NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
GENERAL PERMIT FOR REMEDIATION ACTIVITY DISCHARGES

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NOTE: The Remediation General Permits for the Commonwealth of Massachusetts and the State of New Hampshire are combined. Parts 1 through 6 contain general permit provisions applicable to both General Permits; and Parts 2 and 7 contain permit provisions for remediation activity discharges specific to the Commonwealth of Massachusetts or the State of New Hampshire.

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NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) GENERAL PERMIT FOR REMEDIATION ACTIVITY DISCHARGES

Massachusetts General Permit, Permit No. MAG910000

In compliance with the provisions of the Federal Clean Water Act as amended, (33 U.S.C. §§1251 et seq.; the "CWA"), and the Massachusetts Clean Waters Act, as amended, (M.G.L. Chap. 21, §§26-53), the following permit authorizes discharges from eight general remediation activity categories, including:

I. Petroleum-related site remediation;[1]
II. Non-petroleum-related site remediation;[1]
III. Contaminated site dewatering;
IV. Pipeline and tank dewatering;
V. Aquifer pump testing;
VI. Well development/rehabilitation;
VII. Collection structure remediation/dewatering; and
VIII. Dredge-related dewatering.

Such discharges are authorized at sites located in Massachusetts to all classes of waters designated in the Massachusetts Water Quality Standards, 314 CMR 4.00 et seq., unless otherwise restricted, in accordance with effluent limitations, monitoring requirements, and other conditions set forth herein.

This Remediation General Permit (RGP) shall become effective thirty (30) days from the date of signature.

This general permit and the authorization to discharge supersede the previous Remediation General Permit which expired on September 9, 2015. This general permit will expire at midnight, 5 years from the effective date.

Signed this 9th day of March 2017.

Lynne A. Hamz for
Ken Moraff, Director
Office of Ecosystem Protection
Environmental Protection Agency
Region 1
Boston, MA

Douglas E. Fine, Assistant Commissioner
Bureau of Water Resources
Department of Environmental Protection
Commonwealth of Massachusetts
Boston, MA

[1] For discharges that are subject to the Massachusetts Contingency Plan (310 CMR 40.0000), this general permit applies as a matter of federal, but not state, law. For all other discharges, this general permit applies as a matter of both.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) GENERAL PERMIT FOR REMEDIATION ACTIVITY DISCHARGES

New Hampshire General Permit, Permit No. NHG910000

In compliance with the provisions of the Federal Clean Water Act as amended, (33 U.S.C. §§1251 et seq.; the "CWA"), the following permit authorizes discharges from eight general remediation activity categories, including:

I. Petroleum-related site remediation;
II. Non-petroleum-related site remediation;
III. Contaminated site dewatering;
IV. Pipeline and tank dewatering;
V. Aquifer pump testing;
VI. Well development/rehabilitation;
VII. Collection structure remediation/dewatering, and
VIII. Dredge-related dewatering.

Such discharges are authorized to all waters located in New Hampshire, unless otherwise restricted by the New Hampshire Water Quality Standards,[2] in accordance with effluent limitations, monitoring requirements, and other conditions set forth herein.

This Remediation General Permit (RGP) shall become effective thirty (30) days from the date of signature.

This general permit and the authorization to discharge supersede the previous Remediation General Permit which expired on September 9, 2015. This general permit will expire at midnight, 5 years from the effective date.

Signed this 9th day of March 2017.

Joanne A. Hay for

Ken Moraff, Director
Office of Ecosystem Protection
Environmental Protection Agency
Region 1
Boston, MA

[2] 50 RSA §485-A:8 and the N.H. Code of Administrative Rules, Chapter Env-Wq 1700 Surface Water Quality Regulations.

PART 1 APPLICABILITY AND COVERAGE OF THE RGP

For purposes of this general permit, the owner or operator (hereinafter referred to as the "operator"), as defined by 40 CFR §122.2, of any "facility or activity" (hereinafter referred to as "site") subject to regulation under the NPDES program is responsible for applying for coverage under this general permit. As required by 40 CFR §122.21(b), "[w]hen a facility or activity is owned by one person but is operated by another person, it is the operator's duty to obtain a permit." For the purposes of this general permit, this can include residential owners treating contaminated groundwater released from heating oil tanks.

1.1 Subject Discharges

Existing, emergency, and new discharges from the following remediation, dewatering and dewatering/remediation-related activities are eligible for coverage under this general permit:

1. Petroleum-related site remediation includes remediation of groundwater contaminated by petroleum products (e.g., gasoline, fuel oil, jet fuel, fuel additives and oxygenates, waste oil) and related activities.

2. Non-petroleum-related site remediation includes remediation of groundwater contaminated by volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), or inorganics (e.g., metals) and related activities.

3. Contaminated site dewatering includes dewatering conducted at former remediation sites, sites with no known source of contamination, or sites where pollutants are naturally occurring and related activities.

4. Pipeline and tank dewatering includes dewatering of pipelines, tanks, and similar structures and appurtenances that store or convey petroleum products, non-petroleum products, potable water, groundwater, and certain surface waters during construction of new structures or repair or maintenance of existing structures.

5. Aquifer pump testing includes short or long-term testing of a distinct contaminated or formerly contaminated aquifer(s), including when contamination is naturally occurring.

6. Well development/rehabilitation includes the development or rehabilitation of groundwater monitoring, groundwater extraction, and water supply wells at contaminated or formerly contaminated sites, including when contamination is naturally occurring.

7. Collection structure dewatering/remediation includes dewatering/remediation of structures utilized for collecting miscellaneous sources of water from contaminated or formerly contaminated sites or sources (e.g., sumps and dikes), including when contamination is naturally occurring or a result of the infiltration of contaminated groundwater or storm water.

8. Dredge-related dewatering includes certain short-term dredging-related activities such as a short-term pilot study or similar activity associated with dredging, dredge material dewatering, including drain back waters and dewatering of contaminated solids.

Table 1: Activities Covered by the Remediation General Permit

<table>
<tr><th>Activity Category</th><th colspan="2">Contamination Type</th></tr>
<tr><td>I. Petroleum-Related Site Remediation
II. Non-Petroleum-Related Site Remediation</td><td colspan="2">A. Inorganics
B. Non-Halogenated Volatile Organic Compounds
C. Halogenated Volatile Organic Compounds
D. Non-Halogenated Semi-Volatile Organic Compounds
E. Halogenated Semi-Volatile Organic Compounds
F. Fuels Parameters</td></tr>
<tr><th>Activity Category</th><th colspan="2">Contamination Type</th></tr>
<tr><td rowspan="2">III. Contaminated Site Dewatering
IV. Pipeline and Tank Dewatering
V. Aquifer Pump Testing
VI. Well Development/Rehabilitation
VII. Collection Structure Dewatering/Remediation
VIII. Dredge-Related Dewatering</td><td>G. Sites with Known Contamination</td><td rowspan="2">A. Inorganics
B. Non-Halogenated Volatile Organic Compounds
C. Halogenated Volatile Organic Compounds
D. Non-Halogenated Semi-Volatile Organic Compounds
E. Halogenated Semi-Volatile Organic Compounds
F. Fuels Parameters</td></tr>
<tr><td>H. Sites with Unknown Contamination</td></tr>
</table>

For the purposes of this general permit, remediation and dewatering discharges are those that contain only the pollutants included in the Contamination Type Categories in this general permit at levels that do not exceed the effluent limitations in this general permit (see Part 2), unless otherwise authorized on a case-by-case basis. Minimum treatment requirements, including Best Management Practices (BMPs), are found in Part 2.5 of this general permit. The term "existing discharge" refers to a discharge in accordance with the Remediation General Permit that expired on September 9, 2015. The term "emergency discharge" refers to a discharge that is a result of remediation or dewatering activities conducted in response to a public emergency and the discharge requires immediate authorization to avoid imminent endangerment to human health, public safety, or the environment, or to reestablish essential public services. The term "new discharge" refers to any discharge that is not an existing or emergency discharge. The term "known" used in Contamination Type G, above, refers to sites with fully characterized and/or specific contamination type categories, where pollutants have been quantified in environmental samples, and such data meet minimum data validation requirements.[3] Activity Categories III-G through VIII-G must select all Contamination Type Categories A through F, that are present. The term "unknown" used in Contamination Type H, above, refers to sites broadly associated with

[3] For sites located in Massachusetts, operators may refer to Massachusetts Policy #WSC-07-350, *MCP Representativeness Evaluations and Data Usability Assessments* for guidance on data usability assessments. For sites located in New Hampshire, operators may refer to EPA Region 1 guidance for data validation.

contamination that may or may not be fully characterized, including, but not limited to sites where pollutants may be present, but all potential pollutants have not been quantified, or pollutants have been quantified, but such data do not meet minimum data validation requirements. For Activity Categories III-H through VIII-H, Contamination Type Categories A through F apply. For the purposes of this general permit, a pollutant is "known present" if measured above the analytical detection limit using a sufficiently sensitive test method in an environmental sample, and "believed present" if a pollutant has not been measured in an environmental sample but will be added or generated prior to discharge, such as through a treatment process. Consequently, a pollutant is "known absent" if measured as non-detect relative to the analytical detection limit using a sufficiently sensitive test method in an environmental sample, and "believed absent" if a pollutant has not been measured in an environmental sample but will not be added or generated prior to discharge and is not a parameter that applies to the applicable activity category for a site. See Part 2.1.1 for parameter applicability and Part 4.1.4 for additional definitions.

1.2 Geographic Coverage Area

1. Sites located in Massachusetts

All of the discharges to be authorized by this general NPDES permit in the Commonwealth of Massachusetts are into all waters of the Commonwealth unless otherwise restricted by the Massachusetts Surface Water Quality Standards, 314 CMR 4.00 (or as revised), including 314 CMR 4.04(3), Protection of Outstanding Resource Waters.

2. Sites located in New Hampshire

All of the discharges to be authorized by this general NPDES permit in the State of New Hampshire are into all waters of the State of New Hampshire unless otherwise restricted by the New Hampshire Surface Water Quality Regulations, New Hampshire Code of Administrative Rules, Chapter Env-Wq 1700 (or as revised), including 50 RSA §485-A:8-11, Classification of Waters.

1.3 Limitations on Coverage

The following discharges are ineligible for coverage under this general permit:

1. Discharges to Outstanding Resource Waters in Massachusetts and New Hampshire:
   a. as defined in Massachusetts by 314 CMR 4.06, including Public Water Supplies (314 CMR 4.06(1)(d)1) which have been designated by the State as Class A waters, unless an authorization is granted by the Massachusetts Department of Environmental Protection (MassDEP) by 314 CMR 4.04(3)(b); or
   b. as defined in New Hampshire under Env-Wq 1708.05(a), unless allowed by the New Hampshire Department of Environmental Services (NHDES) under Env-Wq 1708.05(b).

2. Discharges to Class A waters in New Hampshire, in accordance with RSA 485A:8, I. and Env-Wq 1708.06. To determine if the proposed receiving water is a Class A waterbody, contact NHDES as listed in Part 4.6 of this general permit.

3. Discharges that are likely to adversely affect any species listed as endangered or threatened under the Endangered Species Act (ESA) or result in the adverse modification or destruction of critical habitat under ESA. See Appendix I of this general permit for additional ESA requirements, and Appendix II of this general permit for additional ESA information.

4. Discharges whose direct or indirect impacts do not prevent or minimize adverse effects on any designated Essential Fish Habitat (EFH). See Appendix II of this general permit for additional EFH information.

5. Discharges of pollutants identified as the cause of an impairment to receiving water segments identified on the Commonwealth of Massachusetts or the State of New Hampshire approved 303(d) lists, unless the pollutant concentration is at or below a concentration that meets water quality standards.[4]

6. Discharges to Ocean Sanctuaries in Massachusetts, as defined at 302 CMR 5.00.

7. Discharges to territorial seas, as defined by Section 502 of the CWA.

8. Discharges to a river designated as a Wild and Scenic River, except in accordance with 16 U.S.C. 1271 et seq. See http://www.rivers.gov/ for additional information.

9. Discharges which adversely affect properties listed or eligible for listing in the National Registry of Historic Places under the National Historic Preservation Act of 1966 (NHPA), 16 USC §470 et seq. See Appendix III of this general permit for additional NHPA requirements.

10. Remediation or dewatering discharges resulting from on-site response action conducted pursuant to §§104, 106, 120, 121 or 122 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).

11. Discharges of uncontaminated effluent authorized or allowable under other United States Environmental Protection Agency (EPA) permits.

12. Discharges to a Publicly Owned Treatment Works (POTW) which is permitted under Section 402 of the CWA.

[4] The discharge would be eligible if a segment is impaired due to a pollutant which is not expected in the discharge covered by this general permit. Similarly, the discharge would be eligible if the discharge contains the pollutants for which a segment is impaired (e.g., metals) but meets the limitations in this general permit for those pollutants, as these limitations are equal to the water quality standards with no allowable dilution. See Massachusetts' integrated list of waters (CWA 303(d) and 305(b)) at http://www.mass.gov and New Hampshire's integrated list of waters (CWA 303(d) and 305(b)) at http://des.nh.gov.

13. Discharges directly or indirectly to the ground subject to other program authority, including the Underground Injection Control (UIC) Program under authority of the Safe Drinking Water Act, a State groundwater discharge permit program, or a similar program authority.

14. Discharge of dredge-related waters where the United States Army Corps of Engineers (ACE) intends to authorize the discharge under a CWA §404 permit.[5]

15. New Sources, as defined in 40 CFR §122.2.

16. Discharges covered by an individual NPDES permit unless:
    a. The discharges are separate from the currently permitted discharges; or
    b. The discharges covered by an individual NPDES permit are eligible for this general permit.

17. Discharges for which the Director makes a determination that an individual permit is required. See Part 3 of this general permit.

1.4 Special Eligibility Determinations

Sites located in Massachusetts and New Hampshire that are seeking coverage under this general permit must certify compliance with the requirements of this permit related to threatened and endangered species and critical habitat under the Endangered Species Act (i.e., ESA and EFH) and to historic properties under the National Historical Preservation Act, where applicable (i.e., NHPA).

1. Endangered and Threatened Species and/or Critical Habitat[6]

Sites that are located in areas in which listed species may be present are not automatically covered under this general permit. Operators must demonstrate permit eligibility following the eligibility requirements in Appendix I and include this determination in the Notice of Intent (NOI). See Appendix II of this general permit for additional information.

2. National Historic Preservation Act

Sites that are located on or near properties listed or eligible for listing in the National Registry of Historic Places under the National Historic Preservation Act of 1966, 16 USC §470 et seq. are not automatically covered under this permit. Prior to submitting a NOI, operators must meet the requirements of Appendix III pertaining to historic places, which requires *the operator* to determine whether discharges have the potential to affect a property that is listed or eligible for

[5] Dredge-related discharges may be covered under the RGP provided the ACE does not intend to issue a general or individual permit under 33 USC §1344 for the activities. If authorized to discharge under the RGP, this general permit does not authorize dredging or disposal of dredge material. This general permit also does not constitute authorization under §404 of any dredging or filling operations. See 33 CFR §330.5 and §§401 and 404 of the CWA.

[6] Several listed species may apply to operators under this general permit, including, but not limited to: the shortnose sturgeon, Atlantic sturgeon, dwarf wedge mussel, bog turtle, northern redbelly cooter, and northern long-eared bat. The shortnose sturgeon and Atlantic sturgeon are listed under the jurisdiction of the National Marine Fisheries Service (NMFS) and the dwarf wedgemussel, bog turtle, northern redbelly cooter, and northern long-eared bat are listed under the jurisdiction of the United States Fish and Wildlife Service (FWS).

listing on the National Register of Historic Places. If the potential exists, the operator must consult with the appropriate agencies. Operators must submit the results of any consultations with the NOI.

Operators must also comply with applicable State and local laws concerning the protection of historic properties and places. Where a discharge(s) has the potential to affect a property that is either listed or eligible for listing on the National Register of Historic Places, an operator must coordinate with the appropriate State Historic Preservation Officer (SHPO) regarding effects of their discharges.[7] In the event there is an inadvertent discovery of a historic property on the site, the operator must immediately stop the remediation activity, contact EPA, and coordinate with the appropriate official(s) consistent with the steps outlined in 36 CFR §800.13 of the NHPA regulations.

1.5 Coverage under the RGP

Under this general permit, operators in Massachusetts and New Hampshire may request authorization to discharge into waters of the respective States. To obtain authorization to discharge under this general permit, an operator must:

1. Have a discharge type described in Part 1.1 of this general permit;
2. Have a discharge located in the areas listed in Part 1.2 of this general permit;
3. Meet the eligibility requirements in Part 1.3 and Part 1.4 of this general permit;
4. Submit a complete and accurate Notice of Intent in accordance with the requirements of Part 3 of this general permit; and
5. Receive a written authorization to discharge from EPA.[8]

To maintain coverage under this general permit, the discharge must meet applicable water quality standards and all effluent limitations and requirements included in Part 2 and Part 6, and, if applicable, Part 7 of this general permit. The operator must also meet the requirements included in Part 4 and 5 of this general permit.

PART 2 GENERAL PERMIT FOR REMEDIATION ACTIVITY DISCHARGES

2.1 Effluent Limitations and Monitor-Only Requirements

[7] For sites located in Massachusetts, the SHPO is currently within the Massachusetts Historical Commission. For sites located in New Hampshire, the SHPO is currently the Director of Cultural Resources within the Department of Cultural Resources.

[8] Where the RGP refers to correspondence in writing from EPA, such correspondence may be by mail, email and/or facsimile transmittal. An emergency discharge is considered provisionally covered under the RGP immediately upon the initiation of discharges on the condition that: 1) A complete and accurate NOI is submitted in accordance with Part 3.3 within fourteen (14) days after the emergency discharges commence; 2) Notification is provided to EPA in accordance with Part 4.6.3.b and c prior to commencing an emergency discharge when feasible, but no later than twenty-four (24) hours after such discharges commence; and 3) Monitoring proceeds in accordance with the monitoring requirements specified in Part 4.4. as for short-term discharges for the duration of provisional coverage. Provisional coverage is authorized for up to fourteen (14) days, after which the operator must either: 1) Received written authorization to discharge from EPA, unless EPA notifies the operator that their authorization has been delayed or denied; or 2) Submitted a NOT to EPA.

1. Chemical-Specific Effluent Limitations in Massachusetts and New Hampshire

During the period beginning on the effective date and lasting through the expiration date, EPA will authorize the discharges under Part 1.1 of this general permit to receiving waters in Massachusetts and New Hampshire. The effective date of authorization for each discharge covered under this general permit is the date indicated in EPA's written authorization to discharge, lasting through the expiration date of this general permit or written termination of coverage, whichever occurs first. Each discharge shall be limited and monitored as specified in Table 2, below. The applicability of effluent limitations for each Activity Category listed in Table 1 is included in footnote 2, below. Additional limitations and monitoring requirements are specified in Parts 2.2 through 2.5 and Part 4, below.

Table 2: Chemical-Specific Effluent Limitations and Monitor-Only Requirements[1]

Parameter[2]	Effluent Limitation[3,4]	
	TBEL[5]	WQBEL[6]
A. Inorganics		
Ammonia[7]	Report mg/L	
Chloride[8]	Report µg/L	
Total Residual Chlorine[9]	0.2 mg/L	FW= 11 µg/L SW= 7.5 µg/L
Total Suspended Solids	30 mg/L	
Antimony[10]	206 µg/L	640 µg/L in MA 4.3 mg/L in NH
Arsenic[10]	104 µg/L	FW= 10 µg/L SW= 36 µg/L
Cadmium[11,12]	10.2 µg/L	FW= 0.25 µg/L SW= 8.8 µg/L in MA SW= 9.3 µg/L in NH
Chromium III[11,12]	323 µg/L	FW= 74 µg/L SW= 100 µg/L
Chromium VI[11,13]	323 µg/L	FW= 11 µg/L SW= 50 µg/L
Copper[11,12]	242 µg/L	FW= 9 µg/L SW= 3.1 µg/L
Iron[10]	5,000 µg/L	FW = 1,000 µg/L
Lead[11,12]	160 µg/L	FW= 2.5 µg/L SW= 8.1 µg/L
Mercury[11]	0.739 µg/L	FW= 0.77 µg/L SW= 0.94 µg/L
Nickel[11,12]	1,450 µg/L	FW= 52 µg/L SW= 8.2 µg/L
Selenium	235.8 µg/L	FW= 5.0 µg/L[10] SW= 71 µg/L[11]
Silver[11,12]	35.1 µg/L	FW= 3.2 µg/L SW= 1.9 µg/L
Zinc[11,12]	420 µg/L	FW= 120 µg/L SW= 81 µg/L

Parameter[2]	Effluent Limitation[3,4]	
	TBEL[5]	WQBEL[6]
Cyanide[14]	178 mg/L	FW = 5.2 µg/L SW = 1.0 µg/L
B. Non-Halogenated Volatile Organic Compounds		
Total BTEX[15]	100 µg/L	
Benzene[15]	5.0 µg/L	
1,4 Dioxane[16]	200 µg/L	
Acetone	7.97 mg/L	
Phenol	1,080 µg/L	300 µg/L
C. Halogenated Volatile Organic Compounds		
Carbon Tetrachloride	4.4 µg/L	1.6 µg/L in MA
1,2 Dichlorobenzene	600 µg/L	
1,3 Dichlorobenzene	320 µg/L	
1,4 Dichlorobenzene	5.0 µg/L	
Total dichlorobenzene	763 µg/L in NH	
1,1 Dichloroethane	70 µg/L	
1,2 Dichloroethane	5.0 µg/L	
1,1 Dichloroethylene	3.2 µg/L	
Ethylene Dibromide[17]	0.05 µg/L	
Methylene Chloride	4.6 µg/L	
1,1,1 Trichloroethane	200 µg/L	
1,1,2 Trichloroethane	5.0 µg/L	
Trichloroethylene	5.0 µg/L	
Tetrachloroethylene	5.0 µg/L	3.3 µg/L in MA
cis-1,2 Dichloroethylene	70 µg/L	
Vinyl Chloride	2.0 µg/L	
D. Non-Halogenated Semi-Volatile Organic Compounds		
Total Phthalates[18]	190 µg/L	FW = 3.0 µg/L in NH SW = 3.4 µg/L in NH
Diethylhexyl phthalate[18]	101 µg/L	2.2 µg/L in MA 5.9 µg/L in NH
Total Group I Polycyclic Aromatic Hydrocarbons[19]	1.0 µg/L	As Individual PAHs
Benzo(a)anthracene[19]	As Total Group I PAHs	0.0038 µg/L
Benzo(a)pyrene[19]		0.0038 µg/L
Benzo(b)fluoranthene[19]		0.0038 µg/L
Benzo(k)fluoranthene[19]		0.0038 µg/L
Chrysene[19]		0.0038 µg/L
Dibenzo(a,h)anthracene[19]		0.0038 µg/L
Indeno(1,2,3-cd)pyrene[19]		0.0038 µg/L
Total Group II Polycyclic Aromatic Hydrocarbons[20]	100 µg/L	
Naphthalene[20]	20 µg/L	
E. Halogenated Semi-Volatile Organic Compounds		
Total Polychlorinated Biphenyls[21]	0.000064 µg/L	
Pentachlorophenol	1.0 µg/L	

Parameter[2]	Effluent Limitation[3,4]	
	TBEL[5]	**WQBEL[6]**
F. Fuels Parameters		
Total Petroleum Hydrocarbons[22]	5.0 mg/L	
Ethanol[23]	Report mg/L	
Methyl-tert-Butyl Ether[24]	70 µg/L	20 µg/L in MA
tert-Butyl Alcohol	120 µg/L in MA 40 µg/L in NH	
tert-Amyl Methyl Ether[24]	90 µg/L in MA 140 µg/L in NH	

Table 2 Footnotes:

[1] The following abbreviations are used in Table 2, above:
- [a] TBEL = technology-based effluent limitation
- [b] WQBEL = water quality-based effluent limitation
- [c] mg/L = milligrams per liter
- [d] avg = average
- [e] µg/L = micrograms per liter
- [f] FW = freshwater
- [g] SW = saltwater

[2] The sample type required for all parameters is grab. Grab samples must be analyzed individually and cannot be composited. See Appendix IX for additional definitions.

[3] The effluent limitation and/or monitor-only requirement for any parameter listed applies to any site if the given parameter is present at that site. The effluent limitations and monitor-only requirements also apply to Activity Categories as follows:

[a] Activity Category I:
all parameters in contamination type A. Inorganics;
any present in contamination type B. non-halogenated VOCs;
if present in contamination type C. halogenated VOCs;
any present in contamination type D. non-halogenated SVOCs;
if present in contamination type E. halogenated SVOCs; and
any present in contamination type F. fuels parameters.

[b] Activity Category II:
all parameters in contamination type A. Inorganics;
any present in contamination type B. non-halogenated VOCs;
any present in contamination type C. halogenated VOCs;
any present in contamination type D. non-halogenated SVOCs;
if present in contamination type E. halogenated SVOCs; and
if present in contamination type F. fuels parameters.

[c] Activity Category III-G:
all parameters in contamination type A. Inorganics; and
if present in contamination type B through F.

[d] Activity Category IV-G, V-G, VI-G, VII-G, VIII-G:
if present in contamination type A through F.

[e] Activity Category III-H, IV-H, V-H, VI-H, VII-H, VIII-H:
all parameters in contamination type A through F apply.

[f] When "if present" is noted above, the effluent limitation and/or monitor-only requirement for a parameter in the Contamination Type applies to a site only if the given parameter is known or believed present at that site. When "any present" is noted above, the effluent limitations and/or monitor-only requirements for all parameters in the Contamination Type apply to a site when at least one parameter in that Contamination Type is known or believed present at that site, unless otherwise specified below. See Part 1.1 for additional definitions.

[4] The limitation type for all parameters is monthly average. See Appendix IX for additional definitions.

[5] For any parameter with a single effluent limitation, that effluent limitation applies to a site if that parameter is applicable to that site. For any parameter with both a TBEL and a WQBEL, the TBEL applies to a site, at a minimum, if that parameter is applicable to that site.

[6] For any parameter with both a TBEL and a WQBEL, the WQBEL applies to a site if: 1) *The operator* determines that the WQBEL for a parameter calculated in accordance with Appendix V or VI applies; or 2) EPA or the appropriate State determines that a WQBEL is necessary to meet water quality standards. The calculation of WQBELs shall be as follows: 1) A dilution factor may be used to calculate the WQBEL for a parameter, if allowable and approved by the appropriate State prior to the submission of the NOI to EPA; 2) The calculations are completed in accordance with the instructions provided in Appendix V for sites located in Massachusetts or Appendix VI for sites located in New Hampshire; 3) The WQBEL calculations are included in the NOI submitted to EPA; and 4) The calculated WQBEL is confirmed by EPA in writing. In the event of a calculation error, the operator will be informed of any corrected WQBEL when notified of permit coverage by EPA. Operators are encouraged to use the additional resources provided by EPA at https://www.epa.gov/region1/npdes/rgp.html to follow the calculation methodologies for effluent limitations in Appendix V for sites in Massachusetts and Appendix VI for sites in New Hampshire.

[7] This parameter is expressed as ammonia nitrogen. The minimum level (ML) for analysis must be less than or equal to 0.1 mg/L. See Appendix VII for additional definitions.

[8] Sites located in Massachusetts must report concentrations of chloride. Sites located in New Hampshire may be subject to §401 certification requirements by the State of New Hampshire, including a numeric effluent limitation for chloride.

[9] Effluent limitations for TRC only apply if TRC is present or if discharges are likely to contain residual chlorine (e.g., potable water is in use or chlorine is a chemical used for and/or byproduct of treatment). The TBEL applies to all discharges subject to a TRC effluent limitation. The WQBELs are shown with zero dilution. The FW or SW WQBELs are calculated as follows:

[a]11 µg/L x approved dilution factor for discharges to freshwater waterbodies
[b]7.5 µg/L x approved dilution factor for discharges to saltwater waterbodies

If the FW or SW limitation for TRC as calculated above is less than the TBEL for TRC, the FW or SW limitation for TRC applies. The compliance level for TRC is 50 µg/L.

[10] The TBEL and WQBEL for this parameter is expressed on the basis of total recoverable metal in the water column. The WQBEL is shown with zero dilution. For the antimony WQBEL in NH, EPA anticipates that the applicable revised WQC found in Env-Wq 1700 shall be incorporated into the RGP for sites in New Hampshire, once final. Based on the proposed revision for this value, 640 µg/L, EPA expects to change the WQBEL from 4.3 mg/L to 640 µg/L.

[11] The WQBEL for this parameter is expressed on the basis of dissolved metal in the water column. The WQBEL is shown with zero dilution. The WQBEL shall apply in the form of total recoverable metal in the water column. The WQBEL must be adjusted using the calculation methodology included in Appendix V for sites located in Massachusetts or Appendix VI for sites located in New Hampshire. For the saltwater cadmium WQBEL in NH, EPA anticipates that the applicable revised WQC found in Env-Wq 1700 shall be incorporated into the RGP for sites in New Hampshire, once final. Based on the proposed revision for this value, 7.9 µg/L, EPA expects to change the WQBEL from 9.3 µg/L to 7.9 µg/L.

[12] This parameter is hardness-dependent in freshwater. The WQBEL shown assumes a hardness of 100 mg/L $CaCO_3$. Hardness-dependent metals WQBELs must be adjusted for actual hardness using the calculation methodology included in Appendix V for sites located in Massachusetts or Appendix VI for sites located in New Hampshire. The hardness-dependent calculation requirement does not apply to saltwater discharges.

[13] The effluent limitations for chromium VI assume this metal is reduced to chromium III as a result of treatment. This metal is not hardness-dependent in freshwater.

[14] The effluent limitations for cyanide only applies if this parameter is present. The TBEL is shown as total cyanide. The WQBEL is shown as free cyanide per liter. However, total cyanide must be reported. The compliance level for total cyanide is 5 µg/L.

[15] Total BTEX is the sum of: benzene (CAS No. 71432); toluene (CAS No. 108883); ethylbenzene (CAS No. 100-41-4); and (m,p,o) xylenes (CAS Nos. 108-88-3, 106-42-3, 95-47-6, and 1330-20-7). The Volatile Petroleum Hydrocarbon (VPH) method cannot be used for analysis of this parameter.

[16] The effluent limitation for 1,4-dioxane only applies if this parameter and/or 1,1,1 trichloroethane is present. 1,4-dioxane analysis must achieve a ML less than or equal to 50 µg/L. See Appendix VII for additional definitions.

[17] The effluent limitation for EDB only applies if this parameter is present.

[18] Total Phthalates is the sum of: diethylhexyl phthalate (CAS No. 117-81-7); butyl benzyl phthalate (CAS No. 85-68-7); di-n-butyl phthalate (CAS No. 84-74-2); diethyl phthalate (CAS No. 84-66-2); dimethyl phthalate (CAS No. 131-11-3); di-n-octyl phthalate (CAS No. 117-84-0). The effluent limitations for total phthalates and the individual phthalate, diethylhexyl phthalate, only apply if these parameters are present. For the diethylhexyl phthalate WQBEL in NH, EPA anticipates that the applicable revised WQC found in Env-Wq 1700 shall be incorporated into the RGP for sites in New Hampshire, once final. Based on the proposed revision for this value, 2.2 µg/L, EPA expects to change the WQBEL from 5.9 µg/L to 2.2 µg/L.

[19] Total Group I PAHs is the sum of: benzo(a)anthracene (CAS No. 56-55-3); benzo(a)pyrene (CAS No. 50-32-8); benzo(b)fluoranthene (CAS No. 205-99-2); benzo(k)fluoranthene (CAS No. 207-08-9; chrysene (CAS No. 218-01); dibenzo(a,h)anthracene (CAS No. 53-70-3); indeno(1,2,3-cd)pyrene (CAS No. 193-39-5). The compliance level for each individual PAH is 0.1 µg/L using a test method in 40 CFR §136 with selected ion monitoring. The extractable petroleum hydrocarbon (EPH) method cannot be used for analysis of this parameter.

[20] Total Group II PAHs is the sum of: acenaphthene (CAS No. 83-32-9); acenaphthylene (CAS No. 208-96-8); anthracene (CAS No. 120-12-7); benzo(g,h,i)perylene (CAS No. 191-24-2); fluoranthene (CAS No. 206-44-0); fluorene (CAS No. 86-73-7); naphthalene (CAS No. 91-20-3); phenanthrene (CAS No. 85-01-8); pyrene (CAS No. 129-00-0). The EPH method cannot be used for analysis of this parameter.

[21] Total PCBs is the sum of the following aroclors: PCB-1016, PCB-1221, PCB-1232, PCB-1242, PCB-1248, PCB-1254, and PCB-1260. The compliance level for total PCBs is 0.5 µg/L. The effluent limitation for total PCBs only applies if one or more of these parameters are present.

[22] The VPH and EPH methods cannot be used for TPH analysis.

[23] The monitor-only requirement for ethanol only applies if ethanol is present (e.g., discharges are likely to contain ethanol at a site where a release of a petroleum product that contains ethanol or where ethanol has been used or stored). Ethanol analysis must achieve a ML less than or equal to 0.4 mg/L. See Appendix VII for additional definitions.

[24] The effluent limitation for this parameter only applies if this fuel additive/oxygenate is present (e.g., discharges are likely to contain this fuel additive/oxygenate at a site where a release of a petroleum product that contained this additive/oxygenate occurred or where oxygenates/additives have been used or stored).

2. Effluent Flow Limitations

Effluent flow shall be limited and monitored as specified below.

Table 3: Effluent Flow Limitations[1]

Effluent Flow[2]	**Effluent Limitations**	
	Design Flow BMP[3]	1.0 MGD[4]

Table 3 Footnotes

[1] Effluent flow limitations apply to all discharges. The limitation type for effluent flow is daily maximum. Effluent flow shall be the sum of the recorded discharge volume for each day (i.e., 24 hours) that effluent is discharged.

[2] Effluent flow shall be measured after treatment using a continuous measurement flow meter (i.e., a device that records the instantaneous gallons per minute (gpm) and total gallons discharged). If an operator demonstrates that use of a meter is infeasible and such a change is provided to the operator in writing, effluent flow shall be based on an estimate. An estimate of effluent flow shall be determined by the operation time and design flow of the treatment system in use at a site, or the flow rate and dimensions of the outfall at a site, if no treatment system is in use, unless otherwise instructed by EPA and/or the appropriate State. An operator must provide justification in the NOI or through a subsequent Notice of Change (NOC) submitted to EPA for a site if the use of a meter is infeasible.

[3] Effluent flow shall not exceed the design flow rate of any treatment system in use at a site, determined by the component of the treatment system with the most restricted flow and as reported in the NOI submitted to EPA for that site. Additional Design Flow BMP requirements are included in Part 2.5.2, below.

[4] Effluent flow shall not exceed 1.0 MGD, unless an effluent flow limitation greater than 1.0 MGD is approved by EPA and the appropriate State on a case-by-case basis. Effluent flow shall not exceed the flow of receiving water, or alter the structural characteristics of the receiving water. Flow control measures must be used if necessary to dissipate energy and control erosion or scouring during discharge.

2.2 Water Quality-Based Effluent Limitations and Requirements

1. The discharge shall not cause a violation of the water quality standards of the receiving water.

2. The discharge shall be adequately treated to ensure that the receiving water(s) remain free from:
   a. Pollutants in concentrations or combinations that settle to form harmful deposits, float as foam, debris, scum, form a visible sheen or other visible pollutants.
   b. Color, odor, taste, or turbidity in concentrations that would render them unsuitable for their designated use, unless such concentrations are naturally occurring.
   c. Oil, grease and petrochemicals that produce a visible film on the surface of the water, impart an oily taste to the water or an oily or other undesirable taste to the edible portions of aquatic life, coat the banks or bottom of the water course, or become toxic to aquatic life.

3. Toxics Control
   a. The discharge shall not contain any pollutant or combination of pollutants in toxic amounts or in concentrations or combinations which are toxic to humans, aquatic life, or wildlife, or which would impair the uses designated by the classification of the receiving waters;
   b. The discharge shall not contain any pollutant or combination of pollutants in concentrations or combinations which violate any applicable water quality standard; and
   c. If a discharge contains any pollutant which is not limited by this general permit and the operator is otherwise eligible for coverage under this general permit, the operator must specifically disclose the pollutant and concentration in the Notice of Intent to request authorization to discharge that pollutant. EPA and the applicable State may authorize the discharge of additional pollutants on a case-by-case basis, including effluent limitations when necessary, provided that such a discharge does not violate Section 307 or 311 of the CWA or applicable State water quality standards.

4. EPA may impose additional effluent limitations on a case-by-case basis, or require an operator to obtain coverage under an individual permit, if information in the NOI, required reports, or from other sources indicates that the discharges are not controlled as necessary to meet water quality standards. If additional effluent limitations, including monitor-only requirements, are required, EPA will state the reasons for the additional effluent limitations, and will specify the monitoring and reporting requirements.

2.3 Massachusetts General Permit Limitations and Conditions

In addition to the Effluent Limitations and Monitor-Only Requirements included in Part 2.1 and Part 2.2, above, each outfall shall be limited and monitored as specified below.

1. pH Limitations for Discharges in Massachusetts

Table 4: pH Limitations for Discharges in Massachusetts[1]

Receiving Water Class[2]	Effluent Limitations[3]
Freshwater[4]	6.5 to 8.3 SU
Saltwater[5]	6.5 to 8.5 SU

Table 4 Footnotes

[1] pH effluent limitations apply to all discharges.

[2] There shall be no change from natural background conditions that would impair any use assigned to the class of the receiving water.

[3] The limitation type for pH is range. The sample type required for pH is grab. Grab samples shall be analyzed using EPA Method 4500-H^+-B 2000 or other EPA-approved methods in 40 CFR §136.

[4] The pH of the effluent shall be in the range of 6.5 to 8.3 standard units (SU) and not more than 0.5 SU outside of the naturally occurring range for freshwater classes.

[5] The pH of the effluent shall be in the range of 6.5 to 8.5 SU and not more than 0.2 SU outside of the naturally occurring range for saltwater classes.

2. Temperature Limitations for Discharges in Massachusetts

Table 5: Temperature Limitations for Discharges in Massachusetts[1]

Receiving Water Class		**Effluent Limitation[2,3]**	**ΔT Limitation[4]**
Class A	Warm Water Fishery	83°F	≤ 1.5°F
	Cold Water Fishery	68°F	≤ 1.5°F
Class B	Warm Water Fishery	83°F	≤ 5°F
	Cold Water Fishery	68°F	≤ 3°F
	Lakes and Ponds	83°F Warm Water Fishery 68°F Cold Water Fishery	≤ 3°F in epilimnion
Class SA	---	85°F 80°F (mean)	≤ 1.5°F
Class SB	July to September	85°F 80°F (mean)	≤ 1.5°F
	October to June	85°F 80°F (mean)	≤ 4°F

Table 5 Footnotes

[1] Temperature effluent limitations apply on a case-by-case basis if heat is indicated as a pollutant in the NOI submitted to EPA, or if EPA and/or the State determine a discharge is likely to contain residual heat.

[2] The limitation type for temperature is daily maximum. The sample type required for temperature is grab. Grab samples shall be analyzed using EPA Method 2550-B-2000 or other EPA-approved methods in 40 CFR §136.

[3] The effluent shall not exceed the maximum temperature noted in Table 5, above for the class of the receiving water. There shall be no change from natural background that would impair any uses assigned to this class including those conditions necessary to protect normal species diversity, successful migration, reproductive functions or growth of aquatic organisms.

[4] The rise due to a discharge shall not exceed the change in temperature (ΔT) noted for each class in Table 5, above. Change in temperature from background shall be determined by subtracting the temperature of the effluent from the temperature of the receiving water measured a point immediately upstream of a discharge(s) zone of influence at a reasonably accessible location.

3. Massachusetts State Permit Conditions
   a. This discharge permit is issued jointly by the EPA and the MassDEP under Federal and State law, respectively. As such, all the terms and conditions of this permit are

hereby incorporated into and constitute a discharge permit issued by the Commissioner of the MassDEP pursuant to M.G.L. Chapter 21 §43, except where exempted under 310 CMR 40.0042(2) of the Massachusetts Contingency Plan. Each agency shall have the independent right to enforce the terms and conditions of this permit. Any modification, suspension or revocation of this permit shall be effective only with respect to the agency taking such action, and shall not affect the validity or status of this permit as issued by the other agency, unless and until each agency has concurred in writing with such modification, suspension or revocation. In the event that any portion of this permit is declared invalid, illegal or otherwise issued in violation of State law, such permit shall remain in full force and effect under federal law as an NPDES permit issued by the EPA. In the event that this permit is declared invalid, illegal or otherwise issued in violation of federal law, this permit shall remain in full force and effect under State law as a permit issued by the Commonwealth of Massachusetts, except where exempted under 310 CMR 40.0042(2) of the Massachusetts Contingency Plan.

b. An authorization to discharge under this General Permit, where the activity discharges to a municipal or private storm drain owned by another party, does not convey any rights or authorization to connect to that drain. If the storm sewer system is within an urbanized area, the applicant must notify the MS4 operator of the proposed discharge.
c. At any time MassDEP determines that additional requirements are necessary to protect water quality and in lieu of requiring a discharger covered under a general permit to obtain an individual permit (314 CMR 3.06(8)), MassDEP may require a discharger to undertake additional control measures, BMPs, or other actions. MassDEP may exercise its authority to require the discharger to take these actions by imposing a condition in the general permit to that effect, or by taking an enforcement action against the discharger, or by any other means. Any such conditions shall be supplied to the permittee in writing.

2.4 New Hampshire General Permit Limitations and Conditions

In addition to the Effluent Limitations and Monitoring Requirements included in Part 2.1 and Part 2.2, above, each outfall shall be limited and monitored as specified below.

1. pH Limitations for Discharges in New Hampshire

Table 6: pH Limitations for Discharges in New Hampshire[1]

Receiving Water Class	Effluent Limitations[2,3]
Class B	6.5 to 8.0 SU

Table 6 Footnotes

[1] pH effluent limitations apply to all discharges.

[2] The limitation type for pH is range. The sample type required for pH is grab. Grab samples shall be analyzed using EPA Method 4500-H^+-B 2000 or other EPA-approved methods in 40 CFR §136.

[3] The pH of the effluent shall be in the range of 6.5 to 8.0 standard units unless a different range is allowed in accordance with Part 2.4.3.b and 5.1.2.c.

2. Temperature Limitations for Discharges in New Hampshire

Table 7: Temperature Limitations in New Hampshire[1]

Receiving Water Class		Effluent Limitation[2,3]
Class B	Warm Water Fishery	83°F
	Cold Water Fishery	68°F

Table 7 Footnotes

[1] Temperature effluent limitations apply on a case-by-case basis if heat is indicated as a pollutant in the NOI submitted to EPA, or if EPA and/or the State determine a discharge is likely to contain residual heat.

[2] The limitation type for temperature is daily maximum. The sample type required for temperature is grab. Grab samples shall be analyzed using EPA Method 2550-B-2000 or other EPA-approved methods in 40 CFR §136.

[3] The effluent shall not exceed the maximum temperature noted in Table 7, above for the class of the receiving water. Any stream temperature increase associated with the discharge(s) shall not be such as to appreciably interfere with the uses assigned to the receiving water.

3. New Hampshire State Permit Conditions
   a. This NPDES permit is issued by the EPA under Federal law. Upon final issuance by the EPA, the NHDES may adopt this permit, including all terms and conditions, as a State permit pursuant to RSA 485-A:13. 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. In the event any portion of this permit is declared invalid, illegal, or otherwise issued in violation of State law, such permit shall remain in full force and effect under federal law as a NPDES permit issued by the EPA.
   b. An operator may request a change in the permitted pH range of 6.5-8.0 standard units (SU) if the operator can demonstrate to NHDES: 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 authorized discharge. The scope of any demonstration project must receive prior approval from NHDES. The upstream or background sampling location identified by the operator shall be approved by NHDES prior to the initiation of sampling. In addition, the upstream and effluent sampling is to occur as close in time as possible, but not greater than 1 hour

apart. In no case, shall the above procedure result in pH limits less restrictive than 6.0–9.0 SU. Written approval from NHDES must be submitted to EPA for consideration of this change (see Part 5.1, below).

c. The operator 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:13).
d. Pursuant to New Hampshire Statute RSA 485-A:13I(c), any person responsible for a bypass or upset at a wastewater 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 tributary. Wastewater facility is defined at RSA 485-A:2XIX as the structures, equipment, and processes required to collect, convey, and treat domestic and industrial wastes, and dispose of the effluent and sludge. The operator 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.
e. An authorization to discharge under this general permit, where the activity discharges to a municipal or private storm drain owned by another party, does not convey any rights or authorization to connect to that drain.
f. Persons filing a NOI for a new discharge that will last for one year or more will be required to supply NHDES with additional water quality data for the discharge and the receiving water. The data must be collected during both low flow and high flow (spring/autumn) conditions in accordance with an approved Scope of Work and Sampling/Analysis Plan. NHDES recommends that applicants meet with staff of the Wastewater Engineering Bureau at least one year prior to the date of the commencement of the discharge.
g. At any time that NHDES determines that additional water quality certification requirements are necessary to protect water quality, an individual discharger may be required to meet additional conditions to obtain coverage or to continue coverage under this general permit. Any such conditions shall be supplied to the operator in writing.

2.5 Special Conditions

1. Best Management Practices Plan (BMPP)

Operators must develop, implement, and maintain a BMPP for the discharges covered under this general permit.

a. The BMPP shall provide a plan for compliance with the terms of this general permit and must document the implementation of control measures, including best management practices (BMPs), to meet the following non-numeric technology-based effluent limitations:
    i. Minimize the potential for violations of the terms of this general permit, taking corrective actions, when necessary;

ii. Minimize the number and quantity of pollutants and/or the toxicity generated, discharged, or potentially discharged at the site;
iii. Minimize discharges of pollutants from the remediation activities, including: material storage areas, on-site control measures and materials, treatment and material handling areas, loading and unloading operations, and accidental leaks or spills, including implementation of material compatibility and good housekeeping practices; and
iv. Use pollution control technologies when necessary to meet the effluent limitations and requirements in this general permit, including the proper operation and maintenance of any treatment system.

b. The BMPP must include the following information, at a minimum:
   i. Name and location of the site;
   ii. Any necessary system schematics, drawings or maps, including up to date site plans with a detailed outfall diagram;
   iii. Identification and contact information for the operator(s);
   iv. Identification of potential sources of pollution;
   v. Description of the specific control measures, including BMPs, the operator will take to reduce the pollutants associated with the following:
      1) Influent and effluent;
      2) Storage and handling areas;
      3) Site runoff;
      4) On-site transfer;
      5) Loading or unloading operations;
      6) Spillage or leaks;
      7) Sludge and waste disposal; and
      8) Drainage from material storage and handling areas.
   vi. Specific control measures, including BMPs, used to meet the requirements of this general permit and including the specific BMPs required for all discharges in Part 2.5.2, below.

c. The BMPP must be prepared in accordance with good engineering practices and must be a written document (hardcopy or electronic). The BMPP may either be a stand-alone document or may be incorporated into any other BMPP, Pollution Prevention Plan, Spill Prevention Control and Counter Measures (SPCC) Plan, or other plan developed for the site as required under other permits or programs.[9] Operators must provide BMPP certification in the NOI submitted to EPA for a site as follows:
   i. Operators with existing discharges without an existing BMPP seeking coverage under this general permit shall develop and implement the BMPP and shall certify as part of the NOI that a BMPP meeting the requirements of this general permit has been developed and implemented;
   ii. Operators with existing discharges with an existing BMPP seeking coverage under this general permit shall revise the BMPP to meet the terms of this general permit and shall certify as part of the NOI that a BMPP meeting the requirements of this general permit has been developed and implemented;

[9] Operators may refer to *Guidance Manual for Developing Best Management Practices (BMPs)* (EPA-833-B-93-004, 1993).

iii. Operators with emergency discharges shall certify as part of the NOI that the BMP requirements included in Part 2.5.2 were met during provisional coverage and, if discharges will continue, shall certify as part of the NOI that a BMPP meeting the requirements of this general permit has been developed and implemented; and

iv. Operators initiating new discharges shall certify as part of the NOI that a BMPP meeting the requirements of this general permit will be developed and implemented upon initiation of discharge.

d. The operator must certify the BMPP as follows:

i. On or before January 15th each calendar year, or upon Notice of Termination (NOT) if a discharge lasts less than one year, the operator must prepare a statement certifying that the requirements of the BMPP were met for the previous calendar year, or for the duration of discharge if a discharge lasts less than a full calendar year;

ii. Each certification shall state whether the operation and maintenance activities were conducted, results recorded, and records maintained, and must indicate whether the discharges are in compliance with the requirements of the BMPP and meet the effluent limitations included in this general permit;

iii. The required certification statements must be maintained with a complete, up to date BMPP on site or at the location of the principal operator identified in the NOI and made available for inspection by EPA or the State;

iv. Any amendments to the BMPP resulting from any change which occurred at the site that increases the generation of pollutants, or the release or potential release of pollutants to the receiving water, or changes the operation and maintenance procedures covered by the BMPP must be explained in the certification for the reporting period in which the change(s) occurred;

v. Each certification must be signed in accordance with 40 CFR §122.22; and

vi. Failure to prepare the required certifications may result in permit termination and/or penalties imposed by EPA, the State, or both.

2. Best Management Practices (BMPs)

Operators must implement control measures, including the following best management practices (BMPs), to meet the effluent limitations and requirements in this general permit. The BMPs specified below are required for all operators.[10]

a. An Effluent Flow BMP must include, at a minimum:

i. Flow control measures that prevent discharge(s) in exceedance of the design flow of the discharge (i.e., the maximum flow through the component with the lowest limiting capacity); and

ii. Documentation of the method(s) for measuring effluent flow.

b. A Preventative Maintenance BMP must include, at a minimum:

i. Documented procedures and protocols that ensure all control measures, including all treatment system components and related appurtenances used to achieve the limitations in this general permit remain in effective operating condition and do not result in leaks, spills, and other releases of pollutants;

[10] Additional guidance for BMPs can be found in *Guidance Manual for Developing Best Management Practices* (EPA 833-B-93-004).

ii. A maintenance schedule for all treatment system components and related appurtenances used to meet the limitations of this general permit; and
iii. Records of the completion of regular maintenance activities.

c. A Site Management BMP must include, at a minimum:
   i. Control measures that ensure proper management of solid and hazardous waste and prevent solids, sludge, or other pollutants removed in the course of treatment or control of water and wastewaters from entering Waters of the United States;
   ii. Run-on and runoff management practices which divert, infiltrate, reuse, contain, or otherwise reduce extraneous uncontaminated waters and minimize the extent to which such uncontaminated waters commingle with remediation activity discharges; and
   iii. Water quality control measures must ensure that the discharges covered by this general permit do not adversely affect existing water quality by preventing any erosion, stream scouring, or sedimentation, and/or any direct or indirect discharge which contributes additional pollutants.

d. A Pollutant Minimization BMP must include, at a minimum:
   i. Identification and assessment of the type and quantity of pollutants, including their potential to impact receiving water quality;
   ii. Water quality control measures must ensure dilution is not used as a form of treatment, or as a means to achieve the limitations and requirements in this general permit; and
   iii. Selection, design, installation and proper operation and maintenance of pollution control technologies necessary to meet the limitations and requirements in this general permit. The treatment technologies may include, but are not limited to any combination of the following: [11]
      1) Adsorption/Absorption
      2) Advanced Oxidation Processes
      3) Air Stripping
      4) Granulated Activated Carbon (GAC)/Liquid Phase Carbon Adsorption
      5) Ion Exchange
      6) Precipitation/Coagulation/Flocculation
      7) Separation/Filtration

e. An Administrative Controls BMP must include, at a minimum:
   i. Documentation of the site security procedures appropriate for the treatment and other systems related to the NPDES discharge(s);
   ii. Documentation of employee training conducted at least annually (or once, for discharges lasting less than one year) for site personnel who have direct or indirect responsibility for ensuring compliance with this general permit;
   iii. Procedures for initiating corrective action and completing within a reasonable timeframe: evaluation, and revision (i.e., repair, modification, or replacement), if necessary, of any control measure used at the site if the control measure is identified as missing, installed incorrectly, or ineffective in

[11] Descriptions of these treatment technologies can be found in the Federal Remediation Technology Roundtable *Remediation Technologies Screening Matrix and Reference Guide, Version 4.0 (2007)* available at http://www.frtr.gov/scrntools.htm.

ensuring the discharge meets applicable water quality standards and/or effluent limitations and requirements in this general permit. The following actions are required upon discovery of a violation of a permit limitation or requirement, at a minimum:

1) The discharge must stop immediately, unless the operator is otherwise instructed by EPA and/or the appropriate State;
2) The operator must immediately take all reasonable steps to minimize or prevent the discharge of pollutants until a permanent solution is achieved;
3) Notification must be provided to EPA and to the appropriate State via telephone, e-mail or other verbal or written means in accordance with Part 4.6.3.b or c within twenty-four (24) hours; and
4) The cause of the permit violation must be identified and corrective action must be initiated within seventy-two (72) hours, if necessary, prior to resuming discharge in accordance with Part 4.3, or Part 4.1.2 when a treatment system is not in use, unless otherwise instructed by EPA and/or the appropriate State.

iv. A schedule for and record of routine inspections conducted at least monthly by site personnel who have direct knowledge of the remediation activity at the site, the control measure(s) in use at the site, and the ability to assess the effectiveness of any control measure(s) in use at the site to meet the limitations and requirements of this general permit. Routine inspections must, at a minimum:

1) Assess the influent, effluent, treatment system, and remediation activity areas, including the outfall, where practicable;
2) Identify any uncontrolled leaks, spills or discharges; and
3) Conduct visual inspection for indicators of pollution, including, but not limited to: objectionable aesthetic properties including color, odor, clarity, floating solids, settled solids, suspended solids, foam, and oil sheen.

f. Quality Assurance/Quality Control (QA/QC) BMP must include, to the maximum extent practicable:

i. A description of applicable monitoring requirements;
ii. A map and/or treatment system diagram indicating the location of each monitoring point with a geographic identifier (i.e., latitude and longitude coordinates);
iii. Specifications for the number of samples, type of sample containers, type of preservation, holding times, type and number of quality assurance field samples (i.e., matrix spiked and duplicate samples and sample blanks), sample preparation requirements (e.g., sampling equipment calibration, clean sampling procedures), and sample storage and shipping methods, including EPA QA/QC and chain-of-custody procedures;[12]
iv. Name(s), address(es), and telephone number(s) of the laboratories used by the operator;

[12] Described in *Requirements for Quality Assurance Project Plans* (EPA/QA/R-5) and *Guidance for Quality Assurance Project Plans* (EPA/QA/G-5).

v. Specifications for analytical methods, analytical detection and quantitation limits for each required parameter, and laboratory data delivery and documentation requirements;
vi. A schedule for review of sample results, which must be reviewed by the operator no more than seventy-two (72) hours from receipt of the results; and
vii. A description of data validation and data reporting processes.

g. Materials Management BMP must include, at a minimum:
   i. Good housekeeping practices and/or control measures that maintain areas that are potential sources of pollutants, including, but not limited to: contaminated soil and groundwater and treatment system chemicals, additives, materials or appurtenances;
   ii. Material compatibility practices and/or control measures must ensure safe handling, use and storage of materials including, but not limited to chemicals and additives (e.g., algaecides/biocides, antifoams, coagulants, corrosion/scale inhibitors/coatings, disinfectants, flocculants, neutralizing agents, oxidants, oxygen scavengers, pH conditioners, surfactants and bioremedial agents, including microbes);
   iii. For any chemical and/or additive used or stored at a site, operators must document, at a minimum:
      1) Product name, chemical formula, and manufacturer of the chemical or additive;
      2) Purpose or use of the chemical or additive;
      3) Safety Data Sheet (SDS) and Chemical Abstracts Service (CAS) Registry number for each chemical or additive;
      4) The frequency (e.g., hourly, daily), duration (e.g., hours, days), magnitude (i.e., frequency as maximum and average concentration), and method of application for the chemical or additive;
      5) Any material compatibility risks for storage of the chemical or additive;
      6) If available, the vendor's reported aquatic toxicity (NOAEL and/or LC_{50} for aquatic organism(s)); and
      7) A description of the material management control measures employed (e.g., inventory, containment devices, protected storage building(s) and/or cabinet(s)) and any measures taken to ensure material compatibility.
   iv. Spill prevention practices and spill control measures, including other handling and collection methods, when necessary (e.g., containment devices), must reduce spills and leaks from the treatment system and the release of chemical and/or additives in use at a site. The following actions are required upon detection of a leak, spill, or other release containing a hazardous substance or oil, such as visual observation of a visible sheen, at a minimum:
      1) The discharge must stop immediately;
      2) Notification must be provided to EPA in accordance with Part 4.6.3.b or c within twenty-four (24) hours;[13]

[13] State, tribal, or local requirements may necessitate additional notification to local emergency response, public health, and/or drinking water supply agencies.

3) The source of the leak, spill or other release must be identified and corrective action must be taken in accordance with Part 2.5.2.e, above, if necessary, prior to resuming discharge, unless instructed otherwise by EPA and/or the appropriate State; and
4) When a leak, spill, or other release containing a hazardous substance or oil in an amount equal to or in excess of a reportable quantity established under either 40 CFR Part 110, 40 CFR Part 117, or 40 CFR Part 302 occurs, the operator must document a description of the release, the circumstances leading to the release, the date of the release, a description of any corrective actions taken and the date such corrective actions are completed.

3. Conditions for Discharges of Chemicals & Additives
   a. An operator shall not discharge any chemical or additive, including, but not limited to: algaecides/biocides, antifoams, coagulants, corrosion/scale inhibitors/coatings, disinfectants, flocculants, neutralizing agents, oxidants, oxygen scavengers, pH conditioners, surfactants and bioremedial agents, including microbes, which was not reported in the NOI submitted to EPA for a site or provided through a subsequent NOC submitted to EPA.
   b. Upon authorization to discharge, chemicals and/or additives which have been disclosed to EPA and the appropriate State may be discharged up to the frequency and level disclosed, provided that such discharge does not violate Section 307 or 311 of the CWA or applicable state water quality standards.
   c. EPA and/or the appropriate State may request additional information to provide authorization to discharge chemicals and/or additives, including but not limited to: WET testing.
   d. To request authorization to discharge chemicals and/or additives in the NOI submitted to EPA for a site, or in a subsequent NOC, an operator must submit the following information in writing, at a minimum, in accordance with Appendix IV, Part 2 of this general permit:
      i. All information required in Part 2.5.2.g.iii, above;
      ii. An explanation which demonstrates that the addition of such chemicals:
         1) Will not add any pollutants in concentrations which exceed permit effluent limitations;
         2) Will not exceed any applicable water quality standard; and
         3) Will not add any pollutants that would justify the application of permit conditions that are different from or absent in this permit; or
         4) An operator may demonstrate through sampling and analysis using sufficiently sensitive test methods that each of the 126 priority pollutants in CWA Section 307(a) and 40 CFR Part 423.15(j)(1) are non-detect in discharges with the addition of the chemicals and/or additives.

4. Conditions for Pipeline and Tank Dewatering

In addition to meeting the BMP requirements for all discharges, above, discharges from pipeline and tank dewatering must meet the following requirements:

   a. Discharges of tank bottom water are prohibited;

b. Pipeline(s), tank(s) or similar structures and appurtenances must be pre-cleaned to remove scale, solids, and residues unless these structures are used only for water storage;[14]
c. Water quality control measures must be implemented if potable water, groundwater or surface waters other than the receiving water will be discharged that prevent lower quality waters being transferred to higher quality waters;
d. Discharges of chemicals and/or additives used for tank or pipeline cleaning, repair or installation are prohibited unless in accordance with Part 2.5.3, above; and
e. Discharges of sludge generated in the dewatering of the pipelines or tanks is prohibited.

PART 3 NOTICE OF INTENT (NOI)

3.1 Obtaining Coverage under this General Permit

1. To obtain authorization to discharge under this general permit, an operator must:
   a. Have a discharge type described in Part 1.1, above;
   b. Have a discharge located in the areas listed in Part 1.2, above;
   c. Meet the eligibility requirements in Part 1.3 and Part 1.4, above;
   d. Submit a complete and accurate Notice of Intent (NOI) in accordance with the requirements of this part, below; and
   e. Receive a written authorization to discharge from EPA.[15]

2. Operators with one or more discharges eligible for coverage under this general permit must submit a NOI to EPA prior to the initiation of such discharge(s), except emergency discharges, as noted in Part 1.5, above. The NOI must be complete (i.e., contain all of the information required in the suggested NOI format included in Appendix IV, Part 1), accurate (i.e., prepared in accordance with the instructions provided in Appendix IV, Part 1), and signed by the operator in accordance with the signatory requirements of 40 CFR §122.22. In the event EPA and/or the appropriate State determines a NOI is incomplete, EPA will notify the operator of the information required for completeness and specify a timeframe for submission of the information. EPA may request additional information, including analytical data, as authorized under CWA §308(a), 33 U.S.C. §1318(a), when the information is necessary to adequately review the NOI and make a determination of coverage.

3.2 NOI Options

For purposes of this general permit, the NOI consists of either the suggested NOI format in Appendix IV, Part 1 of this permit or another form of official correspondence containing all of the information required in the NOI instructions in Appendix IV, Part 1 of this general permit. All NOIs submitted after **December 21, 2020** must be submitted electronically.

[14] Discharges resulting from the hydrostatic testing of pipelines or tanks must follow the procedures detailed in the American Petroleum Institute 653 Standard and/or applicable State regulations.
[15] See footnote 7, above.

1. Under 310 CMR 40.0000, as a matter of *state law*, this general permit only applies to discharges that are not subject to the Massachusetts Contingency Plan (MCP). Therefore, sites subject to the MCP are not required to submit a copy of the NOI to MassDEP, the State form (BRPWM12, or as revised), or pay an application fee for this general permit. Any operator with a site that is not subject to the MCP must submit the State form and fee to MassDEP when submitting a copy of the NOI to MassDEP. Municipalities are fee-exempt, but must send a copy of the transmittal form to MassDEP.[16] EPA's suggested NOI format is found in Appendix IV, Part 1.

2. The State of New Hampshire does not have a State application form. Operators of sites located in New Hampshire are encouraged to submit EPA's suggested NOI format, found in Appendix IV, Part 1, to NHDES.

3.3 NOI Timeframes

1. **Existing Discharges**: For any existing discharge (i.e., discharges in accordance with the 2010 Remediation General Permit that expired on September 9, 2015), the following applies:
   a. Operators of existing discharges must submit a NOI to EPA, and the appropriate State, when required, for coverage under this general permit **no later than ninety (90) days after the effective date of this general permit**. For operators with authorization to discharge under the 2010 Remediation General Permit that submit a complete NOI under this general permit within the 90-day period, coverage under the 2010 Remediation General Permit remains administratively continued until EPA authorizes the discharge under this general permit, or notifies the operator of permit termination. For enforcement purposes, failure to submit a NOI within 90 days of the effective date of this general permit for an existing discharge will be considered to be discharging without a permit. A NOI is not required if the operator submits a NOT before the 90-day period expires. See Appendix IV, Part 1 and/or Part 3.

2. **Emergency Discharges**: For any emergency discharge, including discharges conducted in response to a public emergency (e.g., natural disaster, which includes, but is not limited to: tornadoes/hurricanes/tropical storms, earthquakes, mud slides, or extreme flooding conditions; or widespread disruption in essential public services), the following applies:
   a. Operators of emergency discharges must submit a NOI to EPA, and the appropriate State, when required, **no later than fourteen (14) days after the discharges commence**. An operator is required to provide documentation in the NOI submitted to EPA to substantiate the occurrence of a public emergency.

3. **New Discharges**: For any discharge not considered an existing or emergency discharge, including sites that received authorization to discharge under the 2010 Remediation General Permit but subsequently submitted a NOT or sites covered under other discharge permits that wish to seek coverage under this general permit, the following applies:

[16] For State forms, see http://www.mass.gov/eea/agencies/massdep/.

a. Operators of new discharges must submit a NOI to EPA, the appropriate State, when required, and the municipality in which the proposed discharge is located **at least seven (7) days prior to the commencement of discharge**.

4. EPA will post NOIs received for a minimum of seven (7) days on EPA's RGP website.[17]

3.4 NOI Requirements

1. For each eligible discharge, the NOI submitted to EPA for a site must include, in writing, all information required in the suggested NOI format, found in Appendix IV, Part 1, including:
   a. General site information;
   b. Receiving water information;
   c. Source water information;
   d. Discharge information;
   e. Treatment system information;
   f. Treatment chemical/additive information;
   g. Determination of Endangered Species Act Eligibility;
   h. Documentation of National Historic Preservation Act Requirements;
   i. Supplemental Information; and
   j. Signature Requirements.

2. The NOI must meet the monitoring requirements specified in Part 4, including monitoring locations, test methods and minimum level and detection limit requirements, Appendix VII, and Appendix IX, Standard Conditions, for the parameters required for the applicable activity category or categories.

3. Additional NOI monitoring is required, as specified in Part 4.2, below and Appendix IV, Part 1.

4. All operators must meet the requirements of Appendix I, regarding obligations under the Endangered Species Act, and Appendix III, regarding obligations under the National Historic Preservation Act.

5. The NOI must be signed by the operator(s) of the site, as defined in Part 1, above, in accordance with the signatory requirements of 40 CFR §122.22.

6. All operators must submit a NOI to the appropriate State in accordance with Part 4.6, when required, as noted in Appendix IV, Part 1, prior to the initiation of discharges.

7. The operator must provide certification that the following notifications have been given prior to the initiation of such discharge(s):
   a. All operators must notify the municipality in which the proposed discharge will be located. The operator must provide a copy of the NOI to the municipality, if

[17] Available at: https://www.epa.gov/region1/npdes/rgp.html.

requested. Authorization to discharge under this general permit does not convey any authorization from a municipality.

b. All operators intending to discharge to a municipal or non-municipal storm sewer system must notify the owner of this system, and must obtain permission to discharge to this system prior to initiating discharges. An operator must include a description of any requirements imposed by the owner of the municipal or non-municipal storm sewer system to which they are proposing discharge and certify that these conditions will be complied with. Authorization to discharge under this general permit does not convey any rights or authorization to connect to a municipal or non-municipal storm sewer system.

c. Where there is separate ownership and/or different operators of the area where discharges to be covered under this general permit will occur and the area associated with discharges covered by other discharge permit(s) (e.g., EPA's Construction General Permit and EPA's Multi-Sector General Permit), the operator seeking authorization to discharge under this general permit must certify that notification has been given to the owner/operator of the area associated with the activities covered by the other discharge permit(s) in the NOI submitted to EPA for that site.

3.5 When the Director May Require Application for an Individual NPDES Permit

The Director may require any operator authorized by or requesting coverage under this general permit to apply for and obtain an individual NPDES permit. Any interested person may petition the Director to take such action. Instances where an individual permit may be required include the following:

1. A determination under 40 CFR §122.28(b)(3), including:
   a. A change has occurred in the availability of the demonstrated technology of practices for the control or abatement of pollutants applicable to the point source(s);
   b. Effluent limitation guidelines are promulgated for the point source(s) covered by this permit;
   c. A Water Quality Management Plan or Total Maximum Daily Load containing requirements applicable to such point source(s) is approved and inconsistent with this permit;
   d. Circumstances have changed since the time of the request to be covered so that the discharger is no longer appropriately controlled under the general permit, or either a temporary or permanent reduction or elimination of the authorized discharge is necessary; and
   e. The discharge(s) is a significant contributor of pollutants.

2. The discharger is not in compliance with the conditions of this general permit.

3. The discharge(s) is in violation of State water quality standards for the receiving water.

4. Actual or imminent harm to aquatic organisms, including ESA or human health, is identified.

5. The discharge adversely impacts any federally-managed species for which critical habitat (under ESA) or EFH has been designated.

6. The point source(s) covered by this general permit no longer:
   a. Involves the same or substantially similar types of operations;
   b. Discharges the same types of wastes;
   c. Requires the same effluent limitations or operating conditions; or
   d. Requires the same or similar monitoring.

7. In the opinion of the Director, is more appropriately controlled under an individual or alternate general permit.

If the Director requires that an individual permit be issued, the operator will be notified in writing that an individual permit is required, and will be given a brief explanation of the reasons for this decision. When an individual NPDES permit is issued to an operator otherwise subject to this general permit, the applicability of this permit to that operator is automatically terminated upon the effective date of the individual permit.

3.6 When an Individual Permit May Be Requested

Any operator may request to be excluded from the coverage under this general permit by applying for an individual NPDES permit. When an individual NPDES permit is issued to an operator otherwise subject to this general permit, the applicability of this permit to that owner or operator is automatically terminated on the effective date of the individual permit.

3.7 EPA Determination of Coverage

Any operator may request to be covered under this general permit but the final authority rests with EPA. Coverage under this general permit will not be effective until EPA has reviewed the NOI, made a determination that coverage under this general permit is authorized, and has notified the operator in writing of its determination. The effective date of coverage will be the date indicated in the authorization to discharge provided by EPA in writing. Any additional State conditions will be provided in writing.

Any operator authorized to discharge under the RGP will receive written notification from EPA. Failure to submit to EPA a NOI to be covered and/or failure to receive from EPA written notification of permit coverage means that the operator is not authorized to discharge under this general permit. An operator that is denied permit coverage by EPA is not authorized under this general permit to discharge to Waters of the United States.

PART 4 MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS

In addition to any monitoring, record-keeping and reporting requirements specified in Parts 1, 2 and 3, above, and in the Standard Conditions of this general permit (Appendix IX), the following monitoring, record-keeping and reporting requirements apply to discharges covered under this general permit. EPA may notify the operator of additional monitoring requirements. Any such

notice will briefly state the reasons for the monitoring and will specify the monitoring and reporting requirements.

4.1 Monitoring Requirements

Sampling of the influent, effluent and/or receiving water must yield data representative of the discharge under authority of Section 308(a) in accordance with 40 CFR §122.41(j), §122.44(i), and §122.48. The sample type for all monitoring locations is grab. Each grab sample must be analyzed and cannot be composited.

1. Monitoring Locations
   a. **Influent** (i.e., the untreated influent) samples shall be taken at a consistent point defined by geographic coordinates in the NOI (i.e., latitude and longitude), immediately prior to treatment of the water, before entering any treatment system component. If the influent sampling location as defined has not been established prior to submittal of the NOI, the operator must provide a detailed description of the sample location(s) selected such that an inspector from EPA or the State could replicate the sample upon site inspection. The following requirements apply:
      i. Influent samples must be collected from areas of contamination, when known;
      ii. The influent sample must ensure that the highest concentrations of pollutants that may be treated and/or discharged are represented;
      iii. If a monitoring well is used as the sampling location for the influent, the monitoring well must be located within the maximum extent of contamination.
      iv. If influent is generated from multiple areas of a site across which contamination types and/or concentrations can vary, the operator must collect additional samples such that the data provided are representative of the expected influent characteristics, and each location must be defined;[18]
      v. If the influent concentrations are unknown or vary widely across a site, additional samples must be collected that are representative of the expected variability, and each location must be defined.[19]
   b. **Effluent** (i.e., the treated effluent) samples shall be taken at a consistent point defined by geographic coordinates in the NOI (i.e., latitude and longitude), following all treatment, immediately prior to discharge to the receiving water, private or municipal separate storm sewer system, or, if the treated effluent is commingled with another discharge, prior to such commingling.
   c. **Receiving water** samples shall be taken at a consistent point defined by geographic coordinates in the NOI (i.e., latitude and longitude), from a reasonably accessible location, upstream or otherwise immediately outside of the zone of influence of the discharge or other site activities that could affect water quality.

[18] Operators of such sites are encouraged to contact EPA in accordance with Part 4.6.3 for assistance in influent sample design.
[19] See footnote 18, above.

2. Monitoring Frequency
   a. The routine monitoring frequency for discharges covered under this general permit is **monthly** (i.e. at least one sample per each calendar month) for both **influent and effluent**, as follows:
      i. Beginning no more than thirty (30) days from the effective date of permit coverage for existing discharges, no more than thirty (30) days following the end of provisional coverage for emergency discharges, and no more than thirty (30) days following completion of the treatment system startup monitoring requirements for new discharges (Part 4.3.2) or treatment system interruption or shutdown monitoring requirements for discharges that have been interrupted (Parts 4.3.3 and 4.3.4);
      ii. Continuing a minimum of six (6) months and ten (10) samples, prior to submission of any request for modification of this monitoring frequency in accordance with Part 5.1 below; and
      iii. Continuing thereafter for the term of this general permit, or until Notice of Termination, whichever occurs first, unless modified by EPA in writing.
   b. The monitoring frequency specified applies to all discharges covered under this general permit unless sampling would not otherwise be required (e.g., during a treatment system interruption as in 4.3.2, below), or unless otherwise specified (e.g., certain short-term discharges as in Part 4.4, below).
   c. Changes to the specified monitoring frequency must be approved by EPA in writing through a Notice of Change. See Appendix IV, Part 2.

3. Test Methods
   a. All samples shall be tested using the analytical methods found in 40 CFR §136, or alternative test methods approved by EPA, in accordance with the procedures in 40 CFR §136, unless specifically prohibited in this general permit. Test methods which can be used for analysis of the parameters included in this general permit are summarized in Appendix VII.
   b. All analyses must be conducted using a sufficiently sensitive test method in accordance with 40 CFR §122.44(i)(1)(iv) and as specified in Part 4.1.4, below.

4. Minimum Levels and Detection Limits
   a. For the purposes of this general permit, the minimum level (ML) for analysis is the lowest level at which the test equipment produces a recognizable signal and acceptable calibration point for a pollutant or pollutant parameter, representative of the lowest concentration at which a pollutant or pollutant parameter can be measured with a known level of confidence.
   b. For the purposes of this general permit, the detection limit (DL) is the lowest concentration that can be reliably measured within specified limits of precision and accuracy for a specific laboratory analytical method during routine laboratory operating conditions (i.e., the level above which an actual value is reported for an analyte, and the level below which an analyte is reported as non-detect).
   c. Operators must achieve the MLs for analysis specified in in Appendix VII of this general permit and the following requirements:

i. Analysis of influent, effluent and/or receiving water samples shall use test methods with a ML at or below the level of the effluent limitation[20] for the given parameter, or the applicable water quality criterion for a parameter with a monitor-only requirement;
ii. The DL must be less than or equal to the ML for an analyte using a sufficiently sensitive test method. When an analyte is not detected, the operator must report results using the data qualifier signifying less than the DL reported for that analyte (i.e. <0.1 µg/L, if the DL reported for an analyte is 0.1 µg/L);
iii. Where the sample concentration of an analyte is above the ML, any of the test methods listed for that analyte in Appendix VII may be used, unless otherwise noted; and
iv. Where the ML for the approved test methods are above the permit effluent limitations, the test method that has the lowest ML of the analytical methods in 40 CFR §136 must be used.

d. When a parameter is required to be reported as a total value, the total value must be calculated by adding the measured concentration of each individual compound noted for that parameter. If the measurement of an individual compound analyzed for a total value is less than the DL and the test method and minimum level meet the requirements in this Part and Appendix VII, the operator shall use a value of zero for that compound in the total value calculation.

5. Existing Data Substitution

Existing data substitution is allowed for the purposes of preparing a NOI and for the purposes of meeting the monitoring requirements included in this general permit if the following requirements are met:

a. Sampling and analysis must have been conducted pursuant to: Massachusetts Regulations 310 CMR 40.0000, the Massachusetts Contingency Plan (Chapter 21E); New Hampshire's Title 50 RSA 485-A: Water Pollution and Waste Disposal or Title 50 RSA 485-C: Groundwater Protection Act; the 2010 Remediation General Permit; or other existing data if allowed by EPA on a case-by-case basis;
b. Sampling and analysis must meet the monitoring requirements specified in Part 2 and Parts 4.1.1 through 4.1.4, above, and, for data submitted with a NOI, Part 4.2, below;
c. For data submitted with a NOI, the date of analysis for the existing data may not be greater than twelve (12) months for existing discharges or six (6) months for new discharges;
d. For data submitted to meet reporting requirements, the date of analysis for the existing data must approximately coincide with other sampling and analysis conducted for the general permit; and
e. Existing data must be submitted in accordance with Part 4.6.1, below, and meet the requirements specified in Part 2.5.2.f, above, and Part 4.6.2, below.

[20] When a compliance level is specified for an effluent limitation, the sufficiently sensitive test method ML shall be no greater than the compliance level.

6. Whole Effluent Toxicity (WET) Testing
   a. Activity Categories I and II must conduct one (1) acute WET test:[21]
      i. No later than thirty (30) days following authorization to discharge for existing discharges;
      ii. No later than twelve (12) months following initiation of discharges for new discharges if discharges are expected to last twelve (12) months or more; and
      iii. If requested by EPA and/or the appropriate State on a case-by-case basis for short-term discharges, including emergency discharges.
   b. Activity Categories III, IV, V, VI, VII, and VIII must conduct WET testing if requested by EPA and/or the appropriate State on a case-by-case basis.
   c. If the result of any WET test indicates toxicity (i.e., a $LC_{50} < 100\%$), notification must be provided within twenty-four (24) hours to EPA in accordance with Part 4.6.3.c and to the appropriate State via telephone, e-mail or other verbal or written means in accordance with Part 4.6.3.b or c.
   d. If EPA and/or the appropriate State determine that a discharge may cause or contribute to an excursion above applicable water quality standards, EPA and/or the appropriate State may require additional WET testing, limitations and/or requirements as authorized at 40 CFR §122.44(d)(1)(v). If additional WET requirements apply, EPA will provide the reasons for the additional requirements to the operator in writing, and will specify the monitoring and reporting requirements and/or limitation.
   e. Results of the WET requirements specified above must be submitted in accordance with Part 4.6.1, below, and must meet the QA/QC requirements specified in Part 2.5.2.f, above, and Part 4.6.2, below. The results of WET testing above its required frequency must also be submitted to EPA (see Appendix IX, Standard Conditions); and
   f. If any parameter is analyzed in accordance with Attachment A for the requirement in this Part, the WET test result may be reported for any parameter for which monitoring is required in Part 4.1.2, above, or elsewhere in Part 4. A duplicate sample is not required.

4.2 NOI Monitoring Requirements

Samples collected and analyzed for the purposes of a NOI submitted for coverage under this general permit must be representative of the proposed discharge(s) and must meet the monitoring requirements specified in Part 2 and Part 4.1, above. Samples must be collected in accordance with the instructions included in Appendix IV, Part 1, and as required below.

1. Analysis for a minimum of one (1) **influent** sample is required for:
   a. Activity Category I for:
      i. all parameters in contamination type A. Inorganics;
      ii. any present in contamination type B. non-halogenated VOCs;
      iii. if present in contamination type C. halogenated VOCs;
      iv. any present in contamination type D. non-halogenated SVOCs;

[21] Acute Whole Effluent Toxicity Testing must be completed in accordance with USEPA Region 1 Freshwater Acute Toxicity Test Procedure and Protocol (February, 2011) for discharges to freshwater and Marine Acute Toxicity Test Procedure and Protocol (July 2012) for discharges to saltwater, including estuaries. See Attachment A.

v. if present in contamination type E. halogenated SVOCs; and
vi. any present in contamination type F. fuels parameters.

b. Activity Category II for:
i. all parameters in contamination type A. Inorganics;
ii. any present in contamination type B. non-halogenated VOCs;
iii. any present in contamination type C. halogenated VOCs;
iv. any present in contamination type D. non-halogenated SVOCs;
v. if present in contamination type E. halogenated SVOCs; and
vi. if present in contamination type F. fuels parameters.

c. Activity Category III-G for:
i. all parameters in contamination type A. Inorganics; and
ii. if present in contamination type B through F

d. Activity Category IV-G, V-G, VI-G, VII-G, VIII-G for:
i. if present in contamination type A through F.

e. Activity Category III-H, IV-H, V-H, VI-H, VII-H, VIII-H for:
i. all parameters in contamination type A through F.

f. All Activity Categories:
i. pH, temperature, and hardness (freshwater receiving waters only);
ii. Any parameter listed in Part 2.1.1, if present, but not otherwise specified in this Part for the Activity Category that applies to a site;
iii. Any parameter listed in Part 2.1.1 if it is unknown whether the given parameter is present or absent; and
iv. Any parameter present that is not included in this general permit.

g. When "if present" is noted in Part 4.2.1, above, the monitoring requirement for a parameter in the Contamination Type applies to a site only if the given parameter is known or believed present at that site. When "any present" is noted in Part 4.2.1, above, the monitoring requirement for all parameters listed in the Contamination Type apply to a site when at least one parameter listed for that Contamination Type is known or believed present at that site.

2. Analysis is required for a minimum of one (1) **receiving water** sample for:
a. All activity categories: pH, temperature, hardness (freshwater receiving waters), salinity (saltwater receiving waters), and ammonia; and
b. All activity categories for total recoverable antimony, total recoverable arsenic, total recoverable cadmium, total recoverable chromium III and VI, total recoverable copper, total recoverable iron, total recoverable lead, total recoverable mercury, total recoverable nickel, total recoverable selenium, total recoverable silver, total recoverable zinc, if present and if a dilution factor applies.

3. Results of the NOI monitoring requirements specified above must be submitted to EPA as an attachment to the NOI in accordance with Appendix VIII, and must meet the QA/QC requirements specified in Part 2.5.2.f, above, and the reporting requirements specified in Part 4.6.2, below.

4. The results of sampling for any parameter above its required minimum must be submitted to EPA as an attachment to the NOI.

5. EPA and/or the appropriate State may require additional NOI monitoring on a case-by-case basis. If additional monitoring is required, EPA and/or the appropriate State will briefly state the reasons for the monitoring, and will specify the monitoring and reporting requirements.

6. Where an operator conducts any of the monitoring specified above prior to the submission of a NOI, additional samples are not required, so long as the monitoring requirements specified in Part 2.1 and elsewhere in Part 4, are met, including Part 4.1.5 for existing data substitution.

4.3 Treatment System Monitoring Requirements

All operators must perform treatment system monitoring when a treatment system is in use at a site. Treatment system monitoring requirements for startup, interruption and shutdown are specified below.

1. Treatment System Startup
   a. The operator must perform the following sampling and analysis for all parameters required for the applicable activity category or categories as specified in Part 2.1, above, when a discharge is either initiated for the first time, or upon the re-initiation of discharge following a treatment system interruption lasting ninety (90) or more consecutive days, unless otherwise specified:
      i. During the first week of discharge, operators must sample the **influent and effluent** two (2) times: one (1) sample of the influent and one (1) sample of the effluent must be collected on the first day of the discharge; and one (1) sample of the influent and one (1) sample of the effluent must be collected on one additional non-consecutive day within the first week of discharge;
      ii. During the first week of discharge, samples must be analyzed in accordance with 40 CFR §136 unless otherwise specified in this general permit with a maximum five (5)-day turnaround time and results must be reviewed no more than forty-eight (48) hours from receipt of the results of each sampling event. After the first week, samples may be analyzed with up to a ten (10)-day turnaround time and results must be reviewed no more than seventy-two (72) hours from receipt of the results;
      iii. If the treatment system is operating as designed and achieving the effluent limitations in this general permit, sampling of the **influent and effluent** shall be as follows, thereafter:
         1) 1/Week for three (3) additional weeks beginning no earlier than twenty-four hours following the sampling required in Part 4.3.2.a.ii, above;
         2) 1/Month in accordance with Part 4.1.2, above for the remaining term of the permit; and
         3) Adjusted for any monitoring frequency reduction approved by EPA in writing.
   b. If the treatment system is shut down during startup or interrupted as a result of a problem, including when discharge concentrations for any parameter exceeds effluent

limitations, corrective actions must be taken in accordance with Part 2.5.2.e, above and as follows:

i. Upon system restart and/or re-initiation of discharge, the operator shall collect one (1) sample with a maximum five (5)-day turnaround time and results must be reviewed no more than forty-eight (48) hours from receipt of the results of the sampling event;

ii. If the problem has been corrected, the operator may resume with treatment system startup as specified in Part 4.3.1.a.iii, above, or routine monitoring specified in Part 4.1.2 following a treatment system interruption; and

iii. If the problem persists, the operator must immediately halt discharge again and notify EPA and the appropriate State via telephone, e-mail or other verbal or written means in accordance with Part 4.6.3.b or c within twenty-four (24) hours of the need to cease discharge a second time; discharge may resume upon completion of corrective actions unless otherwise directed by EPA and/or the State contact.

2. Treatment System Interruption
   a. In addition to the requirements for certain upset and/or bypass conditions specified in Appendix IX, Standard Conditions, if the operator has any indication of treatment system upset or violation of effluent limitations, corrective actions must be taken in accordance with Part 2.5.2.e, above.
   b. If the discharge has been interrupted for ninety (90) or more consecutive days, the same monitoring requirements apply as specified in Part 4.3.1.a.i and Part 4.3.1.b, above, upon treatment system re-start.
   c. If the discharge has been interrupted less than ninety (90) consecutive days, the same monitoring requirements apply as specified in Part 4.3.1.b, above, upon treatment system re-start.

3. Treatment System Shutdown
   a. The operator must perform the following monitoring for all parameters required for the applicable activity category or categories as specified in Part 2.1.1, above, prior to permanent treatment system shutdown (i.e., termination), and must submit the results with the NOT, in accordance with Part 5.2, below, and Appendix IV, Part 3.:
      i. During the final week of discharge, operators must sample the **influent and effluent** two (2) times: one (1) sample of the influent and one (1) sample of the effluent must be collected on the last day of the discharge; and one (1) sample of the influent and one (1) sample of the effluent must be collected on one additional non-consecutive day within the last week of discharge; and
      ii. Samples must be analyzed in accordance with 40 CFR §136 unless otherwise specified in this general permit with up to a ten (10)-day turnaround time and results must be reviewed no more than seventy-two (72) hours from receipt of the results, or upon confirmation that additional sampling prior to treatment system shutdown is not necessary.
   b. Where an operator collects any portion of the information specified above no more than three (3) months prior to treatment system shutdown, an additional sample is not required, so long as the information was collected in accordance with the monitoring

requirements of this general permit or otherwise meets the requirements for existing data substitution in Part 4.1.5, above; and

c. In the event the treatment system has been interrupted for more than ninety (90) consecutive days prior to treatment system shutdown, existing data may be substituted for the data required for the submission of a NOT from equivalent monitoring conducted nearest in time to NOT submission, so long as the requirements in Part 4.1.5, above, are otherwise met.

4.4 Short-Term Discharge Monitoring Requirements

For the purposes of this general permit, discharges lasting twelve (12) months or less (e.g., emergency discharges, immediate response actions, pump tests, temporarily containerized waters and dewatering of pipelines and tanks), which are then terminated and will not be re-started are considered "short-term discharges". The monitoring requirements for short-term discharges are as follows:

1. Discharges from Dewatering of Pipelines and Tanks
   a. The operator must take a minimum of five (5) grab samples, including:
      i. For **influent**, the operator must take one (1) sample of the source water during the fill process, except when infeasible. A representative sample the source water may be used for influent if sampling during the fill process is infeasible;
      ii. For tanks, the operator shall take a minimum of one (1) **in-process** sample representative of the tank water following maintenance or testing, but before draining. If the tank contents are likely to undergo phase separation or stratification, multiple samples from multiple depths within the water column must be collected and composited. The operator shall analyze and review the in-process sample prior to discharge. If the analysis demonstrates that the tank water does not meet the effluent limitations in this general permit, the operator shall not discharge the tank water unless treatment reduces the pollutant levels below the effluent limitations established in this general permit;
      iii. For pipelines, the operator shall take one (1) **in-process** sample of the pipeline water following depressurization. The operator shall analyze and review the in-process sample prior to discharge. If the analysis demonstrates that the pipeline water does not meet the effluent limitations in this general permit, the operator shall not discharge the pipeline water unless treatment reduces the pollutant levels below the effluent limitations established in this general permit; and
      iv. For **effluent**, the operator must take one (1) sample of the discharge during the first 10% of discharge, one (1) sample of the discharge at the approximate midpoint of discharge, and one (1) sample of the discharge during the last 10% of discharge. If at any time the analysis demonstrates that the discharge does not meet the effluent limitations and requirements in this general permit, corrective action must be taken in accordance with Part 2.5.2.e, above prior to resuming discharge, unless instructed otherwise by EPA and/or the appropriate State.

2. Short-Term Discharges Other than Those from Dewatering of Pipelines and Tanks
   a. For any short-term discharge lasting twenty-four (24) hours or less:
      i. The operator must take a minimum of one (1) representative sample of the **influent and effluent**;
      ii. Samples must be analyzed in accordance with 40 CFR §136 or by other methods authorized by this general permit with no more than a ten (10) day turnaround time and results must be reviewed within seventy-two (72) hours of the date of receipt of the sample results; and
      iii. The monitoring frequencies specified in Part 4.1.2 and Part 4.3 do not apply.
   b. For any short-term discharge lasting seven (7) days or less:
      i. The operator must take a minimum of two (2) samples of the **influent and effluent**: one (1) sample of the influent and one (1) sample of the effluent must be collected on the first day of discharge; and one (1) sample of the influent and one (1) sample of the effluent must be collected on one additional non-consecutive day within the first week of discharge;
      ii. Samples must be analyzed in accordance with 40 CFR §136 or by other methods authorized by this general permit with no more than a ten (10) day turnaround time and results must be reviewed within seventy-two (72) hours of the date of receipt of the sample results; and
      iii. The monitoring frequencies specified in Part 4.1.2 and Part 4.3 do not apply.
   c. For any short-term discharge lasting more than seven (7) calendar days but not more than twelve (12) months, sampling must proceed as follows:
      i. Operators must perform treatment system monitoring in accordance with Part 4.3.1.a.i, above, when a treatment system is in use at a site;
      ii. If a treatment system is not in use at a site, operators must perform monitoring as follows:
         1) The operator must take a minimum of two (2) representative samples of the **influent and effluent**: one (1) sample of the influent and one (1) sample of the effluent must be collected on the first day of discharge; and one (1) sample of the influent and one (1) sample of the effluent must be collected on one additional non-consecutive day within the first week of discharge;2) The operator must take a minimum of one (1) sample of the **influent and effluent** weekly for three (3) additional weeks beginning no earlier than twenty-four hours following the sampling required in Part 4.4.2.c.ii.1, above; and
         3) The operator must take a minimum of one (1) sample of the **influent and effluent** monthly in accordance with Part 4.1.2, above, until Notice of Termination, beginning no earlier than twenty-four hours following the sampling required in Part 4.4.2.c.ii.2, above.
      iii. During the first week of discharge, samples must be analyzed in accordance with 40 CFR §136 unless otherwise specified in this general permit with a maximum five (5) day turnaround time and results must be reviewed no more than forty-eight (48) hours from receipt of the results of each sampling event. After the first week, samples may be analyzed with up to a ten (10) day turnaround time and results must be reviewed no more than seventy-two (72) hours from receipt of the results.

d. Where the monitoring frequencies specified in Part 4.4, above, are duplicative of the monitoring required elsewhere in this general permit, duplicate sampling is not required; and
e. The reporting requirements specified in Part 4.6.1.a do not apply.

4.5 Record-Keeping Requirements

1. Records Content: Operators must include the following records (hardcopy or electronic) pertaining to coverage under this general permit:
   a. Data used to complete the NOI for this general permit;
   b. Sample collection information, including: the date, exact location, and time of sampling or measurement; the name of the individual(s) who performed the sampling or measurement; and the sample chain of custody for each sample;
   c. Analytical laboratory reports for each sample analysis, which: identifies the sample(s), the target analyte(s), the test method(s), the dates collected and analyzed, the analytical result(s), the detection limit for each analyte, and the names of the laboratory and individual that conducted the analysis; includes a legible copy of the signed sample chain of custody; and indicates if all appropriate QA/QC procedures were met and were within acceptable limits;
   d. Documentation for the development, implementation and maintenance of the BMPP, including certifications;
   e. Discharge monitoring data in the suggested format included in Appendix VIII, or other format containing all of the information included in Appendix VIII;
   f. Any records of monitoring instrumentation, field monitoring, and visual observations (e.g. portable organic vapor monitoring, turbidity meter, visible sheen observations);
   g. Any records of system operation and maintenance; and
   h. Any records of site inspections and employee training.

2. On-Site Records: The following records (hardcopy or electronic) must be maintained on-site and/or with the operator to be made available upon inspection and/or request by EPA or the appropriate State:
   a. A complete copy of this general permit;
   b. A copy of EPA's authorization to discharge and any subsequent modifications, if applicable;
   c. Copies of any information submitted to EPA, the appropriate State, and the municipality in which the site is located;
   d. Copies of any correspondence received from EPA, the appropriate State, and the municipality in which the site is located regarding permit coverage; and
   e. A copy of the BMPP.

3. Retention of Records: Operators must retain the records specified above for a minimum of three (3) years from the date of the sample, measurement, report or notice, whichever applies. This period may be extended at the request of EPA or the appropriate State.

4.6 Reporting Requirements

1. Discharge Monitoring Reports
   a. **For discharges lasting twelve (12) months or more**, in addition to the reporting requirements found in Appendix IX, Standard Conditions, of this general permit, the operator shall submit the following information to EPA and the appropriate State:
      i. Submittal of DMRs and the Use of NetDMR
         1) **Beginning the effective date of the authorization to discharge** the operator must record all monitoring data collected to comply with this general permit;
         2) **Beginning the first full calendar month following twelve (12) months after the effective date of the authorization to discharge**, the operator shall begin reporting monitoring data in DMRs to EPA and the State, due no later than the 15th day of the month following the completed reporting period; the reporting periods for this general permit consist of each calendar month, inclusive;
         3) All DMRs must be submitted electronically using NetDMR, unless, in accordance with Part 4.6.1.a.iii, below, the operator is able to demonstrate a reasonable basis, such as technical or administrative infeasibility, that precludes the use of NetDMR for submitting DMRs. NetDMR is a web-based tool that allows operators to electronically submit DMRs and other required reports via a secure internet connection;[22] the operator must continue to use NetDMR after beginning to do so.
         4) The operator must utilize an appropriate No Data Indicator (NODI) Code(s)[23] in instances where monitoring data have not been obtained or are otherwise not required. Commonly applicable NODI Codes for this general permit include, but are not limited to:
            (A) "C" if no discharge occurs during a required sample frequency;
            (B) "A" if an operator is exempted from the requirement to sample for a parameter, such as when EPA approves, in writing, sample frequency reduction and/or elimination;
            (C) "2" if operation is shut down, such as during a treatment system interruption; and/or
            (D) "9" if an effluent limitation is conditional and does not apply during a required sample frequency (e.g., TRC effluent limitation applies only if a discharge is likely to contain residual chlorine such as when a chemical additive containing chlorine is being used).
      ii. Submittal of Reports as NetDMR Attachments
         1) When the operator begins submitting DMR reports to EPA electronically using NetDMR, the operator shall electronically submit other reports to EPA as NetDMR attachments rather than as hard copies, unless otherwise specified in this general permit. Because the due dates for reports described in this general permit may not coincide with the due date for submitting DMRs (which is no later than the 15th day of the month), a report submitted electronically as a NetDMR attachment shall be considered timely if it is electronically submitted

[22] NetDMR is currently accessed from: http://www.epa.gov/netdmr.
[23] DMR instructions are currently accessed from: http://www3.epa.gov/region1/npdes/dmr.html.

to EPA using NetDMR with the next DMR due following the particular report due date specified in this general permit.

iii. Submittal of NetDMR Opt-Out Requests

1) NetDMR opt-out requests must be submitted in writing to EPA for written approval at least 60 days prior to the date a site would be required under this general permit to begin using NetDMR. This demonstration shall be valid for 12 months from the date of EPA approval and shall thereupon expire. At such time, DMRs and reports shall be submitted electronically to EPA unless the operator submits a renewed opt-out request and such request is approved by EPA. All opt-out requests should be sent to EPA at the following address:

Attn: NetDMR Coordinator
U.S. Environmental Protection Agency, Water Technical Unit
5 Post Office Square, Suite 100 (OES04-4)
Boston, MA 02109-3912

b. **For discharges lasting less than twelve (12) months**, the operator is not subject to the DMR reporting requirements defined in Part 4.6.1.a, above, but remains subject to the monitoring requirements of this general permit, the reporting requirements in 4.6.2 through 4.6.6, below, the requirements found in Appendix IX, Standard Conditions, and the requirements of a NOI, NOC and NOT. Information that must be submitted with an operator's NOI, NOC and NOT is defined in Appendix IV, Part 1, Part 2 and Part 3 of this general permit, respectively. Also see and Part 3, above, and Part 5, below.

2. Analytical Reports
   a. Operators shall submit a copy of the laboratory analytical report(s) for each sampling event, concurrent with the submittal of discharge monitoring data in accordance with Part 4.6.1, as applicable. The laboratory case narrative shall include a copy of the laboratory analytical reports for each sample analysis, which: identifies the sample(s), the target analyte(s), the test method(s), the dates collected and analyzed, the analytical result(s), the detection limit for each analyte, and the names of the laboratory and individual(s) that conducted the analysis; includes a legible copy of the signed sample chain of custody; and indicates if all appropriate QA/QC procedures were met and were within acceptable limits.

3. Notification Requirements
   a. As required in 40 CFR §122.44(f), all operators must notify EPA as soon as they have reason to believe that any activity has occurred or will occur which would result in the discharge of any toxic pollutant (see 40 CFR §401.15) which is not limited in this general permit which exceeds:
      i. The notification level of in 40 CFR §122.42; or
      ii. Any other notification level established in accordance with 40 CFR §122.44(f) and State regulations.
   b. Written notifications required in this general permit, unless otherwise specified, shall be made to both EPA and to the appropriate State. Written notifications shall be made

in accordance with Part 4.6.4 and Part 4.6.5 or 4.6.6, as applicable, below, unless otherwise specified.

c. Verbal notifications required in this general permit, unless otherwise specified, shall be made to both EPA and to the appropriate State. This includes verbal notifications which require reporting within 24 hours (e.g., see Appendix IX Parts B.4.c.(2), B.5.c.(3), and D.1.e). Verbal notifications shall be made to:
   i. The EPA and appropriate State contacts listed on EPA's website for this general permit[24]; and
   ii. EPA's Office of Environmental Stewardship at: 617-918-1510 for Verbal Notifications required under Appendix IX, if Part 4.6.1.a applies.

4. EPA Region 1 Addresses
   a. Submittal of Notifications and Reports to EPA/OEP
      i. The following notifications and reports described in this general permit shall be submitted to the EPA/OEP RGP Coordinator in the EPA Office Ecosystem Protection (OEP): [25]
         1) Notice of Intent (NOI);
         2) Notice of Change (NOC);
         3) Notice of Termination (NOT);
         4) Written notifications required in this general permit; and
         5) Reports and DMRs in electronic format, if NetDMR is not required (i.e., if Part 4.6.1.a does not apply).
      ii. These notifications and reports shall be submitted to EPA/OEP electronically at NPDES.Generalpermits@epa.gov, or, where an operator is able to demonstrate a reasonable basis, such as technical or administrative infeasibility, that precludes submittal in electronic format, in hard copy form:

U.S. Environmental Protection Agency
Office of Ecosystem Protection
EPA/OEP RGP Coordinator
5 Post Office Square - Suite 100 (OEP06-01)
Boston, MA 02109-3912

   b. Submittal of Notifications and Reports to EPA/OES
      i. The following notifications and reports shall be signed and dated originals, submitted in hard copy, with a cover letter describing the submission, if Net DMR is required (i.e., if Part 4.6.1.a applies):
         1) NetDMR Opt-Out Requests;
         2) DMRs and transmittal record of DMRs submitted, when a NetDMR Opt-Out Request has been approved; and
         3) Written notifications required under Appendix IX.
      ii. This information shall be submitted to EPA/OES at the following address:

U.S. Environmental Protection Agency

[24] See footnote 17.
[25] See footnote 17.

Office of Environmental Stewardship (OES)
Water Technical Unit
5 Post Office Square, Suite 100 (OES4-SMR)
Boston, MA 02109-3912

5. MassDEP Address
    a. Massachusetts sites must submit copies of all notifications and reports required in Part 4.6.4.a, above, to the MassDEP RGP Coordinator,[26] or, where an operator is able to demonstrate a reasonable basis, such as technical or administrative infeasibility, that precludes submittal in electronic format, in hard copy form:

        Massachusetts Department of Environmental Protection
        Bureau of Water Resources
        1 Winter St. 5th Floor
        Boston, MA 02108

    b. Massachusetts sites must submit copies of all notifications and reports required in Part 4.6.4.b, above, to the appropriate regional office as follows:
        i. Massachusetts Department of Environmental Protection - Central Region
            8 New Bond Street
            Worcester, Massachusetts 01606
        ii. Massachusetts Department of Environmental Protection - Northeast Region
            205B Lowell Street
            Wilmington, Massachusetts 01887
        iii. Massachusetts Department of Environmental Protection - Southeast Region
            20 Riverside Drive
            Lakeville, MA 02347
        iv. Massachusetts Department of Environmental Protection – Western Region
            436 Dwight Street
            Springfield, MA 01103

6. NHDES Address
    a. New Hampshire sites must submit copies of all notifications and reports to the NHDES RGP Coordinator,[27] or, where an operator is able to demonstrate a reasonable basis, such as technical or administrative infeasibility, that precludes submittal in electronic format, in hard copy form:

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

[26] See footnote 17.
[27] See footnote 17.

PART 5 ADMINISTRATIVE REQUIREMENTS

5.1 Notice of Change (NOC)

Operators covered under this general permit may request a change to certain conditions through submission of a NOC to EPA and the appropriate State, when required, prepared in accordance with the instructions provided in Appendix IV, Part 2, and signed in accordance with 40 CFR §122.22.

1. For the purposes of this general permit, a NOC may consist of either:
   a. The suggested NOC format in Appendix IV, Part 2 of this general permit; or
   b. Other form of official correspondence containing all of the information included in the NOC suggested format in Appendix IV, Part 2 of this general permit.

2. Eligible changes, which are not otherwise major permit modifications as provided for under 40 CFR §122.62, may consist of:
   a. Request for reduction in monitoring requirements: Certain monitoring requirements may be reduced upon demonstration of compliance if the eligibility requirements for reduction are met. Written approval by EPA is required for this change to be effective. Prior to receiving written approval, the operator must continue to monitor the parameters required in this general permit at the frequency specified in this general permit. This request requires supporting rationale and monitoring data as follows:
      i. To be eligible for a reduction in treatment system monitoring (Part 4.3) or short-term monitoring (Part 4.4) due to technical infeasibility, the operator must provide justification for each parameter for which reduction is being requested that must include a proposed monitoring frequency;
      ii. To be eligible for a reduction in **influent** monitoring (Part 4.1.2), the operator must provide monitoring data for a minimum of six (6) consecutive months and ten (10) samples for each parameter for which reduction is being requested;
      iii. To be eligible for a reduction in **effluent** monitoring (Part 4.1.2), the operator must provide monitoring data for a minimum of six (6) consecutive months and ten (10) samples for each parameter for which reduction is being requested;
      iv. Monitoring data must be submitted in support of requests for reduction of monitoring frequency in Part 5.1.2.a.ii and iii, above. Monitoring data submitted in support of this request must be in compliance with the monitoring and reporting requirements of this general permit, including the QA/QC requirements specified in Part 2.5.2.f, above, and must be attached in accordance with the instructions in Appendix VIII;
      v. The discharge must be in compliance with the effluent limitation for any parameter for which a reduction is requested in Part 5.1.2.a.ii and iii, above; and

vi. A proposed monitoring frequency must be included for each parameter for which a reduction is requested in Part 5.1.2.a.ii and iii, which shall be no less than once per year for any parameter.

b. Request for a change in the site-specific effluent flow limitation: A NOC must be submitted if effluent flow increases, a change in flow conditions will decrease the daily maximum effluent flow by more than 25 percent, or an operator believes use of a flow meter is infeasible. Written approval by EPA is required for this change to be effective. Prior to receiving written approval, the operator must continue to limit effluent flow as required in this general permit at the frequency specified in this general permit. Written rationale provided in the NOC for this request must indicate:
   i. The effluent flow will not exceed 1.0 MGD;
   ii. The design flow of the treatment system will not be exceeded;
   iii. WQBEL calculations for any limited parameter that applies to the discharge that is based on effluent flow; and
   iv. Certification that any revised effluent limitation or monitoring requirement will be complied with.

c. Request for a change in pH range for sites in New Hampshire: A NOC must be submitted to request a change in pH range due to naturally occurring conditions in the receiving water or where the naturally occurring source water is unaltered by the remediation activities. An operator must request and receive approval from NHDES for a change in pH range prior to submitting a NOC to EPA. See Part 2.4.3.b, above. Supporting documentation from the State must be provided with the NOC. Written approval by EPA is required for this change to be effective.

d. Request for a change in authorized pollutants or pollutant parameters: A NOC must be submitted if: 1) A parameter limited in this general permit that is not included in an operator's authorization to discharge is identified; 2) The concentration of any parameter present in the effluent differs significantly from the influent, once effluent sampling begins; and/or 3) a WQBEL change is required or is otherwise requested. Written approval by EPA is required for this change to be effective. Additional effluent limitations and/or monitoring requirements may apply. **Changes in a pollutant or pollutant parameter not limited in this general permit require a new NOI or an individual NPDES permit.**

e. Request to discharge chemical(s) and/or additive(s): A NOC must be submitted when an operator intends to discharge a chemical or additive that was not disclosed in the NOI submitted for a site. Written approval by EPA is required for this change to be effective. Monitoring data submitted in support of this request must be in compliance with the monitoring and reporting requirements specified in this general permit, including the QA/QC requirements specified in Part 2.5.2.f, and must be attached in accordance with the instructions in Appendix VIII. Written rationale provided in the NOC for this request must include:
   i. All information required in Part 2.5.2.g.iii, above; and
   ii. An explanation as required in Part 2.5.3.b.i through iii, above; or
   iii. Monitoring data that demonstrates that each of the 126 priority pollutants are non-detect in discharges with the addition of the requested chemicals and/or additives. All data submitted in support of this request must be in compliance with the monitoring and reporting requirements of this general permit,

including the QA/QC requirements specified in Part 2.5.2.f, above, and must be attached in accordance with the instructions in Appendix VIII.

f. Notification of change to administrative information: This includes, but is not limited to: expected date of initiation of discharge; a change in the address for an owner or operator; a change in contact information for an owner or operator; and a change in ownership, so long as the operator authorized to discharge under this general permit remains unchanged. A requested change to administrative information is automatic unless EPA notifies the operator otherwise. Examples of when EPA is likely to provide such notification is when EPA intends to revoke and reissue coverage under this general permit or intends to issue an individual permit. **For a change in operator, a new NOI is required**. For a change in ownership, the new owner must submit:
    i. Written notification to EPA no more than thirty (30) days following the date of ownership change; and
    ii. Written notification containing the new ownership information, the specific date for ownership change, and an acknowledgement of permit responsibility, coverage, and liability.

g. Notification of a change in discharge location: Notification may be provided in a NOC for a change in discharge location so long as the receiving water identified in the NOI remains unchanged. Supporting documentation for this notification must indicate the new discharge location. A change in discharge location is automatic unless EPA notifies the operator otherwise. **For a change in receiving water, a new NOI is required**.

h. Notification of a change in activity area: Notification may be provided in a NOC for a change in activity area so long as the receiving water identified in the NOI and the operator authorized to discharge under this general permit remain unchanged, and any change in treatment or discharge location are either included in the NOC, or are unchanged. Supporting documentation for this notification must indicate the new activity area. A change in activity area is automatic unless EPA notifies the operator otherwise. **For a change in receiving water and/or operator, a new NOI is required**.

i. Notification of a change to a treatment system or process: Notification may be provided in a NOC for a change to a treatment system or process that adds or removes any major component. Written rationale for this notification must indicate:
    i. Why the addition or removal is necessary, including when necessary to meet an effluent limitation in this general permit, or to meet a State permit condition; and
    ii. The discharge will meet the effluent limitations in this general permit with the addition or removal.

j. Notification of a discharge interruption planned or encountered which will extend greater than ninety (90) days. Written rationale for this notification must indicate:
    i. The reason(s) for the interruption of discharge;
    ii. When the discharge ceased or will cease;
    iii. When the discharge will be re-initiated; and

iv. An acknowledgment that the additional monitoring required for system re-start will be conducted and routine sampling will be resumed as specified in the RGP.

3. Attach a brief narrative statement that describes the change. Include any written rationale or supporting documentation for the change, if required, or if otherwise being provided.

4. Attach monitoring data, if required, or if otherwise being provided, in accordance with the instructions in Appendix VIII.

5.2 Notice of Termination (NOT)

All operators covered under this general permit must submit a written NOT to EPA, and the appropriate State, when required, in accordance with Part 4.6, above, signed in accordance with 40 CFR §122.22 and in accordance with the instructions provided in Appendix IV, Part 3.

1. A NOT is required when one or more of the following conditions have been met:
   a. All discharges covered under the RGP have been terminated;
   b. Coverage under an individual or other general NPDES permit has been obtained;
   c. There is a change in operator; or
   d. Authorization to discharge has expired and coverage under a new general permit will not be requested.

2. For purposes of this general permit, the NOT may consist of either:
   a. The suggested NOT format in Appendix IV, Part 3 of this general permit, or
   b. Another form of correspondence containing all of the information included in the NOT suggested format in Appendix IV, Part 3 of this general permit.

3. A NOT must be submitted no later than thirty (30) days following the identification of the condition(s) requiring a NOT.

4. A NOT must include the following general site information:
   a. The NPDES permit number assigned by EPA;
   b. The name of the site and the street address (or a description of location using approximate geographic coordinates if no street address is available) for which the notification is submitted;
   c. The name, address and telephone number of the owner of the site;
   d. The name, address and telephone number of the operator of the site, if different from the owner;
   e. Discharge identification (i.e., the outfall number), the discharge location (i.e., longitude and latitude), and the receiving water(s).

5. A NOT must include the following discharge information:
   a. Indicate that all discharges have been permanently terminated.
   b. Indicate the reason for the termination (e.g., completion of construction project, remediation completion, termination of temporary discharge).

c. Indicate the date of the initiation of discharge, the date of the termination of discharge, the daily maximum effluent flow, and frequency of discharge.
d. Attach a summary of all monitoring results from the initiation of discharge through termination, including the results of monitoring requirements included in Part 4.3 of the RGP, when required for treatment system start-up(s), interruption(s), and shutdown, in accordance with the instructions in Appendix VIII.

6. Failure to submit a NOT shall result in continuation of general permit coverage until expiration, including continuation of all monitoring, record-keeping and reporting requirements.

5.3 Continuation of this General Permit after Expiration

If this general permit is not reissued prior to the expiration date, it will be administratively continued in accordance with the Administrative Procedures Act and remain in force and in effect as to any individual operator. However, EPA cannot provide written notification of coverage under this general permit to any operator who submits a NOI to EPA after the permit's expiration date. Any operator who was granted general permit coverage prior to the expiration date will automatically remain covered by the continued general permit until the earlier of:

1. Reissuance of this general permit, at which time the operator must comply with the NOI requirements of the new general permit to maintain authorization to discharge;
2. The operator's submittal of a NOT;
3. Issuance of an individual permit for the operator's discharges; or
4. A formal decision by EPA not to reissue the general permit, at which time the operator must seek coverage under an individual permit or other general NPDES permit.

PART 6 STANDARD CONDITIONS

The Standard Conditions are included in Appendix IX.

PART 7 ADDITIONAL PERMIT CONDITIONS APPLICABLE TO SPECIFIC STATES

If required, this section is reserved and will be completed following the State certification process and the public notice period.