
Boston, MA 02108

In addition, copies of all Discharge Monitoring Reports required by this Permit shall also be submitted to the State at the following address:

Massachusetts Department of Environmental Protection
Division of Watershed Management
Surface Water Discharge Permit Program
627 Main Street, 2nd Floor
Worcester, MA 01608

D. STATE PERMIT CONDITIONS

This discharge Permit is issued jointly by the U. S. Environmental Protection Agency (EPA) and the Massachusetts Department of Environmental Protection (DEP) under Federal and State law, respectively. As such, all the terms and conditions of this Permit are hereby incorporated into and constitute a discharge Permit issued by the Commissioner of the MA DEP pursuant to M.G.L. Chap. 21, §43. 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 an 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

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Permit issued by the Commonwealth of Massachusetts.