

**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 Ware
Department of Public Works**

is authorized to discharge from a facility located at

**Ware Wastewater Treatment Plant
Robbins Road
Ware, MA 01082**

to receiving water named

Ware River

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

This permit shall become effective on July 1, 2007.

This permit and the authorization to discharge expire at midnight, five (5) years from the effective date.

This permit supersedes the permit issued on September 29, 2000.

This permit consists of 12 pages in Part I, including effluent limitations, monitoring requirements, **Attachments A (Freshwater Chronic Toxicity Test Procedure and Protocol), B (Sludge Guidance), and C (Industrial Pretreatment Program Annual Report)**, and Part II including General Conditions and Definitions.

Signed this 1st day of May, 2007

/S/ SIGNATURE ON FILE

Stephen S. Perkins, Director
Office of Ecosystem Protection
Environmental Protection Agency
Boston, MA

Glenn Haas, Director
Division of Watershed Management
Department of Environmental Protection
Commonwealth of Massachusetts
Boston, MA

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1.a. During the period beginning the effective date and lasting through expiration, the permittee is authorized to discharge treated effluent from outfall serial number 001. Such discharge shall be limited and monitored by the permittee as specified below:

<u>Effluent Characteristic</u>	<u>Units</u>	<u>Discharge Limitation</u>			<u>Monitoring Requirement</u> ^{*3}	
		<u>Average Monthly</u>	<u>Average Weekly</u>	<u>Maximum Daily</u>	<u>Measurement Frequency</u>	<u>Sample Type</u>
Flow - Annual Average ^{*2}	MGD	1.0 ^{*2}	—	—	Continuous	Recorder
Flow ^{*2}	MGD	Report	—	Report	Continuous	Recorder
BOD ₅ ^{*4}	mg/l	25	25	Report	1/Week	24-Hour Composite ^{*5}
	lbs/day	208	208	—		
TSS ^{*4}	mg/l	25	25	Report	1/Week	24-Hour Composite ^{*5}
	lbs/day	208	208	—		
pH ^{*1}	S.U.	(See Condition I.A.1.c. on page 5)			1/Day	Grab
<i>E. Coli</i> ^{*1,*6} (April 1 - Oct. 31)	cfu /100 ml	Report	—	Report	1/Month	Grab
Fecal Coliform Bacteria ^{*1,*6} (April 1 to Oct. 31)	cfu/100 ml	200	—	400	1/Week	Grab
Total Residual Chlorine ^{*1,*7,*8} (April 1 to Oct. 31)	µg/l	160	—	277	1/Day	Grab
Ammonia-Nitrogen (June 1 - Oct. 31)	mg/l	1.0	1.0	1.5	1/Week	24-Hour Composite ^{*5}
Total Kjeldahl Nitrogen	mg/l	Report	—	—	1/Month	24-Hour Composite ^{*5}
Total Nitrate Nitrogen	mg/l	Report	—	—	1/Month	24-Hour Composite ^{*5}
Total Nitrite Nitrogen	mg/l	Report	—	—	1/Month	24-Hour Composite ^{*5}
Phosphorus, Total (April 1 - Oct. 31)	mg/l	1.0	1.0	1.5	1/Week	24-Hour Composite ^{*5}
Phosphorus, Total ^{*14} (Nov 1 - March 31)	mg/l	1.0	—	Report	1/Week	24-Hour Composite ^{*5}
Ortho-phosphorus, dissolved ^{*13} (Nov 1-March 31)		Report	—	Report	—	24-Hour Composite ^{*5}
Ortho-phosphorus, dissolved ^{*13} (Nov 1-March 31)	mg/l	Report	—	Report	1/Week	24-Hour Composite ^{*5}
LC ₅₀ ^{*9,*11,*12}	%	100% or greater			4/Year ^{*11}	24-Hour Composite ^{*5}
Chronic NOEC ^{*10,*11,*12}	%	7 % or greater			4/Year ^{*11}	24-Hour Composite ^{*5}

7 % or greater

Footnotes:

- *1. Required for State Certification.
- *2. Report annual average, monthly average, and the maximum daily flow. The limit is an annual average, which 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 eleven previous months.
- *3. All required effluent samples shall be collected at the point specified in Part I.A.1.g. of this permit. Any change in sampling location must be reviewed and approved in writing by EPA and MassDEP.

A routine sampling program shall be developed in which samples are taken at the same location, same time and same days of every month. Any deviations from the routine sampling program shall be documented in correspondence appended to the applicable discharge monitoring report that is submitted to EPA.

All samples shall be tested using the analytical methods found in 40 CFR §136, or alternative methods approved by EPA in accordance with the procedures in 40 CFR §136. All samples shall be 24-hour composites unless specified as a grab sample in 40 CFR §136.

- *4. Sampling is required for influent and effluent.
- *5. A 24-hour composite sample shall 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 proportionally to flow.
- *6. Monthly *E. coli* samples shall be collected concurrently with one of the fecal coliform samples.

Fecal coliform limits and monitoring requirements are in effect from April 1st through October 31st. This is a State certification requirement. The monthly average limit is expressed as a geometric mean. Fecal coliform discharges shall not exceed a monthly geometric mean of 200 colony forming units (cfu) per 100 ml, nor shall they exceed 400 cfu per 100 ml as a daily maximum. Bacteria samples shall be collected at the same time as total residual chlorine samples.

- *7. Total residual chlorine (TRC) limits and monitoring requirements are in effect from April 1st through October 31st. The permittee is not authorized to discharge chlorine from November 1st through March 31st. Total residual chlorine samples shall be collected at the same time as bacteria samples. The minimum detection level (ML) for total residual chlorine is defined as 20 µg/l. This value is the minimum detection level for chlorine using EPA approved methods found in Standard Methods for the Examination of Water and Wastewater, 20th Edition, Method 4500 CL-E and G. One of these methods must be used to determine total residual chlorine. For effluent limitations less than 20 µg/l, compliance/non-compliance will be determined based on the ML. Sample results of 20 µg/l or less shall be reported as zero on the discharge monitoring report.
- *8. Chlorination and dechlorination systems shall include an alarm system within one (1) year of the effective date of the permit 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.

- *9. The LC₅₀ is the concentration of effluent which causes mortality to 50% of the test organisms. Therefore, a 100% limit means that a sample of 100% effluent (no dilution) shall cause no more than a 50% mortality rate.
- *10. C-NOEC (chronic-no observed effect concentration) is defined as the highest concentration of toxicant or effluent to which organisms are exposed in a life cycle or partial life cycle test which causes no adverse effect on growth, survival, or reproduction at a specific time of observation as determined from hypothesis testing where the test results exhibit a linear dose-response relationship. However, where the test results do not exhibit a linear dose-response relationship, the permittee must report the lowest concentration where there is no observable effect. The "7 % or greater" limit is defined as a sample which is composed of 7 % (or greater) effluent, the remainder being dilution water.
- *11. The permittee shall conduct chronic (and modified acute) toxicity tests four times per year. The permittee shall test the daphnid, *Ceriodaphnia dubia*, only. The chronic test may be used to calculate the acute LC₅₀ at the 48 hour exposure interval. Toxicity test samples will be collected on the second week of February, May, August, and November. If possible, one test sample per year shall be taken when Kanzaki Specialty Papers is discharging process water to the treatment plant, and one test sample per year shall be taken when the Hardwick Landfill is discharging process water to the treatment plant. The permittee shall include the following information on their test results whenever there is flow contribution from a significant industrial user (SIU) while the toxicity test samples are collected: (1) the name of the SIU, and (2) if known, the amount of flow from the SIU. The test results shall be submitted by the last day of the month following the completion of the test. The results are due March 31st, June 30th, September 30th, and December 31st, respectively. The tests must be performed in accordance with test procedures and protocols specified in **Attachment A** of this permit.

Test Dates: Second Week in	Submit Results By:	Test Species:	Acute Limit: LC ₅₀	Chronic Limit: C-NOEC
February	March 31 st	<i>Ceriodaphnia dubia</i> (Daphnid)	≥ 100 %	≥ 7 %
May	June 30 th			
August	September 30 th	See Attachment A		
November	December 31 st			

If the results of any acute or chronic test fail to comply with the LC₅₀ and Chronic NOEC limits, the permittee must perform an additional test on an effluent sample collected within fourteen days of the date on which a failed test sample was collected.

After submitting a **minimum** of four consecutive sets of WET test results, all of which demonstrate compliance with the WET permit limits, the permittee may request a reduction in the WET testing requirements. The permittee is required to continue testing at the frequency specified in the permit until notice is received by certified mail from the EPA that the WET

testing requirement has been changed.

- *12. If toxicity test(s) using 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** in order to obtain permission to use an alternate dilution water. In lieu of individual approvals for alternate dilution water required in **Attachment A**, EPA-New England has developed a Self-Implementing Alternative Dilution Water Guidance document (called "Guidance Document") which may be used to obtain automatic approval of an alternate dilution water, including the appropriate species for use with that water. If this Guidance document is revoked, the permittee shall revert to obtaining approval as outlined in **Attachment A**. The "Guidance Document" has been sent to all permittees with their annual set of DMRs and Revised Updated Instructions for Completing EPA's Pre-Printed NPDES Discharge Monitoring Report (DMR) Form 3320-1 and is not intended as a direct attachment to this permit. Any modification or revocation to this "Guidance Document" will be transmitted to the permittee as part of the annual DMR instruction package. However, at any time, the permittee may choose to contact EPA-New England directly using the approach outlined in **Attachment A**. If the permittee uses an alternative dilution water, the ambient water will still need to be tested.
- *13 The maximum daily concentration and loading values reported for dissolved ortho-phosphorus shall be the values from the same day that the maximum daily total phosphorus concentration and loading values were measured.
- *14. See Part I.B. of this permit, Schedule of Compliance.

Part I.A.1. (continued);

- b. The discharge shall not cause a violation of the water quality standards of the receiving waters.
- c. The pH of the effluent shall not be less than 6.5 nor greater than 8.3 at any time.
- d. The discharge shall not cause objectionable discoloration of the receiving waters.
- e. The effluent shall contain neither a visible oil sheen, foam, nor floating solids at any time.
- f. The permittee's treatment facility shall maintain a minimum of 85 percent removal of both total suspended solids and biochemical oxygen demand. The percent removal shall be based on monthly average values.
- g. Samples taken in compliance with the monitoring requirements stated above shall be taken at a point prior to mixing with other streams and shall be representative of the discharge.
- h. If the average annual flow in any calendar year exceeds 80 percent of the facility's design flow, the permittee shall submit a report to MassDEP by March 31st of the following calendar year describing their plans for further flow increases and how they will maintain compliance with the flow limit and all other effluent limitations and conditions.

2. All POTWs must provide adequate notice to the Director of the following:

- a. Any new introduction of pollutants into that POTW from **an** indirect discharger in a primary industry category discharging process water; and/or
- 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.

3. Prohibitions Concerning Interference and Pass Through:

- a. Pollutants introduced into POTWs by a non-domestic source shall not pass through the POTW or interfere with the operation or performance of the works.

4. Toxics Control

- a. The permittee shall not discharge any pollutant or combinations 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.

5. Numerical Effluent Limitations for Toxicants

EPA or MassDEP 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 CFR Part 122.

B. SCHEDULE OF COMPLIANCE

Since the phosphorus limit for the winter period is new for this permit, and achieving this limit will require changes to the operation of the facility and may require plant upgrades, this permit allows a compliance schedule of one year. Specifically, the November 1st through March 31st limitations shall become effective on November 1st 2008. During the period from November 1st 2007 to March 31st 2008, the permittee shall monitor and report total and ortho-phosphorus as required by Part I.A.1.a.. while working towards meeting the limitation.

C. UNAUTHORIZED DISCHARGES

The permittee is authorized to discharge only in accordance with the terms and conditions of this permit and only from the outfall listed in Part I.A.1.a. of this permit. Discharge of wastewater from any other point source, including sanitary sewer overflows (SSOs), are not authorized by this permit and shall be reported in accordance with Section D.1.e.(1) of the General Requirements of this permit (Twenty-four hour reporting).

Notification of SSOs to MassDEP shall be made on its SSO Reporting Form (which includes MassDEP Regional Office telephone numbers). The reporting form and instructions for its completion may be found on-line at: <http://www.mass.gov/dep/water/approvals/surffms.htm#sso>.

D. OPERATION AND MAINTENANCE OF THE SEWER SYSTEM

Operation and maintenance of the sewer system shall be in compliance with the General Requirements of Part II and the following terms and conditions:

1. Maintenance Staff

The permittee shall provide adequate staff to carry out the operation, maintenance, repair and testing functions required to ensure compliance with the terms and conditions of this permit.

2. Infiltration/Inflow Control Plan:

The permittee shall develop and implement a plan to control infiltration and inflow (I/I) to the separate sewer system. The plan shall be submitted to EPA and MassDEP **within six months of the effective date of this permit** (see page 1 of this permit for the effective date) and shall describe the permittee's program for preventing infiltration/inflow-related effluent limit violations, and all unauthorized discharges of wastewater, including overflows and by-passes due to excessive infiltration/inflow.

The plan shall include:

- An ongoing program to identify and remove sources of infiltration and inflow. The program shall include the necessary funding level and the source(s) of funding.
- An inflow identification and control program that focuses on the disconnection and redirection of illegal sump pumps and roof down spouts. Priority should be given to removal of public and private inflow sources that are upstream from, and potentially contribute to, known areas of sewer system backups and/or overflows.
- Identification and prioritization of areas that will provide increased aquifer recharge as the result of reduction/elimination of infiltration and inflow to the system.
- An educational public outreach program for all aspects of I/I control, particularly private inflow.

Reporting Requirements:

A summary report of all actions taken to minimize I/I during the previous calendar year shall be submitted to EPA and the MassDEP annually, **by April 1**. The summary report shall, at a minimum, include:

- A map and a description of inspection and maintenance activities conducted and corrective actions taken during the previous year.
- Expenditures for any infiltration/inflow-related maintenance activities and corrective actions taken during the previous year.
- A map with areas identified for I/I-related investigation/action in the coming year.
- A calculation of the annual average I/I, the maximum month I/I for the reporting year.
- A report of any infiltration/inflow-related corrective actions taken as a result of unauthorized discharges reported pursuant to 314 CMR 3.19(20) and reported pursuant to the Unauthorized Discharges section of this permit.

3. Alternate Power Source

In order to maintain compliance with the terms and conditions of this permit, the permittee shall continue to provide an alternative power source with which to sufficiently operate its treatment works (as defined at 40 CFR § 122.2).

E. 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 and with the CWA Section 405(d) technical standards.
2. The permittee shall comply with the more stringent of either the state or federal (40 CFR Part 503), requirements.
3. The requirements and technical standards of 40 CFR Part 503 apply to facilities which perform one or more of the following 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 40 CFR Part 503 conditions do not apply to facilities which place sludge within a municipal solid waste landfill. These conditions also do not apply to facilities which do not dispose of sewage sludge during the life of the permit but rather treat the sludge (lagoons-reed beds), or are otherwise excluded under 40 CFR 503.6.
5. The permittee shall use and comply with the attached compliance guidance document (**Attachment B**) to determine appropriate conditions. Appropriate conditions contain the following elements:
 - General requirements
 - Pollutant limitations
 - Operational Standards (pathogen reduction requirements and vector attraction reduction requirements)
 - Management practices

- Record keeping
- Monitoring
- Reporting

Depending upon the quality of material produced by a facility, all conditions may not apply to the facility.

6. The permittee shall monitor the pollutant concentrations, pathogen reduction and vector attraction reduction at the following frequency. This frequency is based upon the volume of sewage sludge generated at the facility in dry metric tons per year:

less than 290	1/ year
290 to less than 1500	1 /quarter
1500 to less than 15000	6 /year
15000 +	1 /month

7. The permittee shall sample the sewage sludge using the procedures detailed in 40 CFR 503.8

8. The permittee shall submit an annual report containing the information specified in the guidance. Reports are due annually by **February 19**. Reports shall be submitted to the address contained in the reporting section of the permit. Sludge monitoring is not required by the permittee when the permittee is not responsible for the ultimate sludge disposal. The permittee must be assured that any third party contractor is in compliance with appropriate regulatory requirements. In such case, the permittee is required only to submit an annual report by **February 19** containing the following information:

- Name and address of contractor responsible for sludge disposal
- Quantity of sludge in dry metric tons removed from the facility by the sludge contractor

F. DEVELOPMENT OF LIMITATIONS FOR INDUSTRIAL USERS:

1. Pollutants introduced into POTWs by a non-domestic source (user) shall not pass through the POTW or interfere with the operation or performance of the works.
2. The permittee shall develop and enforce specific effluent limits (local limits) for Industrial User(s), and all other users as appropriate, which together with appropriate changes in the POTW Treatment Plant's Facilities or operation, are necessary to ensure continued compliance with the POTW's NPDES permit or sludge use or disposal practices. Specific local limits shall not be developed and enforced without individual notice to persons or groups who have requested such notice and an opportunity to respond. Within 120 days of the effective date of the permit, the permittee shall prepare and submit a written technical report to EPA analyzing local limits. As part of this evaluation, the permittee shall assess how the POTW performs with respect to influent and effluent of pollutants, water quality concerns, sludge quality, sludge processing concerns/inhibition, biomonitoring results, activated sludge inhibition, worker health and safety and collection system concerns. In preparing this evaluation, the permittee shall complete and submit the attached form (**Attachment C-Reassessment of Technically Based Local Limits**) with the technical evaluation to assist in determining whether existing local limits need to be revised. Justifications and conclusions should be based on actual plant data if available and should be included in the report. Should the evaluation reveal the need to revise local limits, the permittee shall complete the revisions within 180 days of notification by EPA and submit the

revisions to EPA for approval. The permittee shall carry out the local limits revisions in accordance with EPA's Local Limit Development Guidance (July 2004).

3. Withing 120 days of the effective date of this permit, the permittee shall develop and submit to EPA, a Maximum Allowable Industrial Headworks Loading (MAIHL) for Total Suspended Solids (TSS) and Zinc. The proposed MAIHL shall be submitted to EPA for review and approval in accordance with 40 CFR 403.18(c). Upon EPA's approval the MAIHL shall be adopted, immediately, into the Town's Sewer Use Ordinance. This requirement shall be treated independent of the above paragraph , which requires an evaluation of current local limitations.

G. INDUSTRIAL PRETREATMENT PROGRAM

- a. The permittee shall implement an industrial pretreatment program (IPP) as required by 40 CFR Part 403. The industrial pretreatment program shall be operated in accordance with the permittee's approved pretreatment program plan and 40 CFR Part 403. At a minimum, the permittee shall perform the following activities in implementing and operating its industrial pretreatment program:
 - (1) Carry out inspection, surveillance, and monitoring procedures which will determine, independent of information supplied by the industrial user, whether the industrial user is in compliance with the pretreatment standards. At a minimum, all significant industrial users shall be sampled and inspected at the frequency established in the approved IPP but in no case less than once per year and maintain adequate records.
 - (2) Issue or renew all necessary industrial user control mechanisms within 90 days of their expiration date or within 180 days after the industry has been determined to be a significant industrial user.
 - (3) Obtain appropriate remedies for noncompliance by any industrial user with any pretreatment standard and/or requirement.
 - (4) Maintain an adequate revenue structure for continued implementation of the Pretreatment Program.
- b. The permittee shall provide the EPA and the MassDEP with an annual report required by 40 CFR 403.12(i) by **October 31** of each year for the permittee's reporting period of September 1 - August 31. The annual report shall be consistent with the format described in **Attachment C** of this permit.
- c. The permittee must obtain approval from EPA prior to making any significant changes to the industrial pretreatment program in accordance with 40 CFR 403.18(c).
- d. The permittee must assure that applicable National Categorical Pretreatment Standards are met by all categorical industrial users of the POTW. These standards are published in the Federal Regulations at 40 CFR 405 et. seq.
- e. Within 120 days of the effective date of the permit, the permittee must submit an updated Sewer Use Ordinance and Enforcement Response Plan to EPA for review.

H. MONITORING AND REPORTING

1. Reporting

Monitoring results obtained during the previous month shall be summarized for each month and reported on separate Discharge Monitoring Report Form(s) postmarked no later than the 15th day of the month following the effective date of the 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

The State Agency is:

Massachusetts Department of Environmental Protection
Western Regional Office - Bureau of Resource Protection
436 Dwight Street
Springfield, MA 01103

Signed and dated Discharge Monitoring Report Forms and toxicity test reports required by this permit shall also be submitted to the State at:

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

Reports required in Sections F and G (local limits and pretreatment program) shall also be submitted to the State at:

Massachusetts Department of Environmental Protection
Bureau of Waste Prevention - Industrial Wastewater Section
One Winter Street
Boston, MA 02108

I. STATE PERMIT CONDITIONS

This Discharge Permit is issued jointly by the U. S. Environmental Protection Agency (EPA) and the Massachusetts Department of Environmental Protection (MassDEP) 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 MassDEP 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 permit issued by the Commonwealth of Massachusetts.