

**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),

**Town of Erving
16 Public Works Boulevard
Erving, MA 01344**

is authorized to discharge from the facility located at

**Erving POTW #3
Bridge Street
Erving, MA 01344**

to receiving water named

Upland Ditch to Millers River (Millers River Watershed - MA35)

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

This permit shall become effective on the date issuance.

This permit and the authorization to discharge **expire at midnight on September 30, 2007.**

This permit supersedes the permit issued on September 29, 1999.

This permit consists of 9 pages in Part I including effluent limitations, monitoring requirements, Attachment A, sludge requirements and 35 pages in Part II including General Conditions and Definitions.

Signed this 17th day of September, 2004

/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 an upland ditch and thence to the Millers River. Such discharges shall be limited and monitored as specified below.					
<u>EFFLUENT CHARACTERISTIC</u>		<u>EFFLUENT LIMITS</u>		<u>MONITORING REQUIREMENTS</u>	
<u>PARAMETER</u>	<u>AVERAGE MONTHLY</u>	<u>AVERAGE WEEKLY</u>	<u>MAXIMUM DAILY</u>	<u>MEASUREMENT FREQUENCY</u>	<u>SAMPLE³ TYPE</u>
FLOW	0.01 MGD ²	*****	*****	SEE FOOTNOTE 2	ESTIMATE
BOD ₅	30 mg/l 2.5 lbs/Day	45 mg/l 3.75 lbs/Day	*****	1/WEEK	8-HOUR COMPOSITE ⁵
TSS ⁴	30 mg/l 2.5 lbs/Day	45 mg/l 3.75 lbs/Day	*****	1/WEEK	8-HOUR COMPOSITE ⁵
pH RANGE ¹	6.5 - 8.3 SU SEE PERMIT PAGE 4 OF 9 PARAGRAPH I.A.1.b.			1/DAY	GRAB
FECAL COLIFORM ^{1,4} (seasonal Apr 1 - Oct 31)	200 cfu/100 ml	*****	400 cfu/100 ml	1/WEEK	GRAB
TOTAL CHLORINE RESIDUAL ^{1,4} (seasonal Apr 1 - Oct 31)	1.0 mg/l	*****	1.0 mg/l	1/DAY	GRAB

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<u>EFFLUENT CHARACTERISTIC</u>		<u>MONITORING REQUIREMENTS</u>			
<u>PARAMETER</u>	<u>AVERAGE MONTHLY</u>	<u>AVERAGE WEEKLY</u>	<u>MAXIMUM DAILY</u>	<u>MEASUREMENT FREQUENCY</u>	<u>SAMPLE³ TYPE</u>
AMMONIA (NITROGEN) ⁵	Report lbs/day	*****	Report mg/l	2/Year	8-HOUR COMPOSITE
TOTAL KJELDAHL NITROGEN ⁵	Report lbs/day	*****	Report mg/l	2/Year	8-HOUR COMPOSITE
TOTAL NITRITE NITROGEN ⁵	Report lbs/day	*****	Report mg/l	2/Year	8-HOUR COMPOSITE
TOTAL NITRATE NITROGEN ⁵	Report lbs/day	*****	Report mg/l	2/Year	8-HOUR COMPOSITE

Footnotes:

1. Required for State Certification.
2. The daily flow shall be estimated.
3. All required effluent samples shall be collected at the point of discharge. Any change in sampling location must be reviewed and approved in writing by EPA and DEP. All sampling shall be representative of the effluent that is discharged through outfall 001 to the receiving waters. A routine sampling program shall be developed in which samples are taken at the same location, same time and same days of every month. Any deviations from the routine sampling program shall be documented in correspondence appended to the applicable discharge monitoring report that is submitted to EPA.

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. 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).

4. Fecal coliform and total residual chlorine monitoring will be conducted during the period **April 1st through October 31st** only, to reflect the seasonal chlorination period. This is also a State certification requirement. Fecal coliform discharges shall not exceed a monthly geometric mean of 200 colony forming units (cfu) per 100 ml, nor shall they exceed 400 cfu per 100 ml as a daily maximum. This monitoring shall be conducted concurrently with the TRC sampling.

Any interruption or malfunction of the chlorine dosing system that may have resulted in levels of chlorine that were inadequate for achieving effective disinfection or resulted in excessive levels of chlorine in the final effluent shall be reported with the monthly DMRs. The report shall include the date and time of the interruption or malfunction, the nature of the problem, and the estimated amount of time that the interruption or malfunction occurred.

- 5) The permittee shall conduct nitrogen sampling once during the first month of January and once during the first month of July after the effective date of the permit. The data shall be submitted with Discharge Monitoring Reports for the months in which the sampling is required.

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.
- 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. When the effluent discharged for a period of 90 consecutive days exceeds 80 percent of the designed flow, the permittee shall submit to the permitting authorities a projection of loadings up to the time when the design capacity of the treatment facility will be reached, and a program for maintaining satisfactory treatment levels consistent with approved water quality management plans.
 - f. The permittee shall minimize the use of chlorine while maintaining adequate bacterial control.
2. All POTWs must provide adequate notice to the Director of the following:
- a. Any new introduction of pollutants into that POTW from an indirect discharger in a primary industry category discharging process water; and
 - b. Any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of issuance of the permit.
 - c. For purposes of this paragraph, adequate notice shall include information on:
 - (1) the quantity and quality of effluent introduced into the POTW; and
 - (2) any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW.
3. Prohibitions Concerning Interference and Pass Through:
- Pollutants introduced into POTW's by a non-domestic source (user) shall not pass through the POTW or interfere with the operation or performance of the works.
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.
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 the outfall listed in Part I A.1. of this permit. Discharges of wastewater from any other point sources, including sanitary sewer overflows (SSOs) 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. OPERATION AND MAINTENANCE OF THE SEWER SYSTEM

Operation and maintenance of the sewer system shall be in compliance with the General Requirements of Part II and the following terms and conditions:

1. Maintenance Staff

The permittee shall provide an adequate staff to carry out the operation, maintenance, repair, and testing functions required to ensure compliance with the terms and conditions of this permit.

2. Preventative Maintenance Program

The permittee shall maintain an ongoing preventative maintenance program to prevent overflows and bypasses caused by malfunctions or failures of the sewer system infrastructure. The program shall include an inspection program designed to identify all potential and actual unauthorized discharges.

3. Alternate Power Source

In order to maintain compliance with the terms and conditions of this permit, the permittee shall continue to provide an alternative power source with which to sufficiently operate its treatment works (as defined at 40 CFR §122.2).

D. SLUDGE CONDITIONS

1. The permittee shall comply with all existing federal and state laws and regulations that apply to sewage sludge use and disposal practices and with the CWA Section 405(d) technical standards.
2. The permittee shall comply with the more stringent of either the state or federal (40 CFR part 503), requirements.
3. The requirements and technical standards of 40 CFR part 503 apply to facilities which perform one or more of the following use or disposal practices:
 - a. Land application - the use of sewage sludge to condition or fertilize the soil
 - b. Surface disposal - the placement of sewage sludge in a sludge-only landfill
 - c. Sewage sludge incineration in a sludge-only incinerator
4. The 40 CFR part 503 conditions do not apply to facilities which place sludge within a municipal solid waste landfill. These conditions also do not apply to facilities which do not dispose of sewage sludge during the life of the permit but rather treat the sludge (e.g. lagoons- reed beds), or are otherwise excluded under 40 CFR 503.6.
5. The permittee shall comply with the 40 CFR, Part 503 regulations. A compliance guidance document is attached to help determine appropriate conditions. Appropriate conditions contain the following elements:
 - General requirements
 - Pollutant limitations
 - Operational Standards (pathogen reduction requirements and vector attraction reduction requirements)
 - Management practices
 - Record keeping
 - Monitoring
 - Reporting

Depending upon the quality of material produced by a facility, all conditions may not apply to the facility.

6. The permittee shall monitor the pollutant concentrations, pathogen reduction and vector attraction reduction at the following frequency. This frequency is based upon the volume of sewage sludge generated at the facility in dry metric tons per year:

less than 290	1/ year
290 to less than 1500	1 /quarter
1500 to less than 15000	6 /year
15000 +	1 /month

7. The permittee shall sample the sewage sludge using the procedures detailed in 40 CFR

503.8.

8. The permittee shall **submit an annual report containing the information specified in the regulations by February 19**. Reports shall be submitted to the address contained in the reporting section of the permit. Sludge monitoring is not required by the permittee when the permittee is not responsible for the ultimate sludge disposal.

In such cases, the permittee is required only to **submit an annual report by February 19** containing the following information:

- Name and address of contractor responsible for sludge disposal
- Quantity of sludge in dry metric tons removed from the facility by the sludge contractor

E. 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 Agency is:

Massachusetts Department of Environmental Protection
Western Regional Office, Suite 402
Bureau of Resource Protection
436 Dwight Street
Springfield, MA 01103

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

F. 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.