

RESPONSE TO COMMENTS

NPDES PERMIT No. MA0101648 South Deerfield Wastewater Treatment Plant

On November 2, 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 South Deerfield Wastewater Treatment Plant in Deerfield, Massachusetts. The draft permit was developed pursuant to an application from the Town of Deerfield 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 December 1, 2006. Comments were received from Ms. Andrea F. Donlon of the Connecticut River Watershed Council in a letter dated December 1, 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.

Since the issuance of the Draft Permit, the Part II Standard Conditions have been revised mostly to correct typographical and consistency issues. A copy of the revised Part II Standard Conditions is included with the final permit. Also, the draft permit required that Whole Effluent Toxicity (WET) be conducted within a specific one week period. EPA and the MassDEP have been informed by the WET testing laboratories that this has resulted in an unbalanced workload on those laboratories. Consequently, EPA and the MassDEP have decided to extend the WET testing period in NPDES permits to allow testing anytime during a specified calendar month. This will result in a more manageable workload for those laboratories.

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

Comment 1

This facility had flow violations from October, 2000 to August 2001, a TSS violation in September 2003, and a toxicity violation in September, 2005. Have the root causes of the violations been identified and have any enforcement actions been taken?

Response 1

Infiltration/inflow has long been identified as an issue for concern. The Town began addressing the high flow conditions in 1999 by conducting a sewer system evaluation survey and implementing the recommendations. The Town completed the phase 1 sewer system repair in 2003 and is planning to implement additional remedial projects in other parts of the collection system. The Town has also developed an outreach program to address the private sources of inflow and is monitoring its effectiveness. The permit requires the reporting of the actual

average monthly flows, an annual report regarding infiltration/inflow, and a requirement that when the average annual flow exceeds 80% of the design flow the permittee must submit a report on how it will remain in compliance. The TSS and WET violations appear to be isolated incidents. Because no cause for the WET violation could be determined, the Town retested and that test met the permit limit.

Comment 2

Historically, high flow rates have been an issue at this facility. Is this treatment system considered a combined sewer overflow (CSO) or a sanitary sewer overflow (SSO) system? Are high flows still a concern or has the closing of the SIU (Oxford Foods) made high flows no longer an issue.

Response 2

This collection system is considered a sanitary sewer and not a combined sewer system. The Town is not aware of any occurrence of a sanitary sewer overflow. The closing of Oxford Foods will result in a significant reduction of flow to the plant. However, extraneous flows to a wastewater collection system are always a concern and not desirable. Language is included in the permit as described in Response 1 above in order to control these extraneous flows.

Comment 3

The only acknowledged Significant Industrial User ceased operations in September, 2006. There are other industries in Deerfield which may be contributing to the South Deerfield WWTP. We would like an explanation as to whether they meet the SIU criteria under 40 CFR 403.3 (adjusted for the decrease in plant flow due to the cessation of the discharge from the known SIU). In addition, our files indicated that an unidentified metal tool company discharged as much as 250,000 gpd to the WWTP in the 1990's. We do not have any additional data in order to verify whether this information is correct.

Response 3

The percent contribution by a discharger to the total treatment plant flow is not one of the SIU criteria under 40 CFR 403.3(v). Consequently, the reduction in the flow to the South Deerfield WWTP due to the closure of the only SIU does not affect whether other dischargers are reclassified as SIUs. In addition, according to information provided by the Town, of the six specific industries mentioned in the commenter's letter, two do not discharge to the South Deerfield WWTP and the remaining industries' process wastewater discharges do not meet the threshold volume limits specified under 40 CFR 403.3(v) for SIUs. We also do not have any information of the unidentified metal tool company mentioned in your letter. Therefore, our office will investigate this matter further.

Comment 4

*Because this stretch of the Connecticut River is known to have federally endangered shortnose sturgeon and there has been a recent WET violation, we request that the WET test include fathead minnow (*Pimephales promelas*) in addition to the daphnid.*

Response 4

As stated above, a retest for WET met the permit limit. In addition, because of the high dilution factor (1,289) of the Connecticut River and the use of the more sensitive daphnia (*Ceriodaphnia dubia*), we believe the current toxicity testing requirements are adequate to protect the shortnose sturgeon. If results of future WET testing indicate a need for a change in the WET testing requirements, the permit may be reopened and the WET testing requirements modified.

Comment 5

The bacteria sampling should be required from April 1 to October 31, not year round as in the draft permit.

Response 5

We agree and the limits for bacteria and the related Total Residual Chlorine have been made seasonal in the final permit.