

NPDES Permit No. MA0100668

Page 1 of 12

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 Concord
Department of Public Works

is authorized to discharge from the facility located at

Concord Wastewater Treatment Plant
509 Bedford Street
Concord, MA 01742

to receiving water named

Concord River

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

This permit shall become effective sixty (60) days after 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 August 6, 2001 and modified on March 29, 2002.

This permit consists of 12 pages in Part I including effluent limitations, monitoring requirements, and reporting requirements, Attachment A, and 35 pages in Part II including General Conditions and Definitions.

Signed this 12th day of January, 2006

/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. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

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

<u>Effluent Characteristic</u>	<u>Units</u>	<u>Discharge Limitation</u>		<u>Monitoring Requirement</u>		
		Average Monthly	Average Weekly	Maximum Daily	Measurement Frequency	Sample Type
Flow	MGD	1.2 ¹	----	----	Continuous	Recorder
Flow ²	MGD	Report	----	Report	Continuous	Recorder
BOD ₅	mg/l	30	45	Report	2/Week ³	24-Hour Composite ⁴
	lbs/day	300	450	Report		
TSS	mg/l	30	45	Report	2/Week ³	24-Hour Composite ⁴
	lbs/day	300	450	Report		
pH	S.U.	(See I.A.1.b. on Page 6)			Continuous	Recorder
Dissolved Oxygen	mg/l	5 mg/l minimum			1/Week	Grab
Fecal Coliform Bacteria ⁵	cfu/100 ml	200	----	400	2/Week	Grab
Total Residual Chlorine ^{6,7}	mg/l	0.21	----	0.36	1/Day	Grab
Total Residual Chlorine ^{6,7}	mg/l	Report	----	Report	Continuous	Recorder
Phosphorus, Total (April 1 - Oct. 31)	mg/l	0.2 ⁸	----	Report	3/Week	24-Hour Composite ⁴
Phosphorus, Total (Nov. 1 - March 31)	mg/l	1.0 ⁹	----	Report	1/Week	24-Hour Composite ⁴

<u>Effluent Characteristic</u>	<u>Units</u>	<u>Discharge Limitation</u>		<u>Measurement Frequency</u>	<u>Monitoring Requirement</u>
		<u>Average Monthly</u>	<u>Average Weekly</u>	<u>Maximum Daily</u>	<u>Sample Type</u>
Dissolved Orthophosphate (P) (Nov. 1 - March 31)	mg/l	Report	----	Report ⁹	1/Week 24-Hour Composite ⁴
Total Ammonia Nitrogen, (N) (May 1 to October 31)	mg/l	Report	----	Report	1/Week 24-Hour Composite ⁴
Total Ammonia Nitrogen, (N) (November 1 to April 30)	mg/l	Report	----	Report	2/Month 24-Hour Composite ⁴
Total Aluminum	ug/l	Report	----	Report	1/Month 24-Hour Composite ⁴
LC ₅₀ ^{10, 11, 13}	%	----	----	100	4/Year 24-Hour Composite ⁴
Chronic NOEC ^{10, 12, 13}	%	----	----	Report	4/Year 24-Hour Composite ⁴

All sampling shall be representative of the effluent that is discharged through outfall 001 to the Concord River. 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. In addition, all samples shall be analyzed using the analytical methods found in 40 CFR §136, or alternative methods approved by EPA in accordance with the procedures in 40 CFR §136.

Footnotes:

1. This is an annual average limit, which shall be reported as a rolling average. The first value will be calculated using the monthly average flow for the first full month ending after the effective date of the permit and the eleven previous monthly average flows. Each subsequent month's DMR will report the annual average flow that is calculated from that month and the previous 11 months.
2. The monthly average and maximum daily flows for each month shall be reported.
3. Sampling required for influent and effluent.
4. A 24-hour composite sample will consist of at least twenty four (24) flow based grab samples taken over a consecutive 24 hour period.
5. Fecal coliform monitoring shall be conducted year round. This is 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 the daily maximum discharge exceed 400 cfu per 100 ml. All fecal coliform samples shall be taken concurrently with a TRC sample. Additional fecal coliform samples shall be taken concurrently with all TRC grab samples taken in excess of the once per day TRC sampling requirement. All test results shall be used in the calculation and reporting of data submitted on the DMR (see Part II. Section D.1.d.(2)).

The monthly DMR shall include an attachment documenting all instances when the continuous chlorine monitor in the chlorine contact tank indicates chlorine residual concentrations below 0.15 mg/l. At a minimum, the documentation shall include the date, time, and duration of the excursion below 0.15 mg/l.

6. The minimum level (ML) for total residual chlorine is defined as 20 ug/l. This value is the minimum level for chlorine using EPA approved methods found in the most currently approved version of Standard Methods for the Examination of Water and Wastewater, Method 4500 CL-E and G, or USEPA Manual of Methods of Analysis of Water and Wastes, Method 330.5. One of these methods must be used to determine total residual chlorine. For effluent limitations less than 20 ug/l, compliance/non-compliance will be determined based on the ML. Sample results of 20 ug/l or less shall be reported as zero on the discharge monitoring report.
7. The permittee shall collect at least one TRC grab sample per day. For every day that more than one grab sample is taken, the monthly DMR shall include an attachment documenting the individual grab sample results for that day, including the fecal coliform test results (see Footnote #5), the date and time of each sample, and a summary of any operational modifications implemented in response to the sample results. All test results shall be used in the calculation and reporting of the monthly average and maximum daily data submitted on the DMR (see Part II. Section D.1.d.(2)).

The permittee shall install a continuous chlorine analyzer and recording device within 36 months after the effective date of the permit. This requirement is void if the permittee discontinues the use of chlorine in the treatment process within the 36 month period.

Upon installation of the continuous TRC monitoring and recording equipment, the permittee shall report average monthly and daily maximum discharge of TRC using data collected by the continuous TRC analyzer. This monitoring and reporting is in addition to the monitoring and reporting of grab samples; the grab sample results will be used for determining compliance with effluent limitations. The permittee shall collect and analyze a minimum of one grab sample per day for calibration purposes (this grab sample can be used for both compliance and calibration purposes). Continuous TRC recording charts shall be submitted with the monthly DMRs as well as a record of the date and time each grab sample was collected, and a comparison of the grab sample results to the continuous analyzer readings.

8. The permittee shall comply with the 0.2 mg/l total phosphorus limit in accordance with the schedule contained in Section E below. Upon the effective date of the permit, and until the date specified in Section E below for compliance with the total phosphorus final limit of 0.2 mg/l, an interim limit of 0.75 mg/l shall be met and monitoring shall be conducted twice per week. If, upon completion of a water quality study, a Total Maximum Daily Load (TMDL), or development of a numeric water quality criteria it is determined that a lower limit is necessary to achieve compliance with water quality standards, future permit actions may include a more stringent limit.
9. The Permittee shall comply with the 1.0 mg/l monthly average total phosphorus limit within one year of the issuance date of the permit. In the interim, the monthly average total phosphorus requirement shall be report only. The maximum daily concentration reported for dissolved ortho phosphate shall be the value from the same day that the maximum daily total phosphorus concentration was measured.
10. 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 daphnid, Ceriodaphnia dubia, only. Toxicity test samples shall be collected during the second week of the months of March, June, September and December. The test results shall be submitted by the last day of the month following the completion of the test. The results are due April 30th, July 31st, October 31st and January 31st, respectively. Upstream water from the Concord River shall be used for dilution unless alternate dilution water is authorized in accordance with Footnote 13 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
March June September December	April 30 th July 31 st October 31 st January 31 st	<u>Ceriodaphnia dubia</u> (daphnid) See Attachment A	≥ 100%	Report

11. 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.
12. 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.
13. 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 A 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 A**, 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 A**. 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 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 A**.

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 6.0 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. Until completion of the new treatment facilities in accordance with the schedule

contained in Section E, pH shall be monitored three times daily Monday through Friday and once daily on Saturday and Sunday.

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's treatment facility shall maintain a minimum of 85 percent removal of both total suspended solids and biochemical oxygen demand. The percent removal shall be based on monthly average values.

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:

a. 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.

b. If, within 30 days after notice of an interference or pass through violation has been sent by EPA to the POTW, and to persons or groups who have requested such notice, the POTW fails to commence appropriate enforcement action to correct the violation, EPA may take appropriate enforcement action.

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. Infiltration/Inflow Control Plan:

The permittee shall develop and implement a plan to control infiltration and inflow (I/I) to the separate sewer system. The plan shall be submitted to EPA and MA DEP **within six months of the effective date of this permit** (see page 1 of this permit for the effective date) and 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 due to excessive I/I.

The plan shall include:

- An ongoing program to identify and remove sources of I/I. The program shall include the necessary funding level and the source(s) of funding.
- An inflow identification and control program that focuses on the disconnection and

redirection of illegal sump pumps and roof down spouts. Priority should be given to removal of public and private inflow sources that are upstream from, and potentially contribute to, known areas of sewer system backups and/or overflows.

- Identification and prioritization of areas that will provide increased aquifer recharge as the result of reduction/elimination of I/I to the system.
- An educational public outreach program for all aspects of I/I control, particularly private inflow.

Reporting Requirements:

An annual summary report of all actions taken to minimize I/I during the previous calendar year shall be submitted to EPA and the MA DEP by January 31st of each year. The summary report shall, at a minimum, include:

- A map and a description of inspection and maintenance activities conducted and corrective actions taken during the previous year.
- Expenditures for any I/I related maintenance activities and corrective actions taken during the previous year.
- A map with areas identified for I/I-related investigation/action in the coming year.
- A calculation of the annual average I/I, the maximum month I/I for the reporting year.
- A report of any I/I related corrective actions taken as a result of unauthorized discharges reported pursuant to 314 CMR 3.19(20) and reported pursuant to the Unauthorized Discharges section of this permit.

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 use and comply with the attached compliance guidance document to 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 guidance **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. The permittee must be assured that any third party contractor is in compliance with appropriate regulatory requirements. In

such case, 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 The permittee shall submit an annual report containing the information specified in the guidance. Reports are due annually by February 19. Reports shall be submitted to the address contained in the reporting section of the permit.

E. COMPLIANCE SCHEDULE

The following compliance schedule includes compliance dates which relate to the effluent total phosphorus limit of 0.2 mg/l.

1. Within 6 months of the effective date of the permit, the permittee shall complete design of the facilities necessary to achieve the total phosphorus limit.
2. Within 12 months of the effective date of the permit, the permittee shall initiate construction of the facilities necessary to achieve the total phosphorus limit.
3. Within 30 months of the effective date of the permit, the permittee shall complete construction and begin operations of the facilities necessary to achieve the total phosphorus limit.
4. Within 36 months of the effective date of the permit, the permittee shall achieve the total phosphorus limit.

F. MONITORING AND REPORTING

1. Reporting

Monitoring results obtained during the previous month shall be summarized for each month and reported on separate Discharge Monitoring Report Form(s) postmarked no later than the 15th day of the month following the effective date of the permit.

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
Bureau of Resource Protection
Northeast Regional Office
205B Lowell Street
Wilmington, MA 01887

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

G. STATE PERMIT CONDITIONS

This 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.