

**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”),

The Town of Exeter, New Hampshire

is authorized to discharge from the Town of Exeter Wastewater Treatment Plant located at

**13 Newfields Road
Exeter, New Hampshire 03833**

to the receiving water named:

Squamscott River (Hydrologic Basin Code: 01060003)

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

If comments are received during the public notice of the draft permit, the permit shall become effective on the first day of the month immediately following 60 days after signature. If no comments are received during the public notice the permit will become effective on the date of signature.

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

This permit supersedes the permit issued on July 5, 2000.

This permit consists of 17 pages in Part I including effluent limitations, monitoring requirements, etc., Attachments A (Marine Acute Toxicity Test Procedure and Protocol), Attachment B (List of Combined Sewer Overflows), Sludge Compliance Guidance, and Part II including General Conditions and Definitions.

Signed this _____ day of _____

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

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PART I.A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. During the period beginning on the effective date and lasting through the expiration date, the permittee is authorized to discharge treated domestic and industrial wastewater from Outfall Serial Number 001 to the Squamscott 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 at the end of all processes, including disinfection, or at an alternative representative location approved by the EPA and NHDES-WD.

Effluent Parameter	Effluent Limit			Monitoring Requirement	
	Average Monthly	Average Weekly	Maximum Daily	Frequency	Sample Type
Flow, MGD	Report	---	Report	Continuous	Recorder ¹
BOD ₅ ; mg/l (lb/d)	30 (751)	45 (1126)	50 (1251)	2/Week ²	Grab
TSS; mg/l (lb/d)	30 (751)	45 (1126)	50 (1251)	2/Week ²	Grab
pH Range ³ ; Standard Units	6.5 to 8.0 (See Section I.E.1.a.)			1/Day	Grab
Fecal Coliform ^{3,4} ; Colonies/100 ml	14	---	Report	1/Day	Grab
Fecal Coliform ^{3,4} ; percent	---	---	Report	1/Day	Grab
Enterococci Bacteria ^{3,5} ; Colonies/100ml	Report	---	Report	1/Day	Grab
Total Residual Chlorine ⁶ ; mg/l	0.19	---	0.33	2/Day	Grab
Total Nitrogen ⁷ , mg/l (lb/d)	3.0 (75)	---	---	1/Week	Grab
Applicable April 1 – October 31					
Whole Effluent Toxicity					
LC50 ^{8,9,11} ; Percent Effluent	---	---	100	2/Year	Grab
Ammonia Nitrogen as N ¹⁰ ; mg/l	---	---	Report	2/Year	Grab
Total Recoverable Aluminum ¹⁰ ; mg/l	---	---	Report	2/Year	Grab
Total Recoverable Cadmium ¹⁰ ; mg/l	---	---	Report	2/Year	Grab
Total Recoverable Chromium ¹⁰ ; mg/l	---	---	Report	2/Year	Grab
Total Recoverable Copper ¹⁰ ; mg/l	---	---	Report	2/Year	Grab
Total Recoverable Lead ¹⁰ ; mg/l	---	---	Report	2/Year	Grab
Total Recoverable Nickel ¹⁰ ; mg/l	---	---	Report	2/Year	Grab
Total Recoverable Zinc ¹⁰ ; mg/l	---	---	Report	2/Year	Grab

* SEE PAGES 4 AND 5 FOR FOOTNOTES.

PART I.A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

2. During the period beginning on the effective date of this permit and lasting through the expiration date, the permittee is authorized to discharge stormwater and wastewaters from Combined Sewer Outfall Number 003 into Clemson Pond. These discharges are authorized only during wet weather. Such discharges shall be limited to the outfall listed, and shall be monitored by the permittee as specified below. Samples specified below shall be taken at a location that provides a representative analysis of the effluent.

Effluent Characteristic	Discharge Limitation	Monitoring Requirement	
	Wet Weather Event Maximum	Measurement Frequency	Sample Type
Escherichia coli Bacteria ^{3, 5, 12} (colonies/100 ml)	1000	1/Year	Grab

EXPLANATION OF FOOTNOTES APPLICABLE TO PART I.A.1 on page 2

1. The effluent flow shall be continuously measured and recorded using a flow meter and totalizer.
2. Influent concentrations of both BOD₅ and TSS shall be monitored two (2) days per month.
3. State certification requirement.
4. Fecal coliform shall be tested using an EPA approved test method (see 40 C.F.R. Part 136).

The average monthly value for fecal coliform shall be determined by calculating the geometric mean using the daily sample results. Not more than 10 percent of the collected samples shall exceed a most probable number (MPN) of 43 per 100 ml for a 5-tube decimal dilution test. Furthermore, all fecal coliform data collected must be submitted with the monthly discharge monitoring reports (DMRs).

The permittee is required to report two (2) statistics each month. One is the geometric mean fecal coliform value expressed in terms of “MPN per 100 ml” (reported as average monthly), and the second is the percentage of collected samples each month that exceeds an MPN of 43 per 100 ml for the 5-tube decimal dilution test referenced above. The latter statistic will be used to judge compliance with that part of the limit that reads “Not more than 10 percent of the collected samples shall exceed a most probably number (MPN) of 43 per 100 ml for a 5-tube decimal dilution test.”

5. Enterococci and *Escherichia coli* bacteria shall be tested using an EPA approved test method (see 40 C.F.R. Part 136).
6. Total Residual Chlorine shall be tested using an EPA approved test method (see 40 C.F.R. Part 136). The method chosen to test total residual chlorine shall have a minimum level of detection of at least the total chlorine residual permit limit specified on page 2 of the permit.
7. Total nitrogen shall be calculated by adding the total kjeldahl nitrogen (TKN) to the total nitrate (NO₃) and nitrite (NO₂). The permittee shall optimize the operation of the treatment facility for the removal of total nitrogen during the period November 1 through March 31, using all available treatment equipment in place at the facility. The addition of a carbon source that may be necessary in order to meet the total nitrogen limit from April 1 through October 31 is not required during the period November 1 through March 31.
8. The permittee shall conduct acute toxicity tests on effluent samples using two species, mysid shrimp (*Mysidopsis bahia*) and inland silverside (*Menidia beryllina*), following the protocol in Attachment A (Marine Acute Toxicity Test Procedure and Protocol). Toxicity testing shall be performed two (2) times each year during the first quarter (January 1 – March 31) and third quarter (July 1 – September 30) of each year. Toxicity test results are to be submitted by the 15th day of the month following the end of the quarter sampled.

9. LC50 is defined as the percent of effluent (treated wastewater) that causes mortality to 50 percent of the test organisms. The permit limit of 100 percent is defined as a sample composed of 100 percent effluent.
10. For each whole effluent toxicity test the permittee shall report on the appropriate discharge monitoring report (DMR) the concentrations of ammonia nitrogen as nitrogen and total recoverable aluminum, cadmium, copper, chromium, lead, nickel, and zinc found in the 100 percent effluent sample. All these aforementioned chemical parameters shall be determined to at least the minimum quantification level (ML) show in Attachment A or as amended.
11. The permit shall be modified, or alternatively revoked and reissued, to incorporate additional toxicity testing requirements, including chemical specific limits, if the results of the toxicity tests indicate the discharge causes an exceedance of any State water quality criterion. Results from these toxicity tests are considered “New Information” and the permit may be modified as provided in 40 C.F.R. § 122.62(a)(2).
12. The permittee shall sample the discharge from the combined sewer outfall listed in Attachment B at least once per year. All attempts must be made to begin sampling during the first one half hour after the outfall starts discharging. When this is not possible, a sample shall be collected as soon as possible after the beginning of the outfall starting to discharge. The “event maximum” value for Escherichia coli shall be reported on the appropriate DMR for the month sampled. Report a no discharge code of “E” (analysis not conducted) on the DMR for all other months.

The permittee shall also perform CSO and receiving water sampling as described in Part I.F.3. below.

A. EFFLUENT LIMITATIONS AND MONITORING REQUIRMENTS (Continued)

3. The discharge shall not cause a violation of the water quality standards of the receiving water.
4. Existing discharges containing either phosphorus or nitrogen which encourage cultural eutrophication shall be treated to remove phosphorus or nitrogen to ensure attainment and maintenance of water quality.
5. The discharge shall be adequately treated to ensure that the surface water remains free from pollutants in concentrations or combinations that settle to form harmful deposits, float as foam, debris, scum, or other visible pollutants. It shall be adequately treated to ensure that the surface waters remain free from pollutants which produce odor, color, taste, or turbidity in the receiving waters which is not naturally occurring and would render it unsuitable for its designated uses.
6. The permittee’s treatment facility shall maintain a minimum of 85 percent removal of both BOD₅ and TSS. The percent removal shall be calculated based on average monthly influent and effluent concentrations.

7. When the effluent discharged for a period of three consecutive months exceeds 80 percent of the 3.0 mgd design flow, 2.4 mgd, the permittee shall submit to the permitting authorities a projection of loadings up to the time when the design capacity of the treatment facility will be reached and a program for maintaining satisfactory treatment levels consistent with approved water quality management plans. Before the design flow will be reached, or whenever the treatment necessary to achieve permit limits cannot be assured, the permittee may be required to submit plans for facility improvements.
8. All publicly owned treatment works (POTWs) must provide adequate notice to both EPA-New England and the New Hampshire Department of Environmental Services – Water Division (NHDES-WD) of the following:
 - a. Any new introduction of pollutants into the POTW from an indirect discharger in a primary industrial category (see 40 C.F.R. §122 Appendix A as amended) discharging process water;
 - b. Any substantial change in the volume or character of pollutants being introduced into the POTW by a source introducing pollutants into the POTW at the time of issuance of the permit; and
 - c. For the purpose of this paragraph, adequate notice shall include information on:
 - i. The quantity and quality of effluent introduced into the POTW; and
 - ii. Any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW
9. The permittee shall not discharge into the receiving waters any pollutant or combination of pollutants in toxic amounts.

B. UNAUTHORIZED DISCHARGES

The permit only authorizes discharges in accordance with the terms and conditions of this permit and only from the outfalls listed in Part 1.A.1 and Part 1.A.2 (see Attachment B) of this permit. Discharges of wastewater from any other point source are not authorized under this permit. Dry weather overflows are prohibited. All dry weather sanitary and/or industrial discharges from any CSO must be reported to EPA-New England and the State within 24 hours in accordance with the reporting requirements for plant bypass (see Paragraph D.1.e. of Part II of this permit).

C. 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. The permittee is required to complete the following activities on its collection system:

1. Maintenance Staff

The permittee shall provide an 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. Preventative Maintenance Program

The permittee shall maintain an ongoing preventative maintenance program to prevent overflows and bypasses caused by malfunctions or failures of the sewer system infrastructure. The program shall include an inspection program designed to identify all potential and actual unauthorized discharges.

3. Infiltration/Inflow

The permittee shall control infiltration and inflow (I/I) into the sewer system as necessary to prevent high flow related unauthorized discharges from their collection systems and high flow related violations of the wastewater treatment plant's effluent limitations.

4. Collection System Mapping

Within 30 months of the effective date of the permit, the permittee shall prepare a map of the sewer collection system it owns. The map shall be on a street map of the community, with sufficient detail and at a scale to allow easy interpretation. The collection system information shown on the map shall be based on current conditions. Such map(s) shall include, but not be limited to the following:

- a. All sanitary sewer lines and related manholes;
- b. All combined sewer lines and related manholes;
- c. All combined sewer regulators and any known or suspected connections between the sanitary sewer and storm drain system (e.g. combined manholes);
- d. All outfalls, including the treatment plant outfall(s), CSOs, combined manholes, and any known or suspected SSOs;
- e. All pump stations and force mains;
- f. The wastewater treatment facility(ies);
- g. All surface waters (labeled);
- h. Other major appurtenances such as inverted siphons and air release valves;
- i. A numbering system which uniquely identifies overflow points, regulators and outfalls;
- j. The scale and a north arrow; and
- k. The pipe diameter, age and type of pipe, the length of pipe between manholes, the direction of flow, and the pipe rim and invert elevations.

5. Collection System O&M Plan

The permittee shall develop and implement a collection system operation and maintenance plan. The plan shall be submitted to EPA and NHDES **within six months of the effective date of this permit** (see page 1 of this permit for the effective date). The plan shall describe the permittee's programs for preventing I/I related effluent limit violations and all unauthorized discharges of wastewater, including overflows and by-passes.

The plan shall include:

- a. A description of the overall condition of the collection system including a list of recent studies and construction activities;
- b. A preventative maintenance and monitoring program for the collection system;
- c. Recommended staffing to properly operate and maintain the sanitary sewer collection system;
- d. The necessary funding level and the source(s) of funding for implementing the plan;
- e. Identification of known and suspected overflows, including combined manholes. A description of the cause of the identified overflows, and a plan for addressing the overflows consistent with the requirements of this permit;
- f. An ongoing program to identify and remove sources of I/I. The program shall include an inflow identification and control program that focuses on the disconnection and redirection of illegal sump pumps and roof down spouts; and
- g. An educational public outreach program for all aspects of I/I control, particularly private inflow.

For each of the above activities that are not completed and implemented as of the submittal date, the plan shall provide a schedule for its completion.

D. ALTERNATE POWER SOURCE

In order to maintain compliance with the terms and conditions of this permit, the permittee shall provide an alternate power source with which to sufficiently operate the publicly owned treatment works, as defined at 40 C.F.R. § 122.2, which references the definition at 40 C.F.R. § 403.3(o).

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 Clean Water Act (CWA) Section 405(d) technical standards.
2. The permittee shall comply with the more stringent of either State (Env-Wq 800) or Federal (40 C.F.R. Part 503) requirements.
3. The technical standards (Part 503 regulations) 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. Fired in a sewage sludge incinerator.
4. The 40 C.F.R. Part 503 conditions do not apply to facilities that place sludge within a municipal solid waste landfill (MSWLF). Part 503 relies on 40 C.F.R. Part 258 criteria, which regulates landfill disposal, for sewage sludge disposed of in a MSWLF. 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 (lagoon, reed beds), or are otherwise excluded under 40 C.F.R. Part 503.6.
 5. The permittee shall use and comply with the attached Sludge Compliance Guidance document to determine appropriate conditions. Appropriate conditions contain the following items:
 - a. General Requirements
 - b. Pollutant Limitations
 - c. Operational Standards (pathogen reduction and vector attraction reductions requirements)
 - d. Management Practices
 - e. Record Keeping
 - f. Monitoring
 - g. Reporting

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

6. If the sludge disposal method requires monitoring, the permittee shall monitor the pollutant concentrations, pathogen reduction, and vector attraction reduction at the following frequency. The frequency is based upon the volume of sewage sludge generated at the facility in dry metric tons per year.
 - a. Less than 290.....1/Year
 - b. 290 to less than 1,500.....1/Quarter
 - c. 1,500 to less than 15,000.....6/Year
 - d. 15,000 plus.....1/Month
7. The permittee shall perform all required sewage sludge sampling using the procedures detailed in 40 C.F.R. Part 503.8.
8. When the permittee is responsible for an annual report containing the information specified in the regulations, the report shall be submitted by February 19th of each year. Reports shall be submitted to the address contained in the reporting section of the permit.
9. Sludge monitoring is not required by the permittee when the permittee is not responsible for the ultimate sludge use or disposal or when the sludge is disposed of in a MSWLF.

The permittee must be assured that any third party contractor is in compliance with appropriate regulatory requirements. In such cases, the permittee is required only to submit an annual report by February 19th of each year containing the following information:

- a. Name and address of the contractor responsible for sludge use and disposal.
- b. Quantity of sludge in dry metric tons removed from the facility.

Reports shall be submitted to the address contained in the reporting section of the permit.

F. COMBINED SEWER OVERFLOW CONDITIONS

1. Effluent Limitations

- a. During wet-weather periods, the permittee is authorized to discharge stormwater/wastewater from combined sewer overflows (CSOs) to receiving water (see Attachment B), subject to the following effluent limitations
 - i. The discharges may not cause or contribute to violations of Federal or State water quality standards.
 - ii. The discharges shall receive treatment at a level providing Best Practicable Control Technology Currently Available (BPT), Best Conventional Pollutant Control Technology (BCT) to control and abate conventional pollutants and Best Available Technology Economically Achievable (BAT) to control and abate non-conventional and toxic pollutants. EPA-New England has made a Best Professional Judgment (BPJ) determination that BPT, BCT, and BAT for CSOs include the implementation of the nine Minimum Technology Based Limitations (MTBLs) specified below otherwise known as Nine Minimum Controls (NMC):
 1. Proper operation and regular maintenance programs for the sewer system and the combined sewer overflow points;
 2. Maximum use of the collection system for storage;
 3. Review and modification of industrial pretreatment program requirements to assure CSO impacts are minimized;
 4. Maximization of flow to the POTW for treatment;
 5. Prohibition of dry weather overflows from CSOs;
 6. Control of solid and floatable materials in CSO discharges;

7. Pollution prevention programs that focus on contaminant reduction activities;
 8. Public notification to ensure that the public receives adequate notification of CSO occurrences and CSO impacts; and
 9. Monitoring to effectively characterize CSO impacts and the efficacy of CSO controls.
- iii. Implementation of these nine minimum controls is required by the effective date of this permit. The permittee shall implement these controls in accordance with Part I.F.2 of this permit. Within one year from permit issuance, the permittee shall submit to EPA and NHDES-WD a report titled "Report on Nine Minimum Control Measures". This document must include a detailed analysis of specific activities the permittee has undertaken and will undertake to implement the nine minimum controls and additional controls beyond the nine minimum controls the permittee can feasibly implement. The specific activities included in the documentation must include the minimum requirements set forth in Part I.F.2 of the permit and additional activities the permittee can reasonably undertake.

2. Nine Minimum Controls – Minimum Implementation Levels

- a. The Permittee must implement the nine minimum controls in accordance with their nine minimum controls documentation and with any revisions to that documentation that may be required. This implementation must include the following controls plus other controls the permittee can feasibly implement as set forth in the documentation.
- b. Each CSO structure/regulator, pumping station and/or tidegate shall be routinely inspected, at a minimum of once per month, to insure that they are in good working condition and adjusted to minimize combined sewer discharges and tidal surcharging (Nine Minimum Control Numbers 1, 2, and 4). The following inspection results shall be recorded: date and time of the inspection, the general condition of the facility, and whether the facility is operating satisfactorily. If maintenance is necessary, the permittee shall record: the description of the necessary maintenance, the date the necessary maintenance was performed, and whether the observed problem was corrected. The permittee shall maintain all records of inspections for at least three years.

Annually, not later than January 15th, the permittee shall submit a certification to EPA and the NHDES-WD which states that the previous calendar year's monthly inspections were conducted, results recorded, and records maintained.

EPA and the NHDES-WD have the right to inspect any CSO related structure or outfall at any time without prior notification to the permittee

- c. Discharges to the combined system of septage, holding tank wastes, or other material which may cause a visible sheen or containing floatable material are prohibited during wet weather when CSO discharge may be active (Nine Minimum Control Numbers 3, 6, and 7).
- d. Dry weather overflows are prohibited (Nine Minimum Control Number 5). All dry weather sanitary and/or industrial discharges from CSOs must be reported to EPA and the NHDES-WD within 24 hours in accordance with the reporting requirements for plant bypass (paragraph D.1.e of Part II of this permit).
- e. The permittee shall quantify and record all discharges from combined sewer outfalls (Nine Minimum Control Number 9). Quantification may be through direct measurement or estimation. When estimating, the permittee shall make reasonable efforts (i.e. gaging, measurement) to verify the validity of the estimation technique. The following information must be recorded for each combined sewer outfall for each discharge event:
- Estimated duration (hours) of discharge;
 - Estimated volume (gallons) of discharge: and
 - National Weather Service precipitation data from the nearest gage where precipitation is available at daily (24-hour) intervals and the nearest gage where precipitation is available at one-hour intervals. Cumulative precipitation per discharge event shall be calculated.

The permittee shall maintain all records of discharges for at least six years after the effective date of this permit.

Annually, no later than January 15th, and in conjunction with the requirement in Part I.F.2.b. of this permit, the permittee shall submit a certification to EPA and the NHDES-WD which states that all discharges were recorded and records maintained for the previous calendar year.

- f. The permittee shall install and maintain identification signs for all combined sewer outfall structures (Nine Minimum Control Number 8). The signs must be located at or near the combined sewer outfall structures and easily readable by the public. These signs shall be a minimum of 12 x 18 inches in size, with white lettering against a green background, and shall contain the following information:

**TOWN OF EXETER
WET WEATHER
SEWAGE DISCHARGE
OUTFALL #**

- g. The permittee shall provide immediate notification to the NHDES-WD in the event of a CSO discharge.
- h. The permittee shall provide notification to the public of CSO discharges and impacts on recreational uses of Clemson Pond and, if necessary, the Squamscott River.

3. CSO and Clemson Pond Monitoring

During the first full calendar year of the permit, the permittee shall perform sampling on the CSO inflow to Clemson Pond and at the outlet of Clemson Pond once per quarter. The permittee shall use NHDES Shellfish Monitoring Program stations to perform these samples. Influent samples to Clemson Pond shall be collected at Shellfish Monitoring Station SQMPS009 (42° 59' 4.92" N, 70° 56' 55.2" W). Samples at the outlet of Clemson Pond shall be collected just inside the tide gate and Shellfish Monitoring Station SQMPS010 (42° 59' 12.9" N, 70° 57' 1.98" W).

This sampling shall be performed once per quarter for a CSO event of at least 40,000 gallons. Samples shall be taken at each sampling station, SQMPS009 and SQMPS010 twice per day (2/day) for three (3) consecutive days. The first samples shall be collected as soon as practicable after the start of the CSO discharge.

Each sample collected shall be tested for Fecal Coliform Bacteria (MPN – 5 tube test), Enterococci Bacteria, salinity, and temperature.

At the end of the one year sampling period, the permittee shall submit the monitoring results to EPA and the NHDES by January 15th of the following year. If the monitoring data reveals the need to add additional limits or conditions the permit may be modified or alternatively revoked and reissued.

G. 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 or notifications required herein or in Part II shall be submitted to the Director at the following address:

U.S. Environmental Protection Agency
Water Technical Unit (SMR-04)
5 Post Office Square - Suite 100
Boston, MA 02109-3912

Duplicate signed copies (original signature) of all written reports or notifications required herein or in Part II shall be submitted to the State at:

New Hampshire Department of Environmental Services (NHDES)

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

All verbal reports or notifications shall be made to both EPA and NHDES.

H. STATE PERMIT CONDITIONS

1. The permittee shall not at any time, either alone or in conjunction with any person or persons, cause directly or indirectly the discharge of waste into the said receiving water unless it has been treated in such a manner as will not lower the legislated water quality classification or interfere with the uses assigned to said water by the New Hampshire Legislature (RSA 485-A:12).
2. This NPDES Discharge Permit is issued by EPA under Federal and State law. Upon final issuance by EPA, the New Hampshire Department of Environmental Services-Water Division (NHDES-WD) may adopt this permit, including all terms and conditions, as a State permit pursuant to RSA 485-A:13.
3. EPA shall have the right to enforce the terms and conditions of this Permit pursuant to federal law and NHDES-WD shall have the right to enforce the Permit pursuant to state law, if the Permit is adopted. 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.
4. Pursuant to New Hampshire Statute RSA 485-A:13,I(c), any person responsible for a bypass or upset at a wastewater treatment facility shall give immediate notice of a bypass or upset to all public or privately owned water systems drawing water from the same receiving water and located within 20 miles downstream of the point of discharge regardless of whether or not it is on the same receiving water or on another surface water to which the receiving water is a tributary. The permittee shall maintain a list of persons, and their telephone numbers, who are to be notified immediately by telephone. In addition, written notification, which shall be postmarked within 3 days of the bypass or upset, shall be sent to such persons.
5. The pH range of 6.5 to 8.0 Standard Units (S.U.) must be achieved in the final effluent unless the permittee can demonstrate to NHDES-WD: (1) that the range should be widened due to naturally occurring conditions in the receiving water or (2) that the naturally occurring receiving water pH is not significantly altered by the permittee's discharge. The scope of any demonstration project must receive prior approval from NHDES-WD. In no case, shall the above procedure result in pH limits outside the range of 6.0 – 9.0 S.U., which is the federal effluent limitation guideline regulation for pH for secondary treatment and is found in 40 CFR 133.102(c).
6. Pursuant to New Hampshire Code of Administrative Rules, Env-Wq 703.07(a):

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- (a) Any person proposing to construct or modify any of the following shall submit an application for a sewer connection permit to the department:
- (1) Any extension of a collector or interceptor, whether public or private, regardless of flow;
 - (2) Any wastewater connection or other discharge in excess of 5,000 gpd;
 - (3) Any wastewater connection or other discharge to a WWTP operating in excess of 80 percent design flow capacity based on actual average flow for 3 consecutive months;
 - (4) Any industrial wastewater connection or change in existing discharge of industrial wastewater, regardless of quality or quantity; and
 - (5) Any sewage pumping station greater than 50 gpm or serving more than one building.
7. For each new or increased discharge of industrial waste to the POTW, the permittee shall submit, in accordance with Env-Ws 904.14(e) an “Industrial Wastewater Discharge Request Application” approved by the permittee in accordance with 904.13(a). The “Industrial Wastewater Discharge Request Application” shall be prepared in accordance with Env-Ws 904.10.
8. Pursuant to Env-Ws 904.17, at a frequency no less than every five years, permittees are required to submit:
- a. A copy of its current sewer use ordinance. The sewer use ordinance shall include local limits pursuant to Env-Ws 904.04 (a).
 - b. A current list of all significant indirect discharges to the POTW. As a minimum, the list shall include for each industry, its name and address, the name and daytime telephone number of a contact person, products manufactured, industrial processes used, existing pretreatment processes, and discharge permit status.
 - c. A list of all permitted indirect dischargers; and
 - d. A certification that the municipality is strictly enforcing its sewer use ordinance and all discharge permits it has issued.
9. If chlorine is used for disinfection, a recorder which continuously records the chlorine residual prior to dechlorination shall be provided. The minimum, maximum and average daily residual chlorine values, measured prior to dechlorination, shall be submitted with monthly Discharge Monitoring Reports. Charts from the recorder, showing the continuous chlorine residual shall be maintained by the permittee for a period no less than (5) years.
10. The Exeter Public Works Department/Wastewater Treatment Facility is responsible for immediately notifying the New Hampshire Department of Environmental Services,

Watershed Management Bureau, Shellfish Section of possible high bacteria/virus loading events from the facility or its sewage collection infrastructure. Such events include:

- a. Any lapse or interruption of normal operation of the Wastewater Treatment Plant's disinfection system, or other event that results in the discharge of sewage from the Wastewater Treatment Plant or sewer infrastructure (pump stations, manholes, combined sewer overflows, etc.) that has not undergone full treatment as specified in the NPDES permit, or
- b. Daily flows in excess of the 3.0 MGD design flow for the facility, or
- c. Daily post-disinfection effluent sample result of 43 fecal coliform/100ml or greater. Notification shall also be made for instances where NPDES-related bacteria sampling is not completed, or where the results of such sampling are invalid.

"Immediate" notification with respect to reporting daily post-disinfection effluent sample results shall mean "as soon as the laboratory tests are completed".

The notification requirement also applies to all incidents of combined sewer overflow discharges. Notification to the NHDES Shellfish Program shall be made using the program's 24-hour pager. Upon initial notification of a possible high bacteria/virus loading event, NHDES Shellfish Program staff will determine the most suitable interval for continued notification and updates on an event-by-event basis.

11. In addition to submitting DMRs, monitoring results shall also be summarized for each calendar month and reported on separate Monthly Operating Report Form(s) (MORs) postmarked no later than the 15th day of the month following the completed reporting period. Signed and dated MORs shall be submitted to:

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

I. SPECIAL CONDITIONS

1. pH Limit Adjustment

The Permittee may submit a written request to the EPA requesting a change in the permitted pH limit range to be not less restrictive than 6.0 to 9.0 Standard Units found in the applicable National Effluent Limitation Guideline (Secondary Treatment Regulations in 40 C.F.R. Part 133) for this facility. The Permittee's written request must include the State's letter containing an original signature (no copies). The State's approval letter shall state that the Permittee has demonstrated to the State's satisfaction that as long as discharges to the receiving water from a specific outfall are within a specific numeric pH range, the naturally occurring receiving water

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pH will be unaltered. The letter must specify for each outfall the associated numeric pH limit range. Until written notice is received by certified mail from the EPA indicating the pH limit range has been changed, the Permittee is required to meet the permitted pH limit range in the respective permit.

2. Requirements for POTWs with Effluent Diffusers

- a) Effluent diffusers shall be maintained when necessary to ensure proper operation. Proper operation means that the plumes from each port will be balanced relative to each other and that they all have unobstructed flow. Maintenance may include dredging in the vicinity of the diffuser, cleaning out of solids in the diffuser header pipe, removal of debris and repair/replacement of riser ports and pinch valves.
- b) Any necessary maintenance dredging must be performed only during the marine construction season authorized by the New Hampshire Fish and Game Department and only after receiving all necessary permits including those from the NHDES Wetlands Bureau, U.S. Coast Guard, and the U.S. Army Corps of Engineers.
- c) To determine if maintenance will be required, the permittee shall have a licensed diver or licensed marine contractor inspect and videotape the operation of the diffuser. The inspections and videotaping shall be performed once every two years with the first inspection required during the first calendar year following final permit issuance.
- d) Copies of a report summarizing the results of each diffuser inspection shall be submitted to EPA and NHDES-WD by December 31st of the year the inspection occurred. Where it is determined that maintenance will be necessary, the permittee shall also provide the proposed schedule for the maintenance.

ATTACHMENT B

LIST OF COMBINED SEWER OVERFLOWS

Discharge Serial Number	Location	Present Use	Receiving Water
003	Outlet of the two siphon pipes into Clemson Pond	Combined Discharge	Clemson Pond