NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) GENERAL PERMIT FOR REMEDIATION ACTIVITY DISCHARGES

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NOTE: The Remediation General Permits for the Commonwealth of Massachusetts and the State of New Hampshire are combined. Parts 1 through 6 contain general permit provisions applicable to both General Permits; and Parts 2 and 7 contain permit provisions for remediation activity discharges specific to the Commonwealth of Massachusetts or the State of New Hampshire.

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NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) GENERAL PERMIT FOR REMEDIATION ACTIVITY DISCHARGES (RGP)

Massachusetts General Permit, Permit No. MAG910000

In compliance with the provisions of the Federal Clean Water Act as amended, (33 U.S.C. §§1251 et seq.; the "CWA"), and the Massachusetts Clean Waters Act, as amended, (M.G.L. Chap. 21, §§26-53), the following permit authorizes discharge of water from eight general categories, including:

1. Petroleum-related site remediation;[1]
2. Non-petroleum-related site remediation;
3. Contaminated site dewatering;
4. Pipeline and tank dewatering;
5. Aquifer pump testing;
6. Well development/rehabilitation;
7. Collection structure remediation/dewatering, and
8. Dredge-related dewatering.

Such discharges are authorized at sites located in Massachusetts to all classes of waters designated in the Massachusetts Water Quality Standards, 314 CMR 4.00 et seq., unless otherwise restricted, in accordance with effluent limitations, monitoring requirements, and other conditions set forth herein.

This General Permit shall become effective ___ days from the date of publication in the Federal Register. If no comments are received, this General Permit shall become effective upon publication.

This General Permit and the authorization to discharge supersede the previous Remediation General Permit which expired on September 9, 2015. This General Permit will expire at midnight, 5 years from the effective date.

Signed this day of

Ken Moraff, Director
Office of Ecosystem Protection
Environmental Protection Agency
Region 1
Boston, MA

David Ferris, Director
Massachusetts Wastewater Management Program
Department of Environmental Protection
Commonwealth of Massachusetts
Boston, MA

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) GENERAL PERMIT FOR REMEDIATION ACTIVITY DISCHARGES (RGP)

New Hampshire General Permit, Permit No. NHG910000

In compliance with the provisions of the Federal Clean Water Act as amended, (33 U.S.C. §§1251 et seq.; the "CWA"), the following permit authorizes discharge of water from eight general categories, including:

a. Petroleum-related site remediation;
b. Non-petroleum-related site remediation;
c. Contaminated site dewatering;
d. Pipeline and tank dewatering;
e. Aquifer pump testing;
f. Well development/rehabilitation;
g. Collection structure remediation/dewatering, and
h. Dredge-related dewatering.

Such discharges are authorized to all waters located in New Hampshire, unless otherwise restricted by the New Hampshire Water Quality Standards[1], in accordance with effluent limitations, monitoring requirements, and other conditions set forth herein.

This General Permit shall become effective ___ days from the date of publication in the Federal Register. If no comments are received, this General Permit shall become effective upon publication.

This General Permit and the authorization to discharge supersede the previous Remediation General Permit which expired on September 9, 2015. This General Permit will expire at midnight, 5 years from the effective date.

Signed this day of

_____

Ken Moraff, Director
Office of Ecosystem Protection
Environmental Protection Agency
Region 1
Boston, MA

[1] 50 RSA §485-A:8 and the N.H. Code of Administrative Rules, Chapter Env-Wq 1700 Surface Water Quality Regulations (May 2008).

PART 1 APPLICABILITY AND COVERAGE OF THE RGP

For purposes of this general permit, the owner or operator (hereinafter referred to as the "operator"), as defined by 40 CFR §122.2, of any "facility or activity" (hereinafter referred to as "site") subject to regulation under the NPDES program is responsible for applying for coverage under this general permit. As required by 40 CFR §122.21(b), "[w]hen a facility or activity is owned by one person but is operated by another person, it is the operator's duty to obtain a permit." Therefore, operators include residential owners treating contaminated groundwater released from heating oil tanks.

1.1 Subject Discharges

Discharges from the following remediation, dewatering and dewatering/remediation-related activities are eligible for coverage under this general permit:

1. Petroleum-related site remediation includes remediation of groundwater contaminated by petroleum products (e.g., gasoline, fuel oil, jet fuel, fuel additives and oxygenates, waste oil) and related activities.
2. Non-petroleum-related site remediation includes remediation of groundwater contaminated by volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), or inorganics (e.g., metals) and related activities.
3. Contaminated/formerly contaminated site dewatering includes dewatering conducted at former remediation sites, sites with no apparent source of contamination, or sites where COCs are naturally-occurring and related activities.
4. Pipeline and tank dewatering includes dewatering of pipelines, tanks, and similar structures and appurtenances that store or convey petroleum products, non-petroleum products, potable water, groundwater, and certain surface waters during construction of new structures or repair or maintenance of existing structures.
5. Aquifer pump testing includes short or long-term testing of a distinct contaminated or formerly contaminated aquifer(s), including when contamination is naturally occurring.
6. Well development/rehabilitation includes the development or rehabilitation of groundwater monitoring, groundwater extraction, and water supply wells at contaminated or formerly contaminated sites, including when contamination is naturally occurring.
7. Dewatering/remediation of collection structures includes dewatering/remediation of structures utilized for collecting miscellaneous sources of water from contaminated or formerly contaminated sites or sources (e.g., sumps and dikes), including when contamination is naturally occurring or a result of the infiltration of contaminated groundwater or storm water.
8. Dredge-related dewatering includes certain short-term dredging-related activities such as a short-term pilot study or similar activity associated with dredging, dredge material dewatering, including drain back waters and dewatering of contaminated solids.

Table 1: Activities Covered by the Remediation General Permit

<table>
<tr><th>Activity Category</th><th colspan="2">Contamination Type</th></tr>
<tr><td>I. Petroleum-Related Site Remediation
II. Non-Petroleum-Related Site Remediation</td><td colspan="2">A. Inorganics
B. Non-Halogenated Volatile Organic Compounds
C. Halogenated Volatile Organic Compounds
D. Non-Halogenated Semi-Volatile Organic Compounds
E. Halogenated Semi-Volatile Organic Compounds
F. Fuels Parameters</td></tr>
<tr><th>Activity Category</th><th colspan="2">Contamination Type</th></tr>
<tr><td rowspan="2">III. Contaminated/Formerly Contaminated Site Dewatering
IV. Pipeline and Tank Dewatering
V. Aquifer Pump Testing
VI. Well Development/Rehabilitation
VII. Collection Structure Dewatering/Remediation
VIII. Dredge-Related Dewatering</td><td>G. Sites with Known Contamination</td><td rowspan="2">A. Inorganics
B. Non-Halogenated Volatile Organic Compounds
C. Halogenated Volatile Organic Compounds
D. Non-Halogenated Semi-Volatile Organic Compounds
E. Halogenated Semi-Volatile Organic Compounds
F. Fuels Parameters</td></tr>
<tr><td>H. Sites with Unknown Contamination</td></tr>
</table>

For the purposes of this general permit, remediation and dewatering discharges are those that contain only the constituents of concern (COCs) included in the Contamination Type Categories in this general permit at levels that do not exceed the effluent limitations in this general permit (see Part 2), unless otherwise authorized on a case-by-case basis. Minimum treatment requirements are included as Best Management Practices (BMPs) in Part 2.5 of this general permit. In addition, the term "known" used in Contamination Type G, above, refers to sites with fully characterized and/or specific contamination type categories, where COCs have been quantified in environmental samples, and such data meet minimum data validation requirements.[2] Activity Categories III-G through VIII-G must also select all Contamination Type Categories A through F, that are known or believed present. The term "unknown" used in Contamination Type H, above, refers to sites broadly associated with contamination that may or may not be fully characterized, including, but not limited to sites where COCs may be present, but COCs have not been quantified, or have been quantified, but such data do not meet minimum data validation requirements. For Activity Categories III-H through VIII-H, Contamination Type Categories A through F apply.

[2] For sites located in Massachusetts, applicants may refer to Massachusetts Policy #WSC-07-350, *MCP Representativeness Evaluations and Data Usability Assessments* for guidance on data usability assessments. For sites located in New Hampshire, applicants may refer to EPA Region 1 guidance for data validation.

1.2 Geographic Coverage Area

For sites located in Massachusetts:

1. All of the discharges to be authorized by this general NPDES permit for dischargers in the Commonwealth of Massachusetts are into all waters of the Commonwealth 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.

For sites located in New Hampshire:

1. All of the discharges to be authorized by this general NPDES permit for dischargers in the State of New Hampshire are into all waters of the State of New Hampshire unless otherwise restricted by the State Water Quality Standards: see 50 RSA §485-A:8 and the N.H. Code of Administrative Rules, Chapter Env-Wq 1700 or as revised.

1.3 Limitations on Coverage

The following discharges are ineligible for coverage under this general permit:

1. Discharges to Outstanding Resource Waters in Massachusetts and New Hampshire:
   a. as defined in Massachusetts by 314 CMR 4.06, including Public Water Supplies (314 CMR 4.06(1)(d)1) which have been designated by the State as Class A waters, unless an authorization is granted by the Massachusetts Department of Environmental Protection (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 New Hampshire Department of Environmental Services (NH DES) under Env-Wq 1708.05(b).

2. Discharges to Class A waters in New Hampshire, in accordance with RSA 485A:8, I. and Env-Wq 1708.06. To determine if the proposed receiving water is a Class A waterbody, contact NHDES at the address listed in Part 4 of this general permit.

3. Discharges that are likely to adversely affect any species listed as endangered or threatened under the Endangered Species Act (ESA) or result in the adverse modification or destruction of habitat that is designated as critical under ESA. See Appendix I of this general permit for additional ESA requirements.

4. Discharges whose direct or indirect impacts do not prevent or minimize adverse effects on any designated Essential Fish Habitat (EFH). See Appendix II of this general permit for additional EFH information.

5. Discharges of pollutants identified as the cause of an impairment to receiving water segments identified on the Commonwealth of Massachusetts or the State of New

Hampshire approved 303(d) list, unless the pollutant concentration is at or below a concentration that meets water quality standards.[3]

6. Discharges of any commercial or industrial wastes to Ocean Sanctuaries in Massachusetts, as defined at 302 CMR 5.00.

7. Discharges to territorial seas, as defined by Section 502 of the Clean Water Act.

8. Discharges to a river designated as a Wild and Scenic River, except in accordance with 16 U.S.C. 1271 *et seq*. See http://www.rivers.gov/ for additional information.

9. 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 (NHPA), 16 USC §470 et seq. See Appendix III of the General Permit for additional requirements.

10. Remediation or dewatering discharges resulting from on-site response action conducted pursuant to §§104, 106, 120, 121 or 122 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).

11. Discharges of uncontaminated effluent authorized under other EPA permits.

12. Discharges to a Publicly Owned Treatment Works (POTW) which is permitted under Section 402 of the CWA.

13. Discharges of treated groundwater into the subsurface under an Underground Injection Control (UIC) Program permit under authority of the Safe Drinking Water Act (SDWA)

14. Discharge of dredge-related waters where the U.S. Army Corps of Engineers (USACE) intends to authorize the discharge under a CWA §404 permit.[4]

15. New Sources, as defined in 40 CFR §122.2.

16. Discharge(s) covered by an individual NPDES permit unless:

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[3] Coverage would be allowed if a segment was not in attainment due to a pollutant which is not expected in the discharges covered by this general permit. Similarly, the discharge would be allowed if the discharge contained the contaminants for which a segment was not in attainment (e.g., metals) but met the limits described in the general permit for those contaminants. These limits are equal to the water quality standards when there is no allowable dilution. Massachusetts' integrated list of waters (CWA 303(d) and 305(b)) is available at http://www.mass.gov/eea/agencies/massdep/water/watersheds/total-maximum-daily-loads-tmdls.html. New Hampshire's integrated list of waters (CWA 303(d) and 305(b)) is available at http://des.nh.gov/organization/divisions/water/wmb/swqa/index.htm.

[4] Dredge-related discharges may be covered under the 2016 RGP provided the USACE does not intend to issue a formal permit under 33 USC §1344 for the activities. If authorized to discharge under the 2016 RGP, this general permit does not authorize dredging or disposal of dredge material. This general permit also does not constitute authorization under §404 of any additional dredging or filling operations. See 33 CFR §330.5 and §§401 and 404 of the CWA.

a. The discharge(s) are separate from the currently permitted discharges; or
b. The discharge(s) covered by an individual NPDES permit is eligible for this general permit.

17. Discharges for which the Director makes a determination that an individual permit is required (see Part 3).

1.4 Special Eligibility Determinations

Sites located in Massachusetts and New Hampshire that are seeking coverage under this general permit must certify compliance with the requirements of this permit related to threatened and endangered species and critical habitat under the Endangered Species Act and to historic properties under the National Historical Preservation Act, where applicable (i.e., ESA and EFH).

1. Endangered and Threatened Species and/or Critical Habitat[5]: Sites that are located in areas in which listed species may be present are not automatically covered under this permit. Operators must demonstrate permit eligibility following the eligibility requirements in Appendix I and include this determination in the Notice of Intent.

2. National Historic Preservation Act: Sites that are located on or near 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 automatically covered under this permit. Prior to submitting the NOI, operators must meet the requirements of Appendix III pertaining to historic places, which requires the *operator to determine* whether their discharge(s) has the potential to affect a property that is either listed or eligible for listing on the National Register of Historic Places. If the potential exists, the operator must consult with the appropriate agencies. Operators must submit the results of any consultations with the Notice of Intent.

Applicants must also comply with applicable State, local laws concerning the protection of historic properties and places. Where a discharge(s) has the potential to affect a property that is either listed or eligible for listing on the National Register of Historic Places, an operator must coordinate with the appropriate State Historic Preservation Officer (SHPO) regarding effects of their discharges.[6] In the event there is an inadvertent discovery of a historic property on the site, the operator must immediately stop the remediation activity, contact EPA, and coordinate with the appropriate official(s) consistent with the steps outlined in 36 CFR §800.13 of the National Historic Preservation Act regulations.

[5] Several listed species may apply to applicants under this general permit, including, but not limited to: shortnose sturgeon, Atlantic sturgeon, dwarf wedge mussel, the bog turtle, northern redbelly cooter, and the northern long-eared bat. The shortnose sturgeon and Atlantic sturgeon are listed under the jurisdiction of the National Marine Fisheries Service and the dwarf wedgemussel, the bog turtle, northern redbelly cooter, and northern long-eared bat are listed under the jurisdiction of the U.S. Fish and Wildlife Service.

[6] For sites located in Massachusetts, the SHPO is currently within the Massachusetts Historical Commission. For sites located in New Hampshire, the SHPO is currently the Director of Cultural Resources within the Department of Cultural Resources.

1.5 Coverage under the RGP

Under this general permit, operators in Massachusetts and New Hampshire may request authorization to discharge into waters of the respective States. To obtain authorization to discharge under this general permit, an applicant must:

1. Be a discharge type described in Part 1.1 of this general permit;
2. Be located in the areas listed in Part 1.2 of this general permit;
3. Meet the eligibility requirements in Part 1.3 and Part 1.4 of this general permit;
4. Submit a complete and accurate Notice of Intent in accordance with the requirements of Part 3 of this general permit; and
5. Receive a written authorization to discharge from EPA.[7]

To maintain coverage under this general permit, the discharge must meet applicable water quality standards and all effluent limitations and requirements included in Part 2 and, if applicable, Part 6 of this general permit. The operator must also meet the requirements included in Part 4 and 5 of this general permit.

PART 2 GENERAL PERMIT FOR REMEDIATION ACTIVITY DISCHARGES (RGP)

2.1 Numeric Effluent Limitations and Monitoring Requirements

1. Chemical Effluent Limitations in Massachusetts and New Hampshire:

During the period beginning on the effective date and lasting through the expiration date EPA will authorize the discharges under Part 1.1 of this general permit to receiving waters in Massachusetts and New Hampshire. The effective date of authorization for each discharge covered under this general permit is the date of EPA's authorization to discharge, provided in writing, lasting through the expiration date of this general permit (or termination of coverage, provided in writing). Each discharge shall be limited and monitored as specified in Table 2, below. The applicability of effluent limitations for each Activity Category listed in Table 1 is included in footnote 2, below. Additional limitations and monitoring requirements are specified in Parts 2.2 through 2.5 and Part 4, below.

Table 2: Effluent Limitations and Monitor-Only Requirements

Parameter	Effluent Limitation[1,2]		Limitation Type[5]	Sample Type[6]
	TBEL[3]	WQBEL[4]		
a. Inorganics				
Ammonia[7]	Report mg/L		monthly avg	grab
Chloride[8]	Report µg/L		monthly avg	grab
Total Residual Chlorine[9]	0.2 mg/L	FW= 11 µg/L SW= 7.5 µg/L	monthly avg	grab
Total Suspended Solids	30 mg/L		monthly avg	grab

[7] Where the 2016 RGP refers to correspondence in writing from EPA, such correspondence may be by mail, email and/or facsimile transmittal.

Parameter	Effluent Limitation[1,2]		Limitation Type[5]	Sample Type[6]
	TBEL[3]	WQBEL[4]		
Antimony[10]	206 µg/L	640 µg/L in MA 4.3 mg/L in NH	monthly avg	grab
Arsenic[10]	104 µg/L	FW= 10 µg/L SW= 36 µg/L	monthly avg	grab
Cadmium[11,12]	10.2 µg/L	FW= 0.25 µg/L SW= 8.8 µg/L in MA SW= 9.3 µg/L in NH	monthly avg	grab
Chromium III[11,12]	323 µg/L	FW= 74 µg/L SW= 100 µg/L	monthly avg	grab
Chromium VI[13]	323 µg/L	FW= 11 µg/L SW= 50 µg/L	monthly avg	grab
Copper[11,12]	242 µg/L	FW= 9 µg/L SW= 3.1 µg/L	monthly avg	grab
Iron[10]	5,000 µg/L	FW = 1,000 µg/L	monthly avg	grab
Lead[11,12]	160 µg/L	FW= 2.5 µg/L SW= 8.1 µg/L	monthly avg	grab
Mercury[11]	0.739 µg/L	FW= 0.77 µg/L SW= 0.94 µg/L	monthly avg	grab
Nickel[11,12]	1,450 µg/L	FW= 52 µg/L SW= 8.2 µg/L	monthly avg	grab
Selenium[10]	235.8 µg/L	FW= 5.0 µg/L SW= 71 µg/L	monthly avg	grab
Silver[11,12]	35.1 µg/L	FW= 3.2 µg/L SW= 1.9 µg/L	monthly avg	grab
Zinc[11,12]	420 µg/L	FW= 120 µg/L SW= 81 µg/L	monthly avg	grab
Cyanide[14]	178 mg/L	FW = 5.2 µg/L SW = 1.0 µg/L	monthly avg	grab
b. Non-Halogenated Volatile Organic Compounds				
Total BTEX[15]	100 µg/L		monthly avg	grab
Benzene[15]	5.0 µg/L		monthly avg	grab
1,4 Dioxane[16]	200 µg/L		monthly avg	grab
Acetone	7.97 mg/L		monthly avg	grab
Phenol	1,080 µg/L	300 µg/L	monthly avg	grab
c. Halogenated Volatile Organic Compounds				
Carbon Tetrachloride	4.4 µg/L	1.6 in MA	monthly avg	grab
1,2 Dichlorobenzene	600 µg/L		monthly avg	grab
1,3 Dichlorobenzene	320 µg/L		monthly avg	grab
1,4 Dichlorobenzene	5.0 µg/L		monthly avg	grab
Total dichlorobenzene	763 µg/L in NH		monthly avg	grab

Parameter	Effluent Limitation[1,2]		Limitation Type[5]	Sample Type[6]
	TBEL[3]	WQBEL[4]		
1,1 Dichloroethane	70 µg/L		monthly avg	grab
1,2 Dichloroethane	5.0 µg/L		monthly avg	grab
1,1 Dichloroethylene	3.2 µg/L		monthly avg	grab
Ethylene Dibromide[17]	0.05 µg/L		monthly avg	grab
Methylene Chloride	4.6 µg/L		monthly avg	grab
1,1,1 Trichloroethane	200 µg/L		monthly avg	grab
1,1,2 Trichloroethane	5.0 µg/L		monthly avg	grab
Trichloroethylene	5.0 µg/L		monthly avg	grab
Tetrachloroethylene	5.0 µg/L	3.3 µg/L in MA	monthly avg	grab
cis-1,2 Dichloroethylene	70 µg/L		monthly avg	grab
Vinyl Chloride	2.0 µg/L		monthly avg	grab
d. Non-Halogenated Semi-Volatile Organic Compounds				
Total Phthalates[18]	190 µg/L	FW = 3.0 µg/L in NH SW = 3.4 µg/L in NH	monthly avg	grab
Diethylhexyl phthalate[18]	101 µg/L	2.2 µg/L in MA 5.9 µg/L in NH	monthly avg	grab
Total Group I Polycyclic Aromatic Hydrocarbons[19]	1.0 µg/L	As Individual PAHs	monthly avg	grab
Benzo(a)anthracene[19]	As Total Group I PAHs	0.0038 µg/L	monthly avg	grab
Benzo(a)pyrene[19]		0.0038 µg/L	monthly avg	grab
Benzo(b)fluoranthene[19]		0.0038 µg/L	monthly avg	grab
Benzo(k)fluoranthene[19]		0.0038 µg/L	monthly avg	grab
Chrysene[19]		0.0038 µg/L	monthly avg	grab
Dibenzo(a,h)anthracene[19]		0.0038 µg/L	monthly avg	grab
Indeno(1,2,3-cd)pyrene[19]		0.0038 µg/L	monthly avg	grab
Total Group II Polycyclic Aromatic Hydrocarbons[20]	100 µg/L		monthly avg	grab
Naphthalene[20]	20 µg/L		monthly avg	grab
e. Halogenated Semi-Volatile Organic Compounds				
Total Polychlorinated Biphenyls[21]	0.000064 µg/L		monthly avg	grab
Pentachlorophenol	1.0 µg/L		monthly avg	grab
f. Fuels Parameters				
Total Petroleum Hydrocarbons[22]	5.0 mg/L		monthly avg	grab
Ethanol[23]	Report mg/L		monthly avg	grab
Methyl-tert-Butyl Ether[24]	70 µg/L	20 µg/L in MA	monthly avg	grab
tert-Butyl Alcohol	120 µg/L in MA 40 µg/L in NH		monthly avg	grab

Parameter	Effluent Limitation[1,2]		Limitation Type[5]	Sample Type[6]
	TBEL[3]	WQBEL[4]		
tert-Amyl Methyl Ether[24]	90 µg/L in MA 140 µg/L in NH		monthly avg	grab

Table 2 Footnotes:

[1] The following abbreviations are used in Table 2, above:
- [a] TBEL = technology-based effluent limitation
- [b] WQBEL = water quality-based effluent limitation
- [c] mg/L = milligrams per liter
- [d] avg = average
- [e] µg/L = micrograms per liter
- [f] FW = freshwater
- [g] SW = saltwater

[2] The effluent limitation and/or monitor-only requirement for any parameter listed applies to any site when the given parameter is present in discharges from that site. The effluent limitations and monitor-only requirements also apply to Activity Categories as follows:

[a] Activity Category I:
all parameters in contamination type a. Inorganics;
any present in contamination type b. non-halogenated VOCs;
if present in contamination type c. halogenated VOCs;
any present in contamination type d. non-halogenated SVOCs;
if present in contamination type e. halogenated SVOCs; and
any present in contamination type f. fuels parameters.

[b] Activity Category II:
all parameters in contamination type a. Inorganics;
any present in contamination type b. non-halogenated VOCs;
any present in contamination type c. halogenated VOCs;
any present in contamination type d. non-halogenated SVOCs;
if present in contamination type e. halogenated SVOCs; and
if present in contamination type f. fuels parameters.

[c] Activity Category III-G:
all parameters in contamination type a. Inorganics; and
if present in contamination type b through f.

[d] Activity Category IV-G, V-G, VI-G, VII-G, VIII-G:
if present in contamination type a through f.

[e] Activity Category III-H, IV-H, V-H, VI-H, VII-H, VIII-H:
all parameters in contamination type a through f apply.

[f] When "if present" applies above, the effluent limitation and/or monitor-requirement for an individual parameter in a Contamination Type applies only if that individual parameter(s) is present in a discharge. When "any present" is noted, the effluent limitations and/or monitor-only requirements for all parameters listed in a Contamination Type apply when at least one individual parameter listed for that Contamination Type is present in a discharge, unless otherwise specified for an individual parameter, below.

[3] For any parameter with a single effluent limitation, that effluent limitation applies to a site if that parameter is applicable to that site. For any parameter with both a TBEL and a WQBEL, the TBEL applies to a site, at a minimum, if that parameter is applicable to that site.

[4] For any parameter with both a TBEL and a WQBEL, the WQBEL applies to a site if: 1) the applicant determines the WQBEL for a parameter calculated in accordance with Appendix V or VI applies; or 2) EPA or the appropriate State determines that a WQBEL is necessary to meet State WQSs. The calculation of WQBELs shall be as follows: 1) A dilution factor may be used to calculate the WQBEL for a parameter, if allowable and approved by the appropriate State prior to the submission of the Notice of Intent to EPA; 2) The calculations are completed in accordance with the instructions provided in Appendix V for sites located in Massachusetts or Appendix VI for sites located in New Hampshire; 3) The WQBEL calculations are included in the Notice of Intent submitted to EPA; and 4) The calculated WQBEL is confirmed by EPA in writing. In the event of a calculation error, the operator will be informed of any corrected WQBEL when notified of permit coverage by EPA. EPA anticipates providing additional resources to assist applicants in following the calculation methodologies for effluent limitations in Appendix V for sites in Massachusetts and Appendix VI for sites in New Hampshire.

[5] The limitation type monthly average applies to all parameters. See Appendix IX for additional definitions.

[6] The sample type required for all parameters is grab. See Appendix IX for additional definitions.

[7] This parameter is expressed as ammonia nitrogen. The minimum level (ML) for analysis must be less than or equal to 0.1 µg/L using Method 8083. See Appendix VII for additional definitions.

[8] Sites located in Massachusetts must report concentrations of chloride. Sites located in New Hampshire may be subject to §401 certification requirements by the State of New Hampshire, including a numeric effluent limitation for chloride.

[9] Effluent limitations for TRC only apply to discharges which are likely to contain residual chlorine (e.g., potable water is in use or chlorine is a chemical used for and/or byproduct of treatment). The TBEL applies to all discharges subject to a TRC effluent limitation. The WQBELs are shown with zero dilution. The FW or SW WQBELs are calculated as follows:

[a] 11 µg/L * approved dilution factor for discharges to freshwater waterbodies
[b] 7.5 µg/L * approved dilution factor for discharges to saltwater waterbodies

If the FW or SW limitation for TRC as calculated above is less than the TBEL for TRC, the FW or SW limitation for TRC applies. The compliance level for TRC is 50 µg/L.

[10] The TBEL and WQBEL for this parameter is expressed on the basis of total recoverable metal in the water column. The WQBEL is shown with zero dilution. For the antimony WQBEL in NH, EPA anticipates that the applicable revised WQC found in Env-Wq 1700 shall be incorporated into the RGP for sites in New Hampshire, once final. Based on the proposed revision for this value, 640 µg/L, EPA expects to change the WQBEL from 4.3 mg/L to 640 µg/L.

[11] The WQBEL shown is expressed on the basis of dissolved metal in the water column with zero dilution. The WQBEL shall apply in the form of total recoverable metal in the water column. The WQBEL must be adjusted using the calculation methodology included in Appendix V for sites located in Massachusetts or Appendix VI for sites located in New Hampshire.

[12] This metal is hardness-dependent in freshwater. The WQBEL shown assumes a hardness of 100 mg $CaCO_3$. Hardness-dependent metals WQBELs must be adjusted for freshwater discharges using the calculation methodology included in Appendix V for sites located in Massachusetts or Appendix VI for sites located in New Hampshire. The hardness-dependent calculation requirement does not apply to saltwater discharges.

[13] The effluent limitations for chromium VI assume this metal is reduced to chromium III as a result of treatment. The WQBEL shown is expressed on the basis of dissolved metal in the water column with zero dilution. This metal is not hardness-dependent in freshwater.

[14] The effluent limitations for cyanide only applies to discharges if this parameter is present. The TBEL is shown as total cyanide. The WQBEL is shown as free cyanide per liter. However, total cyanide must be reported. The compliance level for total cyanide is 5 µg/L.

[15] The Volatile Petroleum Hydrocarbon (VPH) method cannot be used for analysis for this indicator parameter. Total BTEX is the sum of: benzene (CAS No. 71432); toluene (CAS No. 108883); ethylbenzene (CAS No. 100-41-4); and (m,p,o) xylenes (CAS Nos. 108-88-3, 106-42-3, 95-47-6, and 1330-20-7).

[16] The effluent limitation for 1,4-dioxane only applies to discharges if this parameter and/or 1,1,1 trichloroethane is present. 1,4-dioxane analysis must achieve a ML less than or equal to 50 µg/L. See Appendix VII for additional definitions.

[17] The effluent limitation for EDB only applies to discharges if this parameter is present.

[18] The effluent limitations for total phthalates and the individual phthalate, diethylhexyl phthalate, only apply to discharges if these parameters are present. Total Phthalates is the sum of: diethylhexyl phthalate (CAS No. 117-81-7); butyl benzyl phthalate (CAS No. 85-68-7); di-n-butyl phthalate (CAS No. 84-74-2); diethyl phthalate (CAS No. 84-66-2); dimethyl phthalate (CAS No. 131-11-3); di-n-octyl phthalate (CAS No. 117-84-0). For the diethylhexyl phthalate WQBEL in NH, EPA anticipates that the applicable revised WQC found in Env-Wq 1700 shall

be incorporated into the RGP for sites in New Hampshire, once final. Based on the proposed revision for this value, 2.2 µg/L, EPA expects to change the WQBEL from 5.9 µg/L to 2.2 µg/L.

[19] Total Group I PAHs is the sum of: benzo(a)anthracene (CAS No. 56-55-3); benzo(a)pyrene (CAS No. 50-32-8); benzo(b)fluoranthene (CAS No. 205-99-2); benzo(k)fluoranthene(CAS No. 207-08-9; chrysene (CAS No. 218-01); dibenzo(a,h)anthracene (CAS No. 53-70-3); indeno(1,2,3-cd)pyrene (CAS No. 193-39-5). The compliance level for each individual PAH is 0.1 µg/L using a test method in 40 CFR §136 with selected ion monitoring. The extractable petroleum hydrocarbon (EPH) method cannot be used for analysis for this indicator parameter.

[20] Total Group II PAHs is the sum of: acenaphthene (CAS No. 83-32-9); acenaphthylene (CAS No. 208-96-8); anthracene (CAS No. 120-12-7); benzo(g,h,i)perylene (CAS No. 191-24-2); fluoranthene (CAS No. 206-44-0); fluorene (CAS No. 86-73-7); naphthalene (CAS No. 91-20-3); phenanthrene (CAS No. 85-01-8); pyrene (CAS No. 129-00-0). The EPH method cannot be used for analysis for this indicator parameter.

[21] The effluent limitation for total PCBs only applies to discharges if these parameters are present. Total PCBs is the sum of the following aroclors: PCB-1016, PCB-1221, PCB-1232, PCB-1242, PCB-1248, PCB-1254, and PCB-1260. The compliance level for total PCBs is 0.5 µg/L.

[22] The VPH and EPH methods cannot be used for TPH analysis.

[23] The monitoring requirements for ethanol only apply to discharges which are likely to contain ethanol (e.g., discharges from a site where a release of a petroleum product that contains ethanol or where ethanol has been used or stored). Ethanol analysis must achieve a ML less than or equal to 0.4 mg/L. See Appendix VII for additional definitions.

[24] The effluent limitations for this parameter only apply to discharges which are likely to contain this fuel additive/oxygenate (e.g., discharges from a site where a release of a petroleum product that contained this additive/oxygenate occurred or where oxygenates/additives have been used or stored).

2. Effluent Flow Limitations

Effluent flow shall be limited and monitored as specified below.

Table 3: Effluent Flow Limitation

Effluent Flow	**Effluent Limitations**		**Limitation Type**	**Sample Type**
	Design Flow BMP[1]	1.0 MGD[2]	daily maximum[3]	meter[4]

Table 3 Footnotes

[1] The discharge shall not exceed the design flow rate of any treatment system in use at a site, determined by the component of the treatment system with the most restricted flow and as

reported in an applicant's Notice of Intent. Additional Design Flow BMP requirements are included in Part 2.5.2, below.

[2] The discharge shall not exceed 1.0 MGD, unless an alternative flow is approved by EPA and the appropriate State on a case-by-case basis. Effluent flow shall not exceed the flow of receiving water, or alter the structural characteristics of the receiving water. Flow control measures must be used if necessary to dissipate energy and control erosion or scouring during discharge.

[3] The effluent limitation for effluent flow shall be the sum of the recorded discharge volume for each day (i.e., 24 hours) that effluent is discharged.

[4] Effluent flow shall be measured after treatment using a continuous measurement flow meter (i.e., a device that records the instantaneous gallons per minute (gpm) and total gallons discharged). If an operator demonstrates that use of a meter is infeasible and such a change is provided to the operator in writing, effluent flow shall be based on an estimate. An estimate of effluent flow shall be determined by the operation time and design flow of the treatment system in use at a site, or the flow rate and dimensions of the outfall at a site, if no treatment system is in use, unless otherwise instructed by EPA and/or the appropriate State. An applicant must provide justification in the Notice of Intent or through a subsequent Notice of Change submitted to EPA for a site if the use of a meter is infeasible.

2.2 Water Quality-Based Effluent Limitations and Requirements

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

2. The discharge shall be adequately treated to ensure that the receiving water(s) remain free from:
   a. Pollutants in concentrations or combinations that settle to form harmful deposits, float as foam, debris, scum, form a visible sheen or other visible pollutants.
   b. Color, odor, taste, or turbidity in concentrations that would render them unsuitable for their designated use unless such concentrations are naturally occurring.
   c. Oil, grease and petrochemicals that produce a visible film on the surface of the water, impart an oily taste to the water or an oily or other undesirable taste to the edible portions of aquatic life, coat the banks or bottom of the water course, or become toxic to aquatic life.

3. Toxics Control:
   a. The discharge shall not contain any pollutant or combination of pollutants in toxic amounts or in concentrations or combinations which are toxic to humans, aquatic life, or wildlife, or which would impair the uses designated by the classification of the receiving waters;
   b. The discharge shall not contain any pollutant or combination of pollutants in concentrations or combinations which violate any applicable water quality standard; and
   c. If a discharge contains any pollutant which is not limited by this general permit and the applicant is otherwise eligible for coverage under this general permit, the applicant must specifically disclose the pollutant and concentration in the Notice of Intent to request authorization to discharge that pollutant. EPA and the applicable

State may authorize the discharge of additional pollutants on a case-by-case basis, including effluent limitations when necessary, provided that such a discharge does not violate Section 307 or 311 of the CWA or applicable State water quality standards.

4. EPA may impose additional water quality-based limitations on a case-by-case basis, or require an applicant to obtain coverage under an individual permit, if information in the NOI, required reports, or from other sources indicates that the discharges are not controlled as necessary to meet water quality standards.

2.3 Massachusetts General Permit Limitations and Conditions

In addition to the Effluent Limitations and Monitoring Requirements included in Part 2.1 and Part 2.2, above, each outfall shall be limited and monitored as specified below.

1. pH Limitations for Discharges in Massachusetts

Table 4: pH Limitations for Discharges in Massachusetts

Receiving Water Class[1]	Effluent Limitations	Limitation Type	Sample Type[2]
Freshwater[3]	6.5 to 8.3 SU	range	grab
Saltwater[4]	6.5 to 8.5 SU	range	grab

Table 4 Footnotes

[1] There shall be no change from natural background conditions that would impair any use assigned to the class of the receiving water.
[2] pH samples shall be grab samples analyzed using EPA Method 4500-H^+-B 2000 or other EPA-approved methods in 40 CFR §136.
[3] The pH of the effluent shall be in the range of 6.5 to 8.3 standard units and not more than 0.5 standard units outside of the naturally occurring range for freshwater classes.
[4] The pH of the effluent shall be in the range of 6.5 to 8.5 standard units and not more than 0.2 standard units outside of the naturally occurring range for saltwater classes.

2. Temperature Limitations for Discharges in Massachusetts

Table 5: Temperature Limitations for Discharges in Massachusetts

Receiving Water Class		Daily Maximum Effluent Limitation[1]	ΔT Limitation[2]	Limitation Type	Sample Type[3]
Class A	Warm Water Fishery	83°F	≤ 1.5°F	daily maximum	grab
	Cold Water Fishery	68°F	≤ 1.5°F	daily maximum	grab
Class B	Warm Water Fishery	83°F	≤ 5°F	daily maximum	grab
	Cold Water Fishery	68°F	≤ 3°F	daily maximum	grab
	Lakes and Ponds	83°F Warm Water Fishery	≤ 3°F	daily maximum	grab

		68°F Cold Water Fishery			
Class SA	---	85°F 80°F (mean)	≤ 1.5°F	daily maximum	grab
Class SB	July to September	85°F 80°F (mean)	≤ 1.5°F	daily maximum	grab
	October to June	85°F 80°F (mean)	≤ 4°F	daily maximum	grab

Table 5 Footnotes

[1] The effluent shall not exceed the maximum temperature noted for each class in Table 5, above. There shall be no change from natural background that would impair any uses assigned to this class including those conditions necessary to protect normal species diversity, successful migration, reproductive functions or growth of aquatic organisms.
[2] The rise due to a discharge shall not exceed the change in temperature (ΔT) noted for each class in Table 5, above. Change in temperature from background shall be determined by subtracting the temperature of the effluent from the temperature of the receiving water measured a point immediately upstream of a discharge(s) zone of influence at a reasonably accessible location.
[3] Temperature samples shall be collected as grab samples analyzed using EPA Method 2550-B-2000 or other EPA-approved methods in 40 CFR §136.

3. Massachusetts State Permit Conditions

   a. This discharge permit is issued jointly by the EPA and the MassDEP under Federal and State law, respectively. As such, all the terms and conditions of this permit are hereby incorporated into and constitute a discharge permit issued by the Commissioner of the MassDEP pursuant to M.G.L. Chapter 21 §43, except where exempted under 310 CMR 40.0041(4) of the Massachusetts Contingency Plan. 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 that any portion of this permit is declared invalid, illegal or otherwise issued in violation of State law, such permit shall remain in full force and effect under federal law as an NPDES permit issued by the EPA. In the event that 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, except where exempted under 310 CMR 40.0041(4) of the Massachusetts Contingency Plan.
   b. 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. If the storm sewer system is within an urbanized area, the applicant must notify the MS4 operator of the proposed discharge.

c. At any time MassDEP determines that additional water quality certification requirements are necessary to protect water quality and in lieu of requiring a discharger covered under a general permit to obtain an individual permit (314 CMR 3.06(8)), MassDEP may require an individual discharger to undertake additional control measures, BMPs, or other actions. MassDEP may exercise its authority to require the discharger to take these actions by imposing a condition in the general permit to that effect, or by taking an enforcement action against the discharger, or by any other means. Any such conditions shall be supplied to the permittee in writing.

2.4 New Hampshire General Permit Limitations and Conditions

In addition to the Effluent Limitations and Monitoring Requirements included in Part 2.1 and Part 2.2, above, each outfall shall be limited and monitored as specified below.

1. pH Limitations for Discharges in New Hampshire

Table 6: pH Limitations for Discharges in New Hampshire

Receiving Water Class[1]	Effluent Limitations	Limitation Type	Sample Type[2]
Class B	6.5 to 8.0 SU	range	grab

Table 6 Footnotes

[1] The pH of the effluent shall be in the range of 6.5 to 8.0 standard units unless a different range is allowed in accordance with Part 2.4.3.b and 5.1.2.c.
[2] pH samples shall be grab samples analyzed using EPA Method 4500-H^+-B 2000 or other EPA-approved methods in 40 CFR §136

2. Temperature Limitations for Discharges in New Hampshire

Table 7: Temperature Limitations in New Hampshire

Receiving Water Class		Daily Maximum Effluent Limitation[1]	Measurement Frequency	Sample Type[2]
Class B	Warm Water Fishery	83°F	1/month	grab
	Cold Water Fishery	68°F	1/month	grab

Table 7 Footnotes

[1] The effluent shall not exceed the maximum temperature noted for each class in Table 7, above. Any stream temperature increase associated with the discharge(s) shall not be such as to appreciably interfere with the uses assigned to the receiving water.
[2] Temperature samples shall be collected as grab samples analyzed using EPA Method 2550-B-2000 or other EPA-approved methods in 40 CFR §136.

3. New Hampshire State Permit Conditions

a. 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 EPA.
b. An operator may request a change in the permitted pH range of 6.5-8.0 standard units (SU) if the operator can demonstrate to NHDES: 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 authorized discharge. The scope of any demonstration project must receive prior approval from NHDES. The upstream or background sampling location identified by the operator shall be approved by NHDES prior to the initiation of sampling. In addition, the upstream and effluent sampling is to occur as close in time as possible, but not greater than 1 hour apart. In no case, shall the above procedure result in pH limits less restrictive than 6.0–9.0 SU. Written approval from NHDES must be submitted to EPA for consideration of this change (see Part 5.1, below).
c. The operator 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:13).
d. Pursuant to New Hampshire Statute RSA 485-A:13I(c), any person responsible for a bypass or upset at a wastewater facility shall give immediate notice of a bypass or upset to all public or privately owned water systems drawing water from the same receiving water and located within 20 miles downstream of the point of discharge regardless of whether or not it is on the same receiving water or on another surface water to which the receiving water is tributary. Wastewater facility is defined at RSA 485-A:2XIX as the structures, equipment, and processes required to collect, convey, and treat domestic and industrial wastes, and dispose of the effluent and sludge. The operator 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.
e. 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.
f. Persons filing a NOI for a new discharge that will last for one year or more will be required to supply NHDES with additional water quality data for the discharge and the receiving water. The data must be collected during both low flow and high flow (spring/autumn) conditions in accordance with an approved Scope of Work and Sampling/Analysis Plan. NHDES recommends that applicants meet with staff of the

Wastewater Engineering Bureau at least one year prior to the date of the commencement of the discharge.

g. 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 this general permit. Any such conditions shall be supplied to the operator in writing.

2.5 Special Conditions

1. Best Management Practices Plan (BMPP)

Operators must develop, implement, and maintain a BMPP for the discharges covered under this general permit.

a. The BMPP shall provide a plan for compliance with the terms of this general permit and must document the implementation of control measures, including best management practices (BMPs), to meet the following non-numeric technology-based effluent limitations:
   i. Minimize the potential for violations of the terms of this general permit, taking corrective actions, when necessary;
   ii. Minimize the number and quantity of pollutants and/or the toxicity generated, discharged, or potentially discharged at the site;
   iii. Minimize discharges of pollutants from materials storage areas, on-site transfers of hazardous and/or toxic materials, process and material handling areas, loading and unloading operations, and accidental leaks or spills, including implementation of material compatibility and good housekeeping practices; and
   iv. Use pollution control technologies, when necessary to meet the effluent limitations in this general permit and properly operate and maintain all treatment systems, including implementation of preventative maintenance.

b. The BMPP must include the following information, at a minimum:
   i. Name and location of the site;
   ii. Any necessary system schematics, drawings or maps, including up to date site plans with a detailed outfall diagram.
   iii. Identification and contact information for the operator(s);
   iv. Identification of potential sources of pollution;
   v. Description of the specific control measures including BMPs, the operator will take to reduce the pollutants associated with the following: 1) Effluent treatment; 2) Storage and handling areas; 3) Site runoff; 4) On-site transfer; 5) Loading or unloading operations; 6) Spillage or leaks; 7) Sludge and waste disposal; and 8) Drainage from material storage and handling areas; and
   vi. Specific control measures, including BMPs, used to meet the requirements of this general permit and including the specific BMPs required for all discharges in Part 2.5.2, below.

c. The BMPP must be prepared in accordance with good engineering practices and must be a written document (hardcopy or electronic). The BMPP may either be a stand-alone document or may be incorporated into any other BMPP, Pollution Prevention

Plan, or Spill Prevention Control and Counter Measures (SPCC) Plan, or other plan developed for the site as required under other permits or programs.[8] Operators must provide BMPP certification in the Notice of Intent submitted to EPA for a site as follows:

i. Operators initiating new discharges after the final issuance of this general permit shall certify as part of the Notice of Intent that a BMPP meeting the requirements of this general permit will be developed and implemented upon initiation of discharge;

ii. Operators with existing discharges without an existing BMPP seeking coverage under this general permit shall develop and implement the BMPP and shall certify as part of the Notice of Intent that a BMPP meeting the requirements of this general permit has been developed and implemented;

iii. Operators with existing discharges with an existing BMPP seeking coverage under this general permit shall revise the BMPP to meet the terms of this general permit and shall certify as part of the Notice of Intent that a BMPP meeting the requirements of this general permit has been developed and implemented.

d. The operator must certify the BMPP as follows:

i. On or before January 15th each calendar year, or upon Notice of Termination if a discharge lasts less than one year, the operator must prepare a statement certifying that the requirements of the BMPP were met for the previous calendar year, or for the duration of discharge if a discharge lasts less than a full calendar year;

ii. Each certification shall state whether the operation and maintenance activities were conducted, results recorded, and records maintained, and must indicate whether the discharge(s) is in compliance with the requirements of the BMPP and meets the effluent limitations included in this general permit;

iii. The required certification statements(s) must be maintained with a complete, up to date BMPP on site or at the location of the principal operator identified in the Notice of Intent and made available for inspection by EPA or the State;

iv. Any amendments to the BMPP resulting from any change which occurred at the site that increases the generation of pollutants or their release or potential release to the receiving water, or changes to the operations and maintenance procedures covered by the BMPP must be explained in the certification for the reporting period in which the change(s) occurred;

v. Each certification must be signed in accordance with 40 CFR §122.22; and

vi. Failure to prepare the required certifications may result in permit termination and/or penalties imposed by EPA, the State, or both.

2. Best Management Practices (BMPs)

Operators must implement control measures, including the following best management practices (BMPs), to meet the non-numeric effluent limitations specified in this general permit. The BMPs specified below are required for all operators.[9]

[8] Operators may refer to *Guidance Manual for Developing Best Management Practices (BMPs)* (EPA-833-B-93-004, 1993).

[9] Additional guidance for BMPs can be found in *Guidance Manual for Developing Best Management Practices* (EPA 833-B-93-004).

a. An Effluent Flow BMP must include, at a minimum:
    i. Flow control measures that prevent discharge(s) in exceedance of the design flow of the discharge (i.e., the maximum flow through the component with the lowest limiting capacity); and
    ii. Documentation of the method(s) for measuring effluent flow.
b. A Preventative Maintenance BMP must include, at a minimum:
    i. Documented procedures and protocols that ensure all control measures, including all treatment system components and related appurtenances used to achieve the limitations in this general permit remain in effective operating condition and do not result in leaks, spills, and other releases of pollutants;
    ii. A maintenance schedule for all treatment system components and related appurtenances used to meet the limitations of this general permit; and
    iii. Records of the completion of regular maintenance activities.

c. A Site Management BMP must include, at a minimum:
    i. Control measures that ensure proper management of solid and hazardous waste and prevent solids, sludge, or other pollutants removed in the course of treatment or control of water and wastewaters from entering waters of the United States;
    ii. Run-on and runoff management practices which divert, infiltrate, reuse, contain, or otherwise reduce extraneous uncontaminated waters and minimize the extent to which such uncontaminated waters commingle with remediation/dewatering discharges; and
    iii. Drainage control practices must ensure that the discharge(s) covered by this permit do not adversely affect existing water quality by preventing any erosion, stream scouring, or sedimentation caused directly or indirectly by the discharge and/or which contributes additional pollutants.
d. A Pollutant Minimization BMP must include, at a minimum:
    i. Identification and assessment of the type and quantity of pollutants, including their potential to impact receiving water quality;
    ii. A description of control measures used to ensure dilution is not used as a means to achieve permit effluent limitations; and
    iii. Selection, design, installation and proper operation and maintenance of pollution control technologies, when necessary to achieve the limitations and requirements in this general permit. The treatment technologies may include, but are not limited to any combination of the following: [10]
        1) Adsorption/Absorption
        2) Advanced Oxidation Processes
        3) Air Stripping
        4) Granulated Activated Carbon ("GAC")/Liquid Phase Carbon Adsorption
        5) Ion Exchange
        6) Precipitation/Coagulation/Flocculation
        7) Separation/Filtration
e. An Administrative Controls BMP must include, at a minimum:

[10] Descriptions of these treatment technologies can be found in the Federal Remediation Technology Roundtable *Remediation Technologies Screening Matrix and Reference Guide, Version 4.0 (2007)* available at http://www.frtr.gov/scrntools.htm.

i. Documentation of the site security procedures appropriate for the treatment and other systems related to the NPDES discharge(s);
ii. Documentation of employee training conducted at least annually (or once, for discharges lasting less than one year) for site personnel who have direct or indirect responsibility for ensuring compliance with this general permit;
iii. Procedures for initiating corrective action within 72 hours of the time of discovery of a violation of a permit limitation or requirement and completing within a reasonable timeframe evaluation, and revision (i.e., repair, modification, or replacement), if necessary, any control measure used at the site if the control measure is identified as missing, installed incorrectly, or ineffective in ensuring the discharge meets applicable water quality standards and/or effluent limitations and requirements in this general permit. In all circumstances, the cause of the permit violation must be identified and documented, and the operator must immediately take all reasonable steps to minimize or prevent the discharge of pollutants until a permanent solution is achieved; and
iv. A schedule and records documenting routine inspections conducted at least monthly by site personnel who have direct knowledge of the remediation activity at the site, the control measure(s) in use at the site, and the ability to assess the effectiveness of any control measure(s) in use at the site in order to meet the requirements of this general permit. Routine inspections must, at a minimum:
    1) Assess the influent, effluent, treatment system and site areas, including the outfall where practicable,
    2) Identify any uncontrolled leaks, spills or discharges and
    3) Conduct visual inspection for indicators of pollution, including, but not limited to, objectionable aesthetic properties such as color, odor, clarity, floating solids, settled solids, suspended solids, foam, and oil sheen.

f. Quality Assurance/Quality Control (QA/QC) BMP must include, to the maximum extent practicable:
    i. A description of applicable monitoring requirements;
    ii. A map and/or treatment system diagram indicating the location of each monitoring point with a geographic identifier (i.e., latitude and longitude coordinates);
    iii. Specifications for the number of samples, type of sample containers, type of preservation, holding times, type and number of quality assurance field samples (i.e., matrix spiked and duplicate samples and sample blanks), sample preparation requirements (e.g., sampling equipment calibration, clean sampling procedures), and sample storage and shipping methods, including EPA QA/QC and chain-of-custody procedures;[11]
    iv. Name(s), address(es), and telephone number(s) of the laboratories used by, or proposed to be used by, the operator;
    v. Specifications for analytical detection and quantitation limits for each required indicator parameter, analytical methods, and laboratory data delivery and documentation requirements;

[11] Described in *Requirements for Quality Assurance Project Plans* (EPA/QA/R-5) and *Guidance for Quality Assurance Project Plans* (EPA/QA/G-5).

vi. A schedule for review of sample results, which must be reviewed by the operator no more than 72 hours from receipt of the results; and
vii. A description of data validation and data reporting processes.

g. Materials Management BMP must include, at a minimum:
   i. Good housekeeping practices and/or control measures that maintain areas that are potential sources of pollutants, including, but not limited to, contaminated soil and groundwater, and treatment system chemicals, additives, materials or appurtenances;
   ii. Material compatibility practices and/or control measures must ensure safe handling, use and storage of materials including, but not limited to chemicals and additives (e.g., algaecides/biocides, antifoams, coagulants, corrosion/scale inhibitors/coatings, disinfectants, flocculants, neutralizing agents, oxidants, oxygen scavengers, pH conditioners, surfactants and bioremedial agents, including microbes);
   iii. For any chemical and/or additive used or stored at a site, operators must document, at a minimum:
      1) Product name, chemical formula, and manufacturer of the chemical or additive;
      2) Purpose or use of the chemical or additive;
      3) Material Safety Data Sheet (MSDS) and Chemical Abstracts Service (CAS) Registry number for each chemical or additive ;
      4) The frequency (hourly, daily, etc.), duration (hours, days), quantity (maximum and average), and method of application for the chemical or additive;
      5) Any material compatibility risks for storage for the chemical or additive;
      6) If available, the vendor's reported aquatic toxicity (NOAEL and/or LC50 in percent for aquatic organism(s)); and
      7) A description of the material management control measures employed (e.g., inventory, containment devices, protected storage building(s) and/or cabinet(s)) and any measures taken to ensure material compatibility.
   iv. Spill prevention practices and spill control measures, including other handling and collection methods, when necessary (e.g., containment devices), must reduce spills and leaks from the treatment system and the release of chemical and/or additives in use at a site. The following actions are required upon detection of a leak, spill, or other release containing a hazardous substance or oil, such as visual observation of a visible sheen, at a minimum:
      1) The discharge must stop immediately;
      2) Notification must be provided to EPA as specified in Appendix IX, Standard Conditions, Part D.1.e. for Twenty-four hour reporting;[12]
      3) The source of the leak, spill or other release must be identified and corrective actions must be taken, if necessary, prior to resuming discharge, unless instructed otherwise by EPA and/or the appropriate State; and
      4) When a leak, spill, or other release containing a hazardous substance or oil in an amount equal to or in excess of a reportable quantity established under either 40 CFR Part 110, 40 CFR Part 117, or 40 CFR Part 302 occurs, the operator must document a description of the release, the circumstances leading to the

[12] State, tribal, or local requirements may necessitate additional notification to local emergency response, public health, and/or drinking water supply agencies.

release, the date of the release, a description of any corrective actions taken and the date such corrective actions are completed.

3. Conditions for Discharges of Chemicals & Additives

An operator shall not discharge any chemical or additive, including, but not limited to algaecides/biocides, antifoams, coagulants, corrosion/scale inhibitors/coatings, disinfectants, flocculants, neutralizing agents, oxidants, oxygen scavengers, pH conditioners, surfactants and bioremedial agents, including microbes, which was not reported in the NOI submitted to EPA for a site or provided through a subsequent Notice of Change (NOC) submitted to EPA. Upon authorization to discharge, chemicals and/or additives which have been disclosed to EPA and the appropriate State may be discharged up to the frequency and level disclosed, provided that such discharge does not violate Section 307 or 311 of the Clean Water Act or applicable state water quality standards. EPA and/or the appropriate State may request additional information to provide authorization to discharge chemicals and/or additives, including but not limited to WET testing. To request authorization to discharge chemicals and/or additives in the NOI submitted to EPA for a site or in a subsequent NOC, an operator must submit the following information, at a minimum, in writing in accordance with Appendix IV, Part 2 of this general permit:

a. All information required in Part 2.5.2.g.iii, above;
b. An explanation which demonstrates that the addition of such chemicals:
   i. Will not add any pollutants in concentrations which exceed permit effluent limitations;
   ii. Will not exceed any applicable water quality standard; and
   iii. Will not add any pollutants that would justify the application of permit conditions that are different from or absent in this permit; or
   iv. An operator may demonstrate through sampling and analysis using sufficiently sensitive test methods that each of the 126 priority pollutants in CWA Section 307(a) and 40 CFR Part 423.15(j)(1) are non-detect in discharges with the addition of chemicals and/or additives.

4. Conditions for Pipeline and Tank Dewatering

In addition to meeting the BMP requirements for all discharges, above, discharges from pipeline and tank dewatering must meet the following requirements:

a. Discharges of tank bottom water are prohibited;
b. Pipeline(s), tank(s) or similar structures and appurtenances must be pre-cleaned to remove scale, solids, and residues unless these structures are used only for water storage;[13]
c. Water quality control measures must be implemented if potable water, groundwater or surface waters other than the receiving water will be discharged that prevent lower quality waters being transferred to higher quality waters;
d. Discharges of chemicals and/or additives used for tank or pipeline cleaning, repair or installation are prohibited unless in accordance with Part 2.5.3, above; and
e. Discharges of sludge generated in the dewatering of the pipelines or tanks is prohibited.

[13] Discharges resulting from the hydrostatic testing of pipelines or tanks must follow the procedures detailed in the American Petroleum Institute 653 Standard and/or applicable State regulations.

PART 3 NOTICE OF INTENT (NOI)

3.1 Obtaining Coverage under this General Permit

1. To obtain authorization to discharge under this general permit, an applicant must:
   a. Be a discharge type described in Part 1.1, above;
   b. Be located in the areas listed in Part 1.2, above;
   c. Meet the eligibility requirements in Part 1.3 and Part 1.4, above;
   d. Submit a complete and accurate Notice of Intent (NOI) in accordance with the requirements of this part, below; and
   e. Receive a written authorization to discharge from EPA.[14]

2. Operators with one or more discharges eligible for coverage under this general permit must submit a NOI to EPA prior to the initiation of such discharge(s). The NOI must be complete (i.e., contain all of the information required in the suggested NOI format included in Appendix IV, Part 1), signed by the site in accordance with the signatory requirements of 40 CFR §122.22 and prepared in accordance with the instructions provided in Appendix IV, Part 1. In the event EPA and/or the appropriate State determines an NOI is incomplete, EPA will notify the applicant of the information required for completeness and specify a timeframe for submission of the information. EPA may request additional information, including analytical data, as authorized under CWA § 308(a), 33 U.S.C. §1318(a), when the information is necessary to adequately review the NOI and make a determination of coverage.

3.2 NOI Options

For purposes of this general permit, the NOI consists of either the suggested NOI format in Appendix IV, Part 1 of this permit or another form of official correspondence containing all of the information required in the NOI instructions in Appendix IV, Part 1 of this general permit. All NOIs submitted after **December 21, 2020** must be submitted electronically.

1. The Commonwealth of Massachusetts does not have a State application form. Operators of sites located in Massachusetts are encouraged to submit EPA's suggested NOI format, found in Appendix IV, Part 1, to MassDEP.

2. The State of New Hampshire does not have a State application form. Operators of sites located in New Hampshire are encouraged to submit EPA's suggested NOI format, found in Appendix IV, Part 1, to NHDES.

3.3 NOI Timeframes

Existing Discharges: For any existing discharge, including sites discharging in accordance with the Remediation General Permit that expired on September 9, 2015 or sites covered under other discharge permits that wish to seek coverage under this general permit, the following applies:

[14] Where this general permit refers to correspondence in writing from EPA, such correspondence may be by mail, email and/or facsimile transmittal.

1. Operators of existing discharges must file a NOI to EPA and the respective State for coverage under this general permit **no later than 90 days after the effective date of this general permit**. For applicants with authorization to discharge under the 2010 Remediation General Permit that submit a complete NOI under this general permit within the 90 day period, coverage under the 2010 Remediation General Permit remains administratively continued until EPA authorizes the discharge under this general permit, or notifies the applicant of permit termination. For enforcement purposes, failure to submit a NOI within 90 days of the effective date of this general permit for an existing discharge will be considered to be discharging without a permit. A NOI is not required if the permittee submits a Notice of Termination (NOT) of discharge before the 90 day time frame expires (see Appendix IV, Part 1 and/or Part 3).

New Discharges: For any discharge not considered an existing discharge, including sites that received authorization to discharge under the 2010 Remediation General Permit but subsequently submitted a Notice of Termination (NOT), the following applies:

1. Operators with proposed new discharges that are seeking coverage under this general permit must submit an NOI to EPA, the appropriate State, and the municipality in which the proposed discharge is located **at least 30 days prior to the commencement of discharge**.

3.3 NOI Requirements

1. For each eligible discharge, the NOI submitted to EPA for a site must include, in writing, all information indicated on the suggested NOI format included in Appendix IV, Part 1, including:
   a. General site information;
   b. Receiving water information;
   c. Source water information;
   d. Discharge information;
   e. Treatment system information;
   f. Treatment chemical/additive information;
   g. Determination of Endangered Species Act Eligibility;
   h. Documentation of National Historic Preservation Act Requirements;
   i. Supplemental Information; and
   j. Signature Requirements.

2. The NOI must meet the sampling and analysis requirements specified in Part 4, including sampling location, test methods and minimum level requirements, Appendix VII and/or Appendix IX, Standard Conditions, for the indicator parameters required for each applicable activity category.
3. Additional sampling is required for the NOI, as specified for each category in Part 4.2, below.

4. All applicants must comply with the requirements of Appendix I, regarding obligations under the Endangered Species Act, and Appendix III, regarding obligations under the National Historic Preservation Act.

5. The NOI must be signed by the operator(s) of the site, as defined above, in accordance with the signatory requirements of 40 CFR §122.22.

6. All applicants must submit a NOI to the appropriate State, if required, as listed in Part 4 prior to the initiation of such discharge(s).

7. The applicant must provide certification that the following notifications have been given prior to the initiation of such discharge(s):
   a. All applicants must notify the municipality in which the proposed discharge will be located. The applicant must provide a copy of the NOI to the municipality, if requested. Authorization to discharge under this general permit does not convey any authorization from a municipality.
   b. All applicants intending to discharge to a municipal or non-municipal storm sewer system must notify the owner of this system, and permission to discharge to this system will be obtained prior to initiating discharges. An applicant must include a description of any requirements imposed by the owner of the municipal or non-municipal storm sewer system to which they are proposing discharge and certify that these conditions will be complied with. Authorization to discharge under this general permit does not convey any rights or authorization to connect to a municipal or non-municipal storm sewer system.
   c. Where there is separate ownership and/or different operators of the area where discharges to be covered under this general permit will occur and the area associated with discharges covered by other discharge permit(s) (e.g., EPA's Construction General Permit and EPA's Multi-Sector General Permit), the operator seeking authorization to discharge under this general permit must certify that notification has been given to the owner/operator of the area associated with the activities covered by the additional discharge permit(s) in the NOI submitted to EPA for that site.

3.4 When the Director May Require Application for an Individual NPDES Permit

The Director may require any operator authorized by this permit to apply for and obtain an individual NPDES permit. Any interested person may petition the Director to take such action. Instances where an individual permit may be required include the following:

1. A determination under 40 CFR §122.28(b)(3), including:
   a. A change has occurred in the availability of the demonstrated technology of practices for the control or abatement of pollutants applicable to the point source(s);
   b. Effluent limitation guidelines are promulgated for the point source(s) covered by this permit;
   c. A Water Quality Management Plan or Total Maximum Daily Load containing requirements applicable to such point source(s) is approved and inconsistent with this permit;

d. Circumstances have changed since the time of the request to be covered so that the discharger is no longer appropriately controlled under the general permit, or either a temporary or permanent reduction or elimination of the authorized discharge is necessary; and
e. The discharge(s) is a significant contributor of pollutants.

2. The discharger is not in compliance with the conditions of this general permit.

3. The discharge(s) is in violation of State Water Quality Standards for the receiving water.

4. Actual or imminent harm to aquatic organisms, including ESA or human health is identified.

5. The discharge adversely impacts any federally-managed species for which EFH has been designated.

6. 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; or
   d. Requires the same or similar monitoring.

7. In the opinion of the Director, is more appropriately controlled under an individual or alternate general permit.

If the Director requires that an individual permit be issued, the operator will be notified in writing that an individual permit is required, and will be given a brief explanation of the reasons for this decision. When an individual NPDES permit is issued to an operator otherwise subject to this general permit, the applicability of this permit to that operator is automatically terminated on the effective date of the individual permit.

3.5 When an Individual Permit May Be Requested

Any operator may request to be excluded from the coverage under this general permit by applying for an individual NPDES permit. When an individual NPDES permit is issued to an operator otherwise subject to this general permit, the applicability of this permit to that owner or operator is automatically terminated on the effective date of the individual permit.

3.6 EPA Determination of Coverage

Any applicant may request to be included under this general permit but the final authority rests with EPA. Coverage under this general permit will not be effective until EPA has reviewed the NOI, made a determination that coverage under this general permit is authorized, and has notified the operator in writing of its determination. The effective date of coverage will be the date indicated in the authorization to discharge provided by EPA in writing. Any additional State conditions will be provided in writing.

Any site authorized to discharge under the final Remediation General Permit will receive written notification from EPA. Failure to submit to EPA a NOI to be covered and/or failure to receive from EPA written notification of permit coverage means that the operator is not authorized to discharge under this general permit. Sites that are denied permit coverage by EPA are not authorized under this general permit to discharge from those sites to the receiving water(s).

PART 4 MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS

In addition to any monitoring, record-keeping and reporting requirements specified in Parts 1, 2 and 3, above and in the Standard Conditions of this general permit (Appendix IX), the following monitoring, record-keeping and reporting requirements apply to discharges covered under this general permit. EPA may notify the operator of additional discharge monitoring requirements. Any such notice will briefly state the reasons for the monitoring, locations, and the monitoring and reporting requirements.

4.1 Monitoring Requirements

1. Monitoring Locations
   a. Sampling of the influent, effluent and/or receiving water must yield data representative of the discharge under authority of Section 308(a) in accordance with 40 CFR §122.41(j), §122.44(i), and §122.48. The results of sampling for any parameter above its required frequency must also be reported to EPA, as required in Appendix IX, Standard Conditions. To the maximum extent practicable:
      i. Influent samples shall be taken at a consistent point defined by geographic coordinates in the NOI (i.e., latitude and longitude), immediately prior to treatment of the water, (i.e., raw influent) before entering any treatment system component. If a monitoring well is used as the representative sampling location for the influent, the monitoring well must be located within the maximum extent of contamination. If multiple sampling locations are used, each location must be defined. If the influent sampling location as defined has not been established prior to submittal of the NOI, the operator must provide a detailed description of the sample location(s) selected such that an inspector from EPA or the State could replicate the sample upon site inspection.
      ii. Effluent samples shall be taken at a consistent point defined by geographic coordinates in the NOI (i.e., latitude and longitude), following all treatment, immediately prior to discharge to the receiving water, private or municipal separate storm sewer system, or, if the treated effluent is commingled with another discharge, prior to such commingling.
      iii. Receiving water samples shall be taken at a consistent point defined by geographic coordinates in the NOI (i.e., latitude and longitude), from a reasonably accessible location, upstream or otherwise immediately outside of the zone of influence of the discharge or other site activities that could affect water quality.
2. Monitoring Frequency
   a. The routine monitoring frequency for discharges covered under this general permit is **monthly** (i.e. at least one sample per each calendar month) for both **influent and effluent**, as follows:

i. Beginning no more than thirty (30) days from the effective date of permit coverage for existing discharges, and beginning no more than thirty (30) days following completion of the sampling requirements for new discharges or discharges that have been interrupted (i.e., the sampling requirements for a treatment system startup and treatment system interruption specified in Part 4.3, below;

ii. Continuing a minimum of six (6) months and ten (10) samples for existing discharges, or five (5) months and five (5) samples for new discharges, prior to submission of any request for modification of this monitoring frequency in accordance with Part 5.1 below; and

iii. Continuing thereafter for the term of this general permit, or upon Notice of Termination, whichever occurs first, unless modified by EPA in writing.

b. The monitoring frequency specified applies to all discharges covered under this general permit, unless sampling would not otherwise be required (e.g., in the event of a treatment system interruption and/or no discharge occurs). Changes to the specified monitoring frequency must be approved by EPA in writing through a Notice of Change.

3. Test Methods
   a. Test methods which can be used for analysis of the parameters included in this general permit are summarized in Appendix VII. All samples shall be tested using the analytical methods found in 40 CFR §136, or alternative test methods approved by EPA, in accordance with the procedures in 40 CFR §136, unless specifically prohibited in this general permit.
   b. All analyses must be conducted using a sufficiently sensitive test method in accordance with 40 CFR §122.44(i)(1)(iv) and as specified in Part 4.1.4, below.

4. Minimum Levels and Detection Limits
   a. For the purposes of this general permit, the minimum level (ML) for analysis is the lowest level at which the test equipment produces a recognizable signal and acceptable calibration point for a pollutant or pollutant parameter, representative of the lowest concentration at which a pollutant or pollutant parameter can be measured with a known level of confidence.
   b. For the purposes of this permit, the detection limit (DL) is the lowest concentration that can be reliably measured within specified limits of precision and accuracy for a specific laboratory analytical method during routine laboratory operating conditions (i.e., the level above which an actual value is reported for an analyte, and the level below which an analyte is reported as non-detect).
   c. Operators must achieve the MLs for analysis specified in in Appendix VII of this general permit and the following requirements:
      i. Analysis of influent, effluent and/or receiving water samples shall use test methods with an ML at or below the level of the effluent limitation[15] for the

[15] When a compliance level is specified for an effluent limitation, the sufficiently sensitive test method ML shall be no greater than the compliance level.

indicator parameter or the applicable water quality criterion for an indicator parameter with a monitor-only requirement;

ii. The DL must be less than or equal to the ML for an analyte using a sufficiently sensitive test method. When an analyte is not detected, the operator must report results using the data qualifier signifying less than the level of detection reported for that analyte (i.e. <0.1 µg/L, if the level of detection reported for an analyte is 0.1 µg/L);

iii. Where sample concentrations of an analyte are above the ML(s), any of the methods listed for that analyte in Appendix VII may be used, unless otherwise noted; and

iv. Where approved methods have MLs above the permit limits, the method that has the lowest ML of the analytical methods in 40 CFR §136 must be used.

d. When a parameter is required to be reported as a total value, the total value must be calculated by adding the measured concentration of each individual compound noted for that parameter. If the measurement of an individual compound analyzed for a total value is less than the minimum level of detection and the test methods and minimum levels meet the requirements in this Part and Appendix VII, the permittee shall use a value of zero for that compound in the total value calculation.

5. Existing Data Substitution

Existing data substitution is allowed for the purposes of preparing a NOI for existing discharges and for the purposes of meeting the monitoring requirements included in this general permit once authorized to discharge. Existing data must meet the following requirements:

a. Sampling and analysis must have been conducted pursuant to: Massachusetts Regulations 310 CMR 40.0000, the Massachusetts Contingency Plan (Chapter 21E); New Hampshire's Title 50 RSA 485-A: Water Pollution and Waste Disposal or Title 50 RSA 485-C: Groundwater Protection Act; or the 2010 Remediation General Permit;
b. Sampling and analysis must meet the monitoring requirements specified in Part 2.1.1 and Parts 4.1.1 through 4.1.4, above;
c. The date of analysis for the existing data may not be greater than twelve (12) months; and
d. Existing data must meet the requirements of the QA/QC BMP, specified in Part 2.5.2, above.

4.2 Application Monitoring Requirements

1. Samples collected and analyzed for the purposes of application for coverage under this general permit must be collected in accordance with the instructions included in Appendix IV, Part 1, must be representative of the proposed discharge(s) and must meet the monitoring requirements specified in Part 2.1.1 and Part 4.1, above. A minimum of one (1) untreated influent sample and one (1) treated effluent sample are required. Sampling must be conducted for any parameter in any contamination type category, if the given individual parameter is present in discharges from that site, as indicated in the NOI submitted to EPA for that site. Sampling must also be conducted for any parameter in any

contamination type category, if it is unknown whether the given individual parameter is present or absent. If sampling the effluent prior to receiving authorization to discharge under this general permit is infeasible, an additional influent sample may be substituted for effluent if collected in accordance with the instructions included in Appendix IV, Part 1. Sampling for individual parameters also apply to Activity Categories as follows:

a. Activity Category I:
   i. Contamination type a. Inorganics: all parameters;
   ii. Contamination type b. non-halogenated VOCs: all parameters;
   iii. Contamination type c. halogenated VOCs: none, unless known or believed present;
   iv. Contamination type d. non-halogenated SVOCs: all parameters;
   v. Contamination type e. halogenated SVOCs none, unless known or believed present; and
   vi. Contamination type f. fuels parameters: all parameters.
b. Activity Category II:
   i. Contamination type a. Inorganics: all parameters;
   ii. Contamination type b. non-halogenated VOCs: all parameters;
   iii. Contamination type c. halogenated VOCs: none, unless known or believed present;
   iv. Contamination type d. non-halogenated SVOCs: all parameters;
   v. Contamination type e. halogenated SVOCs none, unless known or believed present; and
   vi. Contamination type f. fuels parameters: TPH only.
c. Activity Category III-G, IV-G, V-G, VI-G, VII-G, VIII-G:
   i. Contamination type a. Inorganics: all parameters;
   ii. Contamination type b through f: none, unless known or believed present.
d. Activity Category III-H, IV-H, V-H, VI-H, VII-H, VIII-H:
   i. Contamination type a through f: all parameters.

2. The following exceptions apply to the requirements for application monitoring for all activity categories except III-H, IV-H, V-H, VI-H, VII-H, VIII-H:

   a. Monitoring for TRC only applies if a discharge may contain previously chlorinated water or discharges are treated with chemicals and/or additives containing chlorine;
   b. Monitoring for 1,4-dioxane only applies if a discharge may contain this parameter and/or 1,1,1 trichloroethane;
   c. Monitoring for EDB only applies if a discharge may contain this parameter; and
   d. Monitoring for PCBs only applies if a discharge may contain this parameter.

3. Additional sampling for each category as noted below must be included with an applicant's NOI, and must meet the monitoring requirements specified in Part 2.1.1 and Part 4.1, above:

   a. Influent and Effluent, all Categories: pH, temperature;
   b. Effluent, all Categories: hardness (freshwater receiving waters only);

c. Effluent, Categories I and II: Acute Whole Effluent Toxicity,[16] LC_{50} (%).
   i. If the WET testing completed as part of the Notice of Intent indicates toxicity in the discharge(s) at levels which would cause or contribute to an excursion above applicable water quality standards, EPA and/or the appropriate State may include effluent limitations and/or additional requirements for WET;
   ii. If the States and/or EPA suspect that a discharge may cause or contribute to an excursion above the State's narrative criteria for toxicity, EPA and/or the State may require additional WET testing, limitations and/or requirements as authorized at 40 CFR §122.44(d)(1)(v). If additional toxicity requirements apply, EPA will provide written notice to the operator, including a copy of the required test procedure(s) and protocol(s);
   iii. The operator shall submit to EPA and the appropriate State the results of any WET test required or otherwise conducted, as required at 40 CFR §122.41(l)(4)(ii); and
   iv. If any parameter is analyzed in accordance with Attachment A for the requirement in this Part, the WET test result may be reported in the NOI submitted to EPA for a site for any parameter for which monitoring is required in Part 4.2.1, above, or elsewhere in Part 4.2.3. A duplicate sample is not required.

d. Receiving Water, Categories I, II, III-G, IV-G, V-G, VI-G, VII-G, VIII-G: pH, temperature, hardness (freshwater receiving waters only), salinity (saltwater receiving waters only); and ammonia, total recoverable antimony, total recoverable arsenic, total recoverable cadmium, total recoverable chromium III and VI, total recoverable copper, total recoverable iron, total recoverable lead, total recoverable mercury, total recoverable nickel, total recoverable selenium, total recoverable silver, total recoverable zinc, if present in the effluent; and

e. Receiving Water, Categories III-H, IV-H, V-H, VI-H, VII-H, VIII-H: pH, temperature, hardness (freshwater receiving waters only), salinity (saltwater receiving waters only), ammonia, total recoverable antimony, total recoverable arsenic, total recoverable cadmium, total recoverable chromium III and VI, total recoverable copper, total recoverable iron, total recoverable lead, total recoverable mercury, total recoverable nickel, total recoverable selenium, total recoverable silver, total recoverable zinc.

4. Where an operator collects any portion of the information specified above no more than six (6) months prior to the submission of a NOI, additional samples are not required, so long as the monitoring requirements specified in Part 2.1 and elsewhere in Part 4, are met.

4.3 Treatment System Monitoring Requirements

1. Influent Monitoring Requirements
   a. The operator must perform sampling and analysis for the untreated influent for all parameters required for the discharge(s) for the first twelve (12) months following

[16] Acute Whole Effluent Toxicity Testing must be completed in accordance with USEPA Region 1 Freshwater Acute Toxicity Test Procedure and Protocol (February, 2011) for discharges to freshwater and Marine Acute Toxicity Test Procedure and Protocol (July 2012) for discharges to saltwater and estuaries. See Attachment A.

initiation of discharge at the frequency specified in Part 4.3.2, below for treatment system startup, Part 2.1.1 and Part 4.1, above for routine sampling and analysis, Part 4.3.4, below for treatment system shutdown and Part 4.4 for short-term discharges. The applicability of parameters for authorized discharges is specified in Part 2.1, above.

2. Treatment System Startup
   a. The operator must perform the following sampling and analysis for all parameters required for the discharge(s) category/categories as specified in Part 2.1, above, when a discharge is initiated either for the first time, or upon the re-initiation of discharge following a treatment system interruption lasting ninety (90) or more consecutive days, unless otherwise specified:
      i. During the first week of discharge, operators must sample the untreated influent and the treated effluent two (2) times: one (1) sample of untreated influent and one (1) sample of treated effluent must be collected on the first day of the discharge; and one (1) sample of untreated influent and one (1) sample of treated effluent must be collected on one additional non-consecutive day within the first week of discharge;
      ii. During the first week of discharge, samples must be analyzed in accordance with 40 CFR §136 unless otherwise specified in this general permit with a maximum five (5)-day turnaround time and results must be reviewed no more than 48 hours from receipt of the results of each sampling event. After the first week, samples may be analyzed with up to a ten (10)-day turnaround time and results must be reviewed no more than 72 hours from receipt of the results;
      iii. If the treatment system is operating as designed and achieving the effluent limitations in this general permit, sampling shall be as follows, thereafter:
         (1) Weekly for three (3) additional weeks beginning no earlier than twenty-four hours following the sampling required in Part 4.3.2.a.ii, above;
         (2) Monthly in accordance with Part 4.1.2, above for the remaining term of the permit; and
         (3) Adjusted for any monitoring frequency reduction approved by EPA in writing.
   b. If the treatment system is shut down during startup as a result of a problem which causes discharge concentrations for any parameter to exceed effluent limitations, corrective actions must be taken in accordance with Part 2.5.2, above and as follows:
      i. Upon system restart and/or re-initiation of discharge, the operator shall collect one (1) sample with a maximum five (5)-day turnaround time and results must be reviewed no more than 48 hours from receipt of the results of the sampling event;
      ii. If the problem has been corrected, the operator may resume with startup as specified in Part 4.3.a.iii above; and
      iii. If the problem persists, the operator must immediately halt discharge again and notify the EPA contact listed on EPA's website for this general permit[17] and the appropriate State via telephone, e-mail or other verbal or written means within twenty-four (24) hours of the need to cease discharge a second time; discharge

[17] http://www.epa.gov/region1/npdes/rgp.html.

may resume upon completion of corrective actions unless otherwise directed by EPA and/or the State contact.

3. Treatment System Interruption
   a. In addition to the requirements for certain upset and/or bypass conditions specified in Appendix IX, Standard Conditions, if the operator has any indication of treatment system malfunction or violation of effluent limitations, the operator must immediately halt discharges.
   b. If the discharge has been interrupted, including an extended system shutdown, lasting ninety (90) or more consecutive days, the operator must perform the following monitoring upon treatment system re-start:
      i. The same sampling, analysis and review requirements apply as specified in Part 4.3.2, above; and
      ii. If any sample result indicates that the effluent exceeds any permit limitation(s), the same shutdown, corrective action, and notification requirements apply as do during treatment system startup specified in Part 4.3.2, above.

4. Treatment System Shutdown
   a. The operator must perform the following sampling and analysis for all parameters required for the discharge(s) category/categories as specified in Part 2.1, above, prior to permanent system shutdown (i.e., termination of discharge), prior to submitting an NOT:
      i. During the final week of discharge, operators must sample both the untreated influent and the treated effluent two (2) times: one (1) sample of untreated influent and one (1) sample of treated effluent must be collected on the last day of the discharge; and one (1) sample of untreated influent and one (1) sample of treated effluent must be collected on one additional non-consecutive day within the last week of discharge; and
      ii. Samples must be analyzed in accordance with 40 CFR §136 unless otherwise specified in this general permit with up to a ten (10)-day turnaround time and results must be reviewed no more than 72 hours from receipt of the results, or upon confirmation that additional sampling prior to permanent system shutdown is not necessary.
   b. Where an operator collects any portion of the information specified above no more than three (3) months prior to permanent system shutdown, an additional sample is not required, so long as the information was collected in accordance with the monitoring requirements of this general permit or otherwise meets the requirements for existing data substitution in Part 4.1.5.a through d, above; and
   c. In the event the treatment system has been interrupted for more than ninety (90) consecutive days prior to permanent system shutdown, existing data may be substituted for the data required for the submission of an NOT from equivalent sampling and analysis conducted nearest in time to NOT submission, so long as the requirements in Part 4.1.5, above, are otherwise met.

4.4 Short-Term Discharge Monitoring Requirements

For the purposes of this general permit, discharges lasting twelve (12) months or less (e.g., immediate response actions, pump tests, temporarily containerized waters and dewatering of pipelines and tanks), which are then terminated and are not planned to be re-started, are considered "short-term discharges". The monitoring requirements for short-term discharges are as follows:

1. Discharges from Dewatering of Pipelines and Tanks
   a. For New and Existing Tanks: The operator must take a minimum of five (5) representative grab samples, including:
      i. For influent sampling, the operator must take one (1) sample of the source water; sampling must occur during the fill process. An operator must submit a NOC to EPA to request elimination of this sampling requirement if sampling during the fill process is not feasible;
      ii. For in-process sampling, the operator shall take a minimum of one (1) sample representative of the tank water following maintenance or testing, but before draining. If the tank contents are likely to undergo phase separation or stratification, multiple samples from multiple depths within the water column must be collected and composited. The operator shall analyze and evaluate the in-process sample prior to discharge. If the analysis demonstrates that the water quality does not meet the effluent limitations in this general permit, the operator shall not discharge the effluent unless treatment reduces the pollutant levels below the effluent limitations established in this general permit; and
      iii. For effluent sampling, the operator must take one (1) sample of the discharge water during the first 10% of discharge, one (1) sample of the discharge water at the approximate midpoint of discharge, and one (1) sample during the last 10% of discharge. If at any time the analysis demonstrates that the effluent water quality is not consistent with the effluent limitations and requirements established in this general permit, the operator shall cease discharging the effluent until the discharge achieves the effluent limitations and requirements.
   b. For New and Existing Pipelines: The operator must take a minimum of five (5) representative grab samples, including:
      i. For influent sampling, the operator must take one (1) sample of the source water; sampling must occur during the fill process. An operator must submit a NOC to EPA to request elimination of this sampling requirement if sampling during the fill process is not feasible;
      ii. For in-process sampling, the operator shall take one (1) samples of the pipeline water following depressurization. The operator shall analyze and evaluate these in-process samples prior to discharge and if the analysis demonstrates that the effluent water quality is not consistent with the effluent limitations established in this permit, the operator shall not discharge the effluent until treatment reduces the pollutant levels below the effluent limitations established in this permit; and
      iii. For effluent sampling, the operator must take one (1) sample of the discharge water during the first 10% of discharge, one (1) sample of the discharge water at the approximate midpoint of discharge, and one (1) sample during the last 10% of

discharge. If at any time the analysis demonstrates that the discharge water quality is not consistent with the effluent limitations established in this permit, the operator shall cease discharging the effluent until further treatment achieves the effluent limitations.

c. Samples must be analyzed in accordance with 40 CFR §136 unless otherwise specified in this general permit with a turnaround time and review of results appropriate to provide confirmation that additional sampling prior to the discharge proceeding is not necessary; and
d. The monitoring frequencies specified in in Part 4.1.2 and Part 4.3 do not apply.

2. Short-Term Discharges Other than Those from Dewatering of Pipelines and Tanks
   a. For any short-term discharge lasting twenty-four (24) hours or less:
      i. The operator must take a minimum of one (1) representative sample of both the untreated influent and the treated effluent;
      ii. Samples must be analyzed in accordance with 40 CFR §136 or by other methods authorized by this general permit with no more than a three (3)-day turnaround time and results must be reviewed within seven (7) days of the date of receipt of the sample results; and
      iii. The monitoring frequencies specified in Part 4.1.2 and Part 4.3 do not apply.
   b. For any short-term discharge lasting seven (7) days or less:
      i. The operator must take a minimum of two (2) representative samples of both the untreated influent and the treated effluent: one (1) sample for both untreated influent and treated effluent must be collected on the first day of discharge; and one (1) sample for both untreated influent and treated effluent must be collected on one additional non-consecutive day within the first week of discharge;
      ii. Samples must be analyzed in accordance with 40 CFR §136 or by other methods authorized by this general permit with no more than a three (3)-day turnaround time and results must be reviewed within seven (7) days of the date of receipt of the sample results; and
      iii. The monitoring frequencies specified in Part 4.1.2 and Part 4.3 do not apply.
   c. For any short-term discharge lasting more than seven (7) calendar days but not more than twelve (12) months, sampling must proceed as follows:
      i. The operator must take a minimum of two (2) representative samples of both the untreated influent and the treated effluent: one (1) sample of untreated influent and one (1) sample of treated effluent must be collected on the first day of discharge; and one (1) sample of untreated influent and one (1) sample of treated effluent must be collected on one additional non-consecutive day within the first week of discharge;
      ii. The operator must take a minimum of one (1) sample weekly for three (3) additional weeks beginning no earlier than twenty-four hours following the sampling required in Part 4.5.2.a.ii, above;
      iii. The operator must take a minimum of one (1) sample monthly in accordance with Part 4.1.2, above for the remaining term beginning no earlier than twenty-four hours following the sampling required in Part 4.3.2.a.ii, above; and
      iv. Samples must be analyzed in accordance with 40 CFR §136 unless otherwise specified in this general permit with a maximum five (5)-day turnaround time and

results must be reviewed no more than 48 hours from receipt of the results of each sampling event. After the first week, samples may be analyzed with up to a ten (10)-day turnaround time and results must be reviewed no more than 72 hours from receipt of the results.

d. Where the monitoring frequencies specified in Part 4.4, above, are duplicative of the monitoring required elsewhere in this general permit, duplicate sampling is not required; and
e. The reporting requirements specified in Part 4.6 do not apply.

4.5 Record-Keeping Requirements

1. Records Content: Operators must include the following in records (hardcopy or electronic) pertaining to coverage under this general permit:
   a. Data used to complete the Notice of Intent (NOI) for this NPDES General Permit;
   b. Sample collection information, including the date, exact location, and time of sampling or measurements, the names of the individual(s) who performed the sampling or measurements, and the sample chain of custody for each sample;
   c. Analytical laboratory reports for each sample analysis, which identifies the sample(s), the target analyte(s), the test method(s), the dates collected and analyzed, the analytical result(s) and the detection limit for the analyte(s)), the names of the laboratory and individual that conducted the analysis, a legible copy of the signed sample chain of custody and which indicates all appropriate QA/QC procedures were met and were within acceptable limits.
   d. Documentation for the development, implementation and maintenance of the BMPP, including certifications;
   e. Discharge monitoring data in the suggested format included in Appendix VIII, or other format containing all of the information included in Appendix VIII;
   f. All records of monitoring instrumentation, field monitoring, and visual observations (e.g. portable organic vapor monitoring, turbidity meter, visible sheen observations);
   g. All records of system operation and maintenance; and
   h. All records of site inspections and employee training.

2. On-Site Records: The following records (hardcopy or electronic) must be maintained on-site and/or with the operator to be made available upon inspection and/or request by EPA or the State:
   a. A complete copy of this general permit;
   b. A copy of EPA's authorization to discharge and any subsequent modifications, if applicable;
   c. Copies of any information submitted to EPA and the State;
   d. Copies of any correspondence received from EPA and the State regarding permit coverage; and
   e. A copy of the BMPP.

3. Retention of Records: Operators must retain the records specified above for a minimum of three (3) years from the date of the sample, measurement, report or application,

whichever applies. This period may be extended at the request of EPA Director or the appropriate State.

4.6 Reporting Requirements

1. Discharge Monitoring Reports
   a. **For discharges lasting twelve (12) months or more**, in addition to the reporting requirements found in Appendix IX, Standard Conditions, of this general permit, the operator shall submit the following information to EPA and the appropriate State:
      i. Submittal of DMRs and the Use of NetDMR
         1) **Beginning the effective date of the authorization to discharge** the operator must record all monitoring data collected to comply with this general permit;
         2) **Beginning the first full calendar month following twelve (12) months after the effective date of the authorization to discharge**, the operator shall begin reporting monitoring data in DMRs to EPA and the State, due no later than the 15th day of the month following the completed reporting period; the reporting periods for this general permit consist of each calendar month, inclusive;
         3) **Beginning no later than December 21, 2016**[18] all DMRs must be submitted electronically using NetDMR, unless, in accordance with Part 4.6.1.iii, below, the operator is able to demonstrate a reasonable basis, such as technical or administrative infeasibility, that precludes the use of NetDMR for submitting DMRs. NetDMR is a web-based tool that allows operators to electronically submit DMRs and other required reports via a secure internet connection;[19] the operator must continue to use NetDMR after beginning to do so.
         4) The operator must utilize an appropriate No Data Indicator (NODI) Code(s)[20] in instances where monitoring data have not been obtained or are otherwise not required. Commonly applicable NODI Codes for this general permit include, but are not limited to:
            (A) "C" if no discharge occurs during a required sample frequency;
            (B) "A" if an operator is exempted from the requirement to sample for a parameter, such as when EPA approves, in writing, sample frequency reduction and/or elimination;
            (C) "2" if operation is shut down such as during a treatment system interruption; and/or
            (D) "9" if an effluent limitation is conditional and does not apply during a required sample frequency (e.g., TRC effluent limitation applies only if a discharge is likely to contain residual chlorine such as when a chemical additive containing chlorine).
      ii. Submittal of Reports as NetDMR Attachments
         (1) After the operator begins submitting DMR reports to EPA electronically using NetDMR, the operator shall electronically submit other reports to EPA as NetDMR attachments rather than as hard copies, unless otherwise specified in this general permit. Sites located in Massachusetts shall continue to send hard

[18] Or as revised.
[19] NetDMR is currently accessed from: http://www.epa.gov/netdmr.
[20] DMR instructions are currently accessed from: http://www3.epa.gov/region1/npdes/dmr.html.

copies of reports other than DMRs to MassDEP until further notice from MassDEP. (See Part 4.6.4 for more information on State reporting.) Because the due dates for reports described in this general permit may not coincide with the due date for submitting DMRs (which is no later than the 15th day of the month), a report submitted electronically as a NetDMR attachment shall be considered timely if it is electronically submitted to EPA using NetDMR with the next DMR due following the particular report due date specified in this permit.

iii. Submittal of NetDMR Opt-Out Requests

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

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

b. **For discharges lasting less than twelve (12) months**, the operator is not subject to the DMR reporting requirements defined in Part 4.6.1, above, but remains subject to the monitoring requirements of this general permit, the reporting requirements in 4.6.2 through 4.6.6, below, the requirements found in Appendix IX, Standard Conditions, and the requirements of a NOI, NOC and NOT. Information that must be submitted with an operator's NOI, NOC and NOT is defined in Appendix IV, Part 1, Part 2 and Part 3 of this general permit, respectively. Also see and Part 3, above, and Part 5, below.

2. Analytical Reports

Operators shall submit a copy of the laboratory analytical report(s) for each sampling event, concurrent with the submittal of discharge monitoring data in accordance with Part 4.6.1.a.ii, when applicable. The laboratory case narrative shall include a copy of the laboratory analytical reports for each sample analysis, which identifies the sample(s), the target analyte(s), the test method(s), the dates collected and analyzed, the analytical result(s) and the detection limit for the analyte(s)), the names of the laboratory and individual(s) that conducted the analysis, a legible copy of the signed sample chain of custody and must indicate all appropriate QA/QC procedures were met and were within acceptable limits.

3. Notification Requirements

In addition to notification requirements included above and in the Standard Conditions of this general permit (Appendix IX), as required in 40 CFR §122.42, all operators must notify EPA as soon as they have reason to believe:

a. That any activity has occurred or will occur which would result in the discharge of any toxic pollutant which is not otherwise limited in the permit and is referenced in 40 CFR §401.15; or

b Any other notification level established in accordance with 40 CFR §122.44(f) and State regulations.

4. EPA Region 1 Addresses

a. Submittal of Requests and Reports to EPA/OEP

i. The following requests, reports, and information described in this permit shall be submitted to the EPA/OEP RGP Applications Coordinator in the EPA Office Ecosystem Protection (OEP):

1) Notice of Intent (NOI);
2) Notice of Change (NOC);
3) Notice of Termination (NOT); and
4) Reports and DMRs in electronic format, if NetDMR is not required.

ii. These reports, information, and requests shall be submitted to EPA/OEP electronically at NPDES.Generalpermits@epa.gov, or, where an operator is able to demonstrate a reasonable basis, such as technical or administrative infeasibility, that precludes submittal in electronic format, in hard copy form:

U.S. Environmental Protection Agency
Office of Ecosystem Protection
EPA/OEP RGP Applications Coordinator
5 Post Office Square - Suite 100 (OEP06-01)
Boston, MA 02109-3912

b. Submittal of Reports in Hard Copy Form

i. The following notifications and reports shall be signed and dated originals, submitted in hard copy, with a cover letter describing the submission:

1) DMRs and transmittal record of DMRs submitted, when a NetDMR Opt-Out Request has been approved; and
2) Written notifications required under Appendix IX.

ii. This information shall be submitted to EPA/OES at the following address:

U.S. Environmental Protection Agency
Office of Environmental Stewardship (OES)
Water Technical Unit
5 Post Office Square, Suite 100 (OES4-SMR)
Boston, MA 02109-3912

c. Verbal Reports and Verbal Notifications

i. Any verbal reports or verbal notifications required in this general permit, unless otherwise specified, shall be made to both EPA and to the appropriate State. This includes verbal reports and notifications which require reporting within 24 hours (e.g., see Appendix IX Part B.4.c.(2), Part B.5.c.(3), and Part D.1.e). Verbal reports and verbal notifications shall be made to:

EPA's Office of Environmental Stewardship at: 617-918-1510.

5. MassDEP Address

Massachusetts sites must submit copies of all reports and communications required by the Commonwealth to:

Massachusetts Department of Environmental Protection
Division of Watershed Management
8 New Bond Street
Worcester, MA 01606

6. NHDES Address

New Hampshire sites must submit copies of all reports and communications required by the State to:

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

PART 5 ADMINISTRATIVE REQUIREMENTS

5.1 Notice of Change (NOC)

Permittees covered under this general permit may request a change to certain conditions of this permit through submission of a Notice of Change (NOC) to EPA and the appropriate State, as required in Part 4.6, above, signed in accordance with 40 CFR §122.22 and in accordance with the instructions provided in Appendix IV, Part 2.

1. For the purposes of this general permit, the NOC may consist of either:
   a. The suggested NOC format in Appendix IV, Part 2 of this general permit, or
   b. Some other form of correspondence containing all of the information included in the NOC suggested format in Appendix IV, Part 2 of this general permit.

2. Eligible changes, which are not otherwise major permit modifications as provided for under 40 CFR §122.62, may consist of:
   a. Request for reduction in monitoring requirements: Certain monitoring requirements may be reduced upon demonstration of compliance if the eligibility requirements for reduction are met. Written approval by EPA is required for this change to be effective. Prior to receiving written approval, the operator must continue to monitor the parameters required in this general permit at the frequency specified in this general permit. This request requires supporting rationale and monitoring data as follows:
      i. To be eligible for a reduction in monitoring required for treatment system startup, restart or shutdown due to technical infeasibility, the operator must provide justification for each analyte for which reduction is being requested that must include a proposed monitoring frequency;

ii. To be eligible for a reduction in **influent** monitoring, the operator must provide monitoring data for a minimum of six (6) consecutive months and ten (10) samples for each analyte for which reduction is being requested;

iii. To be eligible for a reduction in **effluent** monitoring, the operator must provide monitoring data for a minimum of six (6) consecutive months and ten (10) samples for each analyte for which reduction is being requested;

iv. Monitoring data must be submitted in support of requests for reduction of monitoring frequency in 5.1.2.a ii and iii, above. Monitoring data submitted in support of this change request must be in compliance with the monitoring, reporting and QA/QC BMP requirements specified in the RGP and must be attached in accordance with the instructions in Appendix VIII;

v. Any analyte for which a reduction is requested in 5.1.2.a ii and iii, above, must be in compliance with the effluent limitation for that analyte; and

vi. The maximum reduction requested for the monitoring frequency in 5.1.2.a ii and iii, above, for a parameter believed to be absent or in compliance with an effluent limitation is no less than once per year.

b. Request for a change in the site-specific effluent flow limitation: A NOC must be submitted if effluent flow increases, a change in flow conditions will decrease the daily maximum effluent flow by more than 25 percent, or an operator believes use of a flow meter is infeasible. Written approval by EPA is required for this change to be effective. Prior to receiving written approval, the operator must continue to limit flow as required in this general permit at the frequency specified in this general permit. Written rationale provided in the NOC for this request must indicate:

   i. The effluent flow will not exceed 1.0 MGD;

   ii. The design flow of the treatment system will not be exceeded;

   iii. WQBEL calculations for all other limited parameters that apply to the discharge that are based on flow; and

   iv. Certification that any revised effluent limitation or monitoring requirement will be complied with.

c. Request for a change in pH range for sites in New Hampshire: A NOC must be submitted to request a change in pH range due to naturally occurring conditions in the receiving water or where the naturally occurring source water is unaltered by the remediation/dewatering activities. An operator must request and receive approval from NHDES for a change in pH range prior to submitting a NOC to EPA for this change request (see Part 2.4.3.b, above). Supporting documentation from the State must be provided with the NOC. Written approval by EPA is required for this change to be effective.

d. Request for a change in authorized pollutants or pollutant parameters: A NOC must be submitted when a parameter limited in this general permit that is not included in the site's authorization to discharge is identified. Written approval by EPA is required for this change to be effective. Additional effluent limitations and/or monitoring requirements may apply. **Changes in a pollutant or pollutant parameter not limited in this general permit require a new NOI or an individual NPDES permit.**

e. Request to discharge chemical(s) and/or additive(s): A NOC must be submitted when an operator intends to discharge a chemical or additive that was not disclosed in the

NOI submitted for a site. Written approval by EPA is required for this change to be effective. Monitoring data submitted in support of this change request must be in compliance with the monitoring, reporting and QA/QC BMP requirements specified in the RGP and must be attached in accordance with the instructions in Appendix VIII. Written rationale provided in the NOC for this change request must include:

i. All information required in Part 2.5.2.g.iii, above; and
ii. An explanation as required in Part 2.5.3.b.i through iii, above; or
iii. Monitoring data that demonstrates that each of the 126 priority pollutants are non-detect in discharges with the addition of the requested chemicals and/or additives. All data submitted in support of this change request must be in accordance with the instruction in Appendix VIII and must be in compliance with monitoring requirements and QA/QC BMP requirements included in the RGP.

f. Notification of change to administrative information: This includes, but is not limited to, expected date of initiation of discharge(s), a change in the address for an owner or operator, a change in contact information for an owner or operator, and a transfer of ownership, so long as the operator authorized to discharge under this general permit remains unchanged. A requested transfer of ownership is automatic unless EPA notifies the existing and proposed new owner(s) otherwise. Examples of when EPA is likely to provide such notification is when EPA intends to revoke and reissue coverage under this general permit or intends to issue an individual permit. **For a change in operator, a new NOI is required**. For a transfer in ownership, the owners must submit:
   i. Notice to EPA at least 30 days prior to the transfer date; and
   ii. A written agreement between the new and existing owners containing a specific date for transfer of permit responsibility, coverage, and liability between them.
g. Notification of a change in discharge location: Notification may be provided in a NOC for a change in discharge location so long as the receiving water identified in the NOI remains unchanged. Supporting documentation must indicate the new discharge location. A change in discharge location is automatic unless EPA notifies the operator otherwise. **For changes in receiving water, a new NOI is required**.
h. Notification of a change in activity area: Notification may be provided in a NOC for a change in activity area so long as the receiving water identified in the NOI and the operator named in the authorization to discharge remain unchanged, and any change in treatment or discharge location are either included in the NOC, or are unchanged. Supporting documentation must indicate the new activity area. A change in discharge location is automatic unless EPA notifies the operator otherwise. **For changes in receiving water and/or operator, a new NOI is required**.
i. Notification of a change to a treatment system or process: Notification may be provided in a NOC for a change to a treatment system or process that adds or removes any major component. Written rationale provided in the NOC for this notification must indicate:
   i. The addition or removal is necessary to meet an effluent limitation included in the RGP; and
   ii. The discharge continues to meet the effluent limitations in the RGP with the addition or removal.

j. Notification of a temporary cessation of discharge planned or encountered which will extend greater than 90 days. Written rationale provided in the NOC for this notification must indicate:
   i. The reason(s) for the interruption or cessation of discharge;
   ii. When the discharge ceased or will cease;
   iii. When the discharge will be re-initiated; and
   iv. An acknowledgment that the additional monitoring required for system re-start will be conducted and routine sampling will be resumed as required by the RGP.

3. Attach a brief narrative statement that describes the reason(s) for the change request. Include any written rationale or supporting documentation for the change, if required, or is otherwise being provided.

4. Attach monitoring data, when required or is otherwise being provided, following the instructions in Appendix VIII of the RGP.

5.2 Notice of Termination (NOT)

1. Requirement to Notify: Operators must submit a written Notice of Termination (NOT) to EPA and the appropriate State in accordance with Part 4.6, above, signed in accordance with 40 CFR §122.22 and in accordance with the instructions provided in Appendix IV, Part 3, Part 3 when one or more of the following conditions have been met:
   a. All discharges covered by the RGP have been terminated;
   b. Coverage under an individual or alternative general NPDES permit has been obtained;
   c. There is a change in ownership; or
   d. Authorization to discharge has expired and coverage under a new general permit will not be requested prior to the end of the authorized 90-day re-application period, at which time all discharges will terminate.

2. NOT Options: For purposes of this general permit, the NOT may consist of either:
   a. The suggested NOT format in Appendix IV, Part 3 of this general permit, or
   b. Another form of correspondence containing all of the information included in the NOT suggested format in Appendix IV, Part 3 of this general permit.

3. NOT Timeframe: A NOT must be submitted no later than 30 days following the identification of the condition(s) requiring a NOT.

4. NOT Requirements: A NOT must be submitted in accordance with the instructions specified in Appendix IV, Part 3, and must include:
   a. The following information:
      i. The name of the site/project and street address (or a description of location using approximate geographic coordinates if no street address is available) for which the notification is submitted;
      ii. The name, address and telephone number of the owner and/or operator of the site;

iii. The NPDES permit number assigned; and
iv. The basis for submission of the NOT, including: 1) an indication that the discharge has been permanently terminated; and 2) the reason for the termination (e.g., completion of construction project, remediation completion, termination of temporary discharge).

b. The following attachments:
i. A summary of all monitoring results using the suggested discharge monitoring data format included in Appendix VIII of this general permit, or another form of official correspondence containing all of the information required in Appendix VIII of this general permit for the duration of the discharge;
ii. The results of sampling and analysis summarized using the suggested discharge monitoring data format included in Appendix VIII of this general permit, shall be submitted in an electronic format (i.e., spreadsheet file transmitted via email or spreadsheet file on a physical disk sent via postal mail), or in hard copy form if an operator is able to demonstrate a reasonable basis, such as technical or administrative infeasibility, that precludes submittal in electronic format.

5. Failure to submit a NOT shall result in continuation of permit coverage until expiration, including continuation of all monitoring, record-keeping and reporting requirements.

5.3 Continuation of this General Permit after Expiration

If this permit is not reissued prior to the expiration date, it will be administratively continued in accordance with the Administrative Procedures Act and remain in force and in effect as to any particular operator. However, EPA cannot provide written notification of coverage under this general permit to any operator who submits a NOI to EPA or the State after the permit's expiration date. Any operator who was granted permit coverage prior to the expiration date will automatically remain covered by the continued permit until the earlier of:

1. Reissuance of this permit, at which time the operator must comply with the Notice of Intent conditions of the new permit to maintain authorization to discharge;
2. The operator's submittal of a Notice of Termination;
3. Issuance of an individual permit for the operator's discharges; or
4. A formal decision by EPA not to reissue the general permit, at which time the operator must seek coverage under an alternative general permit or an individual permit.

PART 6 STANDARD CONDITIONS

The Standard Conditions are included in Appendix IX.

PART 7 ADDITIONAL PERMIT CONDITIONS APPLICABLE TO SPECIFIC STATES

If required, this section is reserved and will be completed following the State certification process and the public notice period.