NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
GENERAL PERMITS FOR NON-CONTACT COOLING WATER DISCHARGES

MAG250000 AND NHG250000

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NOTE: The non-contact cooling water (NCCW) General Permits for the Commonwealth of Massachusetts and the State of New Hampshire are combined. Part 1 contains the General Permit provisions for discharges in the Commonwealth of Massachusetts; Part 2 contains the General Permit provisions for discharges in the State of New Hampshire; and Parts 3 through 7 are General Permit provisions common to both General Permits.

Part 1 MASSACHUSETTS GENERAL PERMIT, Permit No. MAG250000

In compliance with the provisions of the Federal Clean Water Act, as amended (33 U.S.C. §§ 1251 et seq.) and the Massachusetts Clean Waters Act, as amended (M.G.L. Chap. 21, §§ 26-53), operators of facilities located in Massachusetts that discharge non-contact cooling water (NCCW) to the classes of waters as designated in the Massachusetts Water Quality Standards, 314 CMR 4.00 et seq., are authorized to discharge to all waters, unless otherwise restricted, in accordance with effluent limitations, monitoring requirements and other conditions set forth herein.

This General Permit and the authorization to discharge supersedes the General Permit which expired on July 31, 2013. This General Permit will expire at midnight, 5 years from the effective date.

Signed this 29th day of September, 2014

/S/SIGNATURE ON FILE
Ken Moraff, Director
Office of Ecosystem Protection
U.S. Environmental Protection Agency
Boston, MA 02109-3912

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1.1 Discharge Limits and Monitoring Requirements

1. During the period beginning on the effective date and lasting through expiration, the permittee is authorized to discharge NCCW. Each outfall discharging NCCW shall be limited and monitored by the permittee as specified below, in accordance with the receiving water classification, when indicated. Monitoring for each outfall is to be conducted and reported in accordance with Part 1.2.1. and Part 6.

Effluent Characteristic	Discharge Limitations		Monitoring Requirements	
	Avg. Monthly	Max Daily	Monitoring Frequency	Sample Type
Flow	Report	1.0 MGD[1]	1/Week	Estimate or Totalizer
Discharge Temperature, Warm Water fishery[2] (Class A and B)	Report	83 °F[3]	1/Week	Grab or continuous[10]
Discharge Temperature, Cold Water Fishery[2] (Class A and B)	Report	68 °F[3]	3/Week	Grab or continuous[10]
Discharge Temperature[4] (Class SA and SB)	Report	80 °F[3]	1/Week	Grab or continuous[10]
Waterbody Temperature[4] (Class A)	-----	Rise of less than 1.5 °F from background	1/Week	Grab or continuous[10] See 1.2.4
Waterbody Temperature[4] (Class B)	-----	Rise of less than 3.0 °F (cold water fisheries) or less than 5.0 °F (warm water fisheries) from background[5]	1/Week	Grab or continuous[10] See 1.2.4
Waterbody Temperature[4] (Class SA)	-----	Rise of less than 1.5 °F from background	1/Week	Grab or continuous[10] See 1.2.4
Waterbody Temperature[4] (Class SB – July to Sept.)	-----	Rise of less than 1.5 °F from background	1/Week	Grab or continuous[10] See 1.2.4
Waterbody Temperature[4] (Class SB – Oct. to June)	-----	Rise of less than 4.0 °F from background	1/Week	Grab or continuous[10] See 1.2.4
pH (Class A and B)	-----	6.5-8.3 s.u .[6,7] Not more than 0.5 s.u. outside background	1/Week	Grab or continuous[10] report monthly[9] maximum and minimum
pH (Class SA and SB)	-----	6.5-8.5 s.u .[6,7] Not more than 0.2 s.u. outside background	1/Week	Grab or continuous[10] report monthly[9] maximum and minimum
Total Residual Chlorine[8] (Class A and B)	See 1.2.5	See 1.2.5	1/Month	Grab
Total Residual Chlorine[8] (Class SA and SB)	See 1.2.5	See 1.2.5	1/Month	Grab
LC_{50} & C-NOEC	See 1.2.3		3 x 24-hour composite samples See 1.2.3	

Footnotes:
[1]Discharges and intakes must be consistent with all terms and conditions of the permit and must not violate applicable surface water quality standards. Effluent flow is limited to the flow reported by the permittee in the Notice of Intent. On a case-by-case basis, EPA and MassDEP may approve discharges greater than 1.0 MGD.
[2]The definition of cold and warm water fishery can be found in the Massachusetts Surface Water Quality Standards, 314 CMR 4.02.
[3]This temperature limit shall not be exceeded in accordance with 314 CMR sections 4.05(3)(a) 2., 4.05(3)(b) 2., 4.05(4)(a) 2., and 4.05(4)(b) 2.
[4]This temperature shall be based on weekly samples or the maximum recorded temperature using continuous monitoring data. Monitoring the temperature rise requires a background waterbody sample taken in accordance with Part 1.2.4, below.
[5]In lakes and ponds the rise shall not exceed 3 °F in the epilimnion (based on the monthly average of maximum daily temperature); and natural seasonal and daily variations shall be maintained in accordance with 314 CMR 4.05(3)(b) 2.
[6] There shall be no change from background conditions that would impair any uses assigned to the receiving water class.
[7] MassDEP, with EPA concurrence, may expand the pH range to the federal standard 6.0-9.0 s.u., on a case-by-case basis when conditions warrant it; see Factsheet.
[8] Monitoring for total residual chlorine is only required for dischargers using chlorinated municipal drinking water for NCCW.
[9] Based on weekly grab samples or continuous monitoring data for a given month.
[10] Continuous monitoring devices may be used to measure effluent and water body temperature and pH. When required, the maximum temperature and monthly average temperature shall be reported based on the continuous dataset.

1.2 Other Requirements

1. Samples taken in compliance with the monitoring requirements specified above shall be taken at a location that provides a representative sample of the effluent just prior to discharge to the receiving water or, if the effluent is commingled with another discharge, prior to such commingling. Samples for temperature shall be taken during normal operations (i.e., when the facility is operating under normal heat load and temperature variations are minimal).

2. Any change in sampling locations must be reviewed and approved in writing by EPA and MassDEP. All samples shall be tested using the analytical methods found in 40 CFR §136 or alternative methods approved by EPA in accordance with the procedures in 40 CFR §136. All samples shall be a composite unless specified as a grab sample in either 40 CFR §136 or in Part 1.1. ("sample type") above.

3. Chronic and/or acute toxicity test(s) shall be performed on the NCCW discharge by the permittee upon request by EPA and/or MassDEP. Any testing shall be performed in accordance with EPA's toxicity protocol, a copy of which will be provided at the time of the request. Toxicity test protocols may be viewed at http://www.epa.gov/region1/npdes/epa_attach.html#epa. The test(s) shall be

performed on three 24-hour composite effluent samples taken during normal facility operation. The results of the test(s) (C-NOEC and LC_{50}) shall be forwarded to MassDEP and EPA no later than 30 days after completion of the test(s).

4. The permittee is required to monitor in-waterbody temperature in accordance with the requirements of Part 1.1, except as noted below. Natural seasonal and daily variations in the waterbody shall be maintained (314 CMR 4.05(3)). Waterbody monitoring shall be done at a one foot depth on a day when the facility is operating and on a day when the discharge temperature is monitored and reported.

   During each monitoring event the permittee shall collect one background grab sample from upstream and one downstream grab sample a sufficient distance downstream of the discharge outfall to allow for initial dilution (mixing zone). The location of the downstream sample shall be consistent with the Massachusetts mixing zone requirements (see 314 CMR 4.03(2)).

   If the discharge is into a lake, pond, ocean, estuary or a non-flowing water body, one background grab sample shall be taken from an area not expected to be impacted by the discharge. Another "downstream" grab sample shall be taken in an area where the temperature is likely to be impacted by the discharge after allowable mixing consistent with the Massachusetts Mixing Zone policy. The background and downstream in-water body temperature samples shall be taken within a fifteen minute time period, all during a continuous discharge of NCCW. The background and downstream in-waterbody temperature sample locations shall be identified on a map and submitted with the NOI, at an appropriate scale to distinguish the sampling locations and location of the facility NCCW outfall.

   Alternatively, the permittee may demonstrate through engineering calculations that the discharge will not cause or contribute to a violation of the allowable water body temperature change. This calculation shall be based on the maximum amount of heat discharged from the facility and the dilution available in the receiving water, if any. See Attachment B of the Permit for the formulas to be used in such a calculation and example calculations.

5. The maximum daily and average monthly concentration of Total Residual Chlorine (TRC) allowed in the effluent are based on the appropriate water quality criterion and the available dilution in the receiving water. This is expressed in the following equation:

   Effluent Limit = (Dilution Factor) x (Water Quality Criteria)

   Note that the permittee's provided TRC effluent limits will be no greater than 1.0 mg/L, regardless of the dilution factor of the receiving water (see section III.D. of the fact sheet). The appropriate water quality criteria for the calculation are shown below:

- Freshwater acute (Class A or B) = 19 ug/l (0.019 mg/l); use for daily maximum
- Freshwater chronic (Class A or B) = 11 ug/l (0.011 mg/l); use for average monthly
- Marine acute (Class SA or SB) = 13 ug/l (0.013 mg/l); use for daily maximum
- Marine chronic (Class SA or SB) = 7.5 ug/l (0.0075 mg/l); use for average monthly

The available dilution shall be determined by EPA using the equations found in Attachment B of the Permit. Both the dilution factor and applicable chlorine limits will be reviewed by EPA during review of the facility's NOI. The permittee will be provided with the appropriately determined limits when notified of permit coverage.

The TRC limit only applies to facilities that use municipal drinking water as a source of non-contact cooling water. The permittee may not add chlorine or any other biocide to non-contact cooling water used at the facility. If a facility uses municipal drinking water as an alternate source of NCCW after submitting its NOI, but the municipal water source is not indicated in the NOI, the facility must submit a Notice of Change (NOC) (available in Appendix 8) to EPA and the State Agency prior to using this alternate source to obtain a TRC effluent limit and related reporting requirements.

6. Any discharge or intake that causes a violation of the water quality standards of the receiving waters is prohibited.

7. Any discharge of floating solids, visible oil sheen or foam other than in trace amounts is prohibited.

8. Flow equalization may be required on a case-by-case basis.

9. This permit does not allow the discharge of any chemicals except for non-toxic chemicals used for pH neutralization and/or dechlorination. The use of additives to control biological growth, corrosion, and/or scale in cooling water is prohibited. Prior to discharging pH neutralization and/or dechlorination chemicals, the discharger must receive written approval from EPA. The written request for approval must contain the information below for each non-toxic pH neutralization and/or dechlorination chemical used:

   (1) Name and manufacturer,
   (2) Maximum and average daily quantity used as well as the maximum and average daily expected concentrations (mg/l) in the NCCW discharge, and
   (3) The vendor's reported aquatic toxicity (NOAEL and/or LC_{50} in percent for aquatic organism(s)).

   The initial request for approval may be submitted with the applicant's NOI letter. All substitutions of non-toxic neutralization chemicals must be approved by EPA

in writing prior to their usage. All written substitution requests must contain the information required in (1), (2), and (3) immediately above. EPA encourages permittees to use the NOC format provided in Appendix 8 for substitution requests.

1.3 State Permit Conditions

1. This authorization to discharge includes two separate and independent permit authorizations. The two permit authorizations are (i) a federal National Pollutant Discharge Elimination System permit issued by the U.S. Environmental Protection Agency (EPA) pursuant to the Federal Clean Water Act, 33 U.S.C. §§1251 et seq.; and (ii) an identical state surface water discharge permit issued by the Commissioner of the Massachusetts Department of Environmental Protection (MassDEP) pursuant to the Massachusetts Clean Waters Act, M.G.L. c. 21, §§ 26-53, and 314 CMR 3.00. All of the requirements contained in this authorization, as well as the standard conditions contained in 314 CMR 3.19, are hereby incorporated by reference into this state surface water discharge permit.

2. This authorization incorporates the state water quality certification issued by MassDEP under § 401(a) of the Federal Clean Water Act, 40 CFR 124.53, M.G.L. c. 21, § 27 and 314 CMR 3.07. All of the requirements (if any) contained in MassDEP's water quality certification for the permit are hereby incorporated by reference into the state surface water discharge permit as special conditions pursuant to 314 CMR 3.11.

3. 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 a 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.

Part 2 NEW HAMPSHIRE GENERAL PERMIT, Permit No. NHG250000

In compliance with the provisions of the Federal Clean Water Act, as amended (33 U.S.C. §§ 1251 et seq.), operators of facilities located in New Hampshire that discharge non-contact cooling water (NCCW) are authorized to discharge to all waters, unless otherwise restricted by State Water Quality Standards, New Hampshire RSA § 485-A:8 and the N.H. Code of Administrative Rules Env-Wq 1700-1709, in accordance with effluent limitations, monitoring requirements and other conditions set forth herein.

This General Permit and the authorization to discharge supersedes the General Permit which expired on July 31, 2013. This General Permit will expire at midnight, 5 years from the effective date.

Signed this 29th day of September, 2014

/S/SIGNATURE ON FILE

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Ken Moraff, Director
Office of Ecosystem Protection
Environmental Protection Agency
Boston, MA 02109-3912

2.1 Discharge Limits and Monitoring Requirements

During the period beginning on the effective date and lasting through expiration, the permittee is authorized to discharge NCCW. Each outfall discharging NCCW shall be limited and monitored by the permittee as specified below. Monitoring for each outfall is to be conducted and reported in accordance with Part 2.2.1. and Part 6.

Effluent Characteristic	Discharge Limitations		Monitoring Requirements	
	Avg. Monthly	Max Daily	Monitoring Frequency	Sample Type
Flow, MGD	Report	1.0 MGD[1]	1/Week	Estimate or Totalizer
Discharge Temperature, Warm Water Fishery[2]	Report	83 °F	1/Week	Grab or continuous[6]
Discharge Temperature, Cold Water Fishery[2]	Report	68 °F	3/Week	Grab or continuous[6]
pH[3]	---	6.5-8.0[3]	1/Week	Grab or continuous[6]
pH of Upstream Receiving Water[3,4]	Report	Report	1/Week	Grab or continuous[6]
Total Residual Chlorine[5] (fresh water)	See 2.2.5	See 2.2.5	Quarterly	Grab
Total Residual Chlorine[5] (marine water)	See 2.2.5	See 2.2.5	Quarterly	Grab
LC_{50} & C-NOEC, %	See 2.2.6			24-hour composite

Footnotes:

[1] Discharges and intakes must be consistent with all terms and conditions of the permit and must not violate applicable surface water quality standards. Effluent flow is limited to the flow reported by the permittee on its Notice of Intent. On a case-by-case basis, EPA and NHDES may approve discharges greater than 1.0 MGD.

[2] The New Hampshire Department of Fish and Game determines which waters are cold and warm water fisheries. Facilities applying for permit coverage should contact NHDES Wastewater Engineering Bureau, Permits & Compliance Section to determine the applicable fish habitat for their receiving water.

[3] The pH shall be in the specified range or within 0.5 s.u. of the upstream receiving water pH in accordance with Part 2.3.1 of this permit.

[4] Upstream receiving water monitoring and reporting is required if the permittee is demonstrating compliance of its effluent's pH in accordance with Part 2.3.1 of this permit

[5] Calendar year quarterly monitoring for total residual chlorine is only required for dischargers using chlorinated municipal drinking water for NCCW.

[6] Continuous monitoring devices may be used to measure effluent and water body temperature and pH. When required, the maximum temperature and monthly average temperature and pH shall be reported based on the continuous dataset.

2.2 Other requirements

1. Samples taken in compliance with the monitoring requirements specified above

shall be taken at a location that provides a representative analysis of the effluent just prior to discharge to the receiving water or, if the effluent is commingled with another permitted discharge, prior to such commingling.

2. Any change in sampling locations must be reviewed and approved in writing by EPA and NHDES. EPA encourages the use of the Notice of Change (NOC) format found in Appendix 8. All samples shall be tested using the analytical methods found in 40 CFR § 136 or alternative methods approved by EPA in accordance with the procedures in 40 CFR § 136. All samples shall be a composite sample unless specified as a grab sample in either 40 CFR § 136 or Part 2.1. ("sample type") above.

3. Any discharge or intake that causes a violation of the water quality standards of the receiving waters is prohibited.

4. Any discharge of oil, floating solids, foam, debris or other visible pollutants is prohibited.

5. The maximum daily and average monthly concentration of Total Residual Chlorine (TRC) allowed in the effluent are based on the appropriate water-quality criterion and the available dilution in the receiving water. The calculated limit is determined by the following equation:

   Effluent Limit = (Dilution Factor) x (Water Quality Criteria)

   Note that the permittee's provided TRC effluent limits will be no greater than 1.0 mg/L, regardless of the dilution factor of the receiving water (see section III.D. of the fact sheet). The appropriate water quality criteria for the calculation are shown below:

   - Freshwater acute = 19 ug/l (0.019 mg/l); use for daily maximum
   - Freshwater chronic = 11 ug/l (0.011 mg/l); use for average monthly
   - Marine acute = 13 ug/l (0.013 mg/l); use for daily maximum
   - Marine chronic = 7.5 ug/l (0.0075 mg/l); use for average monthly

   The available dilution shall be determined by EPA using the equations found in Attachment B of the Permit. Both the dilution factor and applicable chlorine limits will be reviewed by EPA during review of the facility's NOI. The permittee will be provided with the appropriate limits when notified of permit coverage.

   The TRC limit only applies to facilities that use municipal drinking water as a source of non-contact cooling water. The permittee may not add chlorine or any other biocide to non-contact cooling water used at the facility. If a facility uses municipal drinking water as an alternate source of NCCW after submitting its NOI, but the municipal water source is not indicated in the NOI, the facility must submit a Notice of Change (NOC) (available in Appendix 8) to EPA and the State Agency

prior to using this alternate source to obtain a TRC effluent limit and related reporting requirements.

6. Chronic and/or acute toxicity test(s) shall be performed on the NCCW discharge by the permittee upon request by EPA and/or the New Hampshire Department of Environmental Services (NHDES**)**. Any testing shall be performed in accordance with EPA's toxicity protocol, a copy of which will be provided at the time of the request. Toxicity test protocols may be viewed at http://www.epa.gov/region1/npdes/epa_attach.html#epa. The test(s) shall be performed on three 24-hour composite samples taken during normal facility operation. The results of the test(s) (C-NOEC and LC_{50}) shall be forwarded to NHDES and EPA within 30 days after completion.

7. This permit does not allow the discharge of any chemicals except for non-toxic chemicals used for pH neutralization and/or dechlorination. The use of additives to control biological growth, corrosion, and/or scale in cooling water is prohibited. Prior to discharging pH neutralization and/or dechlorination chemicals, the discharger must receive written approval from NHDES. The written request for approval must contain the information below for each non-toxic chemical used:

   (1) Name and manufacturer,
   (2) Maximum and average daily quantity used as well as the maximum and average daily expected concentrations (mg/l) in the NCCW discharge, and
   (3) The vendor's reported aquatic toxicity (NOAEL and/or LC_{50} in percent for aquatic organism(s)).

   The initial request for approval may be submitted with the applicant's NOI letter. All substitutions of non-toxic neutralization and/or dechlorination chemicals must be approved by the State in writing prior to their usage. All written substitution requests must contain the information required in (1), (2) and (3) immediately above. EPA encourages permittees to use the NOC format provided in Appendix 8 for substitution requests.

2.3 State Permit Conditions

The permittee shall comply with the following conditions, which are included as State certification requirements.

1. The pH of the discharge shall be in the range of 6.5 to 8.0 Standard Units (s.u.) unless the upstream ambient pH in the receiving water is outside of this range and it is not altered by the facility's discharge or activities. If the permittee's discharge pH is lower than 6.5 s.u., the permittee may demonstrate compliance by showing that the discharge pH was either higher than, or no more than 0.5 s.u. lower than, the ambient upstream receiving water pH. If the permittee's discharge pH is higher than 8.0 s.u., the permittee may demonstrate compliance by showing that the

discharge pH is either lower than, or no more than 0.5 s.u. higher than, the upstream receiving water pH. For this demonstration the upstream receiving water sample must be collected on the same day as the discharge pH is measured. The location where the upstream ambient pH sample is collected shall be representative of upstream conditions unaffected by the facility's discharge(s) or activities. For this determination for discharges to tidal waters, upstream samples must be collected during the last two hours of the ebb (outgoing) tide, when discharge pH values are below 6.5 s.u; and during the last two hours of the flood (incoming) tide, when discharge pH values are above 8.0 s.u.

2. This NPDES Permit is issued by the EPA under Federal law. Upon final issuance by the EPA, the NHDES may adopt this permit, including all terms and conditions, as a State permit pursuant to RSA 485-A:13. Each agency shall have the independent right to enforce the terms and conditions of this permit. Any modification, suspension or revocation of 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, 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 a NPDES Permit issued by the U.S. Environmental Protection Agency.

3. An authorization to discharge under this General Permit, where the activity discharges to a municipal or private storm drain owned by another party, does not convey any rights or authorization to connect to that drain.

4. At any time that NHDES determines that additional water quality certification requirements are necessary to protect water quality, an individual discharger may be required to meet additional conditions to obtain coverage or to continue coverage under the NCCW General Permit. Any such conditions shall be supplied to the permittee in writing.

NOTE: The following Parts 3 through 7 are common elements of both the Massachusetts and New Hampshire General Permits.

Part 3 Eligibility and Coverage under the Non-contact Cooling Water General Permit

3.1 Eligible Discharges:

A facility is eligible to apply for coverage under this General Permit if ALL of the following conditions exist:

1. The facility discharges less than or equal to 1.0 million gallons per day (MGD) of NCCW, unless the facility receives approval for a larger NCCW discharge from EPA and the appropriate state;
2. The facility has cooling water intake structure (CWIS) surface water withdrawals of less than or equal to 1.0 MGD; and
3. The water used for cooling at the facility does not come into direct contact with any raw material, intermediate product, finished product, or waste product (other than heat).

Effluent flow for each facility covered by the General Permit is limited to the maximum daily flow reported in the NOI.

3.2 Geographic Coverage Area:

1. Massachusetts: Facilities authorized by the Massachusetts General Permit (MAG250000) for discharges in the Commonwealth of Massachusetts may discharge into all waters of the Commonwealth, except as provided in Section 3.3, immediately below, unless otherwise restricted by the Massachusetts Surface Water Quality Standards: 314 CMR 4.00 (or as revised), including 314 CMR 4.04(3) Protection of Outstanding Resource Waters.

2. New Hampshire: Facilities authorized by the New Hampshire General Permit (NHG250000) may discharge into all waters of the State of New Hampshire, except as provided in Section 3.3, immediately below, unless otherwise restricted by the State Water Quality Standards: New Hampshire 50 RSA 485-A:8 (or as revised) and the New Hampshire Code of Administrative Rules, Chapter Env-Wq 1700-1709 (or as revised).

3.3 Specific Discharges Excluded from Coverage:

The following discharges are excluded from coverage under this General Permit.

1. Discharges from new facilities (including new offshore oil and gas extraction facilities), as defined in 40 CFR §125.83, that have a design intake flow greater than two (2) million gallons per day and at least one cooling water intake structure that uses at least 25 percent of the water it withdraws for cooling purposes.

2. Discharges to Outstanding Resource Waters in Massachusetts and New Hampshire:

   a. as defined in Massachusetts by 314 CMR 4.06(3), including Public Water Supplies (314 CMR 4.06(1)(d)1), which have been designated by the State as Class A waters, unless a variance is granted by the MassDEP, under 314 CMR 4.04(3)(b); or,

   b. as defined in New Hampshire under Env-Wq 1708.05(a), unless allowed by the NHDES under Env-Wq 1708.05(b).

3. Discharges to Class A waters in New Hampshire, in accordance with RSA 485-A:8, I. To determine if the proposed receiving water is a Class A waterbody, contact the NHDES at the address listed in Appendix 6 of this General Permit.

4. New or increased discharges to designated reaches of Wild and Scenic Rivers. See links to the National Wild and Scenic River System below:
   - for MA: http://www.rivers.gov/massachusetts.php
   - for NH: http://www.rivers.gov/new-hampshire.php

5. New or increased discharges of commercial waste (including cooling water) to Ocean Sanctuaries in Massachusetts in accordance with Massachusetts General Law 132A: The Massachusetts Ocean Sanctuary Act. The boundaries of the five ocean sanctuaries can be found in MGL 132A Section 13: https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXIX/Chapter132A/Section13).

6. Discharges of pollutants which are specifically included in the States' published 303(d) lists of "non-attainment" segments of receiving waters in the Commonwealth or State unless the discharge is at or below a concentration that meets water quality standards for the listed pollutants. Permittees must include information in their NOI about impairments to receiving waterbodies. Upon review of the NOI, EPA may require the permittee to conduct additional effluent sampling to determine if the NCCW discharge is contributing to the receiving waterbody impairment. See Fact Sheet for more information.

   Massachusetts 2012 list of impaired waters available at: http://www.mass.gov/eea/docs/dep/water/resources/07v5/12list2.pdf

   New Hampshire 2010 list of impaired waters available at: http://des.nh.gov/organization/divisions/water/wmb/swqa/2010/documents/2010_final_sub_303d.pdf.

7. Any facility whose new or increased discharge is not in compliance with the appropriate state's antidegradation policy or the New Hampshire Water Conservation Rules (Env-Wq 2101, or as amended).

8. Discharges to designated areas under the Essential Fish Habitat Act (EFH) unless the requirements specified in this General Permit are fulfilled. See discussion in the Fact Sheet.

9. Discharges to a Publicly-Owned Treatment Works (POTW) which are permitted under § 402 of the CWA (NPDES).

10. "New Source" dischargers, as defined in 40 CFR § 122.2.

11. Discharges for which the Director makes a determination that an individual permit is required under 40 CFR § 122.28(b)(3). See Part 5.10 of this General Permit for more information.

3.4 Additional Eligibility Requirements: Facilities located in Massachusetts and New Hampshire seeking coverage under this General Permit must certify permit eligibility related to endangered species and historic properties. Facilities located in Massachusetts must also certify permit eligibility related to Areas of Critical Environmental Concern.

1. **Endangered species requirements:** Discharges to designated areas under the Endangered Species Act (ESA) are excluded for coverage under this General Permit unless the requirements specified in this permit are fulfilled. See Appendix 2 for more information. The permittee shall certify eligibility regarding endangered species based on criteria in Appendix 2 in the NOI. The NOI shall include documentation supporting the permittee's eligibility determination with regard to federal Endangered and Threatened Species and Critical Habitat Protection under the jurisdiction of the U.S. Fish and Wildlife Service, including:

   - Information on whether federally listed endangered or threatened species, or critical habitat are found in proximity to outfalls;
   - Whether such species or habitat are likely to be adversely affected by the discharges or withdrawals;
   - Results of the endangered species screening determinations found in Appendix 2; and
   - If any such species or habitat is present, a description of the measures the permittee shall implement to protect federally listed endangered or threatened species, or critical habitat, including any conditions imposed by the U.S. Fish and Wildlife Service. If a permittee fails to document and implement such measures, those discharges are ineligible for coverage under this permit.

   EPA will conduct individual consultations with the National Marine Fisheries Service for facilities seeking coverage under this permit that intake water for non-contact cooling from endangered Shortnose Sturgeon spawning areas in the Merrimack and Connecticut Rivers, and potential endangered Atlantic Sturgeon spawning areas in the Piscataqua and Taunton Rivers. Facilities must indicate if they intake water from these rivers in the ESA section of their NOI submittal.

Additional BTA requirements for these facilities are described in Part 4 of the permit.

2. **Historic preservation requirements:** Discharges which adversely affect properties listed or eligible for listing in the National Registry of Historic Places under the National Historic Preservation Act of 1966, 16 USC §§ 470 et seq are not authorized under this permit. The applicant must certify eligibility regarding historic properties in the NOI based on the criteria in Appendix 3. The applicant shall include documentation in their NOI supporting their eligibility determination with regard to Historic Properties Preservation, including:

   - Information on whether the permittee's discharges or withdrawals would have an effect on a property that is listed or eligible for listing on the National Register of Historic Properties (NRHP);
   - Where such effects may occur, any documents received by the permittee or any written agreements the permittee has made with the State Historic Preservation Officer (SHPO) representative to mitigate those effects;
   - Results of the Appendix 3 historic property screening investigations; and
   - If applicable, a description of the measures the permittee shall implement to avoid or minimize adverse impacts on places listed, or eligible for listing, on the NRHP, including any conditions imposed by the SHPO. If the permittee fails to document and implement such measures, those discharges are ineligible for coverage under this permit. See Appendix 3 for more information.

3. **Areas of Critical Environmental Concern requirements (MA):** For facilities located in Massachusetts, permit coverage for discharges to Areas of Critical Environmental Concern (ACEC), as defined by the Massachusetts Wetlands Protection Act c.131 § 40, are contingent upon review and approval by EPA and MassDEP. See Appendix 1 for a listing of ACECs by city and town in Massachusetts.

Part 4 CWA § 316(b) Requirements for the Design and Operation of Cooling Water Intake Structures

This section implements the requirements of § 316(b) of the Clean Water Act. Section 316(b) requires that the location, design, construction and capacity of cooling water intake structures (CWIS) reflect the best technology available (BTA) for minimizing adverse environmental impacts, namely to minimize the entrainment and impingement of aquatic organisms (see section 4.3 for definitions) by facilities covered under this permit.

4.1 Facilities That Must Comply With CWIS Requirements:

If both of the following conditions apply, then the permittee must comply with the requirements of Section 4.2.

1. The facility has discharges covered by or expected to be covered by this General Permit; and,
2. The facility withdraws water from surface source waters for use, in full or in part, as NCCW.

4.2 Best Technology Available (BTA) Requirements to Minimize the Adverse Environmental Effects of a CWIS:

1. **General BTA Requirements:** The permittee must implement the following general BTA and BTA-related requirements.

    a. Cease or reduce the intake of cooling water whenever withdrawal of source water is not necessary. This is especially important April 15 – June 15 due to the presence of larval aquatic life in New England freshwater waterbodies.

    b. Return all observed live fish impinged on or in the CWIS to the source water to the extent practicable in a manner that maximizes their chance of survival.

    c. Ensure that no chlorinated water is sprayed on impinged fish or invertebrates if sprayed water is used to remove impinged fish or invertebrates from the CWIS.

    d. Conduct and document a program tailored to the facility's CWIS to regularly monitor for impinged fish and impinged invertebrates and retain the results of this monitoring on-site for inspection by or submission to EPA for at least five calendar years from the date of the monitoring event. If practicable, this program shall include inspections of all locations where impingement may occur, at a minimum frequency of three times a week at varying times of day, operating conditions, and source water conditions. All inspections must be recorded in writing, and this inspection record shall include the date, time, presence or absence of impinged organisms, and the name of the inspector. If organisms are observed, the permittee must record the following information: the number, species and length of the impinged fish; the condition of the fish

(dead or alive); and any actions taken by the facility (e.g. fish returned to river, fish collected, cooling water intake flow reduced). If the permittee determines that this monitoring program frequency and/or protocol are not practicable, the permittee shall provide in its NOI an explanation of this determination, an alternate frequency and/or protocol, and an explanation of why the alternative frequency and/or protocol are adequate to determine the number of impinged fish and invertebrates on the facility's CWIS.

e. If the permittee observes four (4) or more fish on the CWIS during any one of the following activities or situations, this would qualify as an unusual impingement event, warranting notification as described below: 1) during a regular impingement monitoring program observation event, 2) at any time the CWIS is viewed, or 3) when the cumulative number of individual fish observed on the CWIS totals four (4) or more based on multiple observations over the course of any 24-hour period. The permittee shall report such an unusual impingement event to the Director and the Commissioner within 24 hours by telephone. A written confirmation report shall be provided within five business days. These oral and written reports shall include the following information: the date and time of the unusual impingement event; the number, species and length of the impinged fish; the condition of the fish (dead or alive); and any actions taken by the facility (e.g. fish returned to river, fish collected, cooling water intake flow reduced).

f. Maintain a physical screening or exclusion technology with a maximum CWIS through-screen velocity of 0.5 feet per second (fps) or implement alternative steps of comparable effectiveness at minimizing the entrainment and impingement mortality of adult and juvenile fish in the CWIS.

2. **Facility-Specific BTA Requirements:** Facilities that meet the description contained in Section 4.1 must implement, in addition to the six general BTA requirements listed in section 4.2.1, measures that satisfy a facility-specific use of the best technology available. The Notice of Intent (NOI) must include a facility-specific BTA description. The permittee shall propose and implement a facility-specific BTA description which shall consist of one or a combination of: (1) attributes of the current CWIS, (2) design measures, and/or (3) operational measures. The NOI shall describe these attributes and measures, collectively referred to as the "facility-specific BTA description." See Attachment C of the General Permit for a list of potential components of a facility-specific BTA description.

   The NOI shall include a characterization of the habitat provided for aquatic life by the source water body in the vicinity of the CWIS during the seasons when the CWIS may be in use. Include a characterization of the following: the abundance of fish eggs, larvae, juveniles and adults; the density of these life stages; and the potential for entrainment and impingement of fish eggs, larvae, juveniles and adults in the CWIS intake water. Include information such as the fish species

expected in the waterbody, stocking programs affecting their presence, and the quality of the local spawning and nursery habitat. Base this characterization on sampling, water body characteristics, CWIS features, available documentation of the presence of fish species (or the absence of fish species) in the surface water body, and/or other information. Fully cite any reports, documents, or personal observations used as references for this characterization, and, if available, provide a copy of such references with the NOI.

In addition, the NOI shall include the following information related to each CWIS to support the facility-specific BTA description:

- The design capacity of the CWIS, in million gallons per day (MGD);
- If the combined design capacity of all CWISs is greater than 1.0 MGD, the measures to be taken by the facility to maintain a daily maximum surface water withdrawal of 1.0 MGD. For facilities that have EPA/NHDES approval to discharge greater than 1.0 MGD of NCCW, the maximum daily surface water withdrawal shall not exceed the daily maximum discharge limit of the facility.
- The maximum monthly average intake of the CWIS during the previous five years, in MGD, and the month in which this flow occurred;
- Whether the facility withdraws cooling water at a rate commensurate with a closed-cycle cooling system. If so, a demonstration of this shall be included in the NOI;
- The water body type of the source water, as defined in Part 4.3, below (estuary; freshwater river or stream; lake or reservoir; ocean; or tidal river);
- The maximum through-screen design intake velocity in feet per second (fps);
- The source water's annual mean flow if the CWIS is located on a freshwater river or stream, in cubic feet per second (cfs) as available from USGS or another appropriate source;
- The design intake flow as a percent of the source water's annual mean flow if the CWIS is located on a freshwater river or stream;
- The source water's 7Q10 if the CWIS is located on a freshwater river or stream, in MGD. For facilities previously covered under this General Permit, the 7Q10 for receiving waters will be provided on the NCCW GP website at http://www.epa.gov/region1/npdes/nccwgp.html ;
- The design intake flow as a percent of the source water's 7Q10 if the CWIS is located on a freshwater river or stream; and
- A description of the historical occurrence of impinged fish on or in the CWIS during the five years prior to the date of the applicant's Notice of Intent. If impingement has been observed, the following information shall be included for each impingement episode, if available: duration of the event, number, species and length of impinged fish, condition of fish (dead or alive), actions taken (e.g. fish returned to river, fish collected, cooling water intake flow reduced, etc.).

EPA will consult with NMFS regarding new applicants under this permit that intake water

for non-contact cooling from the Connecticut, Merrimack, Piscataqua, and Taunton Rivers. Following consultation with NMFS, EPA may require additional facility-specific BTA requirements in order to prevent the take of endangered species under the permit. These measures may include an alternate through-screen intake velocity of 0.2 fps to minimize entrainment of larval sturgeon. These facilities will be required to implement all of the general and facility-specific BTA requirements above in addition to any measures prescribed by EPA in the NOI authorization to protect endangered species.

3. **Implementation of Facility-Specific BTA Requirements**: Upon EPA's authorization to discharge under this General Permit, the permittee shall implement and maintain the components of the facility-specific BTA description submitted in the NOI or as modified by EPA in the authorization. Any subsequent changes to the location, design, construction or capacity of the facility's CWIS during the period of General Permit coverage must be approved by EPA prior to implementing such a change. EPA encourages permittees to use the NOC format in Appendix 8 of this General Permit in order to notify EPA of a change in CWIS.

4.3 Definitions that apply to this section

The definitions of the following terms used in this permit are as found in 40 CFR §125.83. For convenience, the definitions, as recorded in 66 Federal Register 65338, Dec. 18, 2001, as amended in 68 Federal Register 36754, June 19, 2003 are included below.

Annual mean flow means the average of daily flows over a calendar year. Historical data (up to 10 years) must be used where available.

Closed-cycle recirculating system means a system designed, using minimized makeup and blowdown flows, to withdraw water from a natural or other water source to support contact and/or non-contact cooling uses within a facility. The water is usually sent to a cooling canal or channel, lake, pond, or tower to allow waste heat to be dissipated to the atmosphere and then is returned to the system. (Some facilities divert the waste heat to other process operations.) New source water (make-up water) is added to the system to replenish losses that have occurred due to blowdown, drift, and evaporation.

Cooling water means water used for contact or non-contact cooling, including water used for equipment cooling, evaporative cooling tower makeup, and dilution of effluent heat content. The intended use of the cooling water is to absorb waste heat rejected from the process or processes used, or from auxiliary operations on the facility's premises. Cooling water that is used in a manufacturing process either before or after it is used for cooling is considered process water for the purposes of calculating the percentage of a new facility's intake flow that is used for cooling purposes in 40 CFR §125.81(c).

Cooling water intake structure (CWIS) means the total physical structure and any associated constructed waterways used to withdraw cooling water from waters of the U.S. The CWIS extends from the point at which water is withdrawn from the surface water source up to, and including, the intake pumps.

Design intake flow means the value assigned (during the facility's design) to the total volume of water withdrawn from a source water body over a specific time period.

Design intake velocity means the value assigned (during the design of a CWIS) to the average speed at which intake water passes through the open area of the intake screen (or other device) against which organisms might be impinged or through which they might be entrained.

Entrainment means the incorporation of all life stages of fish and shellfish with intake water flow entering and passing through a CWIS and into a cooling water system.

Estuary means a semi-enclosed body of water that has a free connection with open seas and within which the seawater is measurably diluted with fresh water derived from land drainage. The salinity of an estuary exceeds 0.5 parts per thousand (by mass) but is typically less than 30 parts per thousand (by mass).

Freshwater river or stream means a lotic (free-flowing) system that does not receive significant inflows of water from oceans or bays due to tidal action. For the purposes of this rule, a flow-through reservoir with a retention time of 7 days or less will be considered a freshwater river or stream.

Impingement means the entrapment of all life stages of fish and shellfish on the outer part of an intake structure or against a screening device during periods of intake water withdrawal.

Lake or reservoir means any inland body of open water with some minimum surface area free of rooted vegetation and with an average hydraulic retention time of more than 7 days. Lakes or reservoirs might be natural water bodies or impounded streams, usually fresh, surrounded by land or by land and a man-made retainer (e.g., a dam). Lakes or reservoirs might be fed by rivers, streams, springs, and/or local precipitation. Flow-through reservoirs with an average hydraulic retention time of 7 days or less should be considered a freshwater river or stream.

Ocean means marine open coastal waters with salinity greater than or equal to 30 parts per thousand (by mass).

Source water means the water body (waters of the U.S.) from which the cooling water is withdrawn.

Tidal river means the most seaward reach of a river or stream where the salinity is typically less than or equal to 0.5 parts per thousand (by mass) at a time of annual low flow and whose surface elevation responds to the effects of coastal lunar tides.

Part 5 Application and Notice of Intent (NOI)

5.1 Obtaining Coverage under the NCCW General Permit:

To be covered by this permit the applicant must submit a Notice of Intent (NOI) to both EPA and the appropriate State. The NOI must contain all the information required above in Part 4, CWA §316(b) Requirements for the Design and Operation of Cooling Water Intake Structures; all the information required below; and all the information required in Appendix 4. Applicable state application fees should be paid in full. The NOI must state that the discharge meets the applicable requirements of the 2014 General Permit and that the applicant is requesting coverage under this General Permit. However, the facility's discharge will not be covered under the 2014 NCCW GP until the facility receives written authorization to discharge from EPA.

Facility operators must submit a NOI if they are seeking coverage under this General Permit for the first time or if the facility received coverage under the NCCW General Permit that expired on July 31, 2013.

Any facility operating under an effective (unexpired) or an administratively continued individual NPDES permit may request that the individual permit be revoked and that coverage under the General Permit be granted. When the facility is granted coverage under the General Permit, the facility's individual permit will no longer be in effect.

5.2 NOI Options:

The operator of the facility is responsible for applying for the General Permit as required by 40 CFR §122.21(b). To be covered by this General Permit, operators of facilities whose discharge or discharges are identified in Part 3.1 of this permit, must submit to EPA and the appropriate State, a complete and accurate signed NOI. For purposes of this General Permit, the NOI consists of either:

- The suggested NOI format at Appendix 5 of this permit, or
- Another format of official correspondence containing all of the information required in the NOI instructions in Appendix 4 of this permit.

5.3 NOI Submittal Time Frames:

1. **Proposed New Discharges:** Facilities with proposed new discharges that are seeking coverage under this General Permit must submit a NOI to EPA and the respective State, post-marked at least 60 days prior to the commencement of discharge.

2. **Existing Permitted Discharges**: Facilities with existing coverage under the NCCW General Permit that expired on July 31, 2013 and that wish to seek coverage under this General Permit, must file an NOI to EPA and the respective

State for coverage under this General Permit within 90 days of the effective date of this permit.

5.4 Special NOI Requirements for Groundwater Sources of NCCW

1. If groundwater is used as all or part of the source water of the facility's NCCW, the NOI must include the results of laboratory analyses for the parameters listed below of a representative sample of the NCCW effluent. Note that the hardness analysis should be of a representative sample of the receiving surface water upstream of the facility's discharge. All metals shall be reported as total recoverable.

Antimony	Chromium (Total)	Iron	Silver
Arsenic	Chromium (VI)	Mercury	Zinc
Cadmium	Copper	Nickel	Lead
pH	Chloride		

Radionuclides:
Gross Alpha
Radium 226 + Radium 228
Uranium

In addition: Hardness – sample of receiving surface water

2. The effluent sample shall be taken at a location that provides a representative analysis of the NCCW effluent. For the effluent sample, to the extent practicable, the sample shall be taken just prior to discharge to the receiving water or, if the effluent is commingled with another permitted discharge, prior to such commingling. The instream sample for hardness should be taken upstream of the facility discharge and other facility activities that could affect water quality.

3. All samples shall be tested using the analytical methods found in 40 CFR Part 136, alternative methods approved by EPA in accordance with the procedures at 40 CFR Part 136, or methods listed in Appendix 9.

4. Analysis of the effluent samples, as well as the in-stream sample for hardness, shall use the 40 CFR Part 136 approved test methods that will achieve the lowest available minimum levels (MLs; see Appendix 9).

5.5 CWIS requirements:

Applicants that will withdraw surface water for NCCW must include in their NOI all of the BTA requirements in Part 4 of this General Permit. New applicants that withdraw cooling water from the Merrimack, Connecticut, Taunton or Piscataqua Rivers must indicate doing so in the ESA section below.

5.6 Endangered Species Act:

All NOI applicants must certify compliance with one of the criteria found in Appendix 2 regarding ESA species under the jurisdiction of the U.S. Fish and Wildlife Service.

Facilities must indicate if they withdraw water for non-contact cooling from certain river segments:

- The Merrimack River downstream of Haverhill, MA
- The Connecticut River between Montague and Holyoke, MA
- The Piscataqua River
- The Taunton River

EPA will initiate consultation with NMFS regarding the protection of endangered sturgeon larvae from entrainment at these facilities.

5.7 National Historic Preservation Act:

All NOI applicants must certify compliance with one of the criteria found in Appendix 3.

5.8 Signature:

The NOI must be signed by the operator of the facility in accordance with the signatory requirements of 40 CFR § 122.22.

5.9 Submission of NOIs:

Each applicant must submit a copy of the NOI to EPA and the appropriate State authority listed in Appendix 6.

5.10 Submission of State Applications:

1. **Massachusetts:** facilities previously covered under the expired General Permit, facilities with new or increased discharges, or facilities with a NCCW discharge currently covered by an individual permit that are seeking coverage under the General Permit, must submit the following documents to the appropriate MassDEP offices, at the addresses listed in Appendix 6:

    a. a copy of the completed Suggested NOI Format found in Appendix 5 and,
    b. the completed State transmittal form.

    The transmittal form, instructions, and fee amount may be obtained through the MassDEP website at http://mass.gov/dep/service/online/gettings.htm . Click on "Getting Started" to link to both the transmittal form and form instructions.

2. **New Hampshire:** There is no state application form. Facilities located in New Hampshire are encouraged to use EPA's suggested NOI format found in Appendix 5.

5.11 When the Director May Require an Application for an Individual NPDES

Permit:

The Director may require any person authorized by this permit to apply for and obtain an individual NPDES permit. Any interested person may petition the Director to take such action. NCCW Discharges that the Director determines require an individual NPDES permit are not authorized under the NCCW General Permit.

1. Facilities that require an individual permit based on the Director's consideration of factors including, but not limited to, the following:

    a. Variability of the pollutants or pollutant parameters in the effluent (based on chemical-specific information and the type of treatment facility);
    b. Receiving stream or withdrawal stream characteristics, including possible or known water quality impairment;
    c. Recommendation from the State;
    d. The location, capacity, design or construction of the cooling water intake structure that may represent an adverse environmental impact;
    e. Other considerations (including but not limited to consultation with the State, a history of toxic impact or compliance problems at the facility) which the Director determines could cause or contribute to adverse water quality impacts;
    f. Stream flows that are not maintained at levels to protect existing and designated uses as established in the State's water quality standards;
    g. The discharge from or intake into the facility, when combined with other dischargers in the watershed, that may represent a cumulative adverse environmental impact to the receiving water or surface water; or
    h. Metal concentrations in the effluent (from a facility that uses groundwater as the source of NCCW) that may cause or contribute to adverse water quality impact after consideration of the dilution available and other factors;
    i. Intakes and/or discharges have the potential to adversely impact endangered species protected under ESA.

2. Instances where an individual permit may be required include, but are not limited to, the following:

    a. The discharge(s) is/are a significant contributor of pollution or is in violation of State Water Quality Standards for the receiving water;
    b. The discharger is not in compliance with the conditions of this General Permit;
    c. A change has occurred in the availability of the demonstrated technology of practices or the control or abatement of pollutants applicable to the point source;
    d. Effluent limitation guidelines are promulgated for point sources covered by this permit;

e. A Water Quality Management Plan or Total Maximum Daily Load containing requirements applicable to such point source is approved;
f. The location, capacity, design or construction of the cooling water intake structure may represent an adverse environmental impact;
g. The discharge is to the territorial sea;
h. The discharge adversely impacts any federally-managed species for which Essential Fish Habitat has been designated;
i. The discharge adversely impacts endangered species protected under ESA;
j. The point source(s) covered by this permit no longer:
    (a) Involves the same or substantially similar types of operations;
    (b) Discharges the same types of wastes;
    (c) Requires the same effluent limitations or operating conditions;
    (d) Requires the same or similar monitoring; and
j. In the opinion of the Director, the discharge is more appropriately controlled under an individual or different general permit

3. If the Director requires that an individual permit be issued, the permittee will be notified in writing that an individual permit is required, and will be given a brief explanation of the reasons for this decision.

4. When an individual NPDES permit is issued to an operator otherwise subject to this General Permit, the operator's coverage under this General Permit will be automatically terminated on the effective date of the individual permit.

5.12 When a Permittee May Request that an Individual NPDES Permit Be Issued

Any operator may request to be excluded from the coverage of this General Permit by applying for an individual permit. The request may be made by submitting a NPDES permit application and documentation to support the request to EPA for consideration.

5.13 EPA Determination of Coverage:

Any applicant may request coverage under this General Permit, but the final authority rests with the EPA. Coverage under the General Permit will not be effective until EPA has reviewed the NOI, made a determination that coverage under the NCCW General Permit is authorized, and has notified the operator in writing of its determination. The effective date of coverage will be specified in the EPA authorization letter.

5.14 NOIs on the EPA NPDES NCCW GP website:

All NOIs received by EPA that EPA proposes to authorize will be posted on the EPA NPDES NCCW GP website, http://www.epa.gov/region1/npdes/nccwgp.html, for a minimum of 30 days. Following the 30 day period, EPA will either grant authorization, request additional information, or deny authorization under this permit and require submission of an application for an individual NPDES permit. A facility will be authorized to discharge under the terms and conditions of this permit upon receipt of the written notice of authorization from EPA.

Part 6 Monitoring, Recordkeeping and Reporting Requirements

The effluent monitoring requirements have been established to yield data representative of the discharge under authority of § 308 (a) of the CWA in accordance with 40 CFR §§122.41 (j), 122.44 (l), and 122.48.

6.1 NetDMR

For a period of six months from receipt of an authorization to discharge under the permit from EPA (authorization date), permittees may either submit monitoring data and other reports to EPA in hard copy form or report 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 six months after the permittee's authorization date**, a 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:

1. **Submittal of Reports Using NetDMR**

   NetDMR is accessed from: http://www.epa.gov/netdmr. **Within six months of the permittee's authorization date**, they 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").

   Monitoring results shall be summarized for each calendar month and reported electronically using NetDMR no later than the 15th day of the month following the completed reporting period. Once a permittee begins using NetDMR, it will no longer be required to submit hard copies of DMRs to EPA and the appropriate state.

   The exception to the NetDMR reporting requirement is that **permittees in Massachusetts must send hard copies of toxicity reports to MassDEP, if required**.

2. **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 be 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 the appropriate state agency:

Massachusetts Department of Environmental Protection
Surface Water Discharge Permit Program
627 Main Street, 2nd Floor
Worcester, Massachusetts 01608

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

3. Submittal of Reports in Hard Copy Form

Monitoring results shall be summarized for each calendar month and reported on separate hard copy DMRs postmarked no later than the 15th day of the month following the completed reporting period. Any reports shall be submitted as an attachment to the DMRs. Operators of facilities that discharge intermittently and do not discharge NCCW during a particular month must submit a hardcopy DMR form to EPA for that month indicating no discharge occurred. Signed and dated originals of the DMRs, and all other reports or notifications required shall be submitted at the following address:

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

Duplicate signed copies of all reports or notifications required above shall be submitted to the appropriate state office pursuant to Sections 6.2 and 6.3, below.

Copies of toxicity tests for facilities in Massachusetts shall be sent to:

Massachusetts Department of Environmental Protection
Surface Water Discharge Permit Program
627 Main Street, 2nd Floor

Worcester, Massachusetts 01608

6.2 Hard Copy Reports for Facilities in New Hampshire

Facilities approved to submit hard copy monitoring results (see Sections 6.1.1 and 6.1.2) must send duplicate copies of all reports to NHDES. Monitoring results obtained during the previous month must be summarized for each month and reported on separate DMRs, postmarked no later than the 15th day of the month following the completed reporting period. Operators of facilities that discharge intermittently and do not discharge NCCW during a particular month must submit a DMR for that month indicating no discharge occurred.

New Hampshire facilities shall submit duplicate signed copies of all reports required herein to the State at:

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

6.3 Hard Copy Reports for Facilities in Massachusetts:

Facilities approved to submit hard copy monitoring results (see Sections 6.1.1 and 6.1.2) must send duplicate copies of all reports to MassDEP. Monitoring results obtained during the previous month must be summarized for each month and reported on separate DMRs, postmarked no later than the 15th day of the month following the completed reporting period. Operators of facilities that discharge intermittently and do not discharge NCCW during a particular month must submit a DMR for that month indicating no discharge occurred.

Facilities in Massachusetts shall submit duplicate signed copies of all reports required herein to the State at:

Massachusetts Department of Environmental Protection
Surface Water Discharge Permit Program
627 Main Street, 2nd Floor
Worcester, Massachusetts 01608

Massachusetts facilities must also submit copies of all DMRs to the MassDEP Regional Office where the discharge occurs. A list of regional office addresses can be found at http://www.mass.gov/eea/agencies/massdep/about/contacts/find-the-massdep-regional-office-for-your-city-or-town.html .

Part 7 Administrative Requirements

7.1 Notice of Termination (NOT) of Discharge

Permittees shall notify EPA and the appropriate State agency in writing of the termination of the discharge(s) authorized under the General Permit. The Notice of Termination (NOT) may be either the suggested NOT format in Appendix 7, or any other form of official correspondence that incorporates all of the information required in Appendix 4, Section II. Instructions for completing the NOT are contained in Appendix 4, Section II, Notice of Termination. The NOT must be completed and submitted within 30 days of the permanent cessation of the discharge(s) authorized by the NCCW General Permit. Signed and completed NOT and attachments must be submitted to EPA and the appropriate State agency at the addresses listed in Appendix 6.

7.2 Continuation of this General Permit after its Expiration

If this General Permit is not reissued prior to its expiration date, it will be administratively continued in accordance with the Administrative Procedures Act and remain in force and in effect for discharges that were authorized prior to expiration. If a facility was granted permit authorization prior to the expiration date of this permit, it will automatically remain authorized by this permit until the earliest of:

1. Authorization under a reissued general permit following timely and appropriate submittal of a complete and accurate NOI request to discharge under the reissued permit;
2. The permittee's submittal of a Notice of Termination;
3. Issuance of an individual permit for the permittee's discharges; or
4. A formal permit decision by the EPA-NE Director not to reissue this General Permit, at which time the permittee must seek coverage under an alternative general permit or an individual permit.

However, once this General Permit expires, EPA cannot provide written authorization of coverage under this General Permit to any permittee who submits an NOI to EPA after the General Permit’s expiration date.

If a facility does not submit a timely, appropriate, complete and accurate NOI requesting authorization to discharge under the reissued permit, or a timely request for authorization under an individual or alternative general permit, authorization under this permit will terminate on the due date for the NOI under the reissued permit unless otherwise specified in the reissued permit.