

RESPONSE TO COMMENTS

REGARDING THE REISSUANCE OF THE FOLLOWING NPDES PERMIT

AVON CUSTOM MIXING SERVICES, INC. NPDES Permit No. MA0026883

Introduction:

The U.S. Environmental Protection Agency (EPA) and the Massachusetts Department of Environmental Protection (MassDEP) solicited public comments from July 25, 2007 through August 23, 2007 on the draft National Pollutant Discharge Elimination System (NPDES) permit to be issued to Avon Custom Mixing Services, Inc. (Avon).

As public noticed, the Draft NPDES Permit was for the discharge of treated sanitary wastewater. The facility discharges to Trout Brook in the Taunton River Watershed.

During the public-notice (comment) period EPA-New England received comments from Damage Control Environmental Services, on behalf of the permittee, Avon Custom Mixing Services, Inc.

In accordance with the provisions of 40 C.F.R. §124.17, this document presents EPA's responses to comments received on the draft NPDES permit and any appropriate changes made to the public-noticed draft permit as a result of the comments. The final permit is substantially similar to the draft permit that was available for public comment. EPA did, however, improve certain requirements in the permit as a result of the comments raised. These improvements and corrections are summarized below and are reflected in the Final Permit.

In addition, EPA and MassDEP have modified the seasonal (April 1 to October 31) bacteria limits in the final permit to reflect recent changes to the bacteria criteria in 314 CMR 4.00: Massachusetts Surface Water Quality Standards. MassDEP has replaced fecal coliform bacteria with *Escherichia Coli* (*E. coli*) as the indicator organism for fresh waters. The *E. coli* criteria are consistent with EPA's recommended criteria and are expected to be approved by EPA within the next year. Therefore, the fecal coliform limits and monitoring will be eliminated one year from the effective date of the permit and replaced with *E. coli* limits of 126 colony forming units (cfu) per 100 ml as a monthly geometric mean and 409 cfu per 100 ml as a daily maximum limit. The *E. coli* limits and 1/week monitoring are seasonal requirements and will be in effect from April 1 to October 31. *E. coli* will be "report" only for the period of April 1 to October 31 of the first year of the permit during which 1/month sampling is required.

Changes Made to the Final Permit as a Result of Public Comments

1. Added authorization to discharge noncontact cooling water mixed with stormwater via outfall 002 to Trout Brook. This discharge authorization was included in the expired

permit, but had been removed from the proposed permit because the permittee inadvertently stated that the discharge had been eliminated. The effluent limits and monitoring requirements for outfall 002 which were contained in the expired permit were added to the proposed permit. One limit, temperature, was tightened from a maximum of 85 °F to 83 °F.

2. The stormwater best management practices (BMP) plan requirement which also was contained in the expired permit has been incorporated into this final version.

COMMENT NO. 1 submitted by Damage Control Environmental Services on behalf of Avon Custom Mixing Services, Inc.

(Avon) is a manufacturing facility for the production of specialized rubber products. There are currently two discharge locations. Outfall 001 is discharge from a wastewater treatment operation involved with sanitary sewer. Outfall 002 is process water from a non-contact cooling system. Both systems discharge into Trout Brook, a Class B water source, part of the Taunton River basin. (MA 62-07).

My prior letter to you was in error. In my prior letter, I stated that the facility does not discharge into outfall 002, due to key equipment being shut down. While this particular process is indeed shut down, there is an additional process which does utilize cooling water and discharges into outfall 002.

There is no significant change in this process which would adversely alter the quality of outfall 002, as noted in the prior permit.

RESPONSE NO. 1

The error noted in the comment needs to be corrected in order that all discharges from the facility are authorized by the new permit, so that the facility can legally discharge. EPA has determined that most of the conditions from the expired permit, including effluent limits for total suspended solids, and oil and grease; monitoring for zinc; and a best management practices (BMP) plan for stormwater, will continue to be adequate to protect Trout Brook. Those conditions are now carried forward for outfall 002. In order to be consistent with the maximum temperature for Massachusetts Class B waters with warm water fisheries, the temperature limit for Outfall 002 is being tightened from 85 °F to 83 °F.