

**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"),

The Town of Hampton

is authorized to discharge from the Water Pollution Control Facility located at

**Hardarts Way
Hampton, New Hampshire 03842**

to receiving water named

**Unnamed Tributary of Tide Mill Creek
(Hydrologic Code; 01060003)**

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

The Town of Rye

is a co-Permittee for activities required in Part I.B. (Unauthorized Discharges), Part I.C. (Operations and Maintenance of the Sewer System), and Part I.D (Alternate Power Source). The responsible municipal department is:

**Rye Sewer Commission
Town of Rye
10 Central Road
Rye, NH 03870**

This permit shall become effective on 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 March 29, 2001 and modified on April 23, 2002.

This permit consists of 17 pages in Part I including effluent limitations and monitoring requirements: Attachment A (Marine Acute Toxicity Test Procedure and Protocol), Attachment B (Marine Chronic Toxicity Test Procedure and Protocol), Part II including General Conditions and Definitions, and Sludge Compliance Guidance.

Signed this 28th day of August, 2007

/S/ SIGNATURE ON FILE

Stephen S. Perkins, Director
Office of Ecosystem Protection
U.S. Environmental Protection Agency
EPA New England - Region 1
Boston, Massachusetts

PART I.A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. During the period beginning on the effective date and lasting through the expiration date, the Permittee is authorized to discharge treated domestic and commercial wastewater effluent from Outfall Serial Number 001 (Leavitt E. McGrath Wastewater Treatment Plant) into the un-named tributary to Tide Mill Creek. Such discharges shall be limited and monitored by the Permittee as specified below. Samples taken in compliance with the monitoring requirements specified below shall be taken at end of all processes, including disinfection, or at an alternative representative location approved by the EPA and NHDES-WD.

Effluent Parameter	Effluent Limit			Monitoring Requirement	
	Average Monthly	Average Weekly	Maximum Daily	Frequency	Sample Type
Flow, MGD	3.9 ¹	---	Report	Continuous	Recorder ¹
BOD ₅ ; mg/l (lbs/day)	30 (1176)	45 (1764)	50 (1960)	2/Week ²	24 Hour Composite
TSS; mg/l (lbs/day)	30 (1176)	45 (1764)	50 (1960)	2/Week ²	24 Hour Composite
Fecal Coliform ³ ; Colonies/100 ml	14	---	Report	1/Day	Grab
Enterococci Bacteria ³ ; Colonies/100ml	Report	---	Report	1/Day	Grab
pH Range ⁴ ; Standard Units	6.5 to 8.0 (See Section I.G.1.a.)			1/Day	Grab
Total Residual Chlorine ⁵ ; mg/l	0.0075	---	0.013	2/Day	Grab
Ammonia Nitrogen as N ⁶ ; mg/L (Summer)	1.10	---	7.40	2/Week	24-Hour Composite
Ammonia Nitrogen as N ⁶ ; mg/L (Winter)	2.70	---	17.90	2/Week	24-Hour Composite
Total Recoverable Copper; mg/L	0.0037	---	0.0058	2/Month	24-Hour Composite

SEE PAGE 4-6 FOR FOOTNOTES.

Whole Effluent Toxicity			
Effluent Parameter	Effluent Limit	Frequency	Sample Type
LC50 ^{7,8,9} , Percent Effluent	100	4/Year	24 Hour Composite
C-NOEC ^{8,9,10,11} ; Percent Effluent	≥100	4/Year	24 Hour Composite
Ammonia Nitrogen as N ¹² mg/l	Report	4/Year	24 Hour Composite
Total Recoverable Aluminum ¹² mg/l	Report	4/Year	24 Hour Composite
Total Recoverable Cadmium ¹² mg/l	Report	4/Year	24 Hour Composite
Total Recoverable Chromium ¹² mg/l	Report	4/Year	24 Hour Composite
Total Recoverable Copper ¹² mg/l	Report	4/Year	24 Hour Composite
Total Recoverable Lead ¹² mg/l	Report	4/Year	24 Hour Composite
Total Recoverable Nickel ¹² mg/l	Report	4/Year	24 Hour Composite
Total Recoverable Zinc ¹² mg/l	Report	4/Year	24 Hour Composite

SEE PAGE 4-6 FOR FOOTNOTES.

PART I.**FOOTNOTES TO PART I.A.1.a ON PAGES 2-3**

- (1) The effluent flow shall be continuously measured and recorded using a flow meter and totalizer. (See Section I.H.3. for requirements to increase the treatment design flow of the wastewater treatment plant)
- (2) The influent concentrations of both BOD₅ and TSS shall be monitored twice per month (2/Month) using a 24-Hour Composite sample and the results reported as average monthly values.
- (3) Fecal Coliform and Enterococci bacteria shall be sampled concurrently. The "Average Monthly" values for Fecal Coliform and Enterococci bacteria shall be determined by calculating the geometric mean. The "Maximum Daily" value reported shall be the highest daily discharge value collected over the monthly period. All fecal Coliform and Enterococci bacteria data collected must be submitted with the Monthly Discharge Monitoring Reports (DMRs).

Total Coliform bacteria and Enterococci bacteria shall be tested using the appropriate wastewater or sludge test methods as approved in 40 CFR Part 136.

Not more than 10 percent of the Enterococci bacteria collected samples shall exceed a most probable number (MPN) of 43 colonies per 100 ml for a 5-tube decimal dilution test.

- (4) State Certification requirement.
- (5) Total Residual Chlorine shall be measured using any one of the following three methods listed in a. through c.:
 - a. Standard Methods [18th or subsequent Edition(s) as approved in 40 CFR Part 136], No. 4500-C1 G.
 - b. Standard Methods [18th or subsequent Edition(s) as approved in 40 CFR Part 136], No. 4500-C1 F.
 - c. Standard Methods [18th or subsequent Edition(s) as approved in 40 CFR Part 136], No. 4500-C1 D

The limit, at which compliance/noncompliance determinations for Total Residual Chlorine (TRC) will be based, is the chemical Minimum Quantification Level (ML). For this permit the ML for Total Residual Chlorine is 0.020 mg/l (20.0 ug/l). This value may

be reduced by permit modification as more sensitive test methods are approved by the EPA and the NHDES-WD. Any Total Residual Chlorine value below 0.020 mg/l will be reported as zero (non-detect).

Total Residual Chlorine shall also be continuously measured and recorded prior to dechlorination. The daily minimum, daily maximum and average daily residual chlorine values shall be submitted with monthly Discharge Monitoring Reports. Charts from the recorder, showing the continuous chlorine residual shall be maintained by the Permittee for period of no less than (5) years.

- (6) Summer period is defined as the months May 1st - October 31st; winter period is defined as November 1st - April 30th.
- (7) LC50 is the concentration of wastewater (effluent) causing mortality to 50 percent (%) of the test organisms. The "100% limit" is defined as a sample which is composed of 100% effluent (See A.1. on Page 4 of Part I and Attachment A and B of Part I). Therefore, a 100% limit means that a sample of 100% shall cause no greater than a 50% mortality rate in that effluent sample. The limit is considered a maximum daily limit.
- (8) The Permittee shall conduct a 48-Hour static acute Whole Effluent Toxicity (WET) test on effluent samples using the Mysid shrimp (Mysidopsis bahia) following the protocol listed in Attachment A (Marine Acute Toxicity Test Procedure and Protocol dated September 1996).

The Permittee shall conduct a chronic and acute survival and growth WET test on effluent samples using the Inland Silversides (Menidia beryllina) and a chronic reproduction WET test on effluent samples using the sea urchin, Arbacia punctulata, following the protocol listed in Attachment B (Marine Chronic Toxicity Test Procedure and Protocol dated September 1996).

Toxicity test samples shall be collected and tests completed four (4) times per year during the calendar quarters ending March 31st, June 30th, September 30th and December 31st. Toxicity test results are to be submitted by the 15th day of the month following the end of the quarter tested.

- (9) This permit shall be modified, or alternatively, revoked and reissued to incorporate additional toxicity testing requirements, including chemical specific limits, if the results of the WET tests indicate the discharge exceeds any State water quality criterion. Results from these toxicity tests are considered "New Information" and the permit may be modified as provided in 40 CFR Section 122.62(a)(2).

- (10) 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 (growth, survival, and/or reproduction) exhibit a linear dose-response relationship. However, where the test results do not exhibit a linear dose-response relationship, report the lowest concentration where there is no observable effect. See Attachment A and B (VII. TOXICITY TEST DATA ANALYSIS) for additional clarification.
- (11) The C-NOEC limit of "equal to or greater than 100" is defined as a sample which is composed of 100% effluent. This is the minimum percentage of effluent at which no chronic effects will be observed. The limit is considered a maximum daily limit.
- (12) For each WET test the Permittee shall report on the appropriate Discharge Monitoring Report (DMR) the concentrations of Ammonia Nitrogen as Nitrogen, Hardness, and Total Recoverable Aluminum, Cadmium, Chromium, Copper, Lead, Nickel and Zinc found in the 100 percent effluent sample. All these aforementioned chemical parameters shall be determined to at least the Minimum Quantification Level (MLs) shown in Attachment A and B; Section VI. Chemical Analysis, or as amended. The Permittee should also note that all chemical parameter results must still be reported in the appropriate WET test toxicity report.

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

2. The discharge shall not cause a violation of the water quality standards of the receiving water.
3. The Permittee shall not discharge into the receiving water any pollutant or combination of pollutants in toxic amounts.
4. The discharge shall be adequately treated to ensure that the surface water remains free from pollutants in concentrations or combinations that settle to form harmful deposits, float as foam, debris, scum or other visible pollutants. It shall be adequately treated to insure that the surface waters remain free from pollutants which produce odor, color, taste or turbidity in the receiving waters which is not naturally occurring and would render it unsuitable for its designated uses.
5. The treatment facility shall maintain a minimum of 85 percent removal of both BOD₅ and TSS. The percent removal shall be based on a comparison of average monthly influent versus effluent concentrations.

6. When the effluent discharged for a period of 3 consecutive months exceeds 80 percent of the 3.9 MGD design flow (3.12 MGD), 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. Before the design flow will be reached, or whenever treatment necessary to achieve permit limits cannot be assured, the Permittee may be required to submit plans for facility improvements.
7. A User may not introduce into any Publicly Owned Treatment Works (POTWs) any pollutant(s), which cause Pass Through or Interfere with the operation or performance of the POTW. The terms User, Pass Through and Interference are defined in 40 CFR §403.3.
8. All POTWs must provide adequate notice to both EPA and the New Hampshire Department of Environmental Services, Water Division (NHDES-WD) of the following:
 - a. Any new introduction of pollutants into the POTW from an indirect discharger in a primary industry category (see 40 CFR §122 Appendix A as amended) 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.
9. The Permittee shall submit to EPA and NHDES-WD the name of any Industrial User (IU) who commences discharge to the POTW after the effective date of this permit:
 - a. That are subject to Categorical Pretreatment Standards pursuant to 40 CFR §403.6 and established in 40 CFR Chapter I, Subchapter N (Parts 405-415, 417-436, 439-440, 443, 446-447, 454-455, 457-461, 463-469, and 471 as amended).
 - b. That discharges an average of 25,000 gallons per day or more of process wastewater into the POTW (excluding sanitary,

non-contact cooling and boiler blow-down wastewater).

- c. That contributes a process wastewater which makes up five (5) percent or more of the average dry weather hydraulic or organic capacity of the POTW.
- d. That is designated as an IU by the Control Authority as defined in 40 CFR §403.12(a) on the basis that the industrial user has a reasonable potential to adversely affect the waste water treatment facility's operation, or violate any pretreatment standard or requirement in accordance with 40 CFR §403.8(f)(6).

10. In the event that the Permittee receives reports (baseline monitoring reports, 90-day compliance reports periodic reports on continued compliance, etc.) from Categorical Industrial Facilities regulated in 40 CFR Chapter I, Subchapter N (Parts 405-415, 417-436, 439-440, 443, 446-447, 454-455, 457-461, 463-469, and 471 as amended), the Permittee shall forward all copies of these reports within ninety (90) days of their receipt to EPA and NHDES-WD.

B. UNAUTHORIZED DISCHARGES

The permit only authorizes discharges 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 Part II, 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. The Permittee and co-Permittees are required to complete the following activities for the collection system which it owns:

1. Maintenance Staff

The Permittee and co-Permittees 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 and co-Permittees shall maintain an ongoing preventative maintenance program to prevent overflows and

bypasses caused by malfunctions or failures of the sewer system infrastructure.

3. Infiltration/Inflow

The Permittee and co-Permittees shall control infiltration and inflow (I/I) into their sewer systems as necessary to prevent high flow-related unauthorized discharges from their collection systems and high flow-related violations of the wastewater treatment plant's effluent limitations.

4. Collection System Mapping

Within thirty (30) months of the effective date of the permit, the permittee and co-permittee shall each prepare a map of the sewer collection system it owns. The map shall be on a street map of the community, with sufficient detail and at a scale to allow easy interpretation. The collection system information shown on the map shall be based on current conditions. Such map(s) shall include, but not be limited to:

- a. All sanitary sewer lines and related manholes;
- b. All combined sewer lines and related manholes;
- c. All combined sewer regulators and any known or suspected connections between the sanitary sewer and storm drain system, e.g., combined manholes;
- d. All outfalls, including the treatment plant outfall(s), CSOs, combined manholes, and any known or suspected SSOs;
- e. All pump stations and force mains;
- f. The wastewater treatment facility(ies);
- g. All surface waters(labeled);
- h. Other major appurtenances such as inverted siphons and air release valves;
- i. A numbering system which uniquely identifies overflow points, regulators and outfalls;
- j. The scale and a north arrow; and
- k. The pipe diameter, age and type of pipe, the length of pipe between manholes, the direction of flow, and pipe invert elevations.

5. Collection System O&M Plan

The permittee and co-permittee(s) shall each develop and implement a collection system operation and maintenance plan. The plan shall be submitted to EPA and NHDES within six months of the effective date of this permit (see page 1 of this permit for the effective date). The plan shall describe the Permittee's program for preventing I/I related effluent limit violations and all unauthorized discharges of wastewater, including overflows and by-passes.

The plan shall include:

- a. A description of the overall condition of the collection system including a list of recent studies and construction activities.
- b. A preventive maintenance and monitoring program for the collection system
- c. Recommended staffing to properly operate and maintain the sanitary sewer collection system.
- d. The necessary funding level, the source(s) of funding, for implementing the plan.
- e. Identification of known and suspected overflows, including combined manholes. A description of the cause of the identified overflows, and a plan for addressing the overflows consistent with the requirements of this permit.
- f. An ongoing program to identify and remove sources of I/I. The program shall include an inflow identification and control program that focuses on the disconnection and redirection of illegal sump pumps and roof down spouts.
- g. An educational public outreach program for all aspects of I/I control, particularly private inflow.

For each of the above activities that are not completed and implemented as of the submittal date, the plan shall provide a schedule for its completion.

6. Annual Reporting Requirement:

The permittee and co-permittee(s) shall each submit a summary report of activities related to the implementation of its Collection System O&M plan during the previous calendar year. The report shall be submitted to EPA and the NHDES annually, by March 31. The summary report shall, at a minimum, include:

- a. A description of the staffing levels maintained during the year.
- b. A map and a description of inspection and maintenance activities conducted and corrective actions taken during the previous year.
- c. Expenditures for any collection system maintenance activities and corrective actions taken during the previous year.
- d. A map with areas identified for investigation/action in the coming year.
- e. A calculation of the annual average infiltration, the annual average inflow, the maximum month infiltration and the maximum month inflow for the reporting year.
- f. A report of any corrective actions taken as a result of unauthorized discharges reported pursuant to the Unauthorized Discharges section of this permit.

D. ALTERNATE POWER SOURCE

In order to maintain compliance with the terms and conditions of this permit, the Permittee and co-Permittees shall provide an alternate power source with which to sufficiently operate its publicly owned treatment works, as defined at 40 CFR §122.2, which references the definition at 40 CFR §403.3(o).

E. 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 Clean Water Act (CWA) Section 405(d) technical standards.
2. The Permittee shall comply with the more stringent of either State (Env-Ws 800) or Federal (Part 503) requirements.
3. The technical standards (Part 503 regulations) 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. Fired in a sewage sludge incinerator.
4. The 40 CFR 503 conditions do not apply to facilities which place sewage sludge within a 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 Part 503.6.
5. The Permittee shall use and comply with the attached Sludge Compliance Guidance document to determine appropriate conditions. Appropriate conditions contain the following elements:
- a. General requirements
 - b. Pollutant limitations
 - c. Operational Standards (pathogen reduction requirements and vector attraction reduction requirements)
 - d. Management practices
 - e. Record keeping
 - f. Monitoring
 - g. 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.
- a. less than 290.....1/Year
 - b. 290 to less than 1,500.....1/Quarter
 - c. 1,500 to less than 15,000...6/Year
 - d. 15,000 plus.....1/Month
7. The Permittee shall sample the sewage sludge using the procedures detailed in 40 CFR Part 503.8.
8. The Permittee shall submit an annual report containing the information specified in the attached Sludge Compliance Guidance document. Reports are due annually by February 19th. Reports shall be submitted to both addresses (EPA and NHDES-WD) contained in the reporting section of the permit.

F. MONITORING AND REPORTING

Monitoring results shall be summarized for each calendar month and reported on separate Discharge Monitoring Report Form(s) (DMRs) postmarked no later than the 15th day of the month following the completed reporting period.

Signed and Dated original 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 (SEW)
P.O. Box 8127
Boston, Massachusetts 02114-8127

Duplicate signed copies (original signature) of all written reports or notifications required herein or in Part II shall be submitted to the State at:

New Hampshire Department of Environmental Services (NHDES)
Water Division
Wastewater Engineering Bureau
6 Hazen Drive, P.O. Box 95
Concord, New Hampshire 03302-0095

All verbal reports or notifications shall be made to both EPA and NHDES.

G. STATE PERMIT CONDITIONS

The Permittee shall comply with the following conditions which are included as State Certification requirements.

1. The permittee shall not at any time, either alone or in conjunction with any person or persons, cause directly or indirectly the discharge of waste into the said receiving water unless it has been treated in such a manner as will not lower the legislated water quality classification or interfere with the uses assigned to said water by the New Hampshire Legislature (RSA 485-A:12).
2. This NPDES Discharge Permit is issued by EPA under Federal and State law. Upon final issuance by EPA, the New Hampshire Department of Environmental Services-Water Division (NHDES-WD) may adopt this permit, including all terms and conditions, as a State permit pursuant to RSA 485-A:13.
3. EPA shall have the right to enforce the terms and conditions of this Permit pursuant to federal law and NHDES-WD shall have the

right to enforce the Permit pursuant to state law, if the Permit is adopted. 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 the Permit as issued by the other Agency.

4. Pursuant to New Hampshire Statute RSA 485-A:13, I(c), any person responsible for a bypass or upset at a wastewater treatment facility shall give immediate notice of a bypass or upset to all public or privately owned water systems drawing water from the same receiving water and located within 20 miles downstream of the point of discharge regardless of whether or not it is on the same receiving water or on another surface water to which the receiving water is a tributary. The permittee shall maintain a list of persons, and their telephone numbers, who are to be notified immediately by telephone. In addition, written notification, which shall be postmarked within 3 days of the bypass or upset, shall be sent to such persons.
5. The pH range of 6.5 to 8.0 Standard Units (S.U.) must be achieved in the final effluent unless the permittee can demonstrate to NHDES-WD: (1) that the range should be widened due to naturally occurring conditions in the receiving water or (2) that the naturally occurring receiving water pH is not significantly altered by the permittee's discharge. The scope of any demonstration project must receive prior approval from NHDES-WD. In no case, shall the above procedure result in pH limits outside the range of 6.0 - 9.0 S.U., which is the federal effluent limitation guideline regulation for pH for secondary treatment and is found in 40 CFR 133.102(c).
6. Pursuant to New Hampshire Code of Administrative Rules, Env-Wq 703.07(a), any person proposing to construct or modify any of the following shall submit an application for a sewer connection permit to the department:
 - a. Any extension of a collector or interceptor, whether public or private, regardless of flow;
 - b. Any wastewater connection or other discharge in excess of 5,000 gpd;
 - c. Any wastewater connection or other discharge to a WWTP operating in excess of 80 percent design flow capacity based on actual average flow for 3 consecutive months;
 - d. Any industrial wastewater connection or change in existing discharge of industrial wastewater, regardless of quality or quantity; and

- e. Any sewage pumping station greater than 50 gpm or serving more than one building.
7. For each new or increased discharge of industrial waste to the POTW, the permittee shall submit, in accordance with Env-Ws 904.14(e) an "Industrial Wastewater Discharge Request Application" approved by the permittee in accordance with 904.13(a). The "Industrial Wastewater Discharge Request Application" shall be prepared in accordance with Env-Ws 904.10.
8. Pursuant to Env-Ws 904.17, at a frequency no less than every five years, permittees are required to submit:
 - a. A copy of its current sewer use ordinance. The sewer use ordinance shall include local limits pursuant to Env-Ws 904.04 (a).
 - b. A current list of all significant indirect discharger to the POTW. As a minimum, the list shall include for each industry, its name and address, the name and daytime telephone number of a contact person, products manufactured, industrial processes used, existing pretreatment processes, and discharge permit status.
 - c. A list of all permitted indirect dischargers; and
 - d. A certification that the municipality is strictly enforcing its sewer use ordinance and all discharge permits it has issued.
9. If chlorine is used for disinfection, a recorder which continuously records the chlorine residual prior to dechlorination shall be provided. The minimum, maximum and average daily residual chlorine values, measured prior to dechlorination, shall be submitted with monthly Discharge Monitoring Reports. Charts from the recorder, showing the continuous chlorine residual shall be maintained by the permittee for a period no less than (5) years.
10. The POTW shall immediately notify the Shellfish Section of NHDES-WD of possible high bacteria/virus loading events from the facility or its sewage collection infrastructure. Such events include:
 - a. Any lapse or interruption of normal operation of the POTW disinfection system, or other event that results in discharge of sewage from the POTW or sewer infrastructure (pump stations, sewer lines, manholes, [combined sewer overflows if applicable], etc.) that has not undergone full disinfection as specified in the NPDES permit;

- b. Average Daily flows in excess of the POTW's average daily design flow of 3.9 MGD, or an industry's permitted flow;
 - c. Daily post-disinfection effluent sample result of either 43 fecal coliform/100ml or greater, or 230 total coliform/100ml or greater. Notification shall also be made for instances where NPDES-required bacteria sampling is not completed, or where the results of such sampling are invalid; and
 - d. Notification shall be made using the program's 24-hour pager. Upon initial notification of a possible high bacteria/virus loading event, Shellfish Program staff will determine the most suitable interval for continued notification and updates on an event-by-event basis.
11. In addition to submitting DMRs, monitoring results shall also be summarized for each calendar month and reported on separate Monthly Operating Report Form(s) (MORs) postmarked no later than the 15th day of the month following the completed reporting period.

Signed and dated MORs shall be submitted to:

New Hampshire Department of Environmental Services (NHDES)
Water Division
Wastewater Engineering Bureau
P.O. Box 95, 29 Hazen Drive
Concord, New Hampshire 03302-0095

This NPDES Discharge Permit is issued by the EPA under Federal and State law. Upon final issuance by the EPA, the NHDES-WD may adopt this permit, including all terms and conditions, as a State permit pursuant to RSA 485-A:13.

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 the Permit as issued by the other Agency, unless and until each Agency has concurred in writing with such modification, suspension or revocation.

H. SPECIAL CONDITION

1. pH Limit Adjustment

The Permittee may submit a written request to the EPA

requesting a change in the permitted pH limit range to be not less restrictive than 6.0 to 9.0 Standard Units found in the applicable National Effluent

Limitation Guideline (Secondary Treatment Regulations in 40 CFR Part 133) for this facility. The Permittee's written request must include the State's letter containing an original signature (no copies). The State's approval letter shall state that the Permittee has demonstrated to the State's satisfaction that as long as discharges to the receiving water from a specific outfall are within a specific numeric pH range the naturally occurring receiving water pH will be unaltered. That letter must specify for each outfall the associated numeric pH limit range. Until written notice is received by certified mail from the EPA indicating the pH limit range has been changed, the Permittee is required to meet the permitted pH limit range in the respective permit.

2. Whole Effluent Toxicity Test Frequency Adjustment

The Permittee may submit a written request to the EPA requesting reduction in the frequency of the required toxicity testing. The request can be made after the completion of a minimum of four (4) successful, consecutive toxicity tests of effluent, all of which must be valid tests and demonstrate compliance with the Permit limits for Whole Effluent Toxicity. The number of tests per year, though, can not be less than once per year. Until written notice is received by certified mail from the EPA indicating the Whole Effluent Toxicity testing requirements have changed, the Permittee is required to continue testing at the frequency specified in the Permit.

3. Average Monthly Flow Increase.

The Permittee may request an increase in the average monthly flow limit. This request shall be made in writing, to both EPA and DES, at least 90 days prior to completion of any modifications that affect the capacity of the wastewater treatment plant.