

**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),

TEXON USA

is authorized to discharge from the facility located at

1190 Huntington Road, Russell, MA 01071

to receiving water named Westfield River

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

This permit shall become effective sixty (60) days from the date of signature.

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

This permit supersedes the permit issued on November 12, 1999.

This permit consists of 7 pages in Part I including effluent limitations, monitoring requirements, Attachment A, and 35 pages in Part II including General Conditions and Definitions.

Signed this 9th day of September, 2005

/s/ SIGNATURE ON FILE

Linda M. Murphy, Director
Office of Ecosystem Protection
Environmental Protection Agency
Boston, MA

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

PART I

A.1. During the period beginning the effective date and lasting through expiration, the permittee is authorized to discharge from outfall serial number **001**, treated effluent to Westfield River. Such discharges shall be limited and monitored as specified below.

<u>EFFLUENT CHARACTERISTIC</u>		<u>MONITORING REQUIREMENTS</u>			
<u>PARAMETER</u>	<u>AVERAGE MONTHLY</u>	<u>MAXIMUM DAILY</u>	<u>MEASUREMENT FREQUENCY</u>	<u>SAMPLE³ TYPE</u>	
Flow ²	0.8 MGD	1.3 MGD	Continuous	Recorder	
BOD ₅	200 lbs/Day	400 lbs/Day	3/Week	24-Hour Composite ⁴	
TSS	250 lbs/Day	350 lbs/Day	3/Week	24-Hour Composite ⁴	
Total Aluminum	2.4 mg/l	Report	1/Week	24-Hour Composite ⁴	
Total Copper	Report	Report	1/Week	24-Hour Composite ⁴	
Ammonia, as NH ₃ N	Report, mg/l	*****	1/Month	24-Hour Composite ⁴	
Nitrite + Nitrate Nitrogen	Report, mg/l	*****	1/Month	24-Hour Composite ⁴	
Total Kjeldahl Nitrogen	Report, mg/l	*****	1/Month	24-Hour Composite ⁴	
Temperature ^{1,5}	Report °F	90 °F	1/Day	Grab	
pH Range ¹	6.5 - 8.3 S.U. See Paragraph I.A.1.b.		1/Day	Grab	
Whole Effluent Toxicity {see footnotes 6, 7, and 8}	Acute LC ₅₀ ≥ 100% Chronic C-NOEC : Report		4/Year	24-Hour Composite ⁴	

Sampling for effluent parameters shall be conducted after the discharge weir before effluent mixes with the Westfield River.

Footnotes:

1. Required for State Certification.
2. For flow, report average and maximum daily discharged for each operating date.
3. All required effluent samples shall be collected at the point specified on Page 2 of this permit. Any change in sampling location must be reviewed and approved in writing by EPA and MADEP. All samples shall be tested using the analytical methods found in 40 CFR §136, or alternative methods approved by EPA in accordance with the procedures in 40 CFR §136. All samples shall be 24-hour composites unless specified as a grab sample in 40 CFR §136.
4. A 24-hour composite sample will consist of at least twenty four (24) grab samples taken during one consecutive 24-hour period (e.g. 0700 Monday- 0700 Tuesday).
5. The discharge shall not result in a change in the receiving water temperature of greater than 5 degrees F. The permittee is required to monitor effluent temperature daily at a time period when maximum thermal load is expected. In addition, the permittee is required to monitor upstream and downstream of the discharge daily to determine any changes in river temperature from the discharge.
6. The permittee shall conduct chronic (and modified acute) toxicity tests four times per year. The chronic test may be used to calculate the acute LC₅₀ at the 48 hour exposure interval. The permittee shall test the Ceriodaphnia dubia (daphnid) and Pimephales promelas (Fathead minnow). Toxicity test samples shall be collected and processed in accordance with the schedule indicated below. The tests must be performed in accordance with test procedures and protocols specified in **Attachment A** of this permit.

Test Dates Second Week in	Submit Results By:	Test Species	Acute Limit LC ₅₀	Chronic Limit C-NOEC
January, April, July and October	February 28 th May 31 st August 31 st November 30 th	<u>Ceriodaphnia dubia</u> (daphnid) and <u>Pimephales promelas</u> (Fathead minnow) See Attachment A	≥ 100%	Report

7. The LC₅₀ is the concentration of effluent which causes mortality to 50% of the test organisms. Therefore, a 100% limit means that a sample of 100% effluent (no dilution) shall cause no more than a 50% mortality rate. The C-NOEC (chronic-no observed effect concentration) is defined as the highest concentration of toxicant or

effluent to which organisms are exposed in a life cycle or partial life cycle test which causes no adverse effect on growth, survival, or reproduction at a specific time of observation as determined from hypothesis testing where the test results exhibit a linear dose-response relationship. However, where the test results do not exhibit a linear dose-response relationship, the permittee must report the lowest concentration where there is no observable effect.

8. If toxicity test(s) using receiving water as diluent show the receiving water to be toxic or unreliable, the permittee shall follow procedures outlined in **Attachment B Section IV., DILUTION WATER** in order to obtain permission to use an alternate dilution water. In lieu of individual approvals for alternate dilution water required in **Attachment B**, EPA-New England has developed a Self-Implementing Alternative Dilution Water Guidance document (called “Guidance Document”) which may be used to obtain automatic approval of an alternate dilution water, including the appropriate species for use with that water. If this Guidance document is revoked, the permittee shall revert to obtaining approval as outlined in **Attachment B**. The “Guidance Document” has been sent to all permittees with their annual set of DMRs and Revised Updated Instructions for Completing EPA’s Pre-Printed NPDES Discharge Monitoring Report (DMR) Form 3320-1 and is not intended as a direct attachment to this permit. Any modification or revocation to this “Guidance Document” will be transmitted to the permittee as part of the annual DMR instruction package. However, at any time, the permittee may choose to contact EPA-New England directly using the approach outlined in **Attachment B**. (Please note this is not an attachment found attached to this permit or fact sheet.)

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 standard units (SU), nor greater than 8.3 SU at any time, unless these values are exceeded as a result of an approved treatment process.
- 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 permittee shall not use fungicides or slimicides containing trichlorophenol or pentachlorophenol without the written approval of EPA and the state.

Part I.A.2.

All existing manufacturing, commercial, mining, and silvicultural discharges must notify the Director as soon as they know or have reason to believe:

- 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 (as defined at 40 CFR §122.2) 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 has 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 microgram 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 began or expect to begin to use or manufacture as an intermediate or final product or by product, any toxic pollutant which was not reported in the permit application.

Part I.A.3. 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.

Part I.A.4.

This permit may be modified and reissued, on the basis of new information in accordance with 40 CFR §122.62.

B. 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

The State Agencies are:

Massachusetts Department of Environmental Protection
Western Regional Office - Bureau of Waste Prevention
436 Dwight Street
Springfield Massachusetts, 01103

Massachusetts Department of Environmental Protection
Bureau of Waste Prevention- Industrial Wastewater Section
1 Winter Street
Boston, Massachusetts, 02108

Signed and dated Discharge Monitoring Report Forms and toxicity test reports required by this permit shall also be submitted to the State at:

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

C. 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.