



**Massachusetts Department of Environmental Protection**  
Bureau of Waste Prevention  
Industrial Wastewater Management Program • Surface Water Discharge (NPDES)

**BWP IW 16** Permit and Plan Approval for Type II Wastewater Treatment Facilities

**BWP IW 18** Permit and Plan Approval for Type I Wastewater Treatment Facilities

**BWP IW 26** Experimental or Alternative Treatment Technology

**BWP IW 27** Projects not listed elsewhere

**BWP IW 35** Permit Renewal or Modification, with Plan Modification of Wastewater Treatment Facility

**BWP IW 36** Permit Renewal or Modification, without Plan Modification of Wastewater Treatment Facility

**BWP IW 37** Plan Approval for Wastewater Treatment Facility Modification

## Instructions and Supporting Materials

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### Introduction

MassDEP *Permit Applications*, as well as *Instructions & Support Materials*, are available for download from the MassDEP Web site at [mass.gov/dep](http://mass.gov/dep) in two file formats: Microsoft Word™ and Adobe Acrobat PDF™. Either format allows documents to be printed.

*Instructions & Support Materials* files in Microsoft Word™ format contain a series of documents that provide guidance on how to prepare a permit application. Although we recommend that you print out the entire package, you may choose to print specific documents by selecting the appropriate page numbers for printing.

*Permit Applications* in Microsoft Word™ format must be downloaded separately. Users with Microsoft Word™ 97 or later may complete these forms electronically.

Permitting packages in Adobe Acrobat PDF™ format combine *Permit Applications* and *Instructions & Support Materials* in a single document. Adobe Acrobat PDF™ files may only be viewed and printed without alteration. *Permit Applications* in this format may not be completed electronically.



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**1. What is the purpose of these permits?**

These permits and plan approvals serve to protect the public health, welfare, and the environment through the control of industrial wastewater discharges to surface waters of the Commonwealth.

Surface water discharge permits are provided for in 314 CMR 3.00 and 314 CMR 4.00. Authorization to construct and operate a wastewater treatment facility is provided for in 314 CMR 12.00. The plan approval letter that will be sent by MassDEP becomes the authorization to construct a proposed treatment system.

Legislative authority is stated in MGL Chapter 21, sections 26 to 53.

**2. Who must apply?**

a. These facilities must apply:

Any facility with a discharge (other than sewage, non-contact cooling water, stormwater, or construction dewatering) requiring a permit in accordance with MGL Chapter 21, sections 27 or 43 and the regulations issued under that law which also is classified by the following Standard Industrial Classification (SIC) codes:

1000 - 1399	Metal Mining, Coal Mining, Oil and Gas Exploration
1474 - 1499	Chemical/Fertilizer Mining, Nonmetallic
2000 - 3999	Manufacturing
4231	Maintenance Facilities for Motor Freight Transport
4581	Airports, Flying Fields and Airport Terminal Services
4911 - 4939	Electric and Gas Production
7216	Drycleaning
7217	Carpet and Upholstery Cleaning
7218	Industrial Laundries
7384	Photofinishing Laboratories
7532 - 7539	Automotive Repair and Paint Shops
7549	Automotive Services
7819	Motion Picture Developing/Printing/Film Processing
8062 - 8069	Hospitals
8071	Medical Laboratories
8072	Dental Laboratories
8731	Commercial Physical and Biological Research

Any facility without remediation discharges and outside the SIC Codes listed above must apply for Office of Watershed Management Permits.

b. Options:

Facilities classified above with remediation discharges in accordance with MGL Chapter 21E, are no longer required to obtain an Industrial Wastewater Permit. Applicants may comply under the Massachusetts Contingency Plan, 310 CMR 40.0000.



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**3. What other requirements should be considered when applying for these permits?**

- a. File for a National Pollutant Discharge Elimination System (NPDES) permit with the US EPA. The EPA discharge permit is not a prerequisite to the submission of an application to MassDEP. However, MassDEP will not begin its technical review of the application until after MassDEP is provided with a draft permit form EPA for the proposed discharge.
- b. Obtain variances if the receiving waters are designated for protection by the Division of Water Pollution Control.
- c. **Form 1**, required for all surface water discharge applicants, is a **state** form which is included in this kit. **Form 2C**, also required for all surface water discharge applicants, is a **federal** form which must be obtained from the EPA. You should fill out Form 2C and submit a copy of the form with the other required material. Call 617-565-3259 to obtain Form 2C.
- d. All permit applicants must submit a description of any pollution prevention technique that has been implemented or planned by the facility, such as housekeeping, process modification, recycling, substance elimination, substance substitution and reuse.

**Note:** Permits of this type may require MEPA review. Please carefully examine 301 CMR 11.00, the MEPA Regulations, to determine if your project exceeds the MEPA review thresholds, or for more information contact the MEPA Unit of the Executive Office of Environmental Affairs (100 Cambridge Street, Boston, MA 02202; 617-727-5830). **MassDEP cannot complete technical review of the permit application until the MEPA process has been concluded.** Copies of MEPA filings (with reference to any applicable Transmittal numbers) should be sent to the appropriate program offices in Boston and the MEPA Coordinator in the appropriate Regional Office.

**Note:** These additional requirements are intended to serve as a guide to the applicant. It does not necessarily include all additional requirements.

**4. What is the application fee?**

<b>BWP IW 16</b> .....	\$4,555
<b>BWP IW 18</b> .....	\$2,140
<b>BWP IW 26</b> .....	Individual Rule Project subject to 310 CMR 4.05
<b>BWP IW 27</b> .....	Individual Rule Project subject to 310 CMR 4.05
<b>BWP IW 35</b> .....	\$1,270
<b>BWP IW 36</b> .....	\$600
<b>BWP IW 37</b> .....	\$800

**5. What is the Primary Permit Location? What is the Reserve Copy Location?**

Primary Permit Location  
 for BWP IW 16, 18, 26, 27, 35, 36  
**Dep't. of Environmental Protection**  
**627 Main Street, 2<sup>nd</sup> floor**  
**Worcester, MA 01608**

Reserve Copy Location  
 for BWP IW 16, 18, 26, 27, 35, 36  
**Dep't. of Environmental Protection**  
 \_\_\_\_\_ \* **Regional Office**  
**Industrial Wastewater Management Program**

\*Find your region: <http://mass.gov/dep/about/region/findyour.htm>



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Primary Permit Location for BWP IW 27 and BWP IW 37:

**Dep't. of Environmental Protection**

**\* Regional Office**

**Industrial Wastewater Management Program**

\*Find your region: <http://mass.gov/dep/about/region/findyour.htm>

**There is no reserve copy location for BWP IW 27 and BWP IW 37.**

In addition, please send a photocopy of the Transmittal Form to:

**Industrial Wastewater Management Program**

**1 Winter Street**

**Boston, MA 02108.**

**6. Where can I get a copy of the timelines?**

The timelines are available on the MassDEP Website: [www.mass.gov/dep/service/online/fees.htm](http://www.mass.gov/dep/service/online/fees.htm)

**7. What is the annual compliance fee?**

Current annual compliance fees can be found on the MassDEP Website at [www.mass.gov/dep/service/online/fees.htm](http://www.mass.gov/dep/service/online/fees.htm). In cases where extraordinary compliance work is required, a higher fee may be developed.

If you fail to pay the annual compliance fee, your permit could be suspended or revoked.

**8. How long are these permits and approvals in effect?**

Regulation 314 CMR 3.10(8) states "... not to exceed five years". MassDEP may issue a permit for less than five years.

**9. How can I avoid the most common mistakes made in applying for these permits?**

- a. Answer all questions on the application form and indicate "N/A" (not applicable) where appropriate.
- b. Make sure application is signed by a legally responsible official.
- c. Make sure a Professional Engineer registered in Massachusetts signs and stamps any plans/sketches submitted with the application.
- d. Submit all required reports and forms with sufficient detail and description.
- e. Submit any necessary "sign-offs" from other agencies prior to the submittal of an application, i.e., MEPA, MDPU, EFSC, or Massachusetts Historical Commission.
- f. Contact the Massachusetts Wastewater Management Section in the Region I Office of the US EPA to ensure compliance with federal requirements.
- g. Submit "Engineering Plans and Report Approval Request".
- h. Submit fee and one copy of the MassDEP Transmittal Form to: Department of Environmental Protection, P.O. Box 4062, Boston, MA 02211.

**10. What are the regulations that apply to these permits? Where can I get copies?**

These regulations include, but are not limited to:



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- a. Water Pollution Control Regulations, 314 CMR 3.00, 314 CMR 4.00, 314 CMR 12.00.
- b. Wastewater Treatment Operator Certification Regulations, 257 CMR 2.00.
- c. Timely Action Schedule and Fee Provisions, 310 CMR 4.00.

These may be purchased at:

**State Bookstore (in State House)**  
**Room 116**  
**Boston, MA 02133**  
**617-727-2834**

**State House West Bookstore**  
**436 Dwight Elm Street**  
**Springfield, MA 01103**  
**413-784-1376**



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**BWP IW 16, 18, 26, 27, 35, 36, 37  
Treatment Facility Rating Worksheet**

This worksheet is used to guide the applicant in choosing the correct fees category, pursuant to 310 CMR 4.00. The system described here is the only method of determining categories for Type I and Type II facilities.

**Rating System**

"Unit Operations" is defined as any component of a process that could be utilized solely, or combined, to obtain a specific objective. They are listed in bold-faced type following the example. The rating system is based on the number of specified unit operations in a proposed wastewater treatment facility and the total number of points assigned to each unit operation.

**Type II Facility** - This is defined as any facility that has three or more unit operations as listed in bold-faced type on the next page, **OR** has a rating of greater than 20 points.

**Type I Facility** - This is defined as any facility that has less than three unit operations listed in bold-faced type on the next page, **AND** has a rating of less than or equal to 20 points.

Example:

<b>Unit Operation</b>	<b>Points</b>
Equalization	2
Neutralization (single)	3
Cyanide Destruction	5
Chrome Reduction	5
<b>4 Unit Operations</b>	<b>15 Points</b>

Since this facility has four unit operations, it is considered a Type II facility, even though it has a rating of less than 20 points.

**Unit Operations in Industrial Wastewater Treatment Systems**

Refer to 257 CMR 2.00 for any other unit operations not listed here.

<b>Unit Operation</b>	<b>Points</b>
<b>Absorption/Adsorption</b>	
Carbon .....	5
Ion Exchange .....	5
<b>Biological Wastewater Treatment</b>	
Activated Sludge .....	6
Contact Beds (anaerobic) .....	5
RBC .....	5
Sand Filters .....	4
Trickling Filters .....	4



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<b>Chemical Precipitation (reaction vessel) Clarification</b>	
Primary .....	5
Secondary .....	5
Tertiary .....	5
<b>Chrome Reduction</b> .....	5
<b>Cyanide Destruction</b> .....	5
<b>Disinfection</b> .....	5
<b>Electrolytic Recovery</b>	
Electrodialysis .....	5
Silver Recovery Unit .....	5
<b>Equalization</b> .....	2
<b>Evaporation</b>	
Single .....	2
Multiple .....	5
<b>Filtration/Sludge Dewatering</b>	
Cartridge .....	3
Centrifuge .....	8
Filter Press .....	8
Membrane .....	5
Reverse Osmosis .....	5
Vacuum Filter .....	10
<b>Flocculation/Mixing/Coagulation</b> .....	5
<b>Flotation</b> .....	5
<b>Neutralization/pH Adjust</b>	
Single .....	3
Multiple .....	5
<b>Oil/Water Separation</b>	
Gravity Fed .....	2
Baffled .....	5
<b>Settling</b>	
With Manual Sludge Removal .....	3
With Mechanical Sludge Removal .....	5
<b>Sludge Blending/Thickening</b> .....	5
<b>Sludge Drying (mechanical dryers)</b> .....	5
<b>Stripping (Air/Steam)</b> .....	5



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**Engineering Report Requirements**

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All industrial wastewater permit applications for which a treatment system is proposed must include an engineering report and plans.

The engineering report shall include, at a minimum, the following items:

- a. a general description of the facility;
- b. a description of the rated and actual production levels of the facility;
- c. a description of the number of employees, shifts and days of operation per week;
- d. a listing of raw materials used;
- e. a description of the principal wet processes;
- f. a description of the sources of water supply including quantity and quality requirements;
- g. an identification of the sources of all sanitary and industrial wastes streams together with the quantity of flow and waste stream characteristics. In accordance with 310 CMR 30.302, a determination of whether the industrial waste stream is a hazardous waste stream shall be made for each industrial waste stream;
- h. a description of any by-product recovery systems;
- i. a listing and description of wastewater treatment studies performed;
- j. a description of liquid waste flow control measures;
- k. a description of any existing wastewater treatment system, including all design parameters;
- l. a flow and material balance diagram;
- m. a description of any anticipated new processes;
- n. a description of the required effluent quality;
- o. a listing and evaluation of wastewater treatment alternatives capable of meeting applicable effluent quality;
- p. a recommended plan for a wastewater treatment facility, based upon the preceding evaluation, including the basis of design of major unit processes and a preliminary layout;
- q. an implementation schedule for the recommended plan;
- r. treatability and pilot study data on the ability of the proposed treatment system to treat the proposed discharge and meet applicable federal, state, and local requirements;
- s. an examination of the potential impact of any proposed discharge on municipal and private water supply wells, or POTW's, or surface water, whichever is applicable.

The engineering plans and specifications of a proposed wastewater treatment facility shall include, at a minimum, the following:

- a. materials of construction and specifications for all wastewater treatment system components;
- b. materials of construction and specifications for all wastewater collection system components;
- c. specifications for all instrumentation and alarms;
- d. a site plan and general plant layout;
- e. plan views and profile views, including dimensions showing existing and proposed piping and processing units related to industrial wastewater collection, treatment, and disposal.

The engineering report, plans, and specifications shall be **stamped and signed** by a Massachusetts Registered Professional Engineer.



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**Form 1 - General Instruction and Notification**

**General Instructions**

Form 1 is designed to collect general information that applies to groundwater discharges. You must fill out Form 1. In addition, you must fill out Form GW-C. You must also fill out Form HW if your facility is a RCRA facility.

You should note that there are certain exclusions to the permit requirements listed above. The exclusions are described in detail in Section C of these instructions. If your activities are excluded from permit requirements then you do not need to complete and return any forms.

**When to file.**

Please refer of the "How to Apply" guide in this kit, as well as the Standard Application Information. The information there will tell you how much time is needed before the permit application is granted or denied.

**Availability of information to public.**

Information contained in these application forms will, upon request, be made available to the public for inspection and copying. However, you may request confidential treatment for certain supplementary information which you submit in support of an application. No information on Form 1, Form GW-C or Form HW may be claimed as confidential.

**Completion of forms.**

Unless otherwise specified in instructions to the forms, each item in each form must be answered. To indicate that each item has been considered, enter "NA" for not applicable, if a particular item does not fit the circumstances or characteristics of your facility or activity.

Some items in the forms require narrative explanation. If more space is necessary to answer a question, attach a separate sheet entitled "Additional Information".

**Section A - Form 1 Item-by-Item Instructions**

This form must be completed by all applicants for ground water discharge permits.

**Item 1**

Enter the facility's official or legal name followed by the complete mailing address of the office where correspondence and billing should be sent; the location of the facility producing the discharge; the telephone number of the facility; and the ownership status.

**Item 2**

Give the name, title, and work telephone number of a person which is thoroughly familiar with the operation of the facility, with the facts reported in this application and who can be contacted if necessary.

**Item 3**

Indicate whether the facility is currently in existence and operating, or is new, or is proposed.



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**Item 4**

Indicate whether the project affects a site of historic or archeological significance. Please refer to the regulations of the Massachusetts Historical Commission published as 950 CMR 71.00, or consult the Massachusetts Historical Commission, 80 Boylston Street, Boston, MA 02116, telephone (617) 727-8470.

**Item 5**

Indicate whether the project requires a filing under the Massachusetts Environmental Policy Act (MEPA). Please refer to the MEPA regulations published as 301 CMR 11.00, or consult the MEPA Office, 100 Cambridge Street, 20th floor, Boston, MA 02202, telephone (617) 727-5830.

**Item 6**

Do not answer this item. This application package contains the necessary forms to apply for a groundwater discharge permit.

**Item 7**

If you indicate that your facility is a RCRA facility, you must submit Form HW in addition to the supplemental forms indicated in item 6.

**Item 8**

List, in descending order of significance, the four 4-digit standard industrial classification (SIC) codes which best describe your facility in terms of the principal products or services you produce or provide. Also specify each classification in words. The classifications may differ from the SIC codes describing the operation generating the groundwater discharge, air emissions, or hazardous wastes.

SIC code numbers are descriptions which may be found in the "Standard Industrial Classification Manual" prepared by the Executive Office of the President, Office of Management and Budget, which is available from the Government Printing Office, Washington, DC or the Federal Government Bookstore, 10 Causeway Street, Boston, MA 02222, (617) 720-4180. Use the current edition of the manual.

**Item 9**

Give the name, as it is legally referred to, of the person, firm, public organization, or any other entity which operates the facility described in this application. This may or may not be the same name as the facility. The operator of the facility is the legal entity which controls the facility's operation rather than the plant or site manager. Do not use a colloquial name. Enter the telephone number and address of the identified operator and indicate ownership status.

**Item 10A**

Indicate whether your facility is located on Native American Lands.



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**Item 10B**

Provide a topographic map or maps of the area extending at least to one mile beyond the property boundaries of the facility which clearly show the following:

The legal boundaries of the facility;

The location and serial number of each of your existing and proposed intake and discharge structures;

All hazardous waste management facilities;

All springs and surface water bodies in the area, plus all drinking water wells within one mile of the facility which are identified in the public record or otherwise known to you.

If an intake or discharge structure, hazardous waste disposal site, or injection well associated with the facility is located more than one mile from the plant, include it on the map, if possible. If not, attach additional sheets describing the location of the structure, disposal site, or well, and identify the U.S. Geological Survey (or other) map corresponding to the location.

On each map, include the map scale, meridian arrow showing north, and latitude and longitude to the nearest whole second. On all maps of rivers, show the direction of the current, and in tidal waters, show the directions of the ebb and flow tides. Use a 7 ½ minute series map published by the U.S. Geologic Survey.

**Item 11**

Briefly describe the nature of your business. Include products produced or services provided.

**Item 12**

List sources of water supply and annual water consumption for the past 5 years. Show the location of your water sources on the map described in paragraph 10B.

**Section B – Form 1 Certification**

All permit applications shall be signed as follows:

- A. For a corporation by a responsible corporate officer. For the purposes of this section, a responsible corporate officer means:
1. A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any person who performs similar policy or decision making functions for the corporation; or
  2. The manager of one or more manufacturing, production, or operating facility employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million (in second quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
- B. For a partnership or sole proprietorship, by a general partner or the proprietor, respectively; or



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- C. For a municipality, State, Federal, or other public agency: by either a principal executive officer, or ranking elected official. For the purposes of this section, a principal executive officer of a Federal agency includes:
1. The chief executive officer of the agency; or
  2. A senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrator of EPA).

**Section C – Activities which do not Require a Permit**

**Surface Water Discharge Permits** - You are not required to obtain a surface water discharge permit if your discharge is in one of the following categories, as provided by 314 CMR 3.00.

- a. Any discharge of sewage from vessels, effluent from properly functioning marine engines, laundry, shower, and galley sink wastes, or any other discharge incidental to the normal operation of a vessel. This exclusion does not apply to rubbish, trash, garbage, or other such materials discharged overboard; nor to other discharges when the vessel is operating in a capacity other than as a means of transportation such as when used as an energy or mining facility, or when secured to a storage facility or a seafood processing facility, or when secured to the bed of the ocean, contiguous zone of waters of the Commonwealth for the purpose of mineral or oil exploration or development.
- b. Discharges of dredged or fill material into waters of the Commonwealth which are regulated under section 404 of the Federal Act, and are exempted from the need for a permit pursuant to 314 CMR 9.01(2).
- c. Any introduction of sewage, industrial waste or other pollutants into publicly or privately owned treatment works by indirect dischargers if authorized pursuant to 314 CMR 7.00.
- d. Any discharge in compliance with the instructions of an On-Scene Coordinator pursuant to 40 CFR Part 1510 (The National Oil and Hazardous Substances Pollution Plan)
- e. Any introduction of pollutants from non-point source agricultural and silvicultural activities, including runoff from orchards, cultivated crops, pastures, range lands, and forest lands, but not discharges from concentrated animal feeding operations, discharges from concentrated aquatic animal production facilities, discharges to aquaculture projects or discharges from silvicultural point sources, as defined in 314 CMR 3.03.
- f. Return flows from irrigated agriculture.
- g. Any conveyance or system of conveyances operated primarily for the purpose of collecting and conveying uncontaminated storm water runoff.

**Section D - Glossary**

- (1) "Administrator" - the Administrator of the United States Environmental Protection Agency, or an authorized representative.
- (2) "Best Management Practices" or "BMP" - schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution or waters of the Commonwealth. BMP include treatment requirements, operating procedures, and practices to control plant site runoff, spillage, or leaks, sludge or waste disposal, or drainage from raw material storage.



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- (3) "Biological monitoring" - any test which includes the use of aquatic algal, bacterial, invertebrate, or vertebrate species to measure acute or chronic toxicity, and any biological or chemical measure of bioaccumulation.
- (4) "Bypass" - the intentional diversion of wastes from any portion of a treatment works.
- (5) "Coastal waters" - all waters of the Commonwealth assigned SA, SB, or SC classifications in the Massachusetts surface water quality standards, 314 CMR 4.00.
- (6) "Combined Sewer Overflows" or "CSO" - any intermittent overflow, bypass or other discharge from a municipal combined sewer system which results from a flow in excess of the dry weather carrying capacity of the system.
- (7) "Combined sewer system" - a sewer system which, by design, collects and conveys both wastewater and storm water runoff.
- (8) "Commissioner" - the Commissioner of the Department.
- (9) "Contact cooling water" - water used to reduce temperature which comes into contact with a raw material, intermediate product, waste product (other than heat), or finished product.
- (10) "Contiguous zone" - the entire zone established by the United States under Article 24 of the Convention of the Territorial Sea and the Contiguous Zone.
- (11) "Conventional pollutant" - biochemical oxygen demand, suspended solids, pH, fecal coliform, or oil and grease.
- (12) "Department" - the Massachusetts Department of Environmental Protection, as established by M.G.L. c. 21A, s. 7.
- (13) "Director" - the Director of the Division of Water Pollution Control or his designee.
- (14) "Discharge" or "Discharge of pollutants" - any addition of any pollutant or combination of pollutants to waters of the Commonwealth from any source, including but not limited to, discharges from surface runoff which are collected or channelled by man; discharges through pipes, sewers, or other conveyances owned by a State, municipality, or other person, which do not lead to a POTW; and discharges through pipes, sewers, or other conveyances, leading into privately owned treatment works. This term does not include an addition of pollutants by any indirect discharger.
- (15) "Disposal system" - a system for disposing of sewage, industrial waste or other wastes, and including sewer systems and treatment works.
- (16) "Division" - the Division of Water Pollution Control of the Department, established pursuant to M.G.L., c. 21, s. 26.
- (17) "Effluent" - a discharge of pollutants into the environment, whether or not treated.
- (18) "Effluent limitation" or "effluent limit" - any requirement, restriction, or standard imposed by the Director on quantities, discharge rates, and concentrations of pollutants which are discharged from point sources into waters of the Commonwealth or to publicly owned treatment works.



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- (19) "Effluent limitation guideline" or "Effluent standard" - a regulation published by the Administrator under Section 304, 306 or 307 of the Federal Act or by the Director under M.G.L. c. 21, s. 27 which is used as a basis for establishing effluent limitations.
- (20) "Environmental Protection Agency" or "EPA" - the United States Environmental Protection Agency.
- (21) "Federal Act" - the Clean Water Act, P.L. 92-500, as amended by P.L. 95-217 and P.L. 95-576, 33 E.S.C. 1251 et seq .
- (22) "Groundwater" - water below the land surface in a saturated zone, including perched groundwater.
- (23) "Hazardous substance" - any of the substances designated under 40 CFR Part 116 pursuant to Section 311 of the Federal Act, or any hazardous material as defined in M.G.L. c. 21E.
- (24) "Hazardous waste" - a hazardous waste pursuant to the Massachusetts Hazardous Waste Regulations, 310 CMR 30.000.
- (25) "Health Advisory" - the level of a pollutant in water which, with a margin of safety, adverse health effects would not be anticipated, as determined by the Department or EPA.
- (26) "Indirect discharger" - a discharger introducing pollutants to a treatment works.
- (27) "Industrial waste" - any liquid, gaseous, or solid waste substance or a combination thereof resulting from any process of industry, manufacturing, trade, or business or from the development or recovery of any natural resources.
- (28) "Land utilization practices" - the use of plants, the soil surface, or soil matrix for removal of certain wastewater constituents.
- (29) "Massachusetts water quality standards" - the Massachusetts Surface Water Quality Standards (314 CMR 4.00) and the Massachusetts Ground Water Quality Standards (314 CMR 6.00).
- (30) "Natural background conditions" - the chemical, physical or biological characteristics of surface or ground waters unaltered by human activity.
- (31) "NPDES" - the National Pollutant Discharge Elimination System permit program established to 33 U.S.C. 1342.
- (32) "New discharger" - any building, structure, facility, or installation: (a) from which there is or may be a new or additional discharge of pollutants at a site at which on August 13, 1979, it had never discharged pollutants; (b) which has never received a finally effective NPDES permit for discharges at that site; and (c) which is not a "new source". This definition includes an indirect discharger which commences discharging into waters of the Commonwealth after August 13, 1979.
- (33) "New source" - any building, structure, facility or installation from which there is or may be a discharge of pollutants, the construction of which commenced: (a) After promulgation of standards of performance under Section 306 of the Federal Act which are applicable to such source; or (b) After proposal of standards of performance in accordance with Section 306 of the Federal Act which are applicable to such source, but only of the standards are promulgated in accordance with Section 306 within 120 days of their proposal.



**Massachusetts Department of Environmental Protection**  
**Bureau of Waste Prevention**

Industrial Wastewater Management Program • Surface Water Discharge (NPDES)

**BWP IW 16, 18, 26, 27, 35, 36, 37**  
**Instructions**

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- (34) "Non-conventional pollutant" - any pollutant other than a toxic pollutant or a conventional pollutant.
- (35) "Non-contact cooling water" - water used to reduce temperature which does not come into direct contact with any raw material, intermediate product, waste product (other than heat), or finished product.
- (36) "Other wastes" - all liquid discarded matter other than sewage or industrial waste which may cause or might reasonably be expected to cause pollution of the waters of the Commonwealth in contravention of adopted standards.
- (37) "Outlet" - the terminus of a sewer system, or the point of emergence of any wastewater or effluent into the waters of the Commonwealth or onto the land surface.
- (38) "Perched ground water" - unconfined ground water separated from an underlying body of ground water by an unsaturated zone.
- (39) "Permit" - an authorization issued pursuant to M.G.L. c. 21, s. 43 and 314 CMR 2.00, and 3.00, 5.00, or 7.00, to implement the requirements of the State and Federal Acts and regulations adopted thereunder.
- (40) "Person" - any agency or political subdivision of the Commonwealth, the Federal government, any public or private corporation or authority, individual, partnership or association, or other entity, including any officer of a public or private agency or organization, upon whom a duty may be imposed by or pursuant to any provision of G.L. c.21, s.26 through 53.
- (41) "Point source" - any discernible, confined and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, vessel or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture.
- (42) "Pollutant" - any element or property of sewage, agricultural, industrial or commercial waste, runoff, leachate, heated effluent, or other matter in whatever form and whether originating at a point or major non-point source, which is or may be discharged, drained or otherwise introduced into any sewerage system treatment works or waters of the Commonwealth.
- (43) "Pollution" - the presence in the environment of pollutants in quantities or characteristics which are or may be injurious to human, plant or animal life or to property or which unreasonably interfere with the comfortable enjoyment of life and property throughout such areas as may be affected thereby.
- (44) "Pretreatment" - the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW.
- (45) "Primary treatment" - a wastewater treatment process in which substantially all floating or settleable solids are removed by screening and sedimentation.
- (46) "Process wastewater" - any water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, or waste product.



**Massachusetts Department of Environmental Protection**  
Bureau of Waste Prevention

Industrial Wastewater Management Program • Surface Water Discharge (NPDES)

**BWP IW 16, 18, 26, 27, 35, 36, 37**  
**Instructions**

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- (47) "Public entity" - any city, town, special district, the Metropolitan District Commission or other existing governmental unit eligible to receive a grant for the construction of treatment works from the United States Environmental Protection Agency pursuant to Title II of the Federal Act, as amended.
- (48) "Publicly owned treatment works" or "POTW" - any device or system used in the treatment (including recycling and reclamation) or municipal sewage or industrial wastes of a liquid nature which is owned by a public entity. A POTW includes any sewers, pipes, or other conveyances only if they convey wastewater to a POTW providing treatment.
- (49) "RCRA" - the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976 (P.L. 94-580, as amended by P.L. 95-609, 42 U.S.C. Section 6901 et seq .)
- (50) "RCRA facility" - a hazardous waste management facility as defined in 314 CMR 8.03.
- (51) "Saturated zone" - any portion of the earth below the land surface where every available opening (pore, fissure, joint, or solution cavity) is filled with water.
- (52) "Septage" - the liquid and solid wastes, primarily of sewage origin, that are removed from a cesspool, septic tank or similar receptacle.
- (53) "Sewage" - the water-carried human or animal wastes from residences, buildings, industrial establishments or other places, together with such ground water infiltration and surface water as may be present.
- (54) "Sewer system" - pipelines or conduits, pumping stations, force mains, and all other structures, devices, appurtenances, and facilities used for collecting and conveying wastes to a site or works for treatment or disposal.
- (55) "State Act" - the Massachusetts Clean Waters Act, as amended, M.G.L., c. 21, s. 26-53, inclusive.
- (57) "Subsurface sewage disposal system" - a disposal system which discharges sewage onto or beneath the surface of the ground.
- (58) "Surface waters" - all waters other than ground waters within the jurisdiction of the Commonwealth, including, without limitation, rivers, streams, lakes, ponds, springs, impoundments, estuaries, wetlands and coastal waters.
- (59) "Toxic pollutants" - those pollutants identified in 314 CMR 3.16 or any other pollutants, or combination of pollutants, including disease-causing agents, which after discharge and upon exposure, ingestion, inhalation or assimilation into any organism, either directly from the environment or indirectly through food chains, may, on the basis of information available to the Division, cause death, disease, behavioral abnormalities, cancer, mutations, physiological malfunctions, biochemical abnormalities, including malfunctions in reproduction, or physical deformations, in such organisms or their offspring.
- (60) "Treatment works" - any and all devices, processes and properties, real or personal, used in the collection, pumping, transmission, storage, treatment, disposal, recycling, reclamation or reuse of waterborne pollutants, but not including any works receiving a hazardous waste from off the site of the works for the purpose of treatment, storage or disposal.



**Massachusetts Department of Environmental Protection**

Bureau of Waste Prevention

Industrial Wastewater Management Program • Surface Water Discharge (NPDES)

**BWP IW 16, 18, 26, 27, 35, 36, 37**

**Instructions**

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- (61) "Uncontaminated water" - water which does not contain dredge spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical wastes, biological waste materials, radioactive materials, wrecked or discarded equipment, cellar dirt, industrial, municipal or agricultural waste or any other material which upon discharge could cause a violation of applicable water quality standards.
- (62) "Underground Injection Control" or "UIC" - the program under Section 1421 of the Safe Drinking Water Act (P.L. 93-523 as amended by P.L. 95-190 and 960-502).
- (63) "Unconsolidated deposits" - all non-indurated or poorly indurated soil materials above the bed rock.
- (64) "Unsaturated zone" - that portion of the earth's crust which does not contain sufficient water to fill all interconnected voids or pore space. Perched water bodies may exist within the unsaturated zone.
- (65) "Wastewater" - sewage, industrial waste, other wastes or any combination of the three.
- (66) "Waters of the Commonwealth" - all waters within the jurisdiction of the Commonwealth, including, without limitation, rivers, streams, lakes, ponds, springs, impoundments, estuaries, wetlands, coastal waters, and ground waters.
- (67) "Well" - a bored, drilled, or driven shaft or a dug hole, whose depth is greater than its largest surface dimension.



**Massachusetts Department of Environmental Protection**  
Bureau of Waste Prevention  
Industrial Wastewater Management Program • Surface Water Discharge (NPDES)  
**BWP IW 16, 18, 26, 27, 35, 36, 37**  
Application Completeness Checklist

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- The MassDEP Transmittal Form is completed: <http://mass.gov/dep/service/online/trasmfrm.shtml>
- Application form(s) for this category have been filled in completely (including Forms 1 and 2C – New or Existing Discharges).
- A copy of the topographic map of the facility site is included (Form 1 - item XI).
- A process line diagram showing the water flow through the facility is included (Form 2C - item II).
- A description of the facility & the manufacturing process or sources of the discharge are included.
- An Engineering Plans and Report Approval Request has been completed and submitted.

To submit the application package:

- Checklist items have been completed.
- For all categories **except** BWP IW 27 and BWP IW 37, send one copy of the application package along with one copy of the MassDEP Transmittal Form to:  
Department of Environmental Protection  
627 Main Street, 2<sup>nd</sup> floor  
Worcester, MA 01608

In the case of BWP IW 27 and BWP IW 37, send these materials to the regional office (see below). Do **not** send a copy to the Worcester Office.

- Send a copy of the application along with one copy of the MassDEP Transmittal Form to:  
Department of Environmental Protection  
\_\_\_\_\_ \* Regional Office  
Industrial Wastewater Management Program  
\*Find your region: <http://mass.gov/dep/about/region/findyour.htm>
- Send a photocopy of the Transmittal Form to:  
Department of Environmental Protection  
Industrial Wastewater Management Program  
1 Winter Street  
Boston, MA 02108
- Send fee of:  
\$4,555 for BWP IW 16;  
\$2,140 for BWP IW 18;  
\$1,270 for BWP IW 35;  
\$600 for BWP IW 36;  
\$800 for BWP IW 37;  
the negotiated amount for BWP IW 26 or BWP IW 27;  
in the form of a check or money order made payable to Commonwealth of Massachusetts, along with one copy of the MassDEP Transmittal Form to:  
Department of Environmental Protection  
P.O. Box 4062  
Boston, MA 02211



**Massachusetts Department of Environmental Protection**  
 Bureau of Waste Prevention  
 Industrial Wastewater Management Program

**Form 1 General Information and Notification**  
**Application for Permit to Discharge to Waters of the Commonwealth**

To be filed by all persons required to obtain a permit to discharge Industrial Wastewater to waters of the Commonwealth.

**Note:** A discharge is considered Industrial Wastewater only if the facility is one covered by the SIC Codes listed in Question 2 of the "How to Apply" guide (on the first page of this document). The accompanying instructions may help you complete this form.

**A. Facility Information**

**Important:**  
 When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



1. Name, address, and telephone number of facility producing the discharge:

\_\_\_\_\_  
 Name

\_\_\_\_\_  
 Street address

\_\_\_\_\_  
 City

\_\_\_\_\_  
 State

\_\_\_\_\_  
 Zip Code

\_\_\_\_\_  
 Telephone number (including extension)

\_\_\_\_\_  
 E-mail address (optional)

Billing address (if different):

\_\_\_\_\_  
 Street/PO Box

\_\_\_\_\_  
 City

\_\_\_\_\_  
 State

\_\_\_\_\_  
 Zip Code

Discharge Site:

\_\_\_\_\_  
 Street address

\_\_\_\_\_  
 City

\_\_\_\_\_  
 State

\_\_\_\_\_  
 Zip Code

Ownership:

- Individual
- Corporation
- Partnership
- Other

If other, please specify:

\_\_\_\_\_

Status:

- Private
- Public
- Other

If other, please specify:

\_\_\_\_\_

DEP Use Only
Application #
Date Received



**Massachusetts Department of Environmental Protection**

Bureau of Waste Prevention

Industrial Wastewater Management Program

# Form 1 General Information and Notification

## Application for Permit to Discharge to Waters of the Commonwealth

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### A. Facility Information (cont.)

2. Contact Person:

Give the name, title, and work telephone number of a person who is thoroughly familiar with the operation of the facility, with the facts reported in this application, and can be contacted by the Industrial Wastewater Management Program if necessary.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Telephone Number (including extension)

3. Facility Status

Existing       Proposed

4. Does the project affect a site of historic or archeological significance, as defined in regulations of the Massachusetts Historical Commission, 950 CMR 71.00?

Yes       No

5. Does this project require a filing under 301 CRM 11.00, the Massachusetts Environmental Policy Act?

Yes       No

If yes, has a filing been made?

Yes       No

6. Application Forms Needed:

Answer questions A through F to determine which additional application forms you need to submit to the Department of Environmental Protection. If you answer "Yes" to any question, you must submit this form and the supplemental form listed in the parentheses following the question. Mark "X" in the box in the third column if the supplemental form is attached. If you answer "No" to each question, you need not submit any of these forms.

A. Is this facility an existing or proposed publicly owned treatment works which is a discharge to surface waters of the Commonwealth? (Form 2A)

Yes       No       Form Attached?

B. Does or will this facility (either existing or proposed) include a concentrated animal feeding operation or aquatic animal production facility which results in a discharge to the surface waters of the Commonwealth? (Form 2B)

Yes       No       Form Attached?



**Massachusetts Department of Environmental Protection**

Bureau of Waste Prevention

Industrial Wastewater Management Program

# Form 1 General Information and Notification

## Application for Permit to Discharge to Waters of the Commonwealth

### A. Facility Information (cont.)

C. Does or will this facility result in a discharge to surface waters of the Commonwealth other than those described in A or B? (Form 2C)

Yes       No       Form Attached?

D. Is this facility an existing or proposed treatment works which results in a discharge only of treated sewage to the land surface or to the ground waters of the Commonwealth? (Form GW-A)

Yes       No       Form Attached?

E. Does or will this facility include a concentrated animal feeding operation or aquatic animal production facility that results in a discharge to the land surface or ground waters of the Commonwealth? (Form GW-B)

Yes       No       Form Attached?

F. Does or will these facility result in a discharge to the land surface or ground waters of the Commonwealth other than those described in D or E above? (Form GW-C)

Yes       No       Form Attached?

7. Is this a RCRA facility as defined in 314 CMR 8.03?

Yes       No

If yes, submit the information on Form HW contained in 310 CMR 8.20 in accordance with the provisions of 314 CMR 8.08.

8. Industrial Classifications:

List, in descending order of significance, the four (4) digit standard industrial classification (SIC) codes that best describe your facility in terms of the principal products or services you produce or provide. Also, specify each classification in words.

SIC Code	Specify
A. _____	_____
B. _____	_____
C. _____	_____
D. _____	_____

**Note:** No application will be accepted without the SIC code number.



**Massachusetts Department of Environmental Protection**

Bureau of Waste Prevention

Industrial Wastewater Management Program

# Form 1 General Information and Notification

## Application for Permit to Discharge to Waters of the Commonwealth

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### A. Facility Information (cont.)

9. Facility Operator:

Give the name, as it is legally referred to, of the person, firm, public organization or other entity that operates the facility described in this application. If the facility owner is also the operator, write owner and list mailing address only if different from that listed in number 1 above.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Telephone Number (including extension)

\_\_\_\_\_  
E-mail address (optional)

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
City

\_\_\_\_\_  
State

\_\_\_\_\_  
Zip Code

Ownership:

- Individual
- Partnership
- Corporation
- Other

If other, please specify:

Status:

- Private
- Public
- Other

If other, please specify:

10. Location of Facility:

A. Is this facility located on Native American Lands?

- Yes       No

B. Provide a topographic map (USGS 1:25,000 scale 7\_ Minute Topographic Series, quadrangle sheet) or maps of the area extending at least to one mile beyond the property boundaries of the facility that clearly show the following:

- The legal boundaries of the facility;
- The location and serial number of each of your existing and proposed intake and discharge structures;
- All hazardous waste management facilities;



# Form 1 General Information and Notification

## Application for Permit to Discharge to Waters of the Commonwealth

### A. Facility Information (cont.)

- All springs and surface water bodies in the area, plus all drinking water wells within one mile of the facility which are identified in the public record or otherwise known to you.
- If an intake or discharge structure, hazardous waste disposal site, or injection well associated with the facility is located more than one mile from the plant, include it on the map, if possible. If not, attach additional sheets describing the location of the structure, disposal site, or well, and identify the U.S. Geological Survey (or other) maps corresponding to the location.
- On each map, include the map scale, meridian arrow showing north, and latitude and longitude to the nearest whole second. On all maps of rivers, show the direction of the current, and in tidal waters, show the directions of the ebb and flow tides. Use a 7½ minute series map published by the U.S. Geologic Survey.

11. Nature of Business:

Briefly describe the nature of your business. Include products produced or services provided:

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12. Water Supply Data:

A. List sources of water supply and annual water consumption for the past 5 years.

Water Sources	Year (last year first)				
	1.	2.	3.	4.	5.
1.	_____	_____	_____	_____	_____
2.	_____	_____	_____	_____	_____
3.	_____	_____	_____	_____	_____
Total	_____	_____	_____	_____	_____

B. Please show the location of your water sources on the topographic map described in paragraph 11B.



**Massachusetts Department of Environmental Protection**

Bureau of Waste Prevention

Industrial Wastewater Management Program

# **Form 1 General Information and Notification**

## **Application for Permit to Discharge to Waters of the Commonwealth**

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### **B. Certification**

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. I will be responsible for publication of public notice of the applicable permit proceedings identified under 314 CMR 2.06(1)(a) through (d)."

\_\_\_\_\_  
Printed name of applicant

\_\_\_\_\_  
Title

\_\_\_\_\_  
Telephone Number (including extension)

\_\_\_\_\_  
Signature of applicant

\_\_\_\_\_  
Date Signed

\_\_\_\_\_  
Name of Preparer

\_\_\_\_\_  
Title

\_\_\_\_\_  
Telephone Number (including extension)



**Massachusetts Department of Environmental Protection**

Department of Environmental Quality Engineering  
Industrial Wastewater Management Program

# Form HW

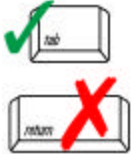
## Supplemental Application Form

To be filed for:

- a. Publicly owned treatment works (POTW's) that treat, store, or dispose of hazardous waste;
- b. Treatment works permitted under 314 CMR 3.00 or 5.00 that treat hazardous waste in a surface impoundment; and
- c. Wastewater treatment units permitted under 314 CMR 5.00.

### A. Facility Information

**Important:**  
When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



1. Name, address, and telephone number of facility producing the discharge:

\_\_\_\_\_  
Name

\_\_\_\_\_  
Street

\_\_\_\_\_  
City/Town

\_\_\_\_\_  
State

\_\_\_\_\_  
Zip Code

\_\_\_\_\_  
Telephone Number (including area code and extension)

\_\_\_\_\_  
E-mail address (optional)

Mailing address (if different from above):

\_\_\_\_\_  
Street

\_\_\_\_\_  
City/Town

\_\_\_\_\_  
State

\_\_\_\_\_  
Zip Code

<b>DEP USE ONLY</b>
Application #
Date received

2. Is this an existing RCRA facility? (see definition in 314 CMR 8.02):

Yes     No

If yes, attach a copy of Part A RCRA application filed with EPA.

3. Attach the information required by 310 CMR 30.803(4), (5), (6), (8), (10), (11), and (12) and 310 CMR 30.804(1) through (17).

4. Is your facility a publicly owned treatment works?

Yes (Answer Questions 7 through 14)

No (Answer Questions 5 and 6 only)

5. Does or will your facility treat hazardous wastes in a surface impoundment?

Yes     No

If yes, attach the information required by 310 CMR 30.804(18) and (23).



**Massachusetts Department of Environmental Protection**

Department of Environmental Quality Engineering  
Industrial Wastewater Management Program

# Form HW

## Supplemental Application Form

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### A. Facility Information (cont.)

6. Is your facility a wastewater treatment unit with a valid permit under 314 CMR 5.00?

Yes     No

If yes, attach the information required by 310 CMR 30.804(25).

7. Does or will your POTW store, treat, or dispose of hazardous waste in a surface impoundment?

Yes     No

If yes, attach the information required by 310 CMR 30.804(18) and (23).

8. Does or will your POTW dispose of hazardous waste in a landfill?

Yes     No

If yes, attach the information required by 310 CMR 30.804(19) and (23).

9. Does or will your POTW store or treat hazardous waste in waste piles?

Yes     No

If yes, attach the information required by 310 CMR 30.804(20) and (23).

10. Will your POTW include a proposed land treatment demonstration for the disposal of hazardous waste?

Yes     No

If yes, attach the information required by 310 CMR 30.804(21) and (23).

11. Will your POTW include a proposed land treatment facility for disposal of hazardous waste?

Yes     No

If yes, attach the information required by 310 CMR 30.804(22) and (23).

12. Does your POTW store or treat hazardous waste in containers?

Yes     No

If yes, attach the information required by 310 CMR 30.804(24).

13. Does your POTW store or treat hazardous waste in a tank?

Yes     No

If yes, attach the information required by 310 CMR 30.804(25).



**Massachusetts Department of Environmental Protection**

Department of Environmental Quality Engineering  
Industrial Wastewater Management Program

# Form HW

## Supplemental Application Form

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### A. Facility Information (cont.)

14. Does you POTW dispose of hazardous waste in an incinerator?

- Yes     No

If yes, attach the information required by 310 CMR 7.08(4).

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### B. Certification

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true and accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

\_\_\_\_\_  
Printed Name of Applicant

\_\_\_\_\_  
Title

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date Signed

\_\_\_\_\_  
Name of Preparer

\_\_\_\_\_  
Title

\_\_\_\_\_  
Telephone Number



**Massachusetts Department of Environmental Protection**

Bureau of Waste Prevention

Industrial Wastewater Treatment Facilities

**Engineering Plans and Report Approval Request**

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Regional Engineer  
Department of Environmental Protection  
BWP/Industrial Wastewater Management Program  
\_\_\_\_\_ Regional Office

To Whom It May Concern:

I, \_\_\_\_\_, \_\_\_\_\_  
Name Title  
as agent/owner of \_\_\_\_\_  
Company  
located at \_\_\_\_\_  
Address of facility

hereby request approval of engineering plans and report for the proposed construction and installation of a wastewater treatment facility, as provided for under the provisions of Massachusetts General Laws Chapter 21, Section 27 and Regulations 314 CMR 12.00.

I have attached a description of the wastewater treatment facility, including the list of unit operations **and** rating of the facility as required.

Very truly yours,

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date