

**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"),

City of Berlin, New Hampshire

is authorized to discharge from the facility located at

**10 Shelby Street
Berlin, New Hampshire 03570**

and

Combined Sewer Overflow (Outfall 002) at the Watson Street Pumping Station

to receiving water named

Androscoggin River (Hydrologic Basin Code: 01040001)

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

The permit shall become effective December 1, 2008

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

This permit supersedes the permit issued on September 29, 2000.

This permit consists of **Part I** (18 pages) including effluent limitations and monitoring requirements; **Attachment A** (Freshwater Acute Toxicity Test Procedure and Protocol, December 1995); **Attachment B** (1 page), **Attachment C** (NPDES Permit Sludge Compliance Guidance, November 1999), **Attachment D** (Summary of Required Reports); and **Part II Standard Conditions**, January 2007, 25 pages.

Signed this day of

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

PART I.

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS:

1. a. During the period beginning on the effective date and lasting through the expiration date, the permittee is authorized to discharge treated wastewater from outfall Serial Number 001 to the Androscoggin 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 analysis of the effluent.

Effluent Characteristic	Discharge Limitations						Monitoring Requirements		
	Average		Maximum	Average		Maximum	Measurement Frequency	Sample Type	
	Monthly	Weekly	Daily	Monthly	Weekly				
(lbs/day)	(lbs/day)	(lbs/day)	(mg/l)	(mg/l)	Daily (mg/l)				
Flow; MGD	---	---	---	Report	---	Report	Continuous	Recorder ¹	
BOD ₅	661	991	1102	30	45	50	2/Week ²	24-Hour Composite	
TSS	661	991	1102	30	45	50	2/Week ²	24-Hour Composite	
pH Range ³	6.5 to 8.0 Standard Units (See Part I.H.5)						1/Day	Grab	
Total Residual Chlorine ⁴ ; mg/l			1.0	---	---	1.0	1/Day	Grab	
<u>Escherichia coli</u> ⁵ ; Colonies/100 ml			126	---	---	406	3/Week	Grab	

Whole Effluent Toxicity (WET)

LC50 ^{6,7,8}	greater than or equal to 50 Percent	2/Year	24-Hour Composite
Ammonia Nitrogen as Nitrogen; mg/l ⁹		Report 2/Year	24-Hour Composite
Hardness; mg/l ⁹		Report 2/Year	24-Hour Composite
Total Recoverable Aluminum; mg/l ⁹		Report 2/Year	24-Hour Composite
Total Recoverable Cadmium; mg/l ⁹		Report 2/Year	24-Hour Composite
Total Recoverable Chromium; mg/l ⁹		Report 2/Year	24-Hour Composite
Total Recoverable Copper; mg/l ⁹		Report 2/Year	24-Hour Composite
Total Recoverable Nickel; mg/l ⁹		Report 2/Year	24-Hour Composite
Total Recoverable Lead; mg/l ⁹		Report 2/Year	24-Hour Composite
Total Recoverable Zinc; mg/l ⁹		Report 2/Year	24-Hour Composite

NOTE: See pages 4 through 5 for explanation of footnotes.

1.b. During the period beginning on the effective date of the permit and lasting through the expiration date, the permittee is authorized to discharge stormwater and wastewaters from combined sewer overflow outfall Serial Number 002 into the Androscoggin River. The permittee is referred to **Attachment B**, "Combined Sewer Overflows". These discharges are authorized only during wet weather. Such discharges shall be limited to the outfall listed and shall be monitored by the permittee as specified below. Samples specified below shall be taken at a location that provides a representative analysis of the effluent.

Effluent Characteristic	Discharge Limitation	Monitoring Requirement	
		Measurement Frequency	Sample Type
<u>Escherichia coli</u> ¹⁰ (Colonies per 100 ml)	1000	1/Year	Grab

Note: See page 5 for explanation of the footnote.

FOOTNOTES:

- (1) The effluent flow shall be continuously measured and recorded using a flow meter and totalizer.
- (2) The influent concentrations of both BOD₅ and TSS shall also be monitored. Influent samples shall be collected twice per month using 24-hour composite samples.
- (3) State Certification Requirement.
- (4) Total Residual Chlorine shall be measured using any one of the following three methods:
 - a. DPD spectrophotometric (colorimetric). Standard Methods [19th or subsequent edition(s) as approved in 40 Code of Federal Regulations (CFR) Part 136], No. 4500-CI G.
 - b. DPD titrimetric (ferrous titrimetric). Standard Methods [19th or subsequent edition(s) as approved in 40 CFR Part 136], No. 4500-CI F.
 - c. Amperometric titration. Standard Methods [19th or subsequent edition(s) as approved in 40 CFR Part 136], No. 4500-CI D.
- (5) The average monthly value for *Escherichia coli* shall be determined by calculating the geometric mean and the result reported. *Escherichia coli* shall be tested using an approved method as specified in 40 CFR 136. (See list of Approved Biological Methods for Wastewater and Sewage Sludge.) The grab sample for *Escherichia coli* must be collected concurrently with the grab sample for total residual chlorine.
- (6) LC50 (lethal concentration 50 percent) is the concentration of wastewater (effluent) causing mortality to 50 percent (%) of the test organisms. The "50 %" is defined as a sample which is composed of 50 % or greater effluent, the remainder being dilution water (See A.1 on Page 2 of Part 1 and **Attachment A** of Part 1). Therefore, a 50 % limit means that a sample of 50% or greater effluent shall cause no greater than a 50% mortality rate in that effluent sample.
- (7) The permittee shall conduct 48-hour Acute (static) Toxicity Tests on effluent samples using two species, Daphnid (*Ceriodaphnia dubia*) and Fathead Minnow (*Pimephales promelas*) following the protocol in **Attachment A** (Freshwater Acute Toxicity Test Procedure and Protocol dated December 1995). The permittee shall use the Androscoggin River as diluent for the Acute Toxicity Test species as specified in **Attachment A**, section IV.

Toxicity test samples shall be collected and tests completed each year during the 3rd and 4th calendar quarters ending September 30th and December 31st, respectively. Toxicity test results are to be submitted by the 15th day of the month following the end of the quarter sampled. For example, test results for the 3rd calendar quarter (June - September) are to be submitted with the Discharge Monitoring Report for September due to EPA-New England and NHDES-WD by

October 15th.

- (8) This permit shall be modified, or alternatively, revoked and reissued to incorporate additional toxicity testing requirements, including chemical specific limits, if the results of the toxicity 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 §122.62(a)(2).
- (9) For each Whole Effluent Toxicity test, the permittee shall report on the appropriate Discharge Monitoring Report (DMR) the concentrations of the Ammonia Nitrogen as Nitrogen, Hardness, and 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 (MLs) shown in **Attachment A** on page A-7, or as amended. Also, the permittee should note that all chemical parameter results must still be reported in the appropriate toxicity report.
- (10) The permittee shall sample the Combined Sewer Outfall (CSO) listed in **Attachment B** at least once per year. The sampling for Escherichia coli shall occur during a wet-weather discharge event. A minimum of one grab sample shall be collected beginning at least one-half hour after the outfall begins to discharge and the result reported. The sampling can be conducted during the POTW's normal business hours; however, sampling could be conducted outside those hours at the discretion of the permittee. If more than one sample is collected per outfall per wet-weather event, the maximum value for Escherichia coli shall be determined by calculating the geometric mean and the result reported. Escherichia coli shall be tested using an approved method as specified in 40 CFR 136. (See list of Approved Biological Methods for Wastewater and Sewage Sludge.) Results from each year's sampling shall be reported with each December Discharge Monitoring Report (DMR) which is due by January 15th. If an individual CSO does not discharge or does not discharge sufficiently to collect a sample during the calendar year, report "C" for that outfall on the December DMR.

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. 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.
4. The permittee's treatment facility shall maintain a minimum of 85 percent removal of both BOD₅ and TSS. The percent removal shall be calculated using the average monthly influent and

effluent concentrations.

5. When the effluent discharged for a period of three consecutive months exceeds 80 percent of the 2.64 MGD design flow (2.11 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.
6. The permittee shall not discharge into the receiving water any pollutant or combination of pollutants in toxic amounts.
7. No components of the effluent shall result in any demonstrable harm to aquatic life or violate any 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, the permittee being so notified.
8. All Publicly Owned Treatment Works (POTWs) must provide adequate notice to both EPA-New England and the New Hampshire Department of Environmental Services, Water Division (NHDES-WD) of the following:
 - a. Any new introduction of pollutants into the POTW from an indirect discharger in a primary industry category (See 40 CFR Part 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 POTW; and
 - (2) any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW.
9. Limitations for Industrial Users:
 - a. User may not introduce into the Publicly Owned Treatment Works (POTWs) any pollutant(s) which cause Pass Through or Interference with the operation or performance of the works. The terms User, Pass Through and Interference are defined in 40 CFR §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 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) **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 blowdown 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. COMBINED SEWER OVERFLOWS

1. EFFLUENT LIMITATIONS

- a. During wet weather, the permittee is authorized to discharge storm water/wastewater from the combined sewer outfall listed in **Attachment B**, "List of Combined Sewer Overflows", subject to the following effluent limitations.
 - i. The discharges shall receive treatment at a level providing Best Practicable Control Technology Currently Available (BPT), Best Conventional Pollutant Control Technology (BCT) to control and abate conventional pollutants and Best Available Technology Economically Achievable (BAT) to control and abate non-conventional and toxic pollutants. The EPA has made a Best Professional Judgment (BPJ) determination that BPT, BCT, and BAT for combined sewer overflow (CSO) control include the implementation of Nine Minimum Controls (NMC) specified below and detailed further in **Part I.B.2**, Nine Minimum Controls, Minimum Implementation Levels, of this permit:
 - (1) Proper operation and regular maintenance programs for the sewer system and the combined sewer overflows.
 - (2) Maximum use of the collection system for storage.

- (3) Review and modification of the pretreatment program to assure CSO impacts are minimized.
- (4) Maximization of flow to the POTW for treatment.
- (5) Prohibition of dry weather overflows from CSOs.
- (6) Control of solid and floatable materials in CSO.
- (7) Pollution prevention programs that focus on contaminant reduction activities.
- (8) Public notification to ensure that the public receives adequate notification of CSO occurrences and CSO impacts.
- (9) Monitoring to effectively characterize CSO impacts and the efficacy of CSO controls.

Implementation of these controls is required by the effective date of the permit. The permittee submitted documentation of the implementation of these nine minimum controls by letter dated June 8, 1998. The EPA-New England and the NHDES-WD are currently reviewing that documentation. Approvable documentation must include the minimum requirements set forth in **Part I.B.2.** of this Permit and any additional activities the permittee can reasonably undertake. The permittee must implement the activities identified in the nine minimum controls documentation submitted on June 8, 1998, along with any revisions to that document that may be required.

- ii. The discharges shall not cause violations of Federal or State Water Quality Standards.

2. NINE MINIMUM CONTROLS, MINIMUM IMPLEMENTATION LEVELS

- a. The Permittee must implement the nine minimum controls in accordance with the documentation provided under **Part I.B.1.a.i.** of this permit. This implementation must include the following controls plus other controls the Permittee can reasonably implement as set forth in the documentation.
- b. Each CSO structure/regulator, pumping station and/or tidegate shall be routinely inspected, at a minimum of once per month, to insure that they are in good working condition and adjusted to minimize combined sewer discharges and tidal surcharging. The following inspection results shall be recorded: the date and time of the inspection, the general condition of the facility, and whether the facility is operating satisfactorily. If maintenance is necessary, the permittee shall record: the description of the necessary

maintenance, the date the necessary maintenance was performed, and whether the observed problem was corrected. The permittee shall maintain all records of inspections for at least three years.

Annually, no later than January 15th, the permittee shall submit a certification to EPA-New England and NHDES-WD which states that the previous calendar year's monthly inspections were conducted, results recorded, and records maintained.

The EPA-New England and NHDES-WD have the right to inspect any CSO related structure or outfall at any time without prior notification to the permittee.

- c. Discharges to the combined system of septage, holding tank wastes or other material which may cause a visible oil sheen or contain floatable material(s) are prohibited during wet weather when CSO discharges may be active.
- d. Dry-weather overflows (DWOs) are prohibited. All dry-weather sanitary and/or industrial discharges from CSOs must be reported to EPA-New England and NHDES-WD within 24 hours in accordance with the reporting requirements for plant bypass (**Paragraph D.1.e. of Part II** of this permit).
- e. The permittee shall quantify and record all discharges from combined sewer outfalls. Quantification may be through direct measurement or estimation. When estimating, the permittee shall make reasonable efforts, e.g. gaging, measurements, to verify the validity of the estimation technique. The following information must be recorded for each combined sewer outfall for each discharge event:
 - Estimated duration (hours) of discharge;
 - Estimated volume (gallons) of discharge; and
 - National Weather Service precipitation data from the nearest gage where precipitation data are available at daily (24-hour) intervals and the nearest gage where precipitation data are available at one-hour intervals. Cumulative precipitation per discharge event shall be calculated.

The permittee shall maintain all records of discharges for at least six years after the effective date of this permit.

Annually, no later than January 15th, and in conjunction with the requirement in **Part I.B.2.b.**, the permittee shall submit a certification to the EPA-New England and NHDES-WD which states that all the discharges from combined sewer outfalls were recorded, and records maintained for the previous calendar year. In addition, the permittee shall include a copy of all records of CSO discharge(s) during the previous calendar year collected under **Part I.B.2.d.** and **Part I.B.2.e.**

- f. The permittee shall install and maintain identification signs for all combined sewer outfall

structures. The signs must be located at or near the combined sewer outfall structures and easily readable by the public. These signs shall be a minimum of 12 x 18 inches in size, with white lettering against a green background, and shall contain the following information:

CITY OF BERLIN
WET WEATHER
SEWAGE DISCHARGE
OUTFALL 002

g. The permittee shall provide immediate notification to the NHDES-WD, Watershed Management Bureau in the event of a CSO discharge.

3. REOPENER/ADDITIONAL CSO CONTROL MEASURES

This permit may be modified or reissued upon the completion of a long-term CSO control plan. Such modification may include performance standards for the selected controls, post construction water quality assessment program, monitoring for compliance with water quality standards, and a reopener clause to be used in the event that the selected CSO controls fail to meet water quality standards. Section 301(b)(1)(C) requires that a permit include limits that may be necessary to protect Federal and State water quality standards.

C. UNAUTHORIZED DISCHARGES

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

D. OPERATION AND MAINTENANCE OF THE SEWER SYSTEM

Operation and maintenance (O&M) 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.

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.

3. Infiltration/Inflow

The permittee shall control infiltration and inflow (I/I) into its sewer systems as necessary to prevent high flow-related unauthorized discharges from its collection systems and high flow-related violations of the wastewater treatment plant's effluent limitations.

4. Collection System Mapping

Within 30 months of the effective date of the permit, the permittee shall prepare a map of the sewer collection system it owns. 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. Such map(s) shall include, but not be limited to:

- a. All sanitary sewer lines and related manholes;
- b. All combined sewer lines and related manholes;
- c. All combined sewer regulators and any known or suspected connections between the sanitary sewer and storm drain system, 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 overflow points, regulators and outfalls;

- j. The scale and a north arrow; and
- k. The pipe diameter, age and type of pipe, the length of pipe between manholes, the direction of flow, and pipe invert elevations.

5. Collection System O&M Plan

The permittee shall develop and implement a collection system operation and maintenance plan. The plan shall be submitted to EPA and NHDES **within six months of the effective date of this permit** (see page 1 of this permit for the effective date). The plan shall describe the permittee's program for preventing I/I related effluent limit violations, including the 80 percent design flow requirement in Part I.A.5, and all unauthorized discharges of wastewater as well as overflows and by-passes.

The plan shall include:

- a. A description of the overall condition of the collection system including a list of recent studies and construction activities.
- b. A preventative maintenance and monitoring program for the collection system
- c. Recommended staffing to properly operate and maintain the sanitary sewer collection system.
- d. The necessary funding level, the source(s) of funding, for implementing the plan
- e. Identification of known and suspected overflows, including combined manholes. A description of the cause of the identified overflows, and a plan for addressing the overflows consistent with the requirements of this permit.
- f. An 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 downspouts.
- g. An educational public outreach program for all aspects of I/I control, particularly private inflow.

For each of the above activities that are not completed and implemented as of the submittal date, the plan shall provide a schedule for its completion.

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 the NHDES annually, **by March 31**. 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. A calculation of the annual average infiltration, the annual average inflow, the maximum month infiltration and the maximum month inflow for the reporting year.
- f. A report of any corrective actions taken as a result of unauthorized discharges reported pursuant to the Unauthorized Discharges section of this permit.

E. 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 its publicly owned treatment works, as defined at 40 CFR §403.3(q).

F. 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-Wq 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. These 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 (i.e., lagoons,

reed beds), or are otherwise excluded under 40 CFR Section 503.6.

5. The permittee shall use and comply with the attached sludge compliance guidance document to determine appropriate conditions. Appropriate conditions contain the following 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 503.8.
8. The permittee shall submit an annual report containing the information specified in the Sludge Compliance Guidance document. Reports are due annually by February 19th. Reports shall be submitted to the addresses (both EPA-New England and NHDES-WD) contained in the Monitoring and Reporting section of the permit.

G. MONITORING AND REPORTING

Monitoring results shall be summarized for each calendar month and reported on separate Discharge Monitoring Report Form(s) (DMRs) postmarked no later than the 15th day of the month following the completed reporting period.

Signed and dated original DMRs and all other reports or notifications required herein or in Part II shall be submitted to the Director at the following address:

U.S. Environmental Protection Agency, Region I
Water Technical Unit (SEW)
P.O. Box 8127
Boston, Massachusetts 02114-8127

Duplicate signed copies (original signature) of all DMRs and all other reports or notifications required herein or in Part II shall be submitted to the State of New Hampshire at:

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

H. 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 a tributary. 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, permittees are required to submit:
 - 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. As a minimum, the list shall include for each industry, 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 Operating Report Form(s) (MORs) postmarked no later than the 15th day of the month following the completed reporting period. Signed and dated MORs 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

I. SPECIAL CONDITIONS

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.

Whole Effluent Toxicity 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 must 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 Whole Effluent Testing requirement has been changed, the permittee is required to continue testing at the frequency specified in the respective permit.

ATTACHMENT B

LIST OF COMBINED SEWER OVERFLOWS

<u>Discharge Serial Number</u>	<u>Location</u>	<u>Present Use</u>	<u>Receiving Water</u>
002	Watson Street Pump Station	Combined Discharge	Androscoggin River