

EXHIBIT A

**AUTHORIZATION TO DISCHARGE UNDER THE
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM**

NPDES PERMIT NO. NH0100595

**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"),

Town of Jaffrey, New Hampshire

is authorized to discharge from the Town of Jaffrey Wastewater Treatment Plant located at

**Old Sharon Road
Jaffrey, New Hampshire 03452**

to the receiving water named:

Contoocook River (Hydrologic Basin Code: 01070003)

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

This permit shall become effective on December 1, 2009.

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

This permit supersedes the permit issued on July 30, 2001.

This permit consists of 15 pages in Part I including effluent limitations, monitoring requirements, etc., Attachments A (Freshwater Chronic Toxicity Test Procedure and Protocol), B (Reassessment of Technically Based Industrial Discharge Limits), C (NPDES Permit Requirement for Industrial Pretreatment Annual Report), Sludge Compliance Guidance, and Part II including General Conditions and Definitions.

Signed this 28th day of September, 2009

/S/ SIGNATURE ON FILE

Director
Office of Ecosystem Protection
U.S. Environmental Protection Agency
Region I
Boston, Massachusetts

PART I.A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1.a. During the period beginning on the effective date and lasting through the expiration date, the permittee is authorized to discharge treated domestic, commercial, and industrial wastewater from Outfall Serial Number 001 to the Contoocook River during the period from **October 1st through June 30th** each year. 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	Report	---	Report	Continuous	Recorder ¹
CBOD₅; mg/l (lb/d) (Applicable except for the month of May)	10 (104)	10 (104)	17 (174)	1/Week ²	Grab
CBOD₅; mg/l (lb/d) (Applicable the month of May)	10 ⁴ (104) ⁴	10 ⁴ (104) ⁴	16 (167)	1/Week ²	Grab
TSS; mg/l (lb/d)	15 (156)	15 (156)	25 (261)	1/Week ²	Grab
Ammonia Nitrogen as N³; mg/l (lb/d)		See Part I.A.3		1/Week	Grab
Dissolved Oxygen^{4,5}; mg/l		See Part I.A.4		1/Day	Grab
pH Range⁴; Standard Units	6.5 to 8.0 Standard Units (See Part I.H.1.a.)			1/Day	Grab
Total Phosphorus; mg/l (Applicable the month of October and April 1 through June 30)	0.16 (1.67) ⁴	---	---	1/Week	Grab
Total Phosphorus; mg/l (Applicable November 1 through March 31)	1.0 (10.4) ⁴	---	---	1/Week	Grab
Orthophosphorus; mg/l (Applicable November 1 through March 31)	Report	---	---	1/Week	Grab
<i>Escherichia coli</i>^{4,6}; Colonies/100 ml	126	---	406	2/Week	Grab
Total Recoverable Aluminum; ug/l	87	---	Report	2/Month	Grab
Total Recoverable Copper^{7,8}; ug/l	5.0	---	6.7	2/Month	Grab
Total Recoverable Lead^{7,8}; ug/l	1.0	---	Report	2/Month	Grab
Total Recoverable Silver⁷; ug/l	---	---	0.6	2/Month	Grab
Total Recoverable Zinc^{7,8}; ug/l	65.9	---	65.9	1/Quarter	Grab
Bis(2-Ethylhexyl)Phthalate; ug/l	Report	---	Report	2/Month	Grab

* SEE PAGES 5 THROUGH 7 FOR FOOTNOTES.

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1.a. During the period beginning on the effective date and lasting through the expiration date, the permittee is authorized to discharge treated domestic, commercial, and industrial wastewater from Outfall Serial Number 001 to the Contoocook River during the period from **July 1st through September 30th** each year. 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	0.75 ⁴	---	Report	Continuous	Recorder ¹
CBOD ₅ ⁴ ; mg/l (lb/d)	10 (63)	10 (63)	17 (106)	1/Week ²	Grab
TSS; mg/l (lb/d)	15 (94)	15 (94)	25 (157)	1/Week ²	Grab
Ammonia Nitrogen as N ³ ; mg/l	See Part I.A.3			1/Week	Grab
Dissolved Oxygen ^{4,5} ; mg/l	See Part I.A.4			1/Day	Grab
pH Range ⁴ ; Standard Units	6.5 to 8.0 Standard Units (See Part I.H.1.a.)			1/Day	Grab
Total Phosphorus; mg/l (lb/d)	0.16 (1.0) ⁴	---	---	1/Week	Grab
Orthophosphorus; mg/l	Report	---	---	1/Week	Grab
<i>Escherichia coli</i> ^{4,6} ; Colonies/100 ml	126	---	406	2/Week	Grab
Total Recoverable Aluminum; ug/l	87	---	Report	2/Month	Grab
Total Recoverable Copper ^{7,8} ; ug/l	5.0	---	6.7	2/Month	Grab
Total Recoverable Lead ^{7,8} ; ug/l	1.0	---	Report	2/Month	Grab
Total Recoverable Silver ^{7,8} ; ug/l	---	---	0.6	2/Month	Grab
Total Recoverable Zinc ^{7,8} ; ug/l	65.9	---	65.9	1/Quarter	Grab
Bis(2-Ethylhexyl)Phthalate; ug/l	Report	---	Report	2/Month	Grab

* SEE PAGES 5 THROUGH 7 FOR FOOTNOTES.

PART I.A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1.a. During the period beginning on the effective date and lasting through the expiration date, the permittee is authorized to discharge treated domestic, commercial, and industrial wastewater from Outfall Serial Number 001 to the Contoocook River. 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
Whole Effluent Toxicity ^{8,9,10,11,12}					
LC50; Percent Effluent		Greater than or equal to 100%		1/Quarter	Grab
C-NOEC; Percent Effluent		Greater than or equal to 56.2%		1/Quarter	Grab
Hardness ¹³ ; mg/l	---	---	Report	1/Quarter	Grab
Total Recoverable Cadmium ¹³ ; mg/l	---	---	Report	1/Quarter	Grab
Total Recoverable Chromium ¹³ ; mg/l	---	---	Report	1/Quarter	Grab
Total Recoverable Nickel ¹³ ; mg/l	---	---	Report	1/Quarter	Grab

* SEE PAGES 5 THROUGH 7 FOR FOOTNOTES.

FOOTNOTES APPLICABLE TO PART I.A.1 on pages 2 and 3

- (1) The effluent flow shall be continuously measured and recorded using a flow meter and totalizer.
- (2) The influent concentrations of both CBOD₅ and TSS shall be monitored twice per month (2/Month) using a 24-hour composite sample and the arithmetic mean reported as the average monthly value.
- (3) The permittee has the option of using ammonia results from the whole effluent toxicity (WET) test in partial fulfillment of this requirement.
- (4) State Certification requirement.
- (5) Dissolved oxygen measurements shall be taken between 6 A.M. and 8 A.M.
- (6) The average monthly value of *Escherichia coli* shall be determined by calculating the geometric mean and the result reported. *Escherichia coli* shall be tested using an approved method as specified in 40 C.F.R. Part 136, List of Approved Biological Methods for Wastewater and Sewage Sludge. *Escherichia coli* samples must be collected concurrently with a total residual chlorine sample (if applicable).
- (7) The following set of conditions are applicable to effluent metals limits for total recoverable copper, lead, silver, and zinc but are not applicable to the metals analyses required for WET tests, except when in conformance with item (8) below.
- a. For each sample analyzed, the permittee must determine the total recoverable concentration of each metal and report those results on the appropriate DMR.
 - b. For purposes of analysis and reporting, the permittee shall use the minimum level (ML) of detection. In general, the ML is defined as "the level at which the entire analytical system shall give a recognizable signal and acceptable calibration points." Specifically, it is defined as the concentration in a sample equivalent to the concentration of the lowest calibration standard analyzed in a specific analytical procedure assuming that all the method-specific sample weights, volumes, and processing steps have been followed. These ML values may be reduced by permit modification as more sensitive test methods are approved by EPA. The permittee shall conduct analyses with EPA approved methods that achieve the following MLs:

Parameter	ML (ug/l)
Copper	3
Lead	0.5
Silver	1
Zinc	30

The limits at which compliance/noncompliance determinations will be based for total recoverable copper, lead, silver, and zinc are equal to the MLs listed above. For each metal, any analytical value below that metal's specified ML shall be reported as non-detect on the DMR.

- c. If clean sampling techniques are deemed necessary by either the permittee or EPA-New England, then sampling shall be performed in accordance with U.S. EPA Method 1669: Sampling Ambient Water for Trace Metals at EPA Water Quality Criteria Levels, EPA 821-R-95-034, April 1995, as amended or approved by EPA-New England.
- (8) The permittee has the option of using the total recoverable copper, lead, and zinc results from the WET tests in partial fulfillment of the metals requirement. However, if clean sampling techniques are required, as described above, the permittee shall only use the results for any metals analysis from the WET tests if the analyses for those metals were performed in accordance with the clean sampling techniques described in item (7) above as well.
- (9) LC50 is the concentration of wastewater (effluent) causing mortality to 50 percent of the test organisms. The 100 percent limit is defined as a sample which is composed of 100 percent effluent.
- (10) C-NOEC is defined as the highest concentration of 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. See Attachment A for additional information. The C-NOEC limit of greater than or equal to 56.2 percent is defined as a sample which is composed of at least 56.2 percent effluent, the remainder being dilution water.
- (11) The permittee shall conduct chronic and modified acute toxicity tests on two species, daphnid (Ceriodaphnia dubia) and fathead minnow (Pimephales promelas), following the specifications in Attachment A. Toxicity test samples shall be collected and tests completed during the calendar quarters ending March 31st, June 30th, September 30th, and December 31st of each year. Toxicity test results are to be submitted by the 15th day of the month following the end of the quarter sampled.
- For toxicity tests performed using Ceriodaphnia dubia an alternate dilution water may be utilized. The alternate dilution water shall have a hardness which closely matches the average hardness of the Contoocook River.
- (12) 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 toxicity test indicate the discharge causes an exceedance of any State water quality criterion. Results from these toxicity tests are considered "New Information" and the permit may be modified as provided in 40 C.F.R. §122.62(a)(2).
- (13) For each whole effluent toxicity test the permittee shall report on the appropriate DMR, the concentrations of the hardness, and total recoverable cadmium, chromium, and nickel found in

the 100 percent effluent sample. These parameters shall be determined to at least the minimum quantification levels (MLs) shown in Attachment A. All chemical parameter results must be reported in the appropriate toxicity report. The permittee may use results from the WET test's chemical analysis for total recoverable copper, lead, and zinc in partial fulfillment of these monitored constituents as long as the permittee adheres to item (8) above. Ammonia results from the WET tests may also be used in partial fulfillment of the 1/week ammonia nitrogen as N requirement (see item (3) above).

A. EFFLUENT LIMITATIONS AND MONITORING REQUIRMENTS (Continued)

2. The discharge shall not cause a violation of the water quality standards of the receiving water.
3. The permittee shall comply with the ammonia nitrogen as nitrogen effluent limitations specified in the table below. Effluent sampling for this parameter shall be conducted once per week (1/week) using a grab sample.

Ammonia Nitrogen as N Effluent Limitations			
Time Period	Monthly Average	Weekly Average	Daily Maximum
Nov. 1 –April 30 ¹	7.0 mg/l (73 lb/d)	7.0 mg/l (73 lb/d)	25 mg/l (260 lb/d)
May	5.3 mg/l (55 lb/d)	7.0 mg/l ¹ (73 lb/d) ¹	8.6 mg/l (90 lb/d)
June ¹	1.1 mg/l (11.5 lb/d)	1.1 mg/l (11.5 lb/d)	2.8 mg/l (29.2 lb/d)
July 1 – Sept 30 ¹	1.1 mg/l (6.9 lb/d)	1.1 mg/l (6.9 lb/d)	2.8 mg/l (17.5lb/d)
October ¹	1.1 mg/l (11.5 lb/d)	1.1 mg/l (11.5 lb/d)	7.2 mg/l (75 lb/d)

¹ State Certification requirement.

4. Dissolved oxygen (D.O.) levels in the effluent during the period October 1 through May 31 shall not be less than 8.0 mg/l at any time. During the period June 1 through September 30 D.O. levels in the effluent shall not be less than 7.0 mg/l at any time.
5. 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 ensure 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.
6. The permittee's treatment facility shall maintain a minimum of 85 percent removal of both CBOD₅ and TSS. The percent removal shall be calculated based on average monthly influent and effluent concentrations.
7. When the effluent discharged for a period of three consecutive months exceeds 80 percent of the 1.25 mgd design flow, 1.00 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 the treatment necessary to achieve permit limits cannot be assured, the permittee may be required to submit plans for facility improvements.

8. All Publicly Owned Treatment Works (POTWs) must provide adequate notice to both EPA-New England 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 industrial category (see 40 C.F.R. §122 Appendix A as amended) discharging process water;
- b. Any substantial change in the volume or character of pollutants being introduced into the POTW by a source introducing pollutants into the POTW at the time of issuance of the permit; and
- c. For the 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 not discharge into the receiving water any pollutant or combination of pollutants in toxic amounts.

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. of the General Requirements of this permit (Twenty four hour reporting).

C. OPERATIONS 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 is required to complete the following activities for the collections system which it owns:

1. **Maintenance Staff:** The permittee shall provide an adequate staff to carry out 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. Infiltration/Inflow:** The permittee shall control infiltration and inflow (I/I) into the 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.

The permittee shall submit a summary report of all actions taken to minimize I/I during the previous calendar year to EPA and the NHDES by February 28th of each year. The report shall also include a summary of unauthorized discharges during the previous calendar year which were caused by inadequate sewer system capacity, excessive I/I, and operational/maintenance problems, including a status of action items necessary to eliminate the discharges. The information reported shall include the date, location, duration, and volume of discharge as well as the cause of the overflow and the receiving water.

D. ALTERNATIVE POWER SOURCE

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

E. INDUSTRIAL PRETREATMENT PROGRAM

1. Limitations for Industrial Users:

- 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. The permittee shall develop and enforce specific effluent limits (local limits) for Industrial Users(s), and all other users, as appropriate, which together with appropriate changes in the POTW Treatment Plant's Facilities or operation, are necessary to ensure continued compliance with the POTW's NPDES permit or sludge use or disposal practices. Specific local limits shall not be developed and enforced without individual notice to persons or groups who have requested such notice and an opportunity to respond. Within 90 days of the effective date of this permit, the permittee shall prepare and submit a written technical evaluation to the EPA analyzing the need to revise local limits. As part of this evaluation, the permittee shall assess how the POTW performs with respect to influent and effluent pollutants, water quality concerns, sludge quality, sludge processing concerns/inhibition, biomonitoring results, activated sludge inhibition, worker health and safety, and collection system concerns. In preparing this evaluation, the permittee shall complete and submit the attached form (Attachment B – Reassessment of Technically Based Industrial Discharge Limits) with the technical evaluation to assist in determining whether existing local limits need to be revised. Justifications and conclusions should be based on actual plant data if available and should be included in the report. Should the evaluation reveal the need to revise local limits, the permittee shall complete the revisions within 120 days of notification by EPA and submit the revisions to EPA for approval. The Permittee s

shall carry out the local limits revisions in accordance with EPA's Local Limit Development Guidance (July 2004).

2. Industrial Pretreatment Program

a. The permittee shall implement the Industrial Pretreatment Program in accordance with the legal authorities, policies, procedures, and financial provisions described in the permittee's approved Pretreatment Program, and the General Pretreatment Regulations, 40 C.F.R. §403. At a minimum, the permittee must perform the following duties to properly implement the Industrial Pretreatment Program (IPP):

1. Carry out inspection, surveillance, and monitoring procedures which will determine, independent of information supplied by the industrial user, whether the industrial user is in compliance with the Pretreatment Standards. At a minimum, all significant industrial users shall be sampled and inspected at the frequency established in the approved IPP but in no case less than once per year and maintain adequate records.
2. Issue or renew all necessary industrial user control mechanisms within 90 days of their expiration date or within 180 days after the industry has been determined to be a significant industrial user.
3. Obtain appropriate remedies for noncompliance by any industrial user with any pretreatment standard and/or requirement.
4. Maintain an adequate revenue structure for continued implementation of the Pretreatment Program.

b. The permit shall provide the EPA and the NHDES-WD with an annual report describing the permittee's pretreatment program activities for the twelve month period ending 60 days prior to the due date in accordance with 40 C.F.R. §403.12(i). The annual report shall be consistent with the format described in Attachment C (NPDES Permit Requirement for Industrial Pretreatment Annual Report) and shall be submitted not later than February 15th of each year.

c. The permittee must obtain approval from EPA prior to making any significant changes to the industrial pretreatment program in accordance with 40 C.F.R. §403.18(c).

d. The permittee must assure that applicable National Categorical Pretreatment Standards are met by all categorical industrial users of the POTW. These standards are published in the Federal Regulations at 40 C.F.R. §405 et. seq.

e. The permittee must modify its pretreatment program to conform to all changes in the Federal Regulations that pertain to the implementation and enforcement of the industrial pretreatment program. The permittee must provide EPA, in writing, within 180 days of the effective date of this permit proposed changes to the permittee's pretreatment program

deemed necessary to assure conformity with current Federal Regulations. At a minimum, the permittee must address in its written submission the following areas: (1) Enforcement response plan; (2) revised sewer use ordinances; (3) sludge control evaluations. The permittee will implement these proposed changes pending EPA's approval under 40 C.F.R. §403.18.

F. 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 (40 C.F.R. 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 C.F.R. Part 503 conditions do not apply to facilities that place sludge within a municipal solid waste landfill (MSWLF). Part 503 relies on 40 C.F.R. Part 258 criteria, which regulates landfill disposal, for sewage sludge disposed in a MSWLF. 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 (lagoon reed beds), or are otherwise excluded under 40 C.F.R. 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 items:
 - 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. If the sludge disposal method requires monitoring, 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 perform all required sewage sludge sampling using the procedures detailed in 40 C.F.R. Part 503(h).

8. When the permittee is responsible for an annual report containing the information specified in the regulations, the report shall be submitted by February 19th of each year. Reports shall be submitted to the address contained in the reporting section of the permit.

9. Sludge monitoring is not required by the permittee when the permittee is not responsible for the ultimate sludge use or disposal or when the sludge is disposed of in a MSWLF. The permittee must be assured that any third party contractor is in compliance with appropriate regulatory requirements. In such cases, the permittee is required only to submit an annual report by February 19th of each year containing the following information:

- a. Name and address of the contractor responsible for sludge use and disposal.
- b. Quantity of sludge in dry metric tons removed from the facility.

Reports shall be submitted to the address contained in the reporting section of the permit.

G. 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
29 Hazen Drive, P.O. Box 95
Concord, New Hampshire 03302-0095

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

H. STATE PERMIT CONDITIONS

1. The permittee shall comply with the following conditions which are included as State Certifications Requirements.

a. The pH range of 6.5-8.0 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 C.F.R. §133.102(c).

b. Pursuant to State Law NH RSA 485-A:13 and the New Hampshire Code of Administrative Rules, Env-Wq 703.07(a) and Env-Ws 904.10 the following submissions shall be made to the NHDES-WD by a municipality proposing to accept into its POTW (including sewers and interceptors):

- (1) An "Application for Sewer Connection Permit" for any proposal to construct or modify and of the following:
 - (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 wastewater treatment facility operating in excess of 80 percent flow capacity for 3 consecutive months;
 - (d) Any industrial wastewater connection or change in existing discharge of industrial wastewater, regardless of quality or quantity;
 - (e) Any sewage pumping station greater than 50 gpm or serving more than one building.

- (2) An "Industrial Wastewater Discharge Request Application" for new or increased loadings of industrial waste, in accordance with Env-Ws 904.10.
- c. 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).
- d. Any modifications of the Permittee's Sewer Use Ordinance, including local limitations on pollutant concentrations, shall be submitted to the NHDES-WD for approval prior to adoption by the permittee.
- e. Within 90 days of the effective date of this permit, the permittee shall submit to NHDES-WD a copy of its current sewer use ordinance if it has been revised since any previously approved submittal.
- f. Within 120 days of the effective date of this permit, the permittee shall submit to NHDES-WD a current list of all industries discharging industrial waste to the municipal wastewater treatment plant. As a minimum, the list shall indicate the name and address of each industry, along with the following information: telephone number, contact person, products manufactured, industrial processes used, existing level of pretreatment, and a list of existing industrial discharge permits with effective dates.

2. 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 the 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.

I. SPECIAL CONDITIONS

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 C.F.R. 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. The 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 EPA-New England requesting a reduction in the frequency (to not less than once per year) of required toxicity testing, after completion of a minimum of the most recent four (4) successive toxicity tests of effluent, all of which must be valid tests and demonstrate compliance with the permit limits for whole effluent toxicity. Until written notice is received by certified mail from EPA-New England indicating that the whole effluent toxicity testing requirement has been changed, the permittee is required to continue testing at the frequency specified in the permit.