

MODIFICATION OF 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.; "CWA"), and the Massachusetts Clean Waters Act, as amended,
(M.G.L. Chap. 21, " 26-53),

**City of Marlborough
Department of Public Works**

is authorized to discharge from the facility located at:

**Marlborough Easterly Wastewater Treatment Facility (AFacility@)
860 Boston Post Road
Marlborough, Massachusetts 01752**

to an unnamed tributary to Hop Brook in accordance with effluent limitations, monitoring
requirements and other conditions set forth in the permit issued on September 14, 2004, except
as set forth herein and listed as follows:

Page 6 and 7. Part I.A.1, Footnote No. 6

Page 13. Compliance Schedule

This permit shall become effective 60 days after date of signature.

This permit modification and the authorization to discharge expires at midnight, January 16,
2010.

Signed this 19TH day of October, 2006

/s/ SIGNATURE ON FILE

Linda M. Murphy
Director
Office of Ecosystem Protection
Environmental Protection Agency
Boston, MA

Glenn Haas
Director
Division of Watershed Management
Department Environmental Protection
Commonwealth of Massachusetts
Boston, MA

EXHIBIT 43

Footnotes for Conditions I.A.1 and I.A.2:

6. The 0.1 mg/l limit is a 60 day rolling average limit and applies for the period of April through October. The 60 day average value for each day in a given month, beginning on the 60th day after April 1, must be calculated and the highest 60 day average value for that month must be reported on the monthly discharge monitoring report (DMR). In addition, the maximum daily value must be reported for each month. For the months of April and May, the 30 day average value shall be reported as a report only requirement.

The Permittee shall comply with the 0.1 mg/l limit in accordance with the schedule contained in Section E below. Upon the effective date of the permit modification, and until the date specified in Section E below for compliance with the limit of 0.1 mg/l, an interim 60 day rolling average total phosphorus limit of 0.5 mg/l shall be met for the period of April through October. Consistent with Section B.1 of Part II of the Permit, the Permittee shall properly operate and maintain the phosphorus removal facilities to obtain the lowest effluent concentration possible.

The 0.75 mg/l limit is a monthly average limit and applies for the period of November through March. The monthly average and maximum daily values shall be reported on each month=s DMR report.

E. COMPLIANCE SCHEDULE

1. The Permittee and other interested parties are voluntarily participating in a feasibility study funded by MassDEP and conducted by the U.S. Army Corps of Engineers (ACorps@) that will develop and evaluate effective and feasible alternative plans, and will present recommended options from among the alternative plans, to ensure compliance with water quality standards with respect to phosphorus in the Hop Brook (AFeasibility Study@). EPA and MassDEP will determine which recommended options, if any, will ensure compliance with water quality standards when implemented in combination with the total phosphorus effluent discharge limit contained in this permit (AApproved Options@). The Permittee shall review and comment on drafts of the Feasibility Study in a timely manner. EPA and MassDEP expect that the Feasibility Study will be completed by the Corps by April 2007.
2. The Permittee, the Town of Sudbury, and MassDEP will negotiate and enter into a Memorandum of Understanding (AMOU@). The MOU shall provide that the parties to the MOU will collaborate to develop a strategy and action plan concerning the implementation of the nonpoint source reductions associated with the Approved Option(s). The MOU shall not, however, create any legal rights or impose legal obligations on any party, or obligate the Permittee or any other party to take any actions concerning implementation of the Approved Option(s).

3. Within twelve (12) months of the effective date of the permit modification, the Permittee shall initiate planning of the Facility improvements required to achieve the total phosphorus effluent discharge limits originally set forth in this permit and submit a status report in connection thereto.
4. Within twenty-four (24) months of the effective date of the permit modification, the Permittee shall initiate design of the Facility improvements required to achieve the total phosphorus effluent discharge limits originally set forth in this permit and submit a status report in connection thereto.
5. Within thirty-six (36) months of the effective date of the permit modification, the Permittee shall submit to EPA and MassDEP a status report relative to design of the Facility improvements required to achieve the total phosphorus effluent discharge limits originally set forth in this permit.
6. Within forty-two (42) months of the effective date of the permit modification, the Permittee shall complete planning and design of the Facility improvements required to achieve the total phosphorus effluent discharge limits originally set forth in this permit. Design of the Facility improvements shall, to the extent practicable and to the extent approved by MassDEP, be consistent with the Approved Option(s).
7. Within forty-eight (48) months of the effective date of the permit modification, the Permittee shall initiate construction of the Facility improvements required to achieve the total phosphorus effluent discharge limits originally set forth in this permit.
8. Within sixty months (60) months of the effective date of the permit modification, the Permittee shall submit to EPA and MassDEP an initial status report relative to construction of the Facility improvements required to achieve the total phosphorus effluent discharge limits originally set forth in this permit.
9. Within seventy-two (72) months of the effective date of the permit modification, the Permittee shall submit to EPA and MassDEP a second status report relative to construction of the Facility improvements required to achieve the total effluent discharge phosphorus limits originally set forth in this permit.
10. Within seventy-eight (78) months of the effective date of the permit modification, the Permittee shall complete construction of the Facility improvements required to achieve the total phosphorus effluent discharge limits originally set forth in this permit and achieve such limits.
11. EPA shall reopen the permit prior to its expiration on January 16, 2010 and either modify or revoke and reissue the permit to include such limits and conditions (including a schedule of compliance) that are necessary to ensure compliance with water quality standards if EPA and

**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),

City of Marlborough

is authorized to discharge from the facility located at

**Marlborough Westerly Waste Treatment Works
Boundary Street
Marlborough, MA 01752**

to receiving water named **Assabet River**

in accordance with effluent limitations, monitoring requirements and other conditions set forth herein. The Town of Northborough shall be a co-permittee for specific activities required in Part I.D., Unauthorized Discharges, Part I.E., Operation and Maintenance of the Sewer System, and Part I.F., Alternate Power Source.

This permit shall become effective sixty days from 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 December 14, 2000.

This permit consists of 14 pages in Part I including effluent limitations, monitoring requirements, Attachments A through C, and 35 pages in Part II including General Conditions and Definitions.

Signed this day of

Director
Office of Ecosystem Protection
Environmental Protection Agency
Boston, MA

Director
Division of Watershed Management
Department of Environmental Protection
Commonwealth of Massachusetts
Boston, MA

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 the Assabet River. Such discharges shall be limited and monitored as specified below.

EFFLUENT CHARACTERISTIC

EFFLUENT LIMITS

MONITORING REQUIREMENTS

PARAMETER	AVERAGE MONTHLY	MAXIMUM DAILY	AVERAGE MONTHLY	AVERAGE WEEKLY	MAXIMUM DAILY	MEASUREMENT FREQUENCY	SAMPLE TYPE
AMMONIA-NITROGEN (June 1 - October 31)	***** *****	***** *****	2 mg/l	2 mg/l	3 mg/l	2/WEEK	24-HOUR COMPOSITE ²
AMMONIA-NITROGEN (November 1 - May 31)	***** *****	***** *****	10.0 mg/l ¹²	Report mg/l	***** *****	1/WEEK	24-HOUR COMPOSITE ²
TOTAL PHOSPHORUS (April)	Report lbs/day	Report lbs/day	0.1 mg/l ^{3,14}	***** *****	0.2 mg/l	3/WEEK	24-HOUR COMPOSITE ²
TOTAL PHOSPHORUS (May 1 - October 31)	Report lbs/day	Report lbs/day	0.1 mg/l ^{3,14}	***** *****	Report mg/l	3/WEEK	24-HOUR COMPOSITE ²
ORTHO PHOSPHORUS, TOTAL (November 1 - March 31)	Report lbs/day	Report lbs/day	1.0 mg/l ⁵	***** *****	Report mg/l	1/WEEK	24-HOUR COMPOSITE ²
ORTHO PHOSPHORUS, DISSOLVED (November 1 - March 31)	Report lbs/day	Report lbs/day	Report mg/l	***** *****	Report mg/l	1/WEEK	24-HOUR COMPOSITE ²
TOTAL ALUMINUM	*****	*****	218 ug/l	*****	Report mg/l	1/MONTH	24-HOUR COMPOSITE ²
TOTAL COPPER ¹⁶	*****	*****	13 ug/l	*****	18 ug/l	1/MONTH	24-HOUR COMPOSITE ²

All sampling shall be representative of the effluent that is discharged through outfall 001 to the Assabet 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. The monthly average and maximum daily flows for each month shall also be reported.
2. Sampling required for influent and effluent.
3. A 24-hour composite sample will consist of at least twenty four (24) grab samples taken during a consecutive 24-hour period (e.g. 0700 Monday- 0700 Tuesday).
4. Required for state certification.
5. 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.
6. Chlorination and dechlorination systems shall include an alarm system for indicating system interruptions or malfunctions. 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 interruptions or malfunctions of the dechlorination system that may have 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 reduced levels of chlorine or dechlorination chemicals occurred. The Permittee shall comply with this requirement, consistent with the schedule for the Facility upgrade contained in Section H below.
7. 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.
8. 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 and the fathead minnow, Pimephales promelas. 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. 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	April 30 th	<u>Ceriodaphnia dubia</u>	≥ 100%	≥ 40%
June	July 31 st	(daphnid)		
September	October 31 st	<u>Pimephales promelas</u>	≥ 100%	≥ 40%
December	January 31 st	(fathead minnow)		

9. 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.
10. 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. The "40% or greater" limit is defined as a sample which is composed of 40% (or greater) effluent, the remainder being dilution water. This is a maximum daily limit.
11. 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.
12. The Permittee shall comply with the winter period ammonia limit in accordance with the Facility upgrade schedule contained in Section H below. In the interim, the Facility shall

- be operated in order to maintain nitrification through the winter period whenever feasible.
13. The permittee shall comply with the 0.1 mg/l total phosphorus limit in accordance with the schedule contained in Section H. below. Upon the effective date of the permit, and until the date specified in Section H below for compliance with the total phosphorus final limit of 0.1 mg/l, an interim limit of 0.75 mg/l shall be met and monitoring shall be conducted twice per week.
 14. The 0.1 mg/l total phosphorus limit for the month of April is a median limit. The 0.1 mg/l total phosphorus limit for May - October is a 60 day rolling average limit. The 60 day average value for each day in a given month, beginning on the 60th day after May 1, must be calculated and the highest 60 day average value for that month must be reported on the monthly discharge monitoring report (DMR). For the month of May, the monthly average value shall be reported with the DMRs. Consistent with Section B.1 of Part II of the Permit, the Permittee shall properly operate and maintain the phosphorus removal facilities in order to obtain the lowest effluent concentration possible.
 15. 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. The maximum daily concentration and loading values reported for dissolved ortho phosphorus shall be the values from the same day that the maximum daily total phosphorus concentration and loading values were measured.
 16. The minimum level (ML) for copper is defined as 3 ug/l. This value is the minimum level for copper using the Furnace Atomic Absorption analytical method (EPA Method 220.2). For effluent limitations of less than 3 ug/l, compliance/non-compliance will be determined based on the ML from this method, or another approved method that has an equivalent or lower ML, one of which must be used. Sample results of 3 ug/l or less shall be reported as zero on the Discharge Monitoring Report.

Part LA.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. 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.
- f. The results of sampling for any parameter above its required frequency must also be reported.

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. 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.

4. 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. LIMITATIONS FOR INDUSTRIAL USERS

1. 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.
2. The permittee shall develop and enforce specific effluent limits (local limits) for Industrial User(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 and 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. By December 31, 2005, the permittee shall prepare and submit a written

technical evaluation to the EPA analyzing the need on whether or not its currently approved local limits need to be revised. As part of this evaluation, the permittee shall assess how the POTW performs with respect to influent and effluent of 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**) to the pretreatment coordinator along with a 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 shall carry out the local limit revisions in accordance with EPA Guidance Manual for the Development and Implementation of Local Discharge Limitations Under the Pretreatment Program (December, 1987).

C. INDUSTRIAL PRETREATMENT PROGRAM

1. 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 CFR 403. At a minimum, the permittee must perform the following duties to properly implement the Industrial Pretreatment Program (IPP):
 - a. 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.
 - b. 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.
 - c. Obtain appropriate remedies for noncompliance by any industrial user with any pretreatment standard and/or requirement.
 - d. Maintain an adequate revenue structure for continued implementation of the Pretreatment Program.
2. The permittee shall provide the EPA and MA DEP 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 403.12(i). The annual report shall be consistent with the format described in **Attachment C** of this permit and shall be submitted no later than September 1 of each year.

3. The permittee must obtain approval from EPA prior to making any significant changes to the industrial pretreatment program in accordance with 40 CFR 403.18(c).
4. 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 CFR 405 et. seq.
5. 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 this permit's effective date proposed changes, **if applicable**, 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) revisions to an enforcement response plan; (2) revise the local sewer-use ordinance or regulation, as appropriate, to be consistent with Federal Regulations; (3) slug control evaluations. The permittee will implement these proposed changes pending EPA Region I's approval under 40 CFR 403.18. This submission is separate and distinct from any local limits analysis submission described in Part I.B.. If the permittee has already submitted the above documents to EPA for approval and is awaiting an EPA decision, this section shall not apply.

D. UNAUTHORIZED DISCHARGES

The permit only authorizes discharges in accordance with its terms and conditions 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).

E. 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 and co-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 and co-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 Control Plan:

The permittee and co-permittee shall develop and implement a plan to control infiltration and inflow (I/I) to the separate sewer systems. 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 and co-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:

A summary report of all actions taken to minimize I/I during the previous calendar year shall be submitted to EPA and the MA DEP annually, **by the anniversary date of the effective date of this permit**. 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.

F. ALTERNATE POWER SOURCE

In order to maintain compliance with the terms and conditions of this permit, the permittee and co-permittee shall continue to provide an alternative power source with which to sufficiently operate the Publicly Owned Treatment Works as defined at 40 CFR §403.3. The City of Marlborough is responsible for providing the alternate power source for the Marlborough WWTW and for pump stations within the City of Marlborough. The Town of Northborough is responsible for providing the alternate power source for pump stations within the Town of Northborough.

G. 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