

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),

**Gehring Acquisition Company, LLC
1225 Franklin Avenue, Suite 300
Garden City, NY 11530**

is authorized to discharge from a facility located at

**Tweave LLC
138 Barrows Street
Norton, MA 02766**

to receiving water named

un-named tributary to the Wading River (Taunton River Watershed MA62-49)

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

This permit shall become effective following signature.

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

This permit supersedes the permit issued on January 19, 2005 (and modified August 8, 2008).

This permit consists of 16 pages in Part I including effluent limitations, monitoring requirements, 9 pages in Attachment 1 – Freshwater Acute Toxicity Test Procedure and Protocol, and 25 pages in Part II including General Conditions and Definitions.

Signed this 12th day of April, 2011

/S/SIGNATURE ON FILE

Stephen S. Perkins, Director
Office of Ecosystem Protection

Environmental Protection Agency Program

Boston, MA

David Ferris, Director
Massachusetts Wastewater
Management
Department of Environmental
Protection

Commonwealth of Massachusetts

Boston, MA

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

- During the period beginning on the effective date and lasting through the expiration date, the permittee is authorized to discharge treated process wastewater through **Outfall Serial Number 001** to an un-named tributary to the Wading River. Such discharge shall: 1) be limited and monitored by the permittee as specified below; and 2) not cause a violation of the State Surface Water Quality Standards of the receiving water.

Effluent Characteristic	Discharge Limitation				Monitoring Requirements ^{1,2,12}	
	Mass-based Limits (lbs/day)		Concentration-based Limits (mg/L)			
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Measurement Frequency ⁴	Sample Type
Flow ⁶	---	---	0.008 MGD	0.01 MGD	Continuous	Recorder
BOD ₅	1.34	2.5	20	30	1/Month	Composite ⁵
TSS	1.34	2.5	20	30	1/Month	Composite ⁵
COD	27	50	400	600	1/Quarter	Composite ⁵
pH ³	6.5-8.3 SU				1/Month	Grab
Oil & Grease	---	---	---	15	1/Quarter	Grab
Total Sulfides	0.10	0.20	1.5	3.0	1/Year	Grab

Effluent Characteristic	Discharge Limitation				Monitoring Requirements ^{1,2,12}	
	Mass-based Limits (lbs/day)		Concentration-based Limits (mg/L)		Measurement Frequency ⁴	Sample Type
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily		
Total Nitrate	---	---	Report	Report	1/Month	Composite ⁵
Total Nitrite	---	---	Report	Report	1/Month	Composite ⁵
Total Phenols	0.05	0.1	0.75	1.5	1/Year	Grab
Total Chromium	0.0033	0.068	0.05	0.8	1/Year	Composite ⁵
Total Copper	0.00027	0.00046	0.0040	0.0055	1/Quarter	Composite ⁵
Total Zinc	0.0034	0.0043	0.052	0.052	1/Quarter	Composite ⁵
Total Phosphorus ⁷	---	---	0.1	7.5	1/Month	Composite ⁵
Total Kjeldahl Nitrogen (TKN)	---	---	Report	Report	1/Month	Composite ⁵
Color (PCU) ⁸	---	---	Report	Report	1/Month	Grab

Effluent Characteristic	Discharge Limitation				Monitoring Requirements ^{1, 2, 12}	
	Mass-based Limits (lbs/day)		Concentration-based Limits (mg/L)		Measurement Frequency ⁴	Sample Type
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily		
Whole Effluent Toxicity ^{9,10, 11}						
Acute (LC ₅₀)	---	---	100%		1/Quarter	Composite ⁵
Hardness (mg/L)	---	---	Report		1/Quarter	Composite ⁵
Alkalinity (mg/L)	---	---	Report		1/Quarter	Composite ⁵
pH (SU)	---	---	Report		1/Quarter	Composite ⁵
Specific Conductance (µmhos/cm)	---	---	Report		1/Quarter	Composite ⁵
Total Solids (mg/L)	---	---	Report		1/Quarter	Composite ⁵
Total Suspended Solids (mg/L)	---	---	Report		1/Quarter	Composite ⁵
Total Ammonia Nitrogen as N (mg/L)	---	---	Report		1/Quarter	Composite ⁵
Total Organic Carbon (mg/L)	---	---	Report		1/Quarter	Composite ⁵
Total Residual Chlorine (mg/L)	---	---	Report		1/Quarter	Composite ⁵
Dissolved Oxygen (mg/L)	---	---	Report		1/Quarter	Composite ⁵
Total Cadmium (mg/L)	---	---	Report		1/Quarter	Composite ⁵
Total Chromium (mg/L)	---	---	Report		1/Quarter	Composite ⁵
Total Lead (mg/L)	---	---	Report		1/Quarter	Composite ⁵
Total Copper (mg/L)	---	---	Report		1/Quarter	Composite ⁵
Total Zinc (mg/L)	---	---	Report		1/Quarter	Composite ⁵
Total Nickel (mg/L)	---	---	Report		1/Quarter	Composite ⁵
Total Aluminum (mg/L)	---	---	Report		1/Quarter	Composite ⁵
Total Magnesium (mg/L)	---	---	Report		1/Quarter	Composite ⁵
Total Calcium (mg/L)	---	---	Report		1/Quarter	Composite ⁵

See pages 5 –6 for explanation of footnotes.

Footnotes:

1. Samples taken in compliance with the monitoring requirements specified above shall be taken at a point representative of all the discharge from the site through the outfall, prior to commingling with the discharge of any stormwater, at the outlet of the sand filter bed, prior to mixing with the receiving water. In order to obtain a representative sample of the discharge through Outfall 001, the permittee shall take flow proportional composite samples of the discharge through the two pipes discharging from the outlet of the sand filter bed. Any change in sampling location must be reviewed and approved in writing by EPA and MassDEP. All samples shall be tested in accordance with the procedures in 40 CFR 136, unless specified elsewhere in the permit.
2. Samples of the discharge through Outfall 001 shall be taken at least two weeks after any discharge from Internal Outfalls 001A and/or 001B.
3. Required for State Certification, see Part I.A.4.
4. Sampling frequency of 1/month is defined as the sampling of one (1) discharge event in each calendar month, when discharge occurs. Sampling frequency of 1/quarter is defined as the sampling of four (4) discharge events in each calendar year, when discharge occurs. Sampling frequency of 1/year is defined as the sampling of one (1) discharge event in each calendar year, when discharge occurs. The permittee shall submit the results to EPA of any additional testing done to that required herein, if it is conducted in accordance with EPA approved methods consistent with the provisions of 40 CFR §122.41(l)(4)(ii).
5. A composite sample consists of ten (10) grab samples collected at hourly intervals during a ten hour period, combined proportional to flow. In the event that the discharge does not last ten hours, sample at hourly intervals for the length of time of the discharge, not to be less than 4 hours (i.e., no less than four samples).
6. Flow shall be continuously measured and recorded using a flow meter and totalizer.
7. The total phosphorus limits of 0.1 mg/L as monthly average and 7.5 mg/L as a daily maximum are seasonal, from April 1st through October 31st, taken as a composite. The permittee shall report the total phosphorus monthly average and daily maximum concentrations (without limits) year-round.
8. In addition to the monthly effluent sample analysis of color, the permittee shall perform monthly visual monitoring of the effluent sample and the receiving water while a discharge is occurring. Record the description of the sample color and the color of any visible plume in the receiving water in the comments section of the DMR. The permittee shall also document the presense/absence of a visible plume by photographing the receiving water at the point of the effluent discharge. The photos shall be kept at the facility for further review.
9. The permittee shall conduct quarterly acute toxicity tests. The permittee shall test the daphnid, Ceriodaphnia dubia, and fathead minnow, Pimephales promelas. Toxicity test samples shall be collected during the second week of the months of January, April, July, and October. The test results shall be submitted by the last day of the month following the completion of the test. The results are due February 28th, May 31st, August 31st, and November 30th, respectively. In the event there is no discharge during the second week of the specified months, the permittee shall sample as soon as practicable thereafter, and submit the test results by the last day of the month following completion of the test. The tests must be performed in accordance with test

procedures and protocols specified in Attachment 1 of the permit.

Test Dates – Second Week in:	Submit Results by:	Test Species	Acute Limit LC ₅₀
January	February 28 th	<u>Ceriodaphnia dubia</u> (Daphnid)	≥ 100 %
April	May 31 st		
July	August 31 st	<u>Pimephales promelas</u> (fathead minnow)	
October	November 30 th		

10. If toxicity test(s) using receiving water as diluent show the receiving water to be toxic or unreliable, the permittee shall either follow procedures outlined in Attachment 1 (Toxicity Test Procedure and Protocol) Section IV., DILUTION WATER in order to obtain an individual approval for use of an alternate dilution water, or the permittee shall follow the *Self-Implementing Alternative Dilution Water Guidance* which may be used to obtain automatic approval of an alternate dilution water, including the appropriate species for use with that water. This guidance is found in Attachment G of *NPDES Program Instructions for the Discharge Monitoring Report Forms (DMRs)*, which may be found on the EPA, Region I web site at <http://www.epa.gov/Region1/enforcementandassistance/dmr.html>. If this guidance is revoked, the permittee shall revert to obtaining individual approval as outlined in Attachment 1. Any modification or revocation to this guidance will be transmitted to the permittees 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 1.
11. For each Whole Effluent Toxicity (WET) test the permittee shall report on the appropriate Discharge Monitoring Report (DMR), the concentrations of the Hardness, Alkalinity, pH, Specific Conductance, Total Solids, Total Suspended Solids, Total Ammonia Nitrogen as N, Total Organic Carbon, Total Residual Chlorine, Dissolved Oxygen, Total Cadmium, Total Chromium, Total Lead, Total Copper, Total Zinc, Total Nickel, Total Aluminum, Total Magnesium, and Total Calcium found in the 100 percent effluent sample. The permittee should note that all chemical parameter results must still be reported in the appropriate toxicity report.
12. The permittee shall submit monthly DMRs, and during months when no tests are performed, enter "NODI 9" for that month.

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

2. During the period beginning on the effective date and lasting through the expiration date, the permittee is authorized to discharge stormwater from the equalization basin, which is currently out of service, through **Internal Outfall Serial Number 001A** to an un-named tributary to the Wading River. Such discharge shall: 1) be limited and monitored by the permittee as specified below; and 2) not cause a violation of the State Surface Water Quality Standards of the receiving water.²

Effluent Characteristic	Discharge Limitation		Monitoring Requirements ^{1,7}	
	Average Monthly (mg/L)	Maximum Daily (mg/L)	Measurement Frequency ⁴	Sample Type
Flow (MGD) ⁵	Report	Report	1/Month	Estimate
BOD ₅	Report	Report	1/Year	Grab
TSS	Report	Report	1/Year	Grab
COD	Report	Report	1/Year	Grab
pH ³	6.5-8.3 SU		1/Month	Grab
Oil & Grease	Report	Report	1/Year	Grab
Total Sulfides	Report	Report	1/Year	Grab
Total Aluminum	Report	Report	1/Year	Grab
Total Nitrite – Nitrate (as N)	Report	Report	1/Year	Grab
Total Phenols	Report	Report	1/Year	Grab
Total Chromium	Report	Report	1/Year	Grab
Total Copper	Report	Report	1/Year	Grab
Total Zinc	Report	Report	1/Year	Grab
Total Phosphorus	Report	Report	1/Year	Grab
Total Kjeldahl Nitrogen (TKN)	Report	Report	1/Year	Grab
Color (PCU) ⁶	Report	Report	1/Year	Grab

See page 8 for explanation of footnotes.

Part I.A.2, continued

Footnotes:

1. Samples shall consist of grab samples taken in compliance with the monitoring requirements specified above shall be taken at a point representative of all the stormwater discharge from the equalization basin through the internal outfall, prior to commingling with any process water discharge from the site, and prior to mixing with the receiving water. Any change in sampling location must be reviewed and approved in writing by EPA and MassDEP. All samples shall be tested in accordance with procedures in 40 CFR 136, unless specified elsewhere in the permit.
2. Discharge through Outfall 001A is prohibited until all samples for Outfall 001 (in Part I.A.1) have been collected for the sampling period.
3. Required for State Certification, see Part I.A.4.
4. Sampling frequency of 1/month is defined as the sampling of one (1) discharge event in each calendar month, when discharge occurs. Sampling frequency of 1/year is defined as the sampling of one (1) discharge event in each calendar year, when discharge occurs. The permittee shall submit the results to EPA of any additional testing done to that required herein, if it is conducted in accordance with EPA approved methods consistent with the provisions of 40 CFR 122.41(1)(4)(ii).
5. Flow shall be estimated for each monitoring event using accepted engineering techniques.
6. In addition to the annual reporting of color, the permittee shall perform visual monitoring of the effluent sample. Record a description of the sample color and submit this information in the comments section of the DMR.
7. The permittee shall submit monthly DMRs, and during months when no tests are performed, enter "NODI 9" for that month.

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

3. During the period beginning on the effective date and lasting through the expiration date, the permittee is authorized to discharge stormwater from the secondary clarifier, which is currently out of service, through **Internal Outfall Serial Number 001B** to an un-named tributary to the Wading River. Such discharge shall: 1) be limited and monitored by the permittee as specified below; and 2) not cause a violation of the State Surface Water Quality Standards of the receiving water.²

Effluent Characteristic	Discharge Limitation		Monitoring Requirements ^{1,7}	
	Average Monthly (mg/L)	Maximum Daily (mg/L)	Measurement Frequency ⁴	Sample Type
Flow (MGD) ⁵	Report	Report	1/Month	Estimate
BOD ₅	Report	Report	1/Year	Grab
TSS	Report	Report	1/Year	Grab
COD	Report	Report	1/Year	Grab
pH ³	6.5-8.3 SU		1/Month	Grab
Oil & Grease	Report	Report	1/Year	Grab
Total Sulfides	Report	Report	1/Year	Grab
Total Nitrate	Report	Report	1/Year	Grab
Total Nitrite	Report	Report	1/Year	Grab
Total Phenols	Report	Report	1/Year	Grab
Total Chromium	Report	Report	1/Year	Grab
Total Copper	Report	Report	1/Year	Grab
Total Zinc	Report	Report	1/Year	Grab
Total Phosphorus	Report	Report	1/Year	Grab
Total Kjeldahl Nitrogen (TKN)	Report	Report	1/Year	Grab
Color (PCU) ⁶	Report	Report	1/Year	Grab

See page 10 for explanation of footnotes.

Part I.A.3, continued

Footnotes:

1. Samples shall consist of grab samples taken in compliance with the monitoring requirements specified above shall be taken at a point representative of all the stormwater discharge from the secondary clarifier through the internal outfall, prior to commingling with any process water discharge from the site, and prior to mixing with the receiving waters. Any change in sampling location must be reviewed and approved in writing by EPA and MassDEP. All samples shall be tested in accordance with procedures in 40 CFR 136, unless specified elsewhere in the permit.
2. Discharge through Outfall 001B is prohibited until all samples for Outfall 001 (in Part I.A.1) have been collected for the sampling period.
3. Required for State Certification, see Part I.A.4.
4. Sampling frequency of 1/month is defined as the sampling of one (1) discharge event in each calendar month, when discharge occurs. Sampling frequency of 1/year is defined as the sampling of one (1) discharge event in each calendar year, when discharge occurs. The permittee shall submit the results to EPA of any additional testing done to that required herein, if it is conducted in accordance with EPA approved methods consistent with the provisions of 40 CFR 122.41(1)(4)(ii).
5. Flow shall be estimated for each monitoring event using accepted engineering techniques.
6. In addition to the annual reporting of color, the permittee shall perform visual monitoring of the effluent sample. Record a description of the sample color and submit this information in the comments section of the DMR.
7. The permittee shall submit monthly DMRs, and during months when no tests are performed, enter "NODI 9" for that month.

Part I.A. (Continued)

4. The pH of the effluent shall be in the range of 6.5 through 8.3 standard units and not more than 0.5 units outside the natural background range, unless these values are exceeded as a result of natural causes.
5. The discharge shall not cause objectionable discoloration of the receiving waters.
6. The effluent shall contain neither a visible oil sheen, foam, nor floating solids at any time in other than trace amounts.
7. The effluent shall not cause objectionable discoloration of the receiving waters.
8. The permittee must allow at least two weeks after any discharge from Internal Outfalls 001A and/or 001B prior to sampling Outfall 001 to prevent commingling of process water and stormwater.
9. No process water shall be transferred to the equalization basin or secondary clarifier (both currently out of service).
10. The discharge shall not contain materials in concentrations or combinations which are hazardous or toxic to human health, aquatic life of the receiving surface waters or which would impair the uses designated by its classification.
11. EPA may modify this permit in accordance with EPA regulations in 40 Code of Federal Regulations (CFR) §122.62 and §122.63 to incorporate more stringent effluent limitations, increase the frequency of analyses, or impose additional sampling and analytical requirements.
12. All existing manufacturing, commercial, mining and silvicultural dischargers 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 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 µg/l);
 - (2) Two hundred micrograms per liter (200 µg/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 µg/l) for 2,4-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 C.F.R. §122.21(g)(7); or

- (4) Any other notification level established by the Director in accordance with 40 C.F.R.§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 micrograms per liter (500 µg/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 C.F.R.§122.21(g)(7).
 - (4) Any other notification level established by the Director in accordance with 40 C.F.R.§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.
13. 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.

B. REOPENER CLAUSES

1. This permit shall be modified, or alternately, revoked and reissued, to comply with any applicable standard or limitation promulgated 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:
 - a. Contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or
 - b. Controls any pollutants not limited in the permit.

C. SPECIAL CONDITIONS AND REQUIREMENTS

1. The permittee shall develop Best Management Practices (BMPs) to be followed in operating the facility, cleaning tanks and other equipment and disposing of any liquid and solid waste. The purpose of the plan is to identify and to describe the practices which minimize the amounts of pollutants discharged to surface waters.

The permittee shall develop and implement appropriate BMPs to re-evaluate the entire treatment system design and optimize the treatment obtained from each unit. Within **one year of the effective date of the permit**, the permittee shall complete an evaluation of alternative methods of operating the existing treatment system to optimize the treatment efficiency, or adding treatment, and submit a report to EPA and MassDEP documenting this evaluation and presenting a description of recommended operational or treatment changes. The methods to be evaluated include, but are not limited to, operational or treatment changes designed to remove color, to eliminate the toxicity of the discharge, to reduce the nitrogen loading, and to reduce the metal loading in the discharge to the unnamed tributary. The BMP plan shall include the following requirements, at a minimum:

- a. Within **18 months of the effective date of the permit**, the permittee shall implement the recommended operational changes in order to remove the discharge of a visibly colored plume, to eliminate the toxicity of the discharge, to reduce the nitrogen loading, and to reduce the metal loading to the receiving water. The permittee shall submit annual reports to EPA and MassDEP, **on each year following the effective date of the permit**, which summarizes progress and activities related to optimizing the treatment system or adding additional treatment, as described below:
 - i. The permittee shall develop appropriate BMPs to evaluate alternative methods of operating the treatment system or adding additional treatment in order to eliminate the discharge of color. The permit requires annual reports be submitted that summarize progress and activities related to optimizing color removal efficiencies, document the monthly color observations throughout the year, and track trends relative to previous years. The permittee shall develop BMPs to eliminate the discharge of a visibly colored plume.
 - ii. The permittee shall develop appropriate BMPs to evaluate alternative methods of operating the treatment system or adding additional treatment in order to eliminate (or reduce to the maximum extent possible) the toxicity of the discharge. The permit requires annual reports be submitted that summarize progress and activities related to optimizing toxicity removal efficiencies. The permittee shall develop BMPs to determine the source(s) of toxicity in the discharge and eliminate, or reduce to the maximum extent possible, the toxicity of the discharge.
 - iii. The permittee shall develop appropriate BMPs to evaluate alternative methods of operating the treatment system or adding additional treatment in order to control total nitrogen levels, and to implement optimization methods sufficient to ensure that there is no increase in total nitrogen compared to the existing average daily load. The annual average total nitrogen load from this facility (for the period of

February 2005 – September 2009) is estimated to be 1.44 lbs/day. The permit requires annual reports be submitted that summarize progress and activities related to optimizing nitrogen removal efficiencies, document the annual nitrogen discharge load from the facility, and track trends relative to previous years. Additionally, the permittee shall develop BMPs to determine the source(s) of nitrogen in the discharge and eliminate, or reduce to the maximum extent possible, the concentration of nitrogen in the discharge.

- iv. The permittee shall develop appropriate BMPs to evaluate alternative methods of operating the treatment system or adding additional treatment in order to eliminate (or reduce to the maximum extent possible) the metal loading to the discharge. The permit requires annual reports be submitted that summarize progress and activities related to optimizing metal removal efficiencies. The permittee shall develop BMPs to determine the source(s) of metals in the discharge and eliminate, or reduce to the maximum extent possible, the metal loading to the discharge.
- b. The permittee shall conduct regular inspections and maintenance of the treatment system to ensure that all treatment units are properly functioning. This inspection and maintenance requirement shall be included in the BMP plan.
- c. The permittee shall develop and implement appropriate BMPs to ensure the discharges of process water and collected stormwater are no longer commingled prior to sampling, as was previously done at the facility. The current practice of commingling process water (prior to sampling) with stormwater from the equalization basin and stormwater from the secondary clarifier is prohibited in the permit.

D. MONITORING AND REPORTING

1. **For a period of one year from the effective date of the permit**, the permittee may either submit monitoring data and other reports to EPA in hard copy form or report electronically using NetDMR, a web-based tool that allows permittees to electronically submit discharge monitoring reports (DMRs) and other required reports via a secure internet connection. **Beginning no later than one year after the effective date of the permit**, the permittee shall begin reporting using NetDMR, unless the facility is able to demonstrate a reasonable basis that precludes the use of NetDMR for submitting DMRs and reports. Specific requirements regarding submittal of data and reports in hard copy form and for submittal using NetDMR are described below:

- a. Submittal of Reports Using NetDMR

NetDMR is accessed from: <http://www.epa.gov/netdmr>. **Within one year of the effective date of this permit**, the permittee shall begin submitting DMRs and reports required under this permit electronically to EPA using NetDMR, unless the facility is able to demonstrate a reasonable basis, such as technical or administrative infeasibility, that precludes the use of NetDMR for submitting DMRs and reports (“opt out request”).

DMRs shall be submitted electronically to EPA no later than the 15th day of the month following the completed reporting period. All reports required under the permit shall be submitted to EPA, including the MassDEP Monthly Operations and Maintenance Report, as an electronic attachment to the DMR. Once a permittee begins submitting reports using NetDMR, it will no longer be required to submit hard copies of DMRs or other reports to EPA and will no longer be required to submit hard copies of DMRs to MassDEP. However, permittees shall continue to send hard copies of reports other than DMRs (including Monthly Operation and Maintenance Reports) to MassDEP until further notice from MassDEP.

b. Submittal of NetDMR Opt Out Requests

Opt out requests must be submitted in writing to EPA for written approval at least sixty (60) days prior to the date a facility would be required under this permit to begin using NetDMR. This demonstration shall be valid for twelve (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 permittee submits a renewed opt out request and such request is approved by EPA. All opt out requests should be sent to the following addresses:

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

and

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

c. Submittal of Reports in Hard Copy Form

Monitoring results shall be summarized for each calendar month and reported on separate hard copy Discharge Monitoring Report Form(s) (DMRs) postmarked no later than the 15th day of the month following the completed reporting period. MassDEP Monthly Operation and Maintenance Reports shall be submitted as an attachment to the DMRs. Signed and dated originals of the DMRs, and all other reports or notifications required herein or in Part II shall be submitted to the Director at the following address:

U.S. Environmental Protection Agency
Water Technical Unit (OES04-SMR)

5 Post Office Square - Suite 100
Boston, MA 02109-3912

Duplicate signed copies of all reports or notifications required above shall be submitted to the State at the following addresses:

**MassDEP – Southeast Region
Bureau of Waste Prevention
20 Riverside Drive
Lakeville, MA 02347
and**

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

Any verbal reports, if required in **Parts I** and/or **II** of this permit, shall be made to both EPA-New England and to MassDEP.

E. STATE PERMIT CONDITIONS

1. This authorization to discharge includes two separate and independent permit authorizations. The two permit authorizations are (i) a federal National Pollutant Discharge Elimination System permit issued by the U.S. Environmental Protection Agency (EPA) pursuant to the Federal Clean Water Act, 33 U.S.C. §§1251 et seq.; and (ii) an identical state surface water discharge permit issued by the Commissioner of MassDEP pursuant to the Massachusetts Clean Waters Act, MGL c. 21, §§ 26-53, and 314 CMR 3.00. All of the requirements contained in this authorization, as well as the standard conditions contained in 314 CMR 3.19, are hereby incorporated by reference into this state surface water discharge permit.
2. This authorization also incorporates the state water quality certification issued by MassDEP under § 401(a) of the Federal Clean Water Act, 40 CFR 124.53, MGL c. 21, § 27 and 314 CMR 3.07. All of the requirements (if any) contained in MassDEP's water quality certification for the permit are hereby incorporated by reference into this state surface water discharge permit as special conditions pursuant to 314 CMR 3.11.
3. 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 a 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.