

AUTHORIZATION TO DISCHARGE UNDER THE  
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

In compliance with the provisions of the Federal Clean Water Act as amended, (33 U.S.C. §§1251 et seq.; the "CWA"), and the Massachusetts Clean Waters Act, as amended, (M.G.L. Chap. 21, §§26-53),

**Ashland Sand and Stone Co., Inc.**  
**Division of H.A. Fafard & Sons Construction Inc.**  
**290 Eliot Street**  
**Ashland, MA 01721**

is authorized to discharge from the facility located at

**Chestnut Street**  
**Ashland, MA 01721**

to receiving water named: **Cold Spring Brook to Sudbury River (Concord River Basin - 82)**

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

This permit shall become effective on the date of signature.

This permit and the authorization to discharge **expire at midnight, September 30, 2008.**

This permit supersedes the permit issued on September 29, 1987.

This permit consists of 6 pages in Part I including effluent limitations, monitoring requirements, 35 pages in Part II including General Conditions and Definitions.

Signed this 21<sup>st</sup> day of November, 2003

SIGNATURE ON FILE

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Director  
Office of Ecosystem Protection  
Environmental Protection Agency  
Boston, MA

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Director,  
Division of Watershed Management  
Department of Environmental Protection  
Commonwealth of Massachusetts  
Boston, MA

## PART I

## A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. During the period beginning the effective date and lasting through the expiration date, the permittee is authorized to discharge treated wastewater from sand and gravel washing through outfall serial number **001**. Such discharge shall be limited and monitored by the permittee as specified below:

<u>Effluent Characteristic</u>	<u>Discharge Limitation</u>				<u>Monitoring Requirement</u>	
	<u>Average Monthly</u>	<u>Maximum Daily</u>	<u>Average Monthly</u>	<u>Maximum Daily</u>	<u>Measurement Frequency</u> <sup>2</sup>	<u>Sample Type</u>
Flow (mgd)	*****	*****	0.4	0.65	1 / Month	Estimate
TSS (mg/l)	*****	*****	20	45	1 / Month	3 grabs / Day
pH <sup>1</sup>	( See condition I.A.1.b on page 3 )			45	1 / Month	3 grabs / Day
Temperature ( °F )	*****	*****	*****	74	1 / Month	3 grabs / Day
Oil and Grease (mg/l)	*****	*****	*****	15	1 / Month	3 grabs / Day

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location : at open trench, after the third settling pond and before mixing with Cold Spring Brook.

Footnotes:

1. Required for State Certification.
2. Sampling shall be conducted once per month during months when the washing operation is in use. When the washing operation is shut down, the permittee shall thereafter sample every two months, beginning during the second month after the month the washing operation is shutdown. (e.g. if washing operations are shut down in August, sampling shall be conducted during the months of October, December, February ..etc, until the washing operation is re-started). If there is no discharge during any month the permittee shall report “no discharge” on the monthly discharge monitoring report (DMR).

Part I.A.1. ( continued )

- a. The discharge shall not cause a violation of the water quality standards of the receiving waters.
- b. The pH of the effluent shall not be less than 6.5 nor greater than 8.3 at any time, unless these values are exceeded due to natural causes or as a result of the approved treatment processes.
- c. The discharge shall not cause objectionable discoloration of the receiving waters.
- d. The effluent shall contain neither a visible oil sheen, foam, nor floating solids at any time.
- e. The results of sampling for any parameter above its required frequency must also be reported, in accordance with 40 CFR § 122.41(I)(4)(ii).

I.A.2.

This permit shall be modified, or revoked and reissued to comply with any applicable effluent standard or limitation issued or approved under Sections 301(b)(2)(C) and (D), 304(b)(2), and 307(a)(2) of the Clean Water Act, if the effluent standard or limitation so issued or approved:

- (1) contains different conditions or is otherwise more stringent than any effluent limitation in this permit; or
- (2) controls any pollutant not limited by this permit.

If the permit is modified or reissued, it shall be revised to reflect all currently applicable requirements of the Act.

I.A.3.

All existing manufacturing, commercial, mining, and silvi-cultural dischargers must notify the Director as soon as they know or have reason to believe (40 CFR 122.42):

- a. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following “Notification levels”:
  - (1) One hundred micrograms per liter (100 ug/l);
  - (2) Two hundred micrograms per liter (200 ug/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 ug/l) for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/l) for antimony;
  - (3) Five (5) times the maximum concentration value reported for that pollutant in the permit application in accordance with 40 CFR §122.21(g)(7); or
  - (4) Any other notification level established by the Director in accordance with 40 CFR §122.44(f).
  
- b. That any activity as occurred or will occur which would result in the discharge, on a non-routine or infrequent basis, of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following “notification levels”:
  - (1) Five hundred micrograms per liter (500 ug/l);
  - (2) One milligram per liter (1 mg/l) for antimony;
  - (3) Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with 40 CFR §122.21(g)(7); or
  - (4) Any other notification level established by the Director in accordance with 40 CFR §122.44(f).
  
- c. That they have begun or expect to begin to use or manufacture as an intermediate or final product or byproduct any toxic pollutant which was not reported in the permit application.

I.A.4. Toxics Control

- a. The permittee shall not discharge any pollutant or combination of pollutants in toxic amounts.
- b. Any toxic components of the effluent shall not result in any demonstrable harm to aquatic life or violate any state or federal water quality standard which has been or may be promulgated. Upon promulgation of any such standard, this permit may be revised or amended in accordance with such standards.

I.A.5. Numerical Effluent Limitations for Toxicants

EPA or DEP may use the results of the toxicity tests and chemical analyses conducted pursuant to this permit, as well as national water quality criteria developed pursuant to Section 304(a)(1) of the Clean Water Act (CWA), state water quality criteria, and any other appropriate information or data, to develop numerical effluent limitations for any pollutants, including but not limited to those pollutants listed in Appendix D of 40 CFR Part 122.

**B. UNAUTHORIZED DISCHARGES**

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

**C. MONITORING AND REPORTING**

1. Reporting

Monitoring results obtained during each calendar month shall be summarized and reported on Discharge Monitoring Report Form(s) postmarked **no later than the 15th day of the following month.**

Signed and dated originals of these, and all other reports required herein, shall be submitted to the Director and the State at the following addresses:

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

Massachusetts Department of Environmental Protection  
Bureau of Waste Prevention  
Northeast Regional Office  
1 Winter Street  
Boston, Massachusetts 02108

In addition, copies of all Discharge Monitoring Reports required by this permit shall also be submitted to the State at following address:

Massachusetts Department of Environmental Protection  
Division of Watershed Management  
Surface Water Discharge Permit Program  
627 Main Street, 2<sup>nd</sup> Floor  
Worcester, MA 01608

#### **D. STATE PERMIT CONDITIONS**

This Discharge Permit is issued jointly by the U. S. Environmental Protection Agency (EPA) and the Massachusetts Department of Environmental Protection (DEP) 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 MA DEP pursuant to M.G.L. Chap.21, §43.

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 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 U.S. Environmental Protection Agency. In the event 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.