

FINAL

Clean Water Act Section 401 Certification
For the Proposed 2022 Federal NPDES General Permit Modification
For the Small Wastewater Treatment Facilities
MA Permit No. MAG580000

The Massachusetts Department of Environmental Protection (MassDEP), having examined and reviewed the United States Environmental Protection Agency (EPA) – Region 1’s draft 2022 Federal NPDES General Permit Modification (MA Permit No. MAG580000) for Small Wastewater Treatment Facilities issued October 24, 2022, and considered the public comments received on MassDEP’s proposed Clean Water Section 401 Certification for the draft 2022 Federal NPDES General Permit Modification for Wastewater Treatment Facilities, and in consideration of the relevant water quality considerations, hereby certifies:

1. that the following conditions, together with the terms and conditions contained in the proposed 2022 Federal NPDES General Permit Modification for Small Wastewater Treatment Facilities, are necessary to assure compliance with the applicable provisions of the Federal Clean Water Act Sections 208(e), 301, 302, 303, 306, and 307 and with appropriate requirements of State law, including, without limitation, the Massachusetts Clean Waters Act, M.G.L. c. 21, §§ 26-53 and the Massachusetts Water Quality Standards published at 314 CMR 4.00:
 - a. Pursuant to 314 CMR 3.11 (2)(a)6., and in accordance with MassDEP’s obligation under 314 CMR 4.05(5)(e) to maintain surface waters free from pollutants in concentrations or combinations that are toxic to humans, aquatic life, or wildlife, beginning the first full third (July through September) or fourth (October through December) calendar quarter after the permittee has been notified by EPA of a multi-lab validated method for wastewater, or by the dates set forth in Appendix A of the draft Massachusetts Small Wastewater Treatment Facilities General Permit Modification, whichever is earlier, the permittee shall conduct monitoring of the influent, effluent, and sludge for PFAS compounds as detailed in the tables below. If EPA’s multi-lab validated method is not available by four (4) months prior to the dates set for each in Appendix A of the draft Massachusetts Small Wastewater Treatment Facilities General Permit Modification, the permittee shall contact MassDEP (massdep.npdes@mass.gov) for guidance on an appropriate analytical method. Influent, effluent, and sludge samples shall be sampled twice yearly in the third and fourth quarters, with the exception of facilities that dispose of sludge in onsite lagoons. Facilities that dispose of sludge in onsite lagoons shall conduct a one time characterization of the PFAS content in the sludge during the first full third quarter following notification from EPA that a multi-lab validated method is available. Notwithstanding any other provision of the 2022 Federal NPDES Permit Modification to the contrary, monitoring results shall be reported to MassDEP electronically, at massdep.npdes@mass.gov, or as otherwise specified, within 30 days after they are received. If the permittee is located upstream of the drinking water intake of one or more communities, the permittee shall commence this monitoring beginning in the first full third or fourth quarter following 180 days after the effective date of the permittee’s authorization and shall contact MassDEP (massdep.npdes@mass.gov) 90 days prior to starting monitoring for guidance on the appropriate analytical method: Battle Road Farm; Wayland WWMD; MCI Concord; Middlesex School; MCI-

Bridgewater and Oak Point Homes. The following small wastewater treatment facility permittees with design flow less than 0.1 MGD that discharge to marine waters are exempt from all PFAS monitoring requirements: Shore Cliff Maintenance Trust and United States Coast Guard Light Station Boston.

Influent and Effluent

| Parameter | Units | Measurement Frequency | Sample Type |
|--------------------------------------|-------|-----------------------------|-------------------|
| Perfluorohexanesulfonic acid (PFHxS) | ng/L | Twice Annually ¹ | 24-hour Composite |
| Perfluoroheptanoic acid (PFHpA) | ng/L | Twice Annually | 24-hour Composite |
| Perfluorononanoic acid (PFNA) | ng/L | Twice Annually | 24-hour Composite |
| Perfluorooctanesulfonic acid (PFOS) | ng/L | Twice Annually | 24-hour Composite |
| Perfluorooctanoic acid (PFOA) | ng/L | Twice Annually | 24-hour Composite |
| Perfluorodecanoic acid (PFDA) | ng/L | Twice Annually | 24-hour Composite |

Sludge

| Parameter | Units | Measurement Frequency | Sample Type |
|--------------------------------------|-------|-----------------------|-------------|
| Perfluorohexanesulfonic acid (PFHxS) | ng/g | Twice Annually | Grab |
| Perfluoroheptanoic acid (PFHpA) | ng/g | Twice Annually | Grab |
| Perfluorononanoic acid (PFNA) | ng/g | Twice Annually | Grab |
| Perfluorooctanesulfonic acid (PFOS) | ng/g | Twice Annually | Grab |
| Perfluorooctanoic acid (PFOA) | ng/g | Twice Annually | Grab |
| Perfluorodecanoic acid (PFDA) | ng/g | Twice Annually | Grab |

- b. The requirements of this paragraph apply solely to municipal and regional wastewater treatment facilities and not to privately owned sanitary wastewater treatment facilities. Pursuant to 314 CMR 3.11 (2)(a)6., and in accordance with MassDEP's obligation under 314 CMR 4.05(5)(e) to maintain surface waters free from pollutants in concentrations or combinations that are toxic to humans, aquatic life, or wildlife, beginning six (6) months after the permittee has been notified by EPA of a multi-lab validated method for wastewater, or by the dates set forth in Appendix A of the draft Massachusetts Wastewater Treatment Facilities General Permit Modification, whichever is earlier, the permittee shall commence annual monitoring of all Significant Industrial Users^{2,3} discharging into the POTW. Monitoring shall be in accordance with the table below. If EPA's multi-lab validated method is not available by twenty (20) months after the effective date permittee's authorization under the 2022 Federal NPDES General Permit Modification, the permittee shall

¹ Twice annually is defined as once during the third calendar quarter (July through September) and once during the fourth calendar quarter (October through December).

² Significant Industrial User (SIU) is defined at 40 CFR part 403: All industrial users subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR chapter I, subpart N; **and** any other industrial user that: discharges an average of 25,000 GPD or more of process wastewater to the POTW, contributes a process wastestream that makes up 5% or more of the average dry weather hydraulic or organic capacity of the POTW, or designated as such by the POTW on the basis that the industrial users has a reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standards or requirement.

³ This requirement applies to all Significant Industrial Users and not just those within the sectors identified by EPA in the NPDES permit.

contact MassDEP (massdep.npdes@mass.gov) for guidance on an appropriate analytical method. Notwithstanding any other provision of the 2022 Federal NPDES Small Wastewater Treatment Facility General Permit Modification to the contrary, monitoring results shall be reported to MassDEP electronically at massdep.npdes@mass.gov within 30 days after they are received. If the permittee is the following facility, the permittee shall commence this monitoring beginning one (1) year after the effective date of the permittee's authorization under the 2022 Federal NPDES General Permit Modification and shall contact MassDEP (massdep.npdes@mass.gov) 90 days prior to starting monitoring for guidance on the appropriate analytical method: Wayland WWMDC.

| Parameter | Units | Measurement Frequency | Sample Type |
|--------------------------------------|-------|-----------------------|-------------------|
| Perfluorohexanesulfonic acid (PFHxS) | ng/L | Annual | 24-hour Composite |
| Perfluoroheptanoic acid (PFHpA) | ng/L | Annual | 24-hour Composite |
| Perfluorononanoic acid (PFNA) | ng/L | Annual | 24-hour Composite |
| Perfluorooctanesulfonic acid (PFOS) | ng/L | Annual | 24-hour Composite |
| Perfluorooctanoic acid (PFOA) | ng/L | Annual | 24-hour Composite |
| Perfluorodecanoic acid (PFDA) | ng/L | Annual | 24-hour Composite |

2. that there is a reasonable assurance that the activity will be conducted in a manner which will not violate applicable state water quality standards.

To meet the requirements of Massachusetts laws, each of the conditions cited in the draft permit and this certification shall not be made less stringent unless new data or other information is presented and MassDEP determines modification of this certification is appropriate in consideration of the relevant water quality considerations.

If any condition in the draft 2022 Federal NPDES General Permit Modification for Small Wastewater Treatment Facilities is changed during EPA's review in any manner inconsistent with this certification, the Department reserves the right to modify this certification in consideration of the relevant water quality considerations. In addition, the Department reserves the right to modify this certification if there is a change in Massachusetts law or regulation upon which this certification is based, or if a court of competent jurisdiction or MassDEP Office of Appeals and Dispute Resolution stays, vacates or remands this certification, as provided by 40 C.F.R. § 124.55.

Signed this 24th day of February, 2023



Lealdon Langley, Director
 Massachusetts Department of Environmental Protection
 Bureau of Water Resources
 Division of Watershed Management