UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
NEW ENGLAND - REGION I
ONE CONGRESS STREET, SUITE 1100
BOSTON, MASSACHUSETTS 02114-2023

FACT SHEET

DRAFT NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
PERMIT TO DISCHARGE TO WATERS OF THE UNITED STATES

NPDES PERMIT NO: **MA0033324**

NAME AND ADDRESS OF APPLICANT:

The Groton School
P.O. Box 991
Groton, Massachusetts 01450

NAME AND ADDRESS OF FACILITY WHERE DISCHARGE OCCURS:

The Groton School Wastewater Treatment Facility
Farmers Row
Groton, Massachusetts 01450

RECEIVING WATER: **Nashua River** (Nashua Basin - MA81-06)
USGS Hydrologic code: 01070004

CLASSIFICATION: **Class B - Warm Water Fishery**

I. PROPOSED ACTION

The above named applicant has applied to the U.S. Environmental Protection Agency for the re-issuance of its National Pollutant Discharge Elimination System (NPDES) permit to discharge into the designated receiving water. The current permit was signed on June 21, 2002 and became effective on August 29, 2002. The permit expired September 30, 2005. A re-application was received on March 29, 2005.

II. TYPE OF FACILITY AND DISCHARGE LOCATION

The above named applicant has applied to the U.S. Environmental Protection Agency ("EPA") for the reissuance of its NPDES permit to discharge into the designated receiving water. The facility is a private school which operates a system for the collection and treatment of domestic wastewater. The discharge from this secondary wastewater treatment facility is via Outfall 001 to the Nashua River.

III. DESCRIPTION OF DISCHARGE

Quantitative descriptions of the discharge in terms of significant effluent parameters based on recent discharge monitoring reports (DMRs) for January, 1 2004 through March 31, 2007, may be found in Fact Sheet Attachment A.

IV. LIMITATIONS AND CONDITIONS

The effluent limitations and monitoring requirements may be found in the draft NPDES permit.

V. PERMIT BASIS AND EXPLANATION OF EFFLUENT LIMITATION DERIVATION

A. PROCESS DESCRIPTION

The Groton School is an independent secondary boarding school located in Groton, MA. The Wastewater Treatment Facility (WWTF) which is located at the school, has a design flow of 70,000 gallons per day (gpd) or 0.07 million gallons per day (mgd), and serves a population of approximately 400 students and employees. See attached the site location map. The WWTF consists of a two chambered settling tank with a total volume of approximately 14,000 gallons. This settling tank requires pumping for removal of accumulated sludge two to three times per year. Effluent from the settling tank goes to a dosing tank of 10,000 gallons followed by a siphon, a flow recorder and four approximately 8,000 ft^2 intermittent sand filters. A distribution manhole with flap gates doses the filter beds alternately. The sand filter beds provide additional treatment and are lined and underdrained. The effluent from the filter beds is directed to a manhole, it is disinfected with UV radiation. Effluent is then conveyed through an outfall pipe to a discharge point below the surface of the Nashua River. See Figure 1A for a Process Flow Diagram.

The collection system has approximately six miles of sewer line, serving the campus and approximately 30 residences owned by the school. The remainder of the campus is served by Title 5 septic systems. The school has identified some locations of infiltration and inflow within the sewer system after completion of some preliminary investigations. The school is expected to continue to make efforts to identify and reduce this component of the sewer flow to the Groton School WWTF. The reduction of infiltration and inflow into the sewer system will help to reduce the impact of the WWTF discharge to the Nashua River.

B. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

OVERVIEW OF FEDERAL AND STATE REGULATIONS

The Clean Water Act (CWA) prohibits the discharge of pollutants to waters of the United States without a National Pollutant Discharge Elimination System (NPDES) permit unless such a discharge is otherwise authorized by the CWA. The NPDES permit is the mechanism used to implement technology and water quality-based effluent limitations and other requirements

including monitoring and reporting. This draft NPDES permit was developed in accordance with various statutory and regulatory requirements established pursuant to the CWA and any applicable State regulations. The regulations governing the EPA NPDES permit program are generally found at 40 CFR Parts 122, 124, 125, and 136.

EPA is required to consider a) technology-based requirements, b) water quality-based requirements, and c) all limitations and requirements in the current/existing permit, when developing permit limits. These requirements are described in the following paragraphs.

Pursuant to 40 C.F.R. § 122.44 (d), permittees must achieve water quality standards established under Section 303 of the Clean Water Act (CWA), including state narrative criteria for water quality. Additionally, under 40 C.F.R. § 122.44 (d)(1)(i), "Limitations must control all pollutants or pollutant parameters which the Director determines are or may be discharged at a level which will cause, have the reasonable potential to cause, or contribute to an excursion above any state water quality standard." When determining whether a discharge causes, or has the reasonable potential to cause or contribute to an in-stream excursion above a narrative or numeric criterion, the permitting authority shall use procedures which account for existing controls on point and non-point sources of pollution, and where appropriate, consider the dilution of the effluent in the receiving water.

A permit may not be renewed, reissued, or modified with less stringent limitations or conditions than those contained in the previous permit unless in compliance with the anti-backsliding requirements of the CWA. EPA's anti-backsliding provisions restrict the relaxation of permit limits, standards, and conditions. Therefore effluent limits in the reissued permit must be at least as stringent as those of the previous permit. Effluent limits based on technology, water quality, and state certification requirements must meet anti-backsliding provisions found under section 402 (o) and 303 (d) of the CWA, and in 40 CFR 122.44 (1).

In accordance with regulations found at 40 CFR Section 131.12, MassDEP has developed and adopted a statewide antidegradation policy to maintain and protect existing in-stream water quality. The Massachusetts Antidegradation Policy is found at Title 314 CMR 4.04. No lowering of water quality is allowed, except in accordance with the antidegradation policy. All existing uses of the Nashua River must be protected. This draft permit is being reissued with allowable discharge limits as, or more, stringent than those in the current permit and with the same parameter coverage, with the exception of the addition of phosphorus limits and an expansion of the low end of the pH range.

The addition of the recirculating sand filter in 2003 constitutes a “material and substantial alteration and addition to the permitted facility… which justify the application of a less stringent effluent limitation” (CWA Section 402(o)(2)(1). There is no change in outfall location. The public is invited to participate in the antidegradation finding through the permit public notice procedure.

TECHNOLOGY-BASED REQUIREMENTS

Technology-based requirements represent the minimum level of control that must be imposed under Sections 301(b) and 402 of the CWA (see 40 CFR §125 Subpart A). For existing sources, technology-based requirements according to best practicable control technology currently available (BPT) are applied for conventional, non-conventional, and toxic pollutants. More stringent technology-based requirements are applied through best conventional control technology (BCT) for conventional pollutants; and best available technology economically achievable (BAT) for toxic and non-conventional pollutants. New source performance standards (NSPS) are applied to new sources, to control conventional, non-conventional, and toxic pollutants.

There are no effluent limitations guidelines (ELGs) for privately owned treatment plants treating domestic sewage. In the absence of ELGs, the permit writer is authorized under Section 402(a)(1) of the CWA to establish technology based limits on a case-by-case basis using best professional judgment (BPJ). See 40 CFR Part 125.3(c)(2) and (c)(3). Using BPJ, EPA decided to use the technology-based requirements for POTWs as the basis for the technology-based requirements for this discharge, because the wastewater composition and treatment technologies are identical to those of a small POTW.

The factors to be considered in developing BAT limits are set forth at 40 C.F.R. §§ 125.3(c)(2)(i) and (ii) and 125.3(d)(3)(i) - (vi) and include, among other things, the age of existing facilities, engineering issues, process changes, non-water quality-related environmental impacts, and the costs of achieving required effluent pollutant reductions.

WATER QUALITY STANDARDS AND DESIGNATED USES

The receiving water is the Nashua River, Segment MA81-06. This 8.8 mile river segment runs from the confluence with the Squannacook River, Shirley/Groton/Ayer to the Pepperell Dam, Pepperell.

This discharge location is classified in 314 CMR 4.00 as a Class B, warm water fishery by the Massachusetts Department of Environmental Protection (MassDEP). The Massachusetts Surface Water Quality Standards, 314 Code of Massachusetts Regulations ("CMR") 4.05(3) (b) states that Class B waters are designated as habitat for fish, other aquatic life and wildlife, and for primary and secondary contact recreation. They shall be suitable for irrigation and other agricultural uses and for compatible industrial cooling and process uses. The waters should have consistently good aesthetic value.
A warm water fishery is defined in the Massachusetts Surface Water Quality Standards (314 CMR 4.02) as waters in which the maximum mean monthly temperature generally exceeds 20° Celsius during the summer months and are not capable of supporting a year-round population of cold water stenothermal aquatic life.

The objective of the Federal Clean Water Act (CWA) is to restore and maintain the chemical, physical, and biological integrity of the Nation's waters. To meet this goal the CWA requires states to develop information on the quality of their water resources and report this information

to the U.S. Environmental Protection Agency (EPA), the U.S. Congress, and the public. To this end the EPA released guidance on November 19, 2001, for the preparation of an integrated "List of Waters" that could combine reporting elements of both § 305 (b) and 303(d) of the CWA. The integrated list format allows the states to provide the status of all their assessed waters in one list. States choosing this option must list each water body or segment in one of the following five categories:

1) Unimpaired and not threatened for all designated uses; 2) Unimpaired waters for some uses and not assessed for others; 3) Insufficient information to make assessments for any uses; 4) Impaired or threatened for one or more uses but not requiring the calculation of a Total Maximum Daily Load (TMDL); and 5) impaired or threatened for one or more uses and requiring a TMDL.

The segment of the Nashua River where the Groton School discharge occurs, is classified in the State's Integrated List of Waters as category 5, as not in attainment and requiring a TMDL. The listed impairments for this segment are "cause unknown", metals, nutrients, organic enrichment-low DO, noxious organic plants, and turbidity.

The MassDEP 1998 Water Quality Assessment Report for the Nashua River, which is the basis for the 303(d) list, stated that the aquatic life use is assessed as "non-support" for this segment based on a fish advisory for metals contamination in the lower 3½ miles of this segment. The upper 5.3 miles were not assessed, but the lower 3½ miles are non-supportive of primary and secondary contact and aesthetics.

The Nashua River Watershed 5 Year Action Plan 2002-2007 states that: *The Main stem now flows northward from its impoundment at Wachusett Reservoir to the Merrimack River in Nashua, New Hampshire. The Main stem Nashua River shows high phosphorus levels and some high bacteria counts.*

Treated wastewater accounts for about 30% of the Nashua River's summertime flow, making the river vulnerable to malfunctions at treatment facilities and other wastewater dischargers. Major waterbodies in this subbasin include Pepperell Pond, which is classified as hypereutrophic, excessively turbid, and, containing low dissolved oxygen, excessive nutrients (otherwise known as "organic enrichment") and noxious non-native plants. As metals (Hg) have been detected, there is a fish consumption advisory.

Available Dilution

Instream 7Q10 flow:

Drainage area at East Pepperell USGS Gage Station No. 1096500 = 435 m^2
Gazetteer of Hydrologic Characteristics of Streams in Massachusetts—Merrimack River Basin,
USGS 84-4284

Drainage area at Groton School Discharge = 420 m^2
USGS StreamStats Data-Collection Report

7Q10 at East Pepperell USGS Gage Station No. 1096500 = 46 cfs
Data Years 1935 – May, 2007
USGS StreamStats Data-Collection Report
(Same value found in Gazetteer of Hydrologic Characteristics)

7Q10 at Groton School Discharge (420/435)(46) = 44 cfs
USGS StreamStats Data-Collection Report

(44cfs)(0.645) = 28 mgd

Design Flow Dilution: = Design flow + 7Q10 flow
Design flow

0.07 mgd +28 mgd = 401
0.07 mgd

Note: The previously calculated dilution of 425:1 was based on the 7Q10 derived from the East Pepperell Gage Station. The 401:1 dilution calculated above is adjusted for the drainage area between gage and the point of discharge from the Groton School WWTP.

Flow – This draft permit carries forward the average monthly flow limit of 70,000 gallons per day. Note that this flow limit is expressed as an annual average limitation, to be reported on a 12 month rolling basis. Flows are not expected to increase substantially in the coming years and may decline depending on the success in decreasing infiltration/inflow into the sewer system.

pH - The draft permit includes pH limitations which are required by state water quality standards, and are protective of pH standards set forth at Title 314 CMR 4.05(b)(3), for Class B waters.

The pH requirements are more stringent than those required under 40 C.F.R. §133.102(c). The pH range is being lowered to 6.0 standard units from 6.5 su found in the current permit. MassDEP states that the low pH is a result of nitriphication as a result of the 2003 installation of the recirculating sand filter, in a letter June 1, 2007. The monitoring frequency remains once (1) per week.

Escherichia coli Bacteria (*E. coli*)

The Escherichia coli (*E. coli*) limits for Outfall # 001 are based on state water quality standards for Class B waters (314 CMR 4.05(b)(4)). The State of Massachusetts recently (December 29, 2006) promulgated new bacteria criteria in the Surface Water Quality Standards (314 CMR 4.00). Fecal coliform bacteria have been replaced by *E. coli* in those standards. It is anticipated that these new bacteria criteria will be approved by EPA prior to the final issuance of the NPDES permit. Therefore, the draft permit includes *E. coli* limits, with a one year compliance schedule for attaining the limits. After one year, the new *E. coli* limit will go into effect. As discussed below, fecal coliform limits will be in effect during the first year.

The effluent limits for Outfall # 001 are 126 colony forming units (cfu)/100 ml geometric monthly mean and 409 cfu/100 ml maximum daily value (this is the 90% distribution of the geometric mean of 126 cfu/100 ml).

Fecal Coliform Bacteria

As discussed above, new bacteria criteria have been adopted by MassDEP, and EPA approval of the criteria is expected in the near future. There are no fecal coliform criteria for Class B waters in the new MA Water Quality Standards recently adopted by MassDEP. However, until EP has approved the new criteria, it must base NPDES permit limits on the old fecal coliform criteria. Additionally, EPA and MassDEP believe that a one year compliance schedule for achieving the new *E.coli* limits is reasonable. Therefore, the existing fecal coliform limits are included in the permit for one year, whereupon the new *E.coli* limits will go into effect.

Accordingly, the draft permit includes fecal coliform limits for Outfall #001for the first year until the *E. coli* limits become effective. The weekly average bacteria limit, which was equivalent to the maximum daily limit of the existing permit, is not necessary and has been removed. Weekly sampling is required. There were no effluent violations for fecal coliform bacteria during the period of January 1, 2004 through May of 2006.

Effluent limitations for fecal coliform bacteria as well as the pH range are based upon State Certification requirements for WWTFs under Section 401(d) of the CWA, 40 CFR 124.53 and 124.55.

OUTFALL 001 - CONVENTIONAL POLLUTANTS

Biochemical Oxygen Demand (BOD_5) and Total Suspended Solids (TSS) – As described earlier, using best professional judgment, EPA has used technology requirements for POTWs as technology based limits for this discharge. Publicly Owned Treatment Works (POTWs) are subject to the secondary treatment requirements set forth at 40 CFR Part 133 and 40 CFR 122.45. The secondary treatment limitations are a monthly average TSS concentration of 30 mg/l and a weekly average concentration of 45 mg/l. The maximum daily concentration shall continue to be reported.

Monthly average and weekly average BOD_5 and TSS mass (lbs per day) limits have been maintained from the current permit. The mass limitations for BOD_5 and TSS are based on the 0.07 MGD design flow.

BOD_5 and TSS Mass Loading Calculations:

Calculations of maximum allowable loads for average monthly BOD_5 and TSS are based on the following equation:

L = C x DF x 8.34 or L = C x DF x 3.79 where:

L = Maximum allowable load in lbs/day.
C = Maximum allowable effluent concentration for reporting period in mg/l. Reporting periods are average monthly and weekly and daily maximum.
DF = Design flow of facility in mgd.
8.34 = Factor to convert effluent concentration in mg/l and design flow in MGD to lbs/day.
3.79 = Factor to convert effluent concentration in mg/l and design flow in MGD to kgs/day.

BOD_5 and TSS

(Concentration limit) [30] X 8.34 (Constant) X 0.07 (design flow) = 17.5 lbs/day

(Concentration limit) [30] X 3.79 (Constant) X 0.07 (design flow) = 8.0 kgs/day

(Concentration limit) [45] X 8.34 (Constant) X 0.07 (design flow) = 26.2 lbs/day

(Concentration limit) [45] X 3.79 (Constant) X 0.07 (design flow) = 11.9 kgs/day

OUTFALL 001 - NON-CONVENTIONAL POLLUTANTS

Total Phosphorus (TP) - The Massachusetts Surface Water Quality Standards (314 CMR 4.00) do not contain numerical criteria for total phosphorus. The narrative criteria for nutrients are found in 314 CMR 4.05(5) (C) which states that nutrients “shall not exceed the site specific limits necessary to control accelerated or cultural eutrophication” The standards also require that “any existing point source discharges containing nutrients in concentrations which encourage eutrophication or growth of weeds or algae shall be provided with the highest and best practicable treatment to remove such nutrients” (314 CMR 4.04). The Nashua River down stream of the point of discharge is listed as impaired for nutrients and organic enrichment-low DO.

MassDEP has recently completed a draft phosphorus TMDL for the Nashua River that includes wasteload allocations for the municipal wastewater treatment plants in East Fitchburg, Leominster, Clinton (MWRA), and Ayer, which will require more stringent total phosphorus limitations in their NPDES permits (the draft TMDL may be found at http://www.mass.gov/dep/water/resources/tmdls.htm). These facilities are all located upstream of the Groton School discharge. The Leominster and Ayer NPDES permits have been reissued with more stringent total phosphorus limits, and it is anticipated that the East Fitchburg and MWRA Clinton permits will soon be issued with effluent limitations at least as stringent as those recommended by the draft TMDL. The TMDL did not include a wasteload allocation for the Groton School, but the TMDL modeling projects that even after the upstream facilities are achieving more stringent limitations and nonpoint source discharges of phosphorus are reduced, the instream average total phosphorus concentration will be about 130 ug/l, which is greater than EPA-recommended Gold Book criteria of 100 ug/l for free flowing waters (see item 1 on page 9 of the draft TMDL).

EPA calculated the instream phosphorus concentration resulting from the discharge of total phosphorus from the Groton School. A review of effluent data submitted by the School shows that monthly average total phosphorus concentrations ranged from 1.6 mg/l to 6.76 mg/l. Based on the dilution factor of 401 calculated previously, an effluent discharge of 6.76 mg/l would increase the instream concentration of total phosphorus by about 17 ug/l (6.76 mg/l/401 x 1000 ug /mg), which would be about a 13 percent increase, based on a background concentration of 130 ug/l, resulting in an instream concentration even further from the Gold Book-recommended criteria of 100 ug/l.

EPA therefore believes that the discharge has a reasonable potential to contribute to exceedances of water quality standards. A monthly average total phosphorus limitation of 1 mg/l is included in the draft permit. Using the same dilution equation as above, this discharge at 1 mg/l would only increase the instream concentration of total phosphorus by about 2.5 ug/l, which is only about a two percent increase over the projected concentration of 130 ug/l.

The school's limit of 1.0 mg/l divided by the 401 dilution factor yields an in-stream TP concentration of 0.025 mg/l which equivalent to the Gold Book criteria for lakes, ponds, or impoundments.

Consultants for the permittee are looking at products used at the school that may contain phosphorus as a pollution prevention program to reduce the phosphorus load the to the treatment system.

The draft permit contains a two year compliance schedule to allow time for the school to design, build, and attain operation of a phosphorus removal system. The permittee shall be required to monitor and report total phosphorus without a limit in the interim. 40 CFR Section 122.47 and Section 314:310(10) of the Code of Massachusetts Regulations, Water Quality Standards, allow for schedules of compliance.

Whole Effluent Toxicity – (WET) Under Section 301(b)(1)(C) of the CWA, discharges are subject to effluent limitations based on water quality standards. The Massachusetts Surface Water Quality Standards include the following narrative statement and requires that EPA criteria established pursuant to Section 304(a)(1) of the CWA be used as guidance for interpretation of the following narrative criteria:

"All surface waters shall be free from pollutants in concentrations or combinations that are toxic to humans, aquatic life or wildlife."

National studies conducted by the EPA have demonstrated that domestic sources contribute toxic constituents. These constituents include metals, chlorinated solvents, aromatic hydrocarbons and others. The Region's current policy is to include toxicity testing requirements in all permits, while Section 101(a) (3) of the CWA specifically prohibits the discharge of toxic pollutants in toxic amounts.

Based on the potential for toxicity resulting from domestic sewage, in accordance with EPA national and regional policy, and in accordance with MassDEP policy, the draft permit includes acute toxicity limitations and monitoring requirements. (See Policy for the Development of Water Quality-Based Permit Limitations for Toxic Pollutants, 50 Fed. Reg. 30,784 (July 24, 1985); EPA's Technical Support Document for Water Quality-Based Toxics Control", September, 1991; and MassDEP's Implementation Policy for the Control of Toxic Pollutants in Surface Waters (February 23, 1990).

Pursuant to EPA, Region I and MassDEP policy, discharges having a dilution factor greater than 100:1 (401 for this discharge) require acute toxicity testing and an acute LC_{50} limit of 50%. The draft permit requires the permittee to conduct two acute WET tests per year. The tests the use the species, Ceriodaphnia dubia, in accordance with existing permit conditions, and are to be conducted in accordance with the EPA Region I Toxicity protocol found in the draft permit Attachment A.

IV. OPERATION AND MAINTENANCE OF THE SEWER SYSTEM

The permit standard conditions for "Proper Operation and Maintenance" are found at 40 CFR 122.41(e). These require proper operation and maintenance of permitted wastewater systems and related facilities to achieve permit conditions. Similarly, the permittee has a 'duty to mitigate' are stated in 40 CFR §122.41(d). This requires the permittee to take all reasonable steps to minimize or prevent any discharge in violation of the permit which has the reasonable likelihood of adversely affecting human health or the environment. EPA and MassDEP maintain that these programs are an integral component of ensuring permit compliance under both these provisions.

The draft permit includes requirements for the permittee to control infiltration and inflow (I/I). Infiltration is groundwater that enters the collection system through physical defects such as cracked pipes, or deteriorated joints. Inflow is extraneous flow entering the collection system through point sources such as roof leaders, yard and area drains, sump pumps, manhole covers, tide gates, and cross connections from storm water systems.

Significant I/I in a collection system may displace sanitary flow reducing the capacity and the efficiency of the treatment works and may cause bypasses to secondary treatment. It greatly increases the potential for sanitary sewer overflows (SSO) in separate systems.

The permittee estimates the rate of I/I in the collection system to be 55,000 gallons per day on an annual basis (2005 permit application). The permittee has recorded daily maximum flow rates as high as 0.349 mgd (March 29, 2005). The uncovered filter beds have a combined surface area of 24,000 ft^2. One inch of rainfall will add approximately 15,000 gallons of flow to the treatment system. An acre/inch of water is equal to 27,154 gallons.

The permittee shall develop an I/I removal program for its separate sewers commensurate with the severity of the I/I in the collection system. Where portions of the collection system have little I/I, the control program will logically be scaled down.

The permittee is undertaking a slip lining project during the summer of 2007 to address a high I/I section of pipe. Approximately 1 mile of the 6 mile collection system has been rehabilitated to date. The permittee has committed to ongoing I/I removal program.

This requires the permittee to take all reasonable steps to minimize or prevent any discharge in violation of the permit which has a reasonable likelihood of adversely affecting human health or the environment. EPA and MassDEP maintain that an I/I removal program is an integral component to insuring permit compliance under both of these provisions.

The MassDEP has stated that inclusion of the I/I conditions in the draft permit shall be a standard State Certification requirement under Section 401 of the Clean Water Act and 40 CFR §124.55(b).

V. SLUDGE INFORMATION AND REQUIREMENTS

The Groton School WWTP produces approximately 2.6 metric tons of sludge each year. Section 405(d) of the Clean Water Act requires that sludge conditions be included in all permits for treatment works treating domestic sewage.

Sludge from the Groton School WWTF is currently stored on-site awaiting MassDEP approval for beneficial use. If the ultimate sludge disposal method changes, the permittee must notify EPA and MassDEP and the requirements pertaining to sludge monitoring and other conditions would change accordingly (See Attached Sludge Guidance document).

VII. UNAUTHORIZED DISCHARGES

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

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

VIII. MONITORING AND REPORTING

The permittee is obliged to monitor and report sampling results to EPA and the MassDEP within the time specified in the permit. The effluent monitoring requirements have been established to yield data representative of the discharge by the authority under Section 308(a) of the CWA in accordance with 40 CFR, 122.44, and 122.48.

IX. STATE PERMIT CONDITIONS

The NPDES Permit is issued jointly by the U. S. Environmental Protection Agency and the Massachusetts Department of Environmental Protection under federal and state law, respectively. As such, all the terms and conditions of the permit are, therefore, incorporated into and constitute a discharge permit issued by the MassDEP Commissioner.

X. GENERAL CONDITIONS

The general conditions of the permit are based primarily on the NPDES regulations 40 CFR 122 through 125 and consist primarily of management requirements common to all permits.

XI. STATE CERTIFICATION REQUIREMENTS

EPA may not issue a permit unless the State Water Pollution Control Agency with jurisdiction over the receiving waters certifies that the effluent limitations contained in the permit are stringent enough to assure that the discharge will not cause the receiving water to violate State Water Quality Standards. The staff of the Massachusetts Department of Environmental Protection has reviewed the draft permit. EPA has requested permit certification by the State pursuant to 40 CFR 124.53 and expects that the draft permit will be certified.

XII. PUBLIC COMMENT PERIOD, PUBLIC HEARING; AND PROCEDURES FOR FINAL DECISIONS

All persons, including applicants, who believe any condition of the draft permit is inappropriate must raise all issues and submit all available arguments and all supporting material for their arguments in full by the close of the public comment period to: Mr. Doug Corb, NPDES Permit Program, U.S. Environmental Protection Agency, One Congress Street, Suite 1100 (Mail Code: CMP), Boston, Massachusetts 02114-2023. Any person, prior to such date, may submit a request in writing for a public hearing to consider the draft permit to EPA-New England and the State Agency. Such requests shall state the nature of the issues proposed to be raised in the hearing. A public hearing may be held after at least thirty (30) days public notice whenever the Director finds that response to this notice indicates significant public interest. In reaching a final decision on the draft permit, the Regional Administrator will respond to all significant comments and make these responses available to the public at EPA New England's Boston office.

Following the close of the comment period, and after a public hearing, if such hearing is held, the Director will issue a final permit decision and forward a copy of the final decision to the applicant and each person who has submitted written comments or requested notice.

XIII. EPA CONTACT

Additional information concerning the draft permit may be obtained between the hours of 9:00 a.m. and 5:00 p.m., Monday through Friday, excluding holidays from:

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Date: August 9, 2007

Stephen S. Perkins, Director*
Office of Ecosystem Protection
U.S. Environmental Protection Agency

* Please address all comments to Doug Corb and Paul Hogan at the addresses above