

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

In compliance with the provisions of the Federal Clean Water Act, as amended, (33 U.S.C. §1251 et seq.; the "CWA"),

The Town of Newmarket, New Hampshire

is authorized to discharge from the Wastewater Treatment Plant located at

**Young Lane
Newmarket, New Hampshire 03857**

to receiving waters named

Lamprey River (Hydrologic Basin Code: 010600030709)

in accordance with effluent limitations, monitoring requirements and other conditions set forth herein including, but not limited to, conditions requiring the proper operation and maintenance of the Town of Newmarket collection system.

The permit will become effective on *

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

This permit supersedes the permit issued on April 27, 2000 and modified on July 8, 2002.

This permit consists of **Part I** (17 pages including effluent limitations and monitoring requirements); **Attachment A** (Marine Acute Toxicity Test Procedure and Protocol, September 1996, 10 pages); and **Part II** (25 pages including General Conditions and Definitions).

Signed this day of

Stephen S. Perkins, Director
Office of Ecosystem Protection
U.S. Environmental Protection Agency (EPA)
Region I
Boston, Massachusetts

* If comments on the draft permit are received during the Public Notice, the permit will become effective no sooner than 30 days after signature. If no comments are received the permit will become effective on the date of signature.

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Exhibit 6 (AR A.7)

PART I A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

- During the period beginning on the effective date and lasting through expiration, the permittee is authorized to discharge treated domestic (household/sanitary/septage) and commercial wastewater effluent from outfall serial number 001 to the Lamprey 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 a location that provides a representative sample of the effluent.

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>		<u>Monitoring Requirements</u>	
	<u>Average Monthly</u>	<u>Average Weekly</u>	<u>Maximum Daily</u>	<u>Measurement Sample Frequency</u> <u>Type</u>
Flow; MGD	0.85	---	Report	Continuous Recorder ¹
BOD ₅ ; mg/l (lbs/day)	30 (213)	45 (319)	50 (354)	2/Week ³ 24 Hour Composite
TSS; mg/l (lbs/day)	30 (213)	45 (319)	50 (354)	2/Week ³ 24 Hour Composite
Total Nitrogen ⁴ ; mg/l (lbs/day)	3.0 (21)	---	Report	2/Week 24 Hour Composite
(Applicable April 1 through October 31)				
pH Range ² ; Standard Units	6.5 to 8.0 (See I.I.5)			
Total Residual Chlorine ^{5,6} ; mg/l	0.41	---	0.72	1/Day Grab
Fecal Coliform ^{5,7} ; Colonies/100ml	14	---	---	2/Day Grab
Fecal Coliform ^{5,7} ; Percent	---	---	Report	1/Day Grab
Enterococci Bacteria ^{5,8} ; Colonies/100ml	35	---	104	1/Day Grab
Whole Effluent Toxicity				
LC50 ^{9,10,11} ; Percent Hardness; mg/l	---	---	100	4/Year 24 Hour Composite
Total Recoverable Aluminum ¹² ; mg/l	---	---	Report	4/Year 24 Hour Composite
Total Recoverable Cadmium ¹² ; mg/l	---	---	Report	4/Year 24 Hour Composite
Total Recoverable Chromium ¹² ; mg/l	---	---	Report	4/Year 24 Hour Composite
Total Recoverable Copper ¹² ; ug/l	---	---	Report	4/Year 24 Hour Composite
Total Recoverable Lead ¹² ; mg/l	---	---	Report	4/Year 24 Hour Composite
Total Recoverable Nickel ¹² ; mg/l	---	---	Report	4/Year 24 Hour Composite
Total Recoverable Zinc ¹² ; mg/l	---	---	Report	4/Year 24 Hour Composite

See pages 3 and 4 for footnotes

FOOTNOTES TO PART I.A.1 on page 2.

- (1) The effluent flow shall be continuously measured and recorded using a flow meter and totalizer.
- (2) State certification requirement.
- (3) To monitor the 85 percent removal of BOD₅ and TSS required in Part I.A.5, the influent concentrations of both BOD₅ and TSS shall be monitored twice per month using a 24-Hour Composite sample and the results reported as average monthly values.
- (4) Total nitrogen shall be calculated by adding the total kjeldahl nitrogen (TKN) to the total nitrate (NO₃) and nitrite (NO₂). The permittee shall optimize the operation of the treatment facility for the removal of total nitrogen during the period November 1 through March 31, using all available treatment equipment in place at the facility. The addition of a carbon source that may be necessary in order to meet the total nitrogen limit from April 1 through October 31 is not required during the period November 1 through March 31. Monitoring from November 1 through March 31 shall be done twice per week using a 24 hour composite sample. During this period the monthly average and daily maximum values for total nitrogen shall be reported.
- (5) Monitoring for total residual chlorine, fecal coliform, and enterococci bacteria, as described below in footnotes 6, 7, and 8, respectively, shall be conducted concurrently.
- (6) Total residual chlorine shall be measured using any one of the following three methods listed in 40 Code of Federal Regulations (CFR) Part 136:
 - a. Amperometric direct
 - b. DPD-FAS
 - c. Spectrophotometric, DPD
- (7) Fecal coliform 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.

The average monthly value for fecal coliform shall be determined by calculating the geometric mean using the daily sample results. Not more than 10 percent of the collected samples (over a monthly period) shall exceed a Most Probable Number (MPN) of 43 per 100 ml for a 5-tube decimal dilution test. Each month the percentage of collected samples that exceeds an MPN of 43 per 100 milliliters for the 5-tube decimal dilution test shall be reported as the daily maximum value. Furthermore, all fecal coliform data collected must be submitted with the monthly Discharge Monitoring Reports (DMRs).

- (8) The average monthly value for enterococci shall be determined by calculating the geometric mean using the daily sample results. Enterococci 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. All enterococci data collected must be submitted with the monthly Discharge Monitoring Reports (DMRs).

- (9) LC50 (lethal concentration 50 percent) is the concentration of wastewater (effluent) causing mortality to 50 percent (%) of the test organisms. The "100 % limit" is defined as a sample which is composed of 100 percent effluent. Therefore, a 100 % limit means that a sample of 100 % effluent (no dilution) shall cause no greater than a 50 % mortality rate in that effluent sample.
- (10) The permittee shall conduct acute survival toxicity testing on effluent samples following the protocol in Attachment A (dated September 1996). The two species for these tests are *Menidia beryllina* and *Mysidopsis bahia*. Toxicity test samples shall be collected and tests completed four (4) times per year during the calendar quarters ending March 31st, June 30th, September 30th and December 31st. Toxicity test results are to be reported by the 15th day of the month following the end of that quarter tested.
- (11) This permit shall be modified, or alternatively, revoked and reissued to incorporate additional toxicity testing requirements, including chemical specific limits such as for metals, if the results of the toxicity tests 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 CFR Section 122.62(a)(2).
- (12) For each Whole Effluent Toxicity (WET) test the permittee shall report on the appropriate Discharge Monitoring Report (DMR), the concentrations of the hardness, total recoverable aluminum, cadmium, chromium, copper, lead, nickel, and zinc found in the 100 percent effluent sample. All these aforementioned chemical parameters shall be determined to at least the Minimum Quantification Level shown in **Attachment A** on page A-8, or as amended. Also the permittee should note that all chemical parameter results must still be reported in the appropriate toxicity report.

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

2. The discharge shall not cause a violation of the water quality standards of the receiving water.
3. Existing discharges containing either phosphorus or nitrogen which encourage cultural eutrophication shall be treated to remove phosphorus or nitrogen to assure attainment and maintenance of water quality.
4. The discharge shall be adequately treated to insure that the surface water remains free from pollutants in concentrations or combinations that settle to form harmful deposits, float as foam, debris, scum or other visible pollutants. It shall be adequately treated to insure that the surface waters remain free from pollutants which produce odor, color, taste or turbidity in the receiving waters which is not naturally occurring and would render it unsuitable for its designated uses.
5. The permittee's treatment facility shall maintain a minimum of 85 percent removal of both BOD₅ and TSS. The percent removal shall be based on a comparison of average monthly influent versus effluent concentrations.
6. When the effluent discharged for a period of 3 consecutive months exceeds 80 percent of the 0.85 MGD design flow (0.68 MGD), the permittee shall submit to the permitting authorities a projection of loadings up to the time when the design capacity of the treatment facility will be reached, and a program for maintaining satisfactory treatment levels consistent with approved water quality management plans. Before the design flow will be reached, or whenever treatment necessary to achieve permit limits cannot be assured, the permittee may be required to submit plans for facility improvements.
7. All 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 industry category (see 40 CFR §122 Appendix A as amended) discharging process water; and
 - b. Any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of issuance of the permit.
 - c. For purposes of this paragraph, adequate notice shall include information on:
 - (1) the quantity and quality of effluent introduced into the facility; and
 - (2) any anticipated impact of the change on the quantity or quality of effluent to

be discharged from the facility.

8. The permittee shall not discharge into the receiving water any pollutant or combination of pollutants in toxic amounts.
9. Limitations for Industrial Users
 - a. A user may not introduce into a POTW any pollutant(s) which cause Pass Through or Interference with the operation or performance of the treatment works. The terms "user", "pass through" and "interference" are defined in 40 CFR Section 403.3.
 - b. The permittee shall submit to EPA-New England and NHDES-WD the name of any Industrial User (IU) subject to Categorical Pretreatment Standards under 40CFR§403.6 and 40 CFR Chapter I, Subchapter N (Parts 405-415, 417-436, 439-440, 443, 446-447, 454-455, 457-461, 463-469, and 471 as amended) **who commences discharge to the POTW after the effective date of this permit.** This reporting requirement also applies to any other IU that discharges an average of 25,000 gallons per day or more of process wastewater into the POTW (excluding sanitary, noncontact cooling and boiler blow down wastewater); contributes a process wastewater which makes up five (5) percent or more of the average dry-weather hydraulic or organic capacity of the POTW; or is designated as such by the Control Authority as defined in 40 CFR §403.12(a) on the basis that the industrial user has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement [in accordance with 40 CFR §403.8(f)(6)].
 - c. In the event that the permittee receives reports (baseline monitoring reports, 90-day compliance reports, periodic reports on continued compliance, etc.) from industrial users subject to Categorical Pretreatment Standards under 40 CFR §403.6 and 40 CFR Chapter I, Subchapter N, (Parts 405-415, 417-436, 439-440, 443, 446-447, 454-455, 457-461, 463-469, and 471 as amended) the permittee shall forward all copies of these reports within ninety (90) days of their receipt to EPA-New England and NHDES-WD.

B. UNAUTHORIZED DISCHARGES

The permit only authorizes discharges in accordance with the terms and conditions of this permit and only from the Outfall listed in Part I.A.1 of this permit. Discharges of wastewater from any other point sources, including sanitary sewer overflows (SSOs), are not authorized by this permit and shall be reported in accordance with Part II, Section D.1.e. of the General Requirements of this permit (twenty-four hour reporting).

C. OPERATION AND MAINTENANCE OF THE SEWER SYSTEM

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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 collection system which it owns:

1. Maintenance Staff

The permittee shall provide an adequate staff to carry out the operation, maintenance, repair, and testing functions required to ensure compliance with the terms and conditions of this permit. This requirement shall be described in the Collection System O & M Plan required pursuant to Section C.5. below.

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. This requirement shall be described in the Collection System O & M Plan required pursuant to Section C.5. below.

3. Infiltration/Inflow

The permittee shall control infiltration and inflow (I/I) into the sewer system 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. Plans and programs to control I/I shall be described in the Collection System O & M Plan required pursuant to Section C.5. below.

4. Collection System Mapping

Within 30 months of the effective date of this permit, the permittee shall prepare a map of the sewer collection system it owns (see page 1 of this permit for the effective date). The map shall be on a street map of the community, with sufficient detail and at a scale to allow easy interpretation. The collection system information shown on the map shall be based on current conditions and shall be kept up to date and available for review by federal, state, or local agencies. Such map(s) shall include, but not be limited to the following:

- a. All sanitary sewer lines and related manholes;
- b. All combined sewer lines, related manholes, and catch basins;
- c. All combined sewer regulators and any known or suspected connections between the sanitary sewer and storm drain systems (e.g. combined manholes);
- d. All outfalls, including the treatment plant outfall(s), CSOs, combined manholes, and any known or suspected SSOs;
- e. All pump stations and force mains;
- f. The wastewater treatment facility(ies);
- g. All surface waters (labeled);

- h. Other major appurtenances such as inverted siphons and air release valves;
- i. A numbering system which uniquely identifies manholes, catch basins, overflow points, regulators and outfalls;
- j. The scale and a north arrow; and
- k. The pipe diameter, date of installation, type of material, distance between manholes, and the direction of flow.

5. Collection System Operation and Maintenance Plan

The permittee shall develop and implement a Collection System Operation and Maintenance Plan.

- a. Within six (6) months of the effective date of the permit, the permittee shall submit to EPA and NHDES
 1. A description of the collection system management goals, staffing, information management, and legal authorities;
 2. A description of the overall condition of the collection system including a list of recent studies and construction activities; and
 3. A schedule for the development and implementation of the full Collection System O & M Plan including the elements in paragraphs b.1. through b.7. below.
- b. The full Collection System O & M Plan shall be submitted and implemented to EPA and NPDES within twenty four (24) months from the effective date of this permit. The Plan shall include:
 1. The required submittal from paragraph 5.a. above, updated to reflect current information;
 2. A preventative maintenance and monitoring program for the collection system;
 3. Sufficient staffing to properly operate and maintain the sanitary sewer collection system;
 4. Sufficient funding and the source(s) of funding for implementing the plan;
 5. Identification of known and suspected overflows and back-ups, including combined manholes, a description of the cause of the identified overflows and back-ups, and a plan for addressing the overflows and back-ups consistent with the requirements of this permit;
 6. A description of the permittees program for preventing I/I related effluent violations and all unauthorized discharges of wastewater, including overflows and by-passes and the ongoing program to identify and remove sources of I/I. The program shall include an inflow identification and control program that focuses on the disconnection and redirection of illegal sump pumps and roof down spouts; and

7. An educational public outreach program for all aspects of I/I control, particularly private inflow.

6. Annual Reporting Requirement

The permittee shall submit a summary report of activities related to the implementation of its Collection System O & M Plan during the previous calendar year. The report shall be submitted to EPA and NHDES annually by March 31. The first annual report shall be due the first March 31st following the submittal of the collection system O & M plan required by Part I.C.5.b of this permit. The summary report shall, at a minimum, include:

- a. A description of the staffing levels maintained during the year;
- b. A map and a description of inspection and maintenance activities conducted and corrective actions taken during the previous year;
- c. Expenditures for any collection system maintenance activities and corrective actions taken during the previous year;
- d. A map with areas identified for investigation/action in the coming year;
- e. If treatment plant flow has reached 80% of the 0.85 mgd design flow (0.68 mgd) or there have been capacity related overflows, submit a calculation of the maximum daily, weekly, and monthly infiltration and the maximum daily, weekly, and monthly inflow for the reporting year; and
- f. A summary of unauthorized discharges during the past year and their causes and a report of any corrective actions taken as a result of the unauthorized discharges reported pursuant to the Unauthorized Discharges section of this permit.

D. ALTERNATE POWER SOURCE

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

Wastewater facility is defined by RSA 485A:2.XIX as the structures, equipment, and processes required to collect, convey, and treat domestic and industrial wastes, and dispose of the effluent and sludge.

E. SLUDGE CONDITIONS

1. The permittee shall comply with all existing federal & 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 (Env-Ws 800) 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. Placement of sludge in a municipal solid waste landfill (See 40 CFR Section 503.4).
 - d. 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 do not apply to facilities which do not dispose of sewage sludge during the life of the permit, but rather treat the sludge (lagoons-reed beds), or are otherwise excluded under 40 CFR Section 503.6.
5. The permittee shall use and comply with the NPDES Permit Sludge Compliance Guidance, November 1999, (Attachment D) to determine appropriate conditions. Appropriate conditions contain the following elements.

- General requirements
- Pollutant limitations
- Operational Standards (pathogen reduction requirements and vector attraction reduction requirements)
- Management practices
- Record keeping
- Monitoring
- Reporting

Depending upon the quality of material produced by a facility all conditions may not apply to the facility.

6. The permittee shall monitor the pollutant concentrations, pathogen reduction and vector attraction reduction for the permittee's chosen sewage sludge use or disposal practices at the following frequency. This frequency is based upon the volume of sewage sludge generated at the facility in dry metric tons per year.

less than 290	1/Year
290 to less than 1,500	1/Quarter
1,500 to less than 15,000	6/Year
15,000 plus	1/Month

7. The permittee shall sample the sewage sludge using the procedures detailed in 40 CFR Section 503.8.
8. The permittee shall submit an annual report containing the information specified in the attached Sludge Compliance Guidance document. Reports are **due annually** by

February 19th. Reports shall be submitted to both addresses (EPA-New England and NHDES-WD) contained in the reporting section of the permit.

F. SPECIAL CONDITIONS

1. WET Test Frequency Adjustment

The permittee may submit a written request to the 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 the EPA-New England indicating that the WET testing requirement has been changed, the permittee is required to continue testing at the frequency specified in the respective permit.

2. pH Limit Adjustment

The permittee may submit a written request to the EPA-New England requesting a change in the permitted pH limit range to be not less restrictive than 6.0 to 9.0 Standard Units found in the applicable National Effluent Limitation Guideline (Secondary Treatment Regulations in 40 CFR Part 133) for this facility. The permittee's written request must include the State's approval letter containing an original signature (no copies). The State's letter shall state that the permittee has demonstrated to the State's satisfaction that as long as discharges to the receiving water from a specific outfall are within a specific numeric pH range the naturally occurring receiving water pH will be unaltered. That letter must specify for each outfall the associated numeric pH limit range. Until written notice is received by certified mail from the EPA-New England indicating the pH limit range has been changed, the permittee is required to meet the permitted pH limit range in the respective permit.

3. Other Parameters

The permittee shall complete three scans for the following pollutants. One scan shall be completed in each of the first three calendar quarters following the effective date of the permit. The scans shall be conducted on grab samples and shall be submitted by the 15th day of the month following the calendar quarter:

- 2-Methylnaphthalene
- Anthracene
- Benzo(a)pyrene (PAHs)
- Benzo(a)anthracene
- Chrysene (C1-C4)
- DDD
- DDE
- DDT
- Dibenz(a,h)anthracene

- Fluroanthene
- Fluorene
- Naphthalene
- Pyrene
- Dioxin (including 2,3,7,8 TCDD)
- Polychlorinated biphenyls

The information from these scans will be used by EPA and NHDES to determine whether the discharge has a reasonable potential to cause or contribute to water quality standard violations for these pollutants. If reasonable potential is found for any of these pollutants the permit may be modified to include effluent limitations. Testing methods for these pollutants shall be conducted using methods found in 40 CFR §136.

G. REQUIREMENTS FOR POTWS WITH EFFLUENT DIFFUSERS

- a. The facility shall maintain elastomeric check valves on the diffuser ports to prevent marine water intrusion into the outfall pipe.
- b. Effluent diffusers shall be maintained when necessary to ensure proper operation. Proper operation means that the plumes from each port will be balanced relative to each other and that they all have unobstructed flow. Maintenance may include dredging in the vicinity of the diffuser, cleaning out of solids in the diffuser header pipe, removal of debris and repair/replacement of riser ports, and duckbill valves.
- c. Any necessary maintenance dredging must be performed only during the marine construction season authorized by the New Hampshire Fish and Game Department and only after receiving all necessary permits including those from the NHDES Wetlands Bureau, U.S. Coast Guard, and the U.S. Army Corps of Engineers.
- d. To determine if maintenance will be required, the permittee shall have a licensed diver or licensed marine contractor inspect and videotape the operation of the diffuser. The inspections and videotaping shall be performed once every two years with the first inspection required during the first calendar year following final permit issuance.
- e. Copies of a report summarizing the results of each diffuser inspection shall be submitted to EPA and NHDES-WD by December 31st of the year the inspection occurred. Where it is determined that maintenance will be necessary, the permittee shall also provide the proposed schedule for the maintenance.

H. MONITORING AND REPORTING

1. **For a period of one year from the effective date of the permit**, the permittee may either submit monitoring data and other reports to EPA in hard copy form or report

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electronically using NetDMR, a web-based tool that allows permittees to electronically submit discharge monitoring reports (DMRs) and other required reports via a secure internet connection. **Beginning no later than one year after the effective date of the permit**, the permittee shall begin reporting using NetDMR, unless the facility is able to demonstrate a reasonable basis that precludes the use of NetDMR for submitting DMRs and reports. Specific requirements regarding submittal of data and reports in hard copy form and for submittal using NetDMR are described below:

a. Submittal of Reports Using NetDMR

NetDMR is accessed from: <http://www.epa.gov/netdmr>. **Within one year of the effective date of this permit**, the permittee shall begin submitting DMRs and reports required under this permit electronically to EPA using NetDMR, unless the facility is able to demonstrate a reasonable basis, such as technical or administrative infeasibility, that precludes the use of NetDMR for submitting DMRs and reports (“opt-out request”).

DMRs shall be submitted electronically to EPA no later than the 15th day of the month following the completed reporting period. All reports required under the permit shall be submitted to EPA, including the NHDES Monthly Operating Reports (MORs), as an electronic attachment to the DMR. Once a permittee begins submitting reports using NetDMR, it will no longer be required to submit hard copies of DMRs or other reports to EPA or to NHDES.

b. Submittal of NetDMR Opt-Out Requests

Opt-out requests must be submitted in writing to EPA for written approval at least sixty (60) days prior to the date a facility would be required under this permit to begin using NetDMR. This demonstration shall be valid for twelve (12) months from the date of EPA approval and shall thereupon expire. At such time, DMRs and reports shall be submitted electronically to EPA unless the permittee submits a renewed opt-out request and such request is approved by EPA. All opt-out requests should be sent to the following addresses:

Attn: NetDMR Coordinator
U.S. Environmental Protection Agency, Water Technical Unit
5 Post Office Square, Suite 100 (OES04-4)
Boston, MA 02109-3912

And

Attn: Compliance Supervisor
New Hampshire Department of Environmental Services (NHDES)
Water Division
Wastewater Engineering Bureau
P.O. Box 95

Concord, New Hampshire 03302-0095

c. **Submittal of Reports in Hard Copy Form**

Monitoring results shall be summarized for each calendar month and reported on separate hard copy Discharge Monitoring Report Form(s) (DMRs) postmarked no later than the 15th day of the month following the completed reporting period. All reports required under the permit, including NHDES Monthly Operating Reports, shall be submitted as an attachment to the DMRs. 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 (OES04-SMR)
5 Post Office Square - Suite 100
Boston, MA 02109-3912**

Duplicate signed copies of all reports or notifications required above shall be submitted to the State at the following address:

**New Hampshire Department of Environmental Services
Water Division
Wastewater Engineering Bureau
P.O. Box 95
Concord, New Hampshire 03302-0095**

Any verbal reports, if required in **Parts I** and/or **II** of this permit, shall be made to both EPA-New England and to NHDES-WD.

2. The permittee shall immediately notify the Shellfish Section of the NHDES-WD of possible high bacteria/virus loading events from the facility or its sewage collection infrastructure. Such events include:
 - a. Any lapse or interruption of normal operation of the WWTF disinfection system, or other event that results in the discharge of sewage from the WWTF or sewer infrastructure (pump stations, sewer lines, manholes, etc.) that has not undergone full disinfection as specified in the NPDES permit.
 - b. Average daily flows in excess of 1.0 mgd.
 - c. Daily post-disinfection effluent sample results of 43 fecal coliform/100 ml or greater. Notification shall also be made for instances where bacteria sampling required in this NPDES permit is not completed or where the results of such sampling are invalid.

Notification shall be made to the Shellfish Section of the NHDES-WD using the program's cell phone as well as on the program's pager. Upon initial notification of a possible high bacteria/virus loading event, Shellfish Program staff will determine the most suitable interval for continued notification and updates on an event by event basis.

I. STATE PERMIT CONDITIONS

1. The permittee shall not at any time, either alone or in conjunction with any person or persons, cause directly or indirectly the discharge of waste into the said receiving water unless it has been treated in such a manner as will not lower the legislated water quality classification or interfere with the uses assigned to said water by the New Hampshire Legislature (RSA 485-A:12).
2. This NPDES discharge permit is issued by EPA under federal and state law. Upon final issuance by EPA, the New Hampshire Department of Environmental Services-Water Division (NHDES-WD) may adopt this permit, including all terms and conditions, as a state permit pursuant to RSA 485-A:13.
3. EPA shall have the right to enforce the terms and conditions of this permit pursuant to federal law and NHDES-WD shall have the right to enforce the permit pursuant to state law, if the permit is adopted. Any modification, suspension, or revocation of this permit shall be effective only with respect to the agency taking such action, and shall not affect the validity or status of the permit as issued by the other agency.
4. Pursuant to New Hampshire Statute RSA 485-A:13,I(c), any person responsible for a bypass or upset at a *wastewater facility* shall give immediate notice of a bypass or upset to all public or privately owned water systems drawing water from the same receiving water and located within 20 miles downstream of the point of discharge regardless of whether or not it is on the same receiving water or on another surface water to which the receiving water is tributary. Wastewater facility is defined at RSA 485-A:2XIX as the structures, equipment, and processes required to collect, convey, and treat domestic and industrial wastes, and dispose of the effluent and sludge. The permittee shall maintain a list of persons, and their telephone numbers, who are to be notified immediately by telephone. In addition, written notification, which shall be postmarked within 3 days of the bypass or upset, shall be sent to such persons.
5. The pH range of 6.5 to 8.0 Standard Units (S.U.) must be achieved in the final effluent unless the permittee can demonstrate to NHDES-WD: (1) that the range should be widened due to naturally occurring conditions in the receiving water or (2) that the naturally occurring receiving water pH is not significantly altered by the permittee's discharge. The scope of any demonstration project must receive prior approval from NHDES-WD. In no case, shall the above procedure result in pH limits outside the range of 6.0 – 9.0 S.U., which is the federal effluent limitation guideline regulation for pH for secondary treatment and is found in 40 CFR 133.102(c).

6. Pursuant to New Hampshire Code of Administrative Rules, Env-Wq 703.07(a):
 - (a) Any person proposing to construct or modify any of the following shall submit an application for a sewer connection permit to the department:
 - (1) Any extension of a collector or interceptor, whether public or private, regardless of flow;
 - (2) Any wastewater connection or other discharge in excess of 5,000 gpd;
 - (3) Any wastewater connection or other discharge to a WWTP operating in excess of 80 percent design flow capacity based on actual average flow for 3 consecutive months;
 - (4) Any industrial wastewater connection or change in existing discharge of industrial wastewater, regardless of quality or quantity; and
 - (5) Any sewage pumping station greater than 50 gpm or serving more than one building.
7. For each new or increased discharge of industrial waste to the POTW, the permittee shall submit, in accordance with Env-Ws 904.14(e) an "Industrial Wastewater Discharge Request Application" approved by the permittee in accordance with 904.13(a). The "Industrial Wastewater Discharge Request Application" shall be prepared in accordance with Env-Ws 904.10.
8. Pursuant to Env-Ws 904.17, at a frequency no less than every five years, the permittee shall submit to NHDES:
 - (a) A copy of its current sewer use ordinance. The sewer use ordinance shall include local limits pursuant to Env-Ws 904.04 (a).
 - (b) A current list of all significant indirect dischargers to the POTW. At a minimum, the list shall include for each significant indirect discharger, its name and address, the name and daytime telephone number of a contact person, products manufactured, industrial processes used, existing pretreatment processes, and discharge permit status.
 - (c) A list of all permitted indirect dischargers; and
 - (d) A certification that the municipality is strictly enforcing its sewer use ordinance and all discharge permits it has issued.
9. In addition to submitting DMRs, monitoring results shall also be summarized for each calendar month and reported on separate Monthly Operations Report Form(s) (MORs)

postmarked or submitted electronically using NetDMR no later than the 15th day of the month following the completed reporting period. Signed and dated MORs, which are not submitted electronically using NetDMR shall be submitted to:

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

