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ENVIR. APPEALS BOARD

Direct telephone: (508) 416-2480
Direct facsimile: (508) 929-3080
Email: nbartlett@bowditch.com

FACSIMILE TRANSMITTAL SHEET

TO: Eurika Durr, Clerk of the Board,
Environmental Appeals Board
(MC 1103B)
U.S. Environmental Protection Agency

FAX NUMBER: 202-233-0121

PHONE NUMBER: 202-233-0122

DATE: February 29, 2008

FROM: Norman E. Bartlett, II

TOTAL NO. OF PAGES INCLUDING COVER: 19

RE: NPDES Permit No. MA 0004341
NPDES Appeal No. 06-14

CLIENT/MATTER NUMBER: 230024.0131

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE RECYCLE

Please see attached correspondence and accompanying Joint Status Report and Petitioner's Notice of Voluntary Dismissal.

CONFIDENTIALITY NOTE

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Direct telephone: (508) 416-2480
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Email: nbartlett@bowditch.com

Via Fedex and Facsimile to (202) 233-0121

February 29, 2008

U.S. Environmental Protection Agency
Erika Durr, Clerk of the Board
Environmental Appeals Board (MC 1103B)
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460-0001

Re: Wyman Gordon Company
Permit NPDES No. MA 0004341
Appeal No. 06-14

Dear Clerk:

Enclosed please find one (1) original and five (5) copies of a Status Report and Notice of Voluntary Dismissal from Wyman Gordon Company with respect to the Petition for Review for the above-referenced permit.

Very truly yours,



Norman E. Bartlett, II

NEB:ma

Enclosures

cc: Samir Bukhari

R

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BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC

MAR -3 AM 9:02
ENVIR. APPEALS BOARD

In the matter of:)
)
Wyman Gordon Company)
)
NPDES Permit No. MA 0004341)
_____)

NPDES Appeal No. 06-14

**JOINT STATUS REPORT AND PETITIONER'S
NOTICE OF VOLUNTARY DISMISSAL**

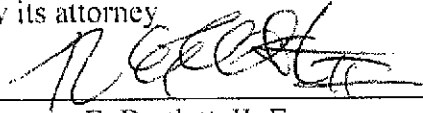
On October 30, 2006, Wyman Gordon Company ("Wyman Gordon"), filed a Petition for Review, pursuant to 40 CFR § 124.19, before the Environmental Appeals Board, which was jointly issued to Wyman Gordon Company for its facility located at 244 Worcester Street, North Grafton, MA on September 28, 2006, by the United States Environmental Protection Agency ("Region") and the Massachusetts Department of Environmental Protection ("Department").

On February 22, 2008 Region and Department jointly issued a final permit modification, attached, which adequately addressed Petitioner's concerns in its Petition for Review. Wyman Gordon Company now hereby voluntarily dismisses its Petition for Review of the Permit, in full.

This filing also serves as the Status report due to the Board on March 4, 2008 and was verbally assented to by counsel for the Region for that purpose.

Wyman Gordon Company

By its attorney



Norman E. Bartlett, II, Esq.

Bowditch & Dewey, LLP

175 Crossing Boulevard, Suite 500

Framingham, MA 01702

Telephone: (508) 416-2480

Facsimile: (508) 929-3080

Dated: February 29, 2008

CERTIFICATE OF SERVICE

I, Norman E. Bartlett, II, hereby certify that on this 29th day of February 2008, I served the foregoing upon the following:

Original by FedEx
And Facsimile to (202) 233-0121

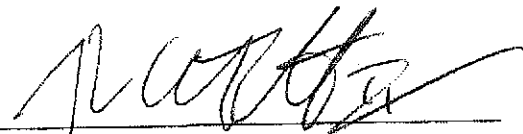
Eurika Durr, Clerk of The Board
Environmental Appeals Board (MC 1103B),
U.S. Environmental Protection Agency

Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460-0001

Copy by First Class Mail

Samir Bukhari
US Environmental Protection Agency
Office of Regional Counsel, Region I
1 Congress Street, Suite 1100
Boston, MA 02114

Dated: February 29, 2008



Norman E. Bartlett, II, Esq.
Bowditch & Dewey, LLP
175 Crossing Boulevard, Suite 500
Framingham, MA 01702
Telephone: (508) 416-2480
Facsimile: (508) 929-3080

Permit No. MA0004341

Page 1 of 14

**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),

Wyman Gordon Company

is authorized to discharge from a facility located at

**Wyman Gordon Company
244 Worcester Street
North Grafton, MA 01536**

to receiving waters named

**Wetlands adjacent to East Brook and Quinsigamond River; the Quinsigamond River
(Segment MA51-09);
and
Bonny Brook (Basin Code MA851050)
(Blackstone River Watershed)**

in accordance with effluent limitations, monitoring requirements and other conditions set forth in the permit issued on September 28, 2006, including Attachment A and Part II, except as set forth herein and listed as follows:

The permit modification reflects the following changes, includes the entire permit with the modified and unmodified permit conditions to allow a re-pagination of the permit for convenience, and consists of 14 pages in Part I: *The effluent limitations for copper, iron, and aluminum in Parts I.A.3 and I.A.5 have been removed and replaced with reporting requirements. The effluent limitations for copper, iron, aluminum, and zinc have been removed from Part I.A.4 and replaced with reporting requirements. The reporting requirements for whole effluent toxicity have been removed from Part I.A.3, I.A.4, and I.A.5. New Best Management Practices for Outfalls 007, 008, and 009 have been added in Part I.B. The revised language is in bold italics.*

This permit action modifies the permit issued on September 28, 2006, which became effective on December 1, 2007, with certain contested conditions stayed pending appeal.

This permit modification shall become effective following signature.

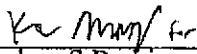
This permit modification does not affect the expiration date of the permit. The original permit stated, "This permit and the authorization to discharge shall expire at midnight, five (5) years from the last day of the month preceding the effective date." The permit became effective on December 1, 2007. Therefore, the original permit and this permit modification expire at midnight, November 30, 2012.

This permit supersedes the permit issued on June 30, 1997.

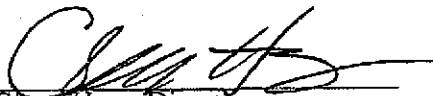
This permit consists of 14 pages in Part I including effluent limitations, attachments, monitoring requirements, etc., 9 pages in Attachment A and 25 pages in Part II including General Conditions and Definitions.

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Page 2 of 14

Signed this 22nd day of February, 2008



Stephen S Perkins, Director
Office of Ecosystem Protection
Environmental Protection Agency
Region I
Boston, MA



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

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Permit No. MA000434E
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A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. During the period beginning on the effective date and lasting through expiration the permittee is authorized to discharge various process waste waters, non-contact cooling water and storm water from outfall serial number 001 to wetlands adjacent to East Brook and Quinsigamond River. The discharges will occur if there is a hydraulic overflow of the Runoff Management Facility (RMF), occurring first at outfall 010 for overflows up to 1.4 cfs and then at outfall 001 for higher flows. Such discharges shall be limited and monitored by the permittee as specified below:

| <u>Effluent Characteristics</u> | <u>Discharge Limitations</u> | | <u>Monitoring Requirements</u> | |
|---------------------------------|------------------------------|---------------|--------------------------------|--------------------------|
| | Average Monthly | Maximum Daily | Measurement Frequency | Sample Type ¹ |
| Flow, mgd | Report | Report | 1/overflow | Estimate |
| pH ² , S.U. | see PART I.A.7 | | 1/overflow | Grab |
| Oil and Grease, mg/l | --- | 15 | 1/overflow | Grab |
| TSS ⁶ , mg/l | --- | 62 | 1/overflow | Grab |
| Copper, Total, mg/l | --- | .0073 | 1/overflow | Grab |
| Trichloroethylene, mg/l | Report | Report | 1/overflow | Grab |
| Tetrachloroethylene, mg/l | Report | Report | 1/overflow | Grab |
| Whole Effluent Toxicity Testing | | | | |
| LC ₅₀ ³ | --- | ≥ 100% | 1/overflow ^{4,5} | Composite ¹ |

Footnotes are listed on Page 8.

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PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

2. During the period beginning on the effective date and lasting through expiration the permittee is authorized to discharge various process waste waters, non-contact cooling water and storm water from outfall serial number 010 to the Quinsigamond River. The discharges will occur if there is a hydraulic overflow of the Runoff Management Facility (RMF). Such discharges shall be limited and monitored by the permittee as specified below:

| Effluent Characteristics | Discharge Limitations | | Monitoring Requirements | |
|---------------------------------|-----------------------|---------------|---------------------------|--------------------------|
| | Average Monthly | Maximum Daily | Measurement Frequency | Sample Type ¹ |
| Flow, mgd | Report | Report | 1/overflow | Estimate |
| pH ² , S.U. | see PART I.A.7 | | 1/overflow | Grab |
| Oil and Grease, mg/l | ---- | 15 | 1/overflow | Grab |
| TSS ³ , mg/l | ---- | 62 | 1/overflow | Grab |
| Copper, Total, mg/l | ---- | .0098 | 1/overflow | Grab |
| Trichloroethylene, mg/l | Report | Report | 1/overflow | Grab |
| Tetrachloroethylene, mg/l | Report | Report | 1/overflow | Grab |
| Whole Effluent Toxicity Testing | | | | |
| LC ₅₀ ⁴ | ---- | ≥ 100% | 1/overflow ^{4,5} | Composite ⁴ |

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PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

3. During the period beginning on the effective date and lasting through expiration the permittee is authorized to discharge storm water from outfall serial number 007 to Bonny Brook. Such discharges shall be limited and monitored by the permittee as specified below:

| <u>Effluent Characteristics</u> | <u>Discharge Limitations</u> | | <u>Monitoring Requirements</u> | |
|---------------------------------|------------------------------|----------------|--------------------------------|--------------------------|
| | Average Monthly | Maximum Daily | Measurement Frequency | Sample Type ¹ |
| Flow, mgd | Report | Report | 1/quarter | Estimate |
| pH ² , S.U. | --- | see PART I.A.7 | 1/quarter | Grab |
| Oil and Grease, mg/l | --- | 15 | 1/quarter | Grab |
| TSS ³ , mg/l | Report | Report | 1/quarter | Grab |
| Copper, Total, mg/l | --- | <i>Report</i> | 1/quarter | Grab |
| Aluminum, Total, mg/l | --- | <i>Report</i> | 1/quarter | Grab |
| Iron, Total, mg/l | --- | <i>Report</i> | 1/quarter | Grab |

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PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

4. During the period beginning on the effective date and lasting through expiration the permittee is authorized to discharge storm water from outfall serial number 008 to Bonny Brook. Such discharges shall be limited and monitored by the permittee as specified below:

| <u>Affluent Characteristics</u> | <u>Discharge Limitations</u> | | <u>Monitoring Requirements</u> | | <u>Sample Type</u> |
|---------------------------------|------------------------------|----------------------|--------------------------------|--|--------------------|
| | <u>Average Monthly</u> | <u>Maximum Daily</u> | <u>Measurement Frequency</u> | | |
| Flow, mgd | Report | Report | 1/quarter | | Estimate |
| pH, ° S.U. | | see PART I.A.7 | 1/quarter | | Grab |
| Oil and Grease, mg/l | --- | 15 | 1/quarter | | Grab |
| TSS, ° mg/l | Report | Report | 1/quarter | | Grab |
| Copper, Total, mg/l | --- | Report | 1/quarter | | Grab |
| Iron, Total, mg/l | --- | Report | 1/quarter | | Grab |
| Aluminum, Total, mg/l | --- | Report | 1/quarter | | Grab |
| Zinc, Total, mg/l | --- | Report | 1/quarter | | Grab |

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PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

5. During the period beginning on the effective date and lasting through expiration the permittee is authorized to discharge storm water from outfall serial number 009 to wetlands adjacent to East Brook and Quinsigamond River. Such discharges shall be limited and monitored by the permittee as specified below:

| Effluent Characteristics | Discharge Limitations | | Monitoring Requirements | | Sample Type ¹ |
|--------------------------|-----------------------|---------------|-------------------------|--|--------------------------|
| | Average Monthly | Maximum Daily | Measurement Frequency | | |
| Flow | Report | Report | 1/quarter | | Estimate |
| pH ² | see PART I.A.7 | | 1/quarter | | Grab |
| Oil and Grease, mg/l | --- | 15 | 1/quarter | | Grab |
| TSS ⁶ , mg/l | Report | Report | 1/quarter | | Grab |
| Copper, Total, mg/l | --- | Report | 1/quarter | | Grab |
| Aluminum, Total, mg/l | --- | Report | 1/quarter | | Grab |
| Iron, Total, mg/l | --- | Report | 1/quarter | | Grab |

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Footnotes:

- (1) Stormwater runoff samples will be collected and analyzed in accordance with 40 CFR Part 136 and EPA's NPDES Storm Water Sampling Guidance Document, EPA 833-B-92-001, July, 1992. All such samples shall be collected from the discharge resulting from a storm event that is greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previously measurable (greater than 0.1 inch rainfall) storm event. A "representative storm" is defined as a "typical" storm for the area in terms of intensity, volume, and duration, roughly a storm not varying by more than 50 percent from the average rainfall volume and duration. The grab sample shall be taken during the first thirty minutes of the discharge; if this is not feasible, it may be taken within the first few hours of discharge and noted. The composite sample shall either be flow-weighted or time-weighted. Composite samples may be taken with a continuous sampler or as a combination of a minimum of three sample aliquots taken in each hour of discharge for the entire discharge or for the first three hours of the discharge, with each aliquot being separated by a minimum period of fifteen minutes. For those months where there is "no discharge" during the monitoring period, the permittee shall check the box in the upper right hand corner of the DMR form labeled "Check here for No Discharge" and insert the NODI code "C", which indicates no discharge, anywhere on the report/parameter line and do not fill in anything else.
- (2) Required for state certification.
- (3) The LC_{50} 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.
- (4) The permittee shall conduct an acute, whole effluent toxicity (WET) toxicity test on only one overflow that occurs in any calendar quarter (up to four per year) for both outfalls 001 and 010. The permittee shall test the invertebrate, Ceriodaphnia dubia only, as it has been determined to be the more sensitive test species compared to the fathead minnow, Pimephales promelas. A composite sample is preferable, but if this is not possible, a grab sample may be used. Results are to be submitted by the 15th day of the month following the end of the quarter. See Permit Attachment A, Freshwater Acute Toxicity Test Procedure and Protocol.
- (5) After four toxicity tests for any outfall are conducted and acceptable, the permittee may request a reduction in the testing requirements for any or all outfalls. A determination on any such reduction will be made by the EPA and DEP after considering test results.
- (6) If the permittee reports TSS results that exceed 100 mg/l, it shall evaluate what caused such a level, review its SWPPP and revise it as necessary to minimize solids runoff.

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PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (cont.)

6. The discharge shall not cause a violation of the water quality standards of the receiving waters.

7. The pH of the effluent shall be monitored on a quarterly basis for outfalls 007, 008 and 009. Also, for the first year only, the permittee shall monitor and report the instream pH, immediately upstream and downstream of each of these three outfalls. This shall be done concurrently with the quarterly, effluent pH monitoring. The results of this monitoring shall be included as an attachment with the DMR for that reporting period. For outfalls 001 and 010, the pH of the effluent shall not be less than 6.5 nor greater than 8.3 standard units.

8. The discharge shall not cause objectionable discoloration of the receiving waters.

9. The effluent shall contain neither a visible oil sheen, foam, nor floating solids at any time.

10. Samples taken in compliance with the monitoring requirements specified above shall be taken at each of the outfalls above prior to mixing with any other stream.

11. After submitting 8 consecutive (quarterly) tests for any of the different metals or volatile organics for any outfall, demonstrating the absence of any such parameters from the particular outfall(s), the permittee may request a reduction in the frequency or the elimination of such testing. The permittee is required to continue testing at the frequency specified in the permit until notice is received by certified mail from the EPA that the frequency for a particular parameter has been changed.

12. The permittee shall maintain the following:

(1) A CWIS intake flow limit of 750 gpm or 1.08 mgd.

(2) The CWIS design with an expanded screen area in the sump that, in combination with the 750 gpm flow limit, reduces the maximum through screen velocity at the ½ inch metal fish screens to 0.07 fps.

(3) Maximum recycling and reuse of process water, storm water, and non-contact cooling water by the facility to result in minimum, intermittent and infrequent withdrawals of river water through the CWIS.

(4) The location of the intake in an inlet, outside the main flow of the river, and in an area where anadromous species are not expected to be present or spawn.

(5) The intake structure with the bottom of the intake pipe a minimum of one foot higher than the bottom of the inlet.

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13. The permittee shall update and continue to implement the Storm Water Pollution Prevention Plan (SWPPP) for this facility developed under previous permits and shall provide for compliance with the terms of the permit and the SWPPP no later than 180 days after the effective date of this permit. The SWPPP shall identify potential sources of pollution which may reasonably be expected to affect the quality of storm water discharges associated with industrial activity at the facility and mitigate these where possible. This plan shall specifically address runoff mitigation from outdoor storage areas containing spare parts and part dies. The SWPPP shall incorporate all existing and appropriate BMPs, SPCC plan elements and other measures taken by the permittee which satisfy the SWPPP requirements.

14. This permit may be modified, or revoked and reissued, on the basis of new information in accordance with 40 CFR 122.62

15. All existing manufacturing, commercial, mining, and silvicultural dischargers must notify the Director as soon as they know or have reason to believe:

a. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":

- (1) One hundred micrograms per liter (100 ug/l);
- (2) Two hundred micrograms per liter (200 ug/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 ug/l) for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/l) for antimony;
- (3) Five (5) times the maximum concentration value reported for that pollutant in the permit application in accordance with 40 C.F.R. §122.21(g) (7); or
- (4) Any other notification level established by the Director in accordance with 40 C.F.R. §122.44(f).

b. That any activity has occurred or will occur which would result in the discharge, on a non-routine or infrequent basis, of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":

- (1) Five hundred micrograms per liter (500 ug/l)
- (2) One milligram per liter (1 mg/l) for antimony;
- (3) Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with 40 C.F.R. §122.21(g) (7); or
- (4) Any other notification level established by the Director in accordance with 40 C.F.R. §122.44(f).

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c. That they have begun or expect to begin to use or manufacture as an intermediate or final product or byproduct any toxic pollutant which was not reported in the permit application and which is not limited under Part I.A.1.a and I.A.2.a of the permit. Part I.A.1.a and I.A.2.a pertain to the sampling locations of 001 and 002 respectively, not pollutants limited.

B. STORM WATER BEST MANAGEMENT PRACTICES

The permittee shall maintain, update and implement the Storm Water Pollution Prevention Plan (SWPPP) to account for any changes which might occur at the facility which could impact the plan. The permittee shall be required to provide annual certification to EPA and the MADEP documenting that the previous year's inspections and maintenance activities were conducted, results recorded, records maintained, and that the facility is in compliance with the SWPPP. The certification shall be signed in accordance with the requirements identified in 40 CFR §122.22 and a copy of the certification will be sent each year to EPA and MADEP as well as appended to the SWPPP within thirty (30) days of the annual anniversary of the effective date of the Draft Permit. The permittee shall keep a copy of the most recent SWPPP at the facility and shall make it available for inspection by EPA and MADEP.

The Permittee shall implement the following BMPs related to Outfalls 007, 008, and 009. The Permittee shall modify its SWPPP to reflect the BMPs below; any written submittal required under these BMPs is a one time submittal to document completion of the activity required in that specific BMP.

1. The Permittee shall eliminate, replace, or repair the damaged catch basin to Outfall 007 as soon as practicable, but not later than thirty (30) days from the effective date of the permit modification, and shall notify EPA in writing when such work has been completed. In the event that local or state permits are required to complete this work, Permittee shall have thirty (30) days from the expiration of any applicable appeal period. In the event that weather interferes with completing this work, the Permittee shall have thirty (30) days from the resumption of suitable weather to complete the work. Where the Permittee determines that the catch basin cannot be eliminated for reasons of flooding or other safety concerns, the Permittee shall replace it with a catch basin of similar design.

2. The Permittee shall clean all storm sewer lines and appurtenances discharging to Outfalls 007, 008 and 009 as soon as practicable, but not later than thirty (30) days from the effective date of the permit modification. In the event that local or state permits are required to complete this work, the Permittee shall have thirty (30) days from the expiration of any applicable appeal period. In the event that weather interferes with completing this work, the Permittee shall have thirty (30) days from the resumption of suitable weather to complete the work. This includes pipes, culverts, catch basins, junction boxes or other structures located along the entire alignment of each storm sewer discharging to these outfalls. The Permittee shall utilize equipment and methods designed to capture all liquids and solids generated during the cleaning

process and dispose of all accumulated wastewater and solid waste in its RMF or in accordance with Massachusetts solid waste regulations. The Permittee shall notify EPA in writing when such

Permit No. MA0004341

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work has been completed, and provide an accounting of the material removed from each alignment.

3. The Permittee shall install silt sacks into catch basins serving drainage areas discharging to Outfalls 007, 008 and 009 as soon as practicable, but not later than thirty (30) days from the effective date of the permit modification, and shall notify EPA in writing when such work has been completed. In the event that local or state permits are required to complete this work, the Permittee shall have thirty (30) days from the expiration of any applicable appeal period. In the event that weather interferes with completing this work, the Permittee shall have thirty (30) days from the resumption of suitable weather to complete the work. By this same date, the Permittee shall modify its SWPPP to document the inspection, cleaning and replacement practices for the installed silt sacks.

4. The Permittee shall use vacuum equipment to sweep all paved or impervious areas of its property draining to Outfalls 007, 008, 009 where solids deposition may occur, including roads, driveways, parking areas, sidewalks, loading areas. At a minimum, sweeping shall be completed monthly during Spring, Summer and Fall. During the winter months when weather conditions prevent fulfillment of the required minimum sweeping frequency, the Permittee may adjust or lengthen its scheduled frequency to accommodate sweeping during available periods of acceptable thaw. The Permittee shall ensure that sweepings collected at its facility are reused or disposed in a manner consistent with MassDEP's Policy #BWP-94-092 : Reuse & Disposal of Street Sweepings.

5. The Permittee shall use reasonable efforts to negotiate an agreement with MassHighway and any other entity involved in deicing activity on the site to mitigate potential water quality impacts of deicing chemicals. This shall include, but not be limited to, reasonable adjustments to the type and application (i.e., materials, mode and timing) of deicing chemicals, and the placement of snow piles in accordance with MassDEP's Snow Disposal Guidance No. BRPG01-01. The Permittee shall provide EPA with a brief technical memorandum on the results of such discussions not later than thirty (30) days from the effective date of the permit modification. The memorandum shall include a description of the improvements to current deicing practices, and a date by which such improvements shall be implemented. The Permittee shall promptly notify EPA if any third party entity that agrees to implement improved deicing practices described above fails to do so in the future.

6. The Permittee shall replace filter cake accumulation tote boxes.

7. To the extent practicable for the Outfall 007 and 008 drainage basins, the Permittee shall store indoors or protect with weather-resistant covers, all stock, forgings, rolloffs, etc. (to minimize exposure to rain and wind). The Permittee shall evaluate the feasibility of storing forgings in the scrap shipping area at the southeast corner of the P&M Building that drains to the RMF. Not later than thirty (30) days from the effective date of the permit modification, the Permittee shall notify EPA in writing to describe the circumstances, if any, in which indoor storage or coverage of such materials is deemed to be impracticable or inadvisable. By this same date, the Permittee shall modify its SWPPP to include this practice and described related procedures, materials and methods.

8. Upon successful and timely completion of the BMPs, the Permittee may seek authorization under the Multi-Sector General Permit (pending reissuance) or any other current or future

Permit No. MA0004341

Page 13 of 14

program or regulatory scheme for storm water discharges associated with industrial activities from Outfalls 007, 008, and 009.

C. MONITORING AND 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.**

Original, signed and dated copies of these, and all other reports required herein, shall be submitted to the Director and the state at the following addresses:

U.S. 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 Waste Prevention
Central Regional Office
627 Main street
Worcester, MA 01608

Additionally, signed and dated copies of all monitoring reports, other notifications and reports required by this permit shall 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

Permit No. MA0004341

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D. STATE PERMIT CONDITIONS

This Discharge Permit is issued jointly by the U. S. Environmental Protection Agency (EPA) and the Massachusetts Department of Environmental Protection 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.