

**MODIFICATION OF
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"),

Loon Mountain Recreation Corporation

is authorized to discharge from the facility located at

**Kancamagus Highway (State Route 112)
Lincoln, New Hampshire 03251-9711**

to receiving waters named

- **East Branch Pemigewasset River: (Outfalls 001 and 003)**
- **Westwood Brook: (Outfall 002)**
- **Boyle Brook: (Outfall 004)**
- **Loon Pond: (Outfall 005)**
- **Connector Pond: (Outfalls 006 and 007)**

in accordance with the effluent limits, monitoring requirements and other requirements contained in the permit issued on June 23, 2006 with an effective date of August 22, 2006, except as set forth herein in italics and summarized as follows:

- Page 7** Language adds provision that discharges to Loon Pond are prohibited when EPA receives notice that Connector Pond is available for snowmaking.
- Page 8** Addition of Part I.A.6. - effluent limitations and monitoring requirements for discharge to Connector Pond from drainback water from snowmaking system (Outfall 006). The table in Part I.A.6. requires monitoring of the following effluent characteristics: Number of Events, Flow, Total Petroleum Hydrocarbons, and Receiving Water TPH.
- Page 9** Addition of Part I.A.7. - effluent limitations and monitoring requirements for discharge to Connector Pond from East Branch Pemigewasset River (Outfall 007). The table in Part I.A.7. requires monitoring of the following effluent characteristics: Number of Events, Flow, Temperature (Effluent), Phosphorus (Effluent), Copper (Effluent), Receiving Water Temperature, Receiving Water Phosphorus, and Temperature Difference.
- Page 10** Language adds refill event (Outfall 007) to sampling requirement in superscript (2) and defines refill event in superscript (2).
- Page 10** Language adds requirement to superscript (3) to sample the pump coolant oil if a different brand is used at any or all of the pumphouses, including the pumphouse for Connector Pond.

- Pages 11&12** Addition of superscript (5) – explanation of temperature sampling and calculation of temperature difference for Outfall 007.
- Page 12** Addition of superscript (6) – explanation of phosphorus sampling for Outfall 007.
- Page 12** Addition of superscript (7) – explanation of copper sampling for Outfall 007.
- Page 15** Language adds sampling of Connector Pond for THP to Part I.A.13. Language clarifies that water samples from Loon Pond are no longer required after the date discharges of drainback water are discontinued to Loon Pond.
- Page 15** Language adds Outfall 006 to Part I.A.15. Language adds prohibition to refill Connector Pond with any other water than permitted in Part I.A.15.
- Page 15** Language adds Connector Pond as a prohibited discharge to Loon Pond to Part I.A.16
- Page 16** Addition of Part I.A.20. Outfalls discharging into Connector Pond must be located and designed in a manner that prevents scouring of the bottom or erosion of the edge of the pond.
- Page 16** Language adds Outfalls 006 and 007 to Part I.A.21.
- Page 16** Addition of Part I.A.23. regarding permittee’s notice to EPA of first discharge of drainback water to Connector Pond. Also includes language regarding prohibition of discharge to Loon Pond thirty (30) days after the first date of discharge to Connector Pond.

Due to addition of Parts I.A.6. and I.A.7., this draft permit modification includes changes to section numbering that are not italicized.

This permit modification shall become effective on the date of signature.

This permit modification does not effect the expiration date of the permit signed June 23, 2006. Therefore, the original permit and this permit modification expire at midnight on July 31, 2011.

This permit modification includes 17 pages in Part I consisting of the effluent limitations and monitoring requirements and 25 pages in Part II including General Conditions and Definitions.

Signed this 15TH day of March, 2007.

/s/ SIGNATURE ON FILE

Stephen S. Perkins, Director
Office of Ecosystem Protection
Environmental Protection Agency
Region I

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. During the 7-month period **beginning October 1st and lasting through April 30th**, the permittee is authorized to discharge from Outfall Serial Number 001 (drainback water from the snowmaking system) to the East Branch Pemigewasset River. **Furthermore, the permittee shall, to the maximum extent possible, discharge all water contained in the 16-inch pipe leading to/from the New River Pumphouse through this Outfall 001. Only after the discharge through Outfall 001 ceases is the permittee allowed to discharge the remaining water left in the 16-inch pipeline through Outfall 002 (a.k.a. the Westwood Brook drain).** Such discharges shall be limited and monitored by the permittee as specified below. Samples taken in compliance with the monitoring requirements specified below shall be taken after sufficient mixing in the common well has occurred, therefore not before 15 minutes has passed from the start of a drainback discharge event at a location that provides a representative analysis of the effluent discharged to the River.

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>		<u>Monitoring Requirements</u>	
	<u>Average</u>	<u>Maximum</u>	<u>Measurement</u>	<u>Sample</u>
Number of Events; Total	Report Monthly Total	Daily -----	Number of Events ¹ Type	Count
Flow; Gallons	-----	Report Frequency	Each Event ¹	Estimate
Total Petroleum Hydrocarbons (TPH); mg/L	-----	Report	1/Month ^{2,3}	Grab
Receiving Water TPH; mg/L	-----	Report	1/Month ²	Grab (see Part I.A.13. of the permit)

See pages 10 and 11 for explanation of superscripts.

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

2. During the 7-month period **beginning October 1st and lasting through April 30th**, the permittee is authorized to discharge from Outfall Serial Number 002 (drainback water from the snowmaking system) to Westwood Brook. Such discharges shall be limited and monitored by the permittee as specified below. Samples taken in compliance with the monitoring requirements specified below shall be taken immediately after (not to exceed 15 minutes) a drainback discharge event has begun at a location that provides a representative analysis of the effluent discharged to the Brook.

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>		<u>Monitoring Requirements</u>	
	<u>Average</u>	<u>Maximum</u>	<u>Measurement</u>	<u>Sample Type</u>
Number of Events; Number	Report Monthly Total	Daily -----	Number of Events ¹	Count
Flow; Gallons	-----	Report Frequency	Each Event ¹	Estimate
Total Petroleum Hydrocarbons; mg/L	-----	Report	1/Month ^{2,3}	Grab

See pages 10 and 11 for explanation of superscripts.

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

3. During the 7-month period **beginning October 1st and lasting through April 30th**, the permittee is authorized to discharge from Outfall serial number 003 (drainback water from the snowmaking system) to the East Branch Pemigewasset River. Such discharges shall be limited and monitored by the permittee as specified below. Samples taken in compliance with the monitoring requirements specified below shall be taken after sufficient mixing in the common well has occurred, therefore not before 5 minutes have passed from the start of a drainback discharge event at a location that provides a representative analysis of the effluent discharged to the River.

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>		<u>Monitoring Requirements</u>	
	<u>Average</u> _____	<u>Maximum</u> <u>Daily</u>	<u>Measurement</u> <u>Frequency</u>	<u>Sample</u> <u>Type</u>
Number of Events; Number	Report Monthly Total	-----	Number of Events ¹	Count
Flow; Gallons	-----	Report	Each Event ¹	Estimate
Total Petroleum Hydrocarbons; mg/L	-----	Report	1/Month ^{2,3}	Grab
Receiving Water TPH; mg/L	-----	Report	1/Month ²	Grab (see Part I.A.13. of the permit)

See pages 10 and 11 for explanation of superscripts.

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

4. During the 7-month period **beginning October 1st and lasting through April 30th**, the permittee is authorized to discharge from Outfall serial number 004 (drainback water from the snowmaking system) to the Boyle Brook Holding Pond. Such discharges shall be limited and monitored by the permittee as specified below. Samples taken in compliance with the monitoring requirements specified below shall be taken immediately after (not to exceed 15 minutes) a drainback discharge event has begun at a location that provides a representative analysis of the effluent just before it discharges to the Holding Pond.

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>		<u>Monitoring Requirements</u>	
	<u>Average</u> _____	<u>Maximum</u> <u>Daily</u>	<u>Measurement</u> <u>Frequency</u>	<u>Sample</u> <u>Type</u>
Number of Events; Number	Report Monthly Total	-----	Number of Events ¹	Count
Flow; Gallons	-----	Report	Each Event ¹	Estimate
Total Petroleum Hydrocarbons; mg/L	-----	Report	1/Month ^{2,3}	Grab
Receiving Water TPH; mg/L	-----	Report	1/Month ²	Grab (see Part I.A.13. of the permit)

See pages 10 and 11 for explanation of superscripts.

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

5. During the 7-month period **beginning October 1st and lasting through April 30th, until initiation of discharge to Connector Pond (I.A.23.)**, the permittee is authorized to discharge from Outfall serial number 005 (drainback water from the snowmaking system) to Loon Pond. Such discharges shall be limited and monitored by the permittee as specified below. Samples taken in compliance with the monitoring requirements specified below shall be taken as described in superscript 4 on page 11 at a location that provides a representative analyses of the ambient conditions in Loon Pond and the effluent discharged back to the Pond.

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>		<u>Monitoring Requirements</u>	
	<u>Report</u>	<u>Maximum</u>	<u>Measurement</u>	<u>Sample Type</u>
Number of Events; Number	Report Monthly Total	-----	Number of Events ¹	Count
Flow; Gallons	-----	Report Frequency	Each Event ¹	Estimate
Total Petroleum Hydrocarbons; mg/L	-----	0.0 ⁴	1/Month ^{2,3,4}	Grab
Receiving Water TPH; mg/L	-----	Report	1/Month ²	Grab (see Part I.A.13. of the permit)

See pages 10 and 11 for explanation of superscripts.

Average
Monthly

PART I***A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS***

6. During the 7-month period **beginning October 1st and lasting through April 30th**, the permittee is authorized to discharge from Outfall serial number 006 (drainback water from the snowmaking system) to Connector Pond. Such discharges shall be limited and monitored by the permittee as specified below. Samples taken in compliance with the monitoring requirements specified below shall be taken immediately after (not to exceed 15 minutes) a drainback discharge event has begun at a location that provides a representative analysis of the effluent just before it discharges to Connector Pond.

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>		<u>Monitoring Requirements</u>	
	<u>Average</u>	<u>Maximum</u>	<u>Measurement</u>	<u>Sample</u>
	<u>-----</u>	<u>Daily</u>	<u>Frequency</u>	<u>Type</u>
<i>Number of Events; Number</i>	<i>Report Monthly Total</i>	<i>-----</i>	<i>Number of Events¹</i>	<i>Count</i>
<i>Flow; Gallons</i>	<i>-----</i>	<i>Report</i>	<i>Each Event¹</i>	<i>Estimate</i>
<i>Total Petroleum Hydrocarbons; mg/L</i>	<i>-----</i>	<i>Report</i>	<i>1/Month^{2,3}</i>	<i>Grab</i>
<i>Receiving Water TPH; mg/L</i>	<i>-----</i>	<i>Report</i>	<i>1/Month²</i>	<i>Grab (see Part I.A.13. of the permit)</i>

See pages 10 and 11 for explanation of superscripts.

Monthly

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

7. During the 7-month period **beginning October 1st and lasting through April 30th**, the permittee is authorized to discharge from Outfall serial number 007 (refill water from East Branch Pemigewasset River) to Connector Pond. Such discharges shall be limited and monitored by the permittee as specified below. Samples taken in compliance with the monitoring requirements specified below shall be taken as described in superscripts 5, 6 and 7 on pages 10, 11 and 12 at a location that provides a representative analyses of the ambient conditions in Connector Pond and the effluent discharged into the pond from the East Branch Pemigewasset River.

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>		<u>Monitoring Requirements</u>	
	<u>Average</u>	<u>Maximum Daily</u>	<u>Measurement Frequency</u>	<u>Sample Type</u>
Number of Events; Number	Report Monthly Total	-----	Number of Events ¹	Count
Flow; Gallons	-----	Report	Each Event ¹	Estimate
Temperature (Effluent); Fahrenheit	-----	Report	1/Month ^{2,5}	Grab
Phosphorus (Effluent); mg/L	-----	Report	1/Month ^{2,6}	Grab
Copper (Effluent); mg/L	-----	Report	1/Year ^{2,7}	Grab
Receiving Water Temperature; Fahrenheit	-----	Report	1/Month ^{2,5}	Grab
Receiving Water Phosphorus; mg/L	-----	Report	1/Month ^{2,6}	Grab
Δ; Fahrenheit	-----	Report	1/Month ^{2,5}	Calculation

Temperature
See pages 10 through 12 for explanation of superscripts.

Monthly

EXPLANATION OF SUPERSCRIPTS TO PARTS I.A 1 through 7 that appear on pages 3 through 9:

- (1) The permittee shall report the number of discharge events per calendar month, including the approximate volume discharged, on the appropriate monthly Discharge Monitoring Report (DMR). If a discharge occurs, refer to superscript (2) immediately below for sampling requirements. If in any given month no pumping and/or no drainback discharge occurs, the appropriate DMR must still be submitted with the 'no discharge' box marked.
- (2) This sampling requirement applies only if a discharge occurs through this outfall for any given month due to the "operation" of any portion of the snowmaking system *or, in the case of Outfall 007, due to a refill event*. If no discharge occurs, the appropriate no discharge code will be affixed to the appropriate box on the applicable monthly DMR. The "operation" of the snowmaking system includes, but is not limited to, its use for: (1) testing of the system's pumps or any other portion of the system's equipment; (2) training of the snowmaking crews; and/or (3) normal snowmaking activities. *Refill is defined as the pumping of water into Connector Pond from East Branch Pemigewasset River*. For receiving water TPH sampling locations see Part I.A.13.
- (3) Total Petroleum Hydrocarbons (TPH) shall be analyzed using EPA Method 8100 with a protocol specific to Eastern Analytical, Inc. entitled "EPI SOP: 4.53, STANDARD OPERATING PROCEDURE, PETROLEUM HYDROCARBONS BY GC/FID" with a detection level of less than 0.5 milligrams per liter (mg/L). For the purposes of this permit, the "detection level" is considered the Minimum Level (ML) of detection for TPH and is defined as "the level at which the entire analytical system shall give recognizable signal and acceptable calibration points." **Also, for reporting purposes on the monthly DMR, all analytical results reported as less than 0.5 mg/L shall be considered equal to non-detect, therefore, reported as zero. A value equal to 0.5 mg/L shall be reported as 0.5 mg/L.**

The permittee had previously sampled the pump coolant oil, the same brand of which is used for the New River, Existing River, Boyle Brook, and Loon Pond Pumphouses. The sample was analyzed to ascertain its chemical fingerprint, and that fingerprint is currently required to be kept on file at the facility for future reference should TPH be detected in any of the compliance samples using this specific protocol. *The permittee shall re-sample the pump coolant oil if a different brand is used at any or all of the pumphouses, including the pumphouse for Connector Pond*. If TPH is detected in any sample at levels equal to greater than 0.5 mg/L, the chemical fingerprint in the water sample shall be compared against the chemical fingerprint of the pump(s) coolant oil(s) to determine if the source of the TPH is from a pump(s). Results of a chemical fingerprint comparison shall be submitted to EPA in a letter report format within 60 days.

If the permittee switches analytical laboratories, it shall submit the new laboratory's Standard Operation Procedure for performing TPH Method 8100 for approval by EPA-New England and the New Hampshire Department of Environmental Services, Water Division (NHDES-WD). The permittee will be required to continue testing using Method 8100 and the above specified protocol in this permit until the permit is either formally modified or until notice is received by certified letter from EPA-New England. In addition, EPA can require through this certified letter process that the permittee perform an equivalent or more accurate TPH analysis than EPA's Method 8100 should one become referenced in 40 Code of Federal Regulations (CFR) Part 136.

- (4) The following description applies to how the samples are collected for only Outfall 005 and to how those data are translated into a reportable effluent result. For each sampling event, two water samples shall be collected. One sample, called the "**intake sample**", shall be collected on the inlet or pond side of the pump just prior to pump shutdown, but **not** during the last 30 minutes of its operation (this sample considered to represent ambient pond concentration). The other sample, called the "**effluent sample**", shall be collected on the same side of the pump as the first sample after sufficient mixing has occurred in the common well, at least two minutes after the start of the discharge event (this sample considered to represent drain-back concentration). Both results shall be reported in the appropriate data input blocks on the appropriate monthly DMR.

Next, the permittee shall determine the net difference of those sampling results by subtracting the "**effluent sample**" from that of the "**intake sample.**" The net difference shall be reported in the appropriate data input block on the appropriate monthly DMR and shall be used to measure compliance with the permitted limit of 0.0 mg/L. Before any subtractions are performed, any results of less than 0.5 mg/L shall be converted to 0.0 mg/L.

The permittee shall determine the cause or causes of any TPH concentration either in the "intake sample" or in the "effluent sample" at Loon Pond pumphouse that exceeds the minimum level (0.5 mg/L). The permittee shall both notify EPA and begin an investigation within 24-hours from the time the permittee becomes aware of any exceedance. A written submission shall also be provided within 5 days of the time the permittee first becomes aware of the exceedance. This written submission shall contain a description of the cause of the exceedance, using the permittee's best efforts to uncover its cause, and any remedial action taken to prevent its recurrence if the permittee determines any of the permittee's equipment and/or practices caused or contributed to the exceedance.

- (5) *The following description applies to how the temperatures are collected for only Outfall 007 and to how those data are translated into a reportable effluent result. For each sampling event, two water temperatures shall be collected. One temperature, called the **Receiving Water Temperature**, shall be collected in the pond just prior to a pump event (this sample considered to represent ambient pond concentration). The other temperature, called the **Temperature (Effluent)**, shall be collected in the discharge pipe refilling Connector Pond with water from the East Branch Pemigewasset River just prior to pump shutdown. The difference in temperature, **Temperature Δ** , is the difference*

between the **Receiving Water Temperature** and the **Temperature (Effluent)**. All results shall be reported in the appropriate data input blocks on the appropriate monthly DMR.

- (6) *The following description applies to how the total phosphorus samples are collected for only Outfall 007. For each sampling event, two samples shall be collected. One sample, called the **Receiving Water Phosphorus**, shall be collected in the pond just prior to pump event (this sample considered to represent ambient pond concentration). The other sample, called the **Phosphorus (Effluent)**, shall be collected in the discharge pipe refilling Connector Pond with water from the East Branch Pemigewasset River just prior to pump shutdown. An EPA-approved method shall be used to obtain a detection limit of 10 ug/L for total phosphorus for each sample. Both results shall be reported in the appropriate data input blocks on the appropriate monthly DMR.*

- (7) *The following description applies to how copper samples are collected for only Outfall 007. Once per year, during a refill event, a sample called **Copper (Effluent)** shall be collected in the discharge pipe refilling Connector Pond with water from the East Branch Pemigewasset River just prior to pump shutdown. The result shall be reported in the appropriate data input blocks on the appropriate monthly DMR. If results of two consecutive years of copper samples are lower than the detection limit of 0.001 mg/L, then the permittee may provide written request to EPA that no further copper sampling be required for the remainder of the effective period of the Permit.*

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

8. No discharge shall cause a violation of the water-quality standards of the receiving water into which the discharge flows.
9. The permittee shall not discharge into the receiving water any pollutant or combination of pollutants in toxic amounts.
10. The discharges shall be adequately treated, if necessary, to ensure that the surface water remains free from pollutants in concentrations or combinations that settle to form harmful deposits or float as foam, oil & grease, debris, scum or other visible pollutants. Any necessary treatment shall ensure that the surface waters remain free from pollutants which produce odor, color, taste or turbidity in the receiving water which is not naturally occurring and would render it unsuitable for its designated uses.
11. All existing manufacturing, commercial, mining, and silvicultural 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 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 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) and New Hampshire regulations.

- b. That any activity has 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) and New Hampshire regulations.
 - 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. This permit shall be modified, or alternatively, revoked and reissued, to comply with any applicable standard or limitation promulgated or approved under sections 301(b)(2)(C) and (d), 304(b)(2), and 307(a)(2) of the CWA, if the effluent standard or limitation so issued or approved:
- a. Contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or
 - b. Controls any pollutants not limited in the permit.

The permit as modified or reissued under this paragraph shall also contain any other requirements of the CWA then applicable.

13. As indicated in Parts I.A.1., I.A.3. and I.A.4. of this permit, the permittee shall collect a sample of water once per month from East Branch Pemigewasset River and Boyle Brook when water is being withdrawn from the source water. The East Branch Pemigewasset River sample should be taken just above the confluence with Boyle Brook and the Boyle Brook sample should be taken just above the diversion dam to the Boyle Brook Holding Pond. Both samples will be analyzed for TPH by the analytical method shown in superscript 3 on pages 10 and 11. In addition, as indicated in Parts I.A.5. and I.A.6 of this permit, the permittee shall collect a sample of water once per month from Loon Pond *until discharges to Loon Pond are discontinued (I.A.23) and from Connector Pond* in the immediate vicinity (within 50 feet) of the Pond's outlet when water is being withdrawn from the source water. The permittee shall have that sample analyzed for TPH by the analytical method shown in superscript 3 on pages 10 and 11. All the test results will be reported on the appropriate monthly DMR during the previously operational period defined as beginning October 1st and ending April 30th. As described more fully in superscript 2 on page 10, the requirements to sample each of these receiving waters apply only if a discharge to the receiving water occurs in a given month.
14. The permittee shall not add any chemical or biological agents to the water either as it enters the snowmaking system or moves through the snowmaking system. Since compressed air is added to the water immediately after it leaves the water distribution portion of the system, that addition of air is not included in this prohibition.
15. The permittee is prohibited from the discharge of drainback water from any portion of its snowmaking system to waters of the United States except from *Outfalls 001-006* permitted in Parts I.A.1. through I.A.6. on pages 3 through 8 *and is prohibited to refill Connector Pond with any other water than permitted in Part I.A.7 on page 9*. This specifically includes, but is not limited to, all sites identified in Loon Mountain Recreation Corporation Snowmaking Drain System, July 9, 1997, submitted to EPA-New England by letter dated July 10, 1997, as part of Loon's permit application package except those drain locations mentioned in that letter that are now referred to as Outfalls 001-005 in the Permit *and except Outfalls 006-007 that are added in this Draft Permit modification*.
16. The permittee shall not discharge to Loon Pond any water from any other source than water contained within the perimeter of the Pond itself. The prohibited sources include, but are not limited to, the East Branch Pemigewasset River, Boyle Brook, *Connector Pond*, and any water that has flowed over the dam at the outlet of Loon Pond. The permittee shall submit a signed statement each month along with the appropriate monthly DMR for the period beginning October 1st and ending April 30th stating that it has complied with this provision of the permit. Included in that signed statement, the permittee shall specify what device(s) and/or technique(s) were used to prevent any discharge including incidental valve leakage to Loon Pond of water other than from Loon Pond itself.
17. The permittee shall retain for the life of this permit a copy of pumping records for each pumphouse on site and make available for review upon request. These records shall show, at a minimum, the date and time the pumps were "turned on" followed by the date and time the pumps were "turned off." For each pump's on/off cycle, there shall be a legibly written or typed

notation describing all outfall(s) that drainback water was/were discharged through and the approximate volume discharged at each outfall as a result of that pump's shutdown. A circumstance of no pumping and/or no drainback discharge for any given month and outfall is considered a situation that requires documentation.

18. The permittee shall utilize operation and maintenance procedures to ensure that no TPH containing substances are introduced into the drainback discharge.
19. The permittee shall retain for the life of this permit all inspection and maintenance records relative to all the pumps, pumphouses and intake structures for inspection and copying as needed by EPA-New England and/or NHDES-WD officials. This applies to any and all inspection and maintenance functions carried out during the entire calendar year (12-month period).
20. *Outfalls discharging into Connector Pond must be located and designed in a manner that prevents scouring of the bottom or erosion of the edge of the pond.*
21. The Permit and this Draft Permit Modification shall be modified, or alternatively, revoked and reissued to incorporate more frequent TPH monitoring requirements for some or all *seven (7)* outfalls and/or possibly to include numeric limits for Outfalls 001-004 *and 006-007*, if: As to Outfalls 001-004 *and 006*, the results of the TPH requirements in this permit indicate the discharge(s) cause or have "reasonable potential" to cause an exceedance of a technology-based TPH guideline value of 5 mg/L and/or the various O&G narrative standards in the State's Surface Water Quality Regulations dated December 10, 1999, as amended; or, as to Outfall 005, if results of the TPH requirements in this permit indicate that there is any TPH being discharged at any detectable level. Results from the monthly DMRs are considered "New Information" and the Permit and Draft Permit Modification may be modified as provided in 40 CFR §122.62(a)(2).
22. All persons collecting samples for TPH analysis shall either be from the firm performing that analysis or be trained in the proper collection procedures and preservation techniques by the firm performing those TPH analyses. The permittee is required to certify each month that all TPH samples were collected either by the firm performing the TPH analysis or by a person(s) trained in the proper collection procedures and preservation techniques by the firm performing those TPH analyses.
23. *At least thirty (30) days prior to the first discharge of drainback water to Connector Pond, the permittee shall provide EPA with written notice of the anticipated date of the first discharge. Thirty (30) days following the date of first discharge to Connector Pond, discharge of drainback water to Loon Pond (I.A.5.) is prohibited. Any activities associated with termination of intake or discharge to Loon Pond shall be done in accordance with all applicable state and federal laws.*

B. MONITORING AND REPORTING

Monitoring results shall be summarized for each calendar month and reported on separate Discharge Monitoring Report Form(s) (DMRs) postmarked no later than the 15th day of the month following the completed reporting period.

Signed and Dated original DMRs and all other reports required herein, shall be submitted to the Director at the following address:

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

Duplicate signed copies of all reports required herein shall be submitted to the State at:

New Hampshire Department of Environmental Services
Water Division
Wastewater Engineering Bureau
29 Hazen Drive, P.O. Box 95
Concord, New Hampshire 03302-0095

In addition, chemical fingerprint comparison reports, when required, shall be submitted to:

David Webster (Telephone: 617-918-1791)
U.S. Environmental Protection Agency
1 Congress Street, Suite 1100 (CIP)
Boston, MA 02114-2023

C. STATE PERMIT CONDITIONS

This NPDES Discharge Permit is issued by the EPA under Federal and State law. Upon final issuance by the EPA, the NHDES-WD may adopt this permit, including all terms and conditions, as a State permit pursuant to RSA 485-A:13.

If NHDES-WD adopts this permit, 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 the Permit as issued by the other Agency, unless and until each Agency has concurred in writing with such modification, suspension or revocation.