

## **RESPONSE TO COMMENTS**

### **NPDES PERMIT No. MA0101290 Hatfield Wastewater Treatment Plant**

On March 7, 2006, the U.S. Environmental Protection Agency (EPA) and the Massachusetts Department of Environmental Protection (MassDEP) released for public notice and comment a draft National Pollutant Discharge Elimination System (NPDES) permit for the Hatfield Wastewater Treatment Plant in Hatfield, Massachusetts. The draft permit was developed pursuant to an application from the Town of Hatfield for the reissuance of its permit to discharge wastewater to the designated receiving water, the Connecticut River. The public comment period for this draft permit expired on April 5, 2006. Comments were received from Ms. Andrea F. Donlon of the Connecticut River Watershed Council in a letter dated April 5, 2006.

After a review of the comments received, EPA has made a final decision to issue the permit authorizing this discharge. The following are the comments and EPA's response to those comments, including changes that have been made to the final permit from the draft as a result of the comments. The comment letters are part of the administrative record and are paraphrased herein. A copy of the final permit may be obtained by writing or by calling Mark Malone, EPA Municipal Permits Branch (CMP), 1 Congress Street, Suite 1100, Boston, MA 02114-2023; telephone: (617) 918-1619.

Comments received from Ms. Andrea F. Donlon of the Connecticut River Watershed Council.

#### *Comment 1*

*The existing permit has a maximum daily limit of 1 ug/l for chlorine but the draft permit has a maximum daily limit of 1 mg/l. This should be clarified.*

#### Response 1

In accordance with VI. D. Effluent Limitations of the Massachusetts Water Quality Standards Implementation Policy for the control of Toxic Pollutants in Surface Waters, the correct limit is 1mg/l. The 1 ug/l limit in the existing permit is a typographical error.

#### *Comment 2*

*Does the wash water from C & S Grocers (the single industrial discharger(sic)) contain surfactants or any other chemical discharge that is not identified in the permit?*

#### Response 2

An industrial user is a user subject to the Categorical Pretreatment Standards (40 CFR 403.6 and 40 CFR Chapter I, Subchapter N) or any other industrial user that discharges an average of 25,000 gpd or more of process wastewater, contributes a waste stream that makes up 5% or more of the average dry weather hydraulic or organic capacity of the treatment plant, or is designated a Significant Industrial User (SIU) by the control authority. C & S Grocers has not been identified as an industrial user in the permit application. Consequently, the specific characteristics of its

discharge are not known. However, Part I.A. d. of the permit has a general prohibition against a visible sheen or foam in the discharge. In addition, WET test requirements help identify areas of concern caused by any discharge, including that of C & S Grocers.

*Comment 3*

*It would be preferable that the informal Endangered Species Act consultation with other governmental agencies had taken place prior to the issuance of the draft permit and what the results of the consultation were.*

Response 3

While every effort is made to complete the informal consultation prior to the issuance of the draft permit, this is not always possible. If available, the results of the consultation will be discussed in the Fact Sheet issued with the draft permit. If the consultation would result in changes to the draft permit after its issuance, it will be discussed in the Response to Comments and reflected in the final permit. In this case, the National Marine Fisheries Service has concurred with EPA's determination that the proposed reissuance of the NPDES permit is not likely to adversely affect the shortnose sturgeon and that no further consultation is required.

*Comment 4*

We recommend that facilities on the Connecticut River be required to sample effluent total phosphorus and ortho-phosphorus between November to March.

Response 4

Because the relatively small discharge has a dilution factor of 2,220, the phosphorus contribution of the Hadley facility is insignificant. Consequently, a phosphorus monitoring requirement is not included at this time.

*Comment 5*

*As in many permits, the fecal coliform and total residual chlorine limits are in effect from April 1 to October 31 when primary and secondary recreation are expected to occur. It is not unheard of that such activity can occur whenever nice weather and spring flood conditions are present, possibly in March or November.*

Response 5

The waterbody uses are determined by the State. In consultation with the State it has been determined that fecal coliform and total residual chlorine limits in March and November are not required. Consequently, the seasonal limit for fecal coliform remains the same as in the draft permit.

*Comment 6*

*The rolling average method for calculating average monthly flow is not a good method because it results in artificially lowering the average flow in certain months.*

Response 6

The rolling annual monthly average flow as the permit limit is to recognize that the design flow developed by engineers during facilities planning is calculated in that manner. Acknowledging the characteristics of a rolling average, the permit also requires the reporting of the actual average monthly flow.