Massachusetts Department of Environmental Protection
Bureau of Water Resources
Surface Water Discharge (NPDES) Permitting Program

BWP IW 16, 18, 26, 27, 35, 36, 37
BRP WM 05, 06, 07

Surface Water Discharge (NPDES) Permit Application

Table of Contents

- Introduction
- Permit Fact Sheet
- Instructions for Completion of MassDEP Surface Water Discharge Permit Application
- Completeness Checklist

Introduction

MassDEP *Permit Applications*, as well as *Instructions & Support Materials*, are available for download from the MassDEP Web site at http://www.mass.gov/eea/agencies/massdep/ 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.

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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Permit Fact Sheet

Permit Fact Sheet

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 and Non–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. For a plan modification not associated with permit renewal, submit MassDEP Form BRP WP 68.

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

2. Who must apply?

Treatment facilities as defined at http://www.mass.gov/eea/agencies/massdep/water/regulations/314-cmr-3-00-surface-water-discharge-permit-program.html, except:

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

2. 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 stormwater runoff.

3. What forms must be completed?

a. The MassDEP Surface Water Discharge Permit Application/Treatment Facility Rating Worksheet must be submitted to MassDEP. These forms are located at http://www.mass.gov/eea/agencies/massdep/service/approvals/surface-water-discharge-npdes-permit-application.html.

Note: Applications may require Massachusetts Environmental Policy Act (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 and Energy 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.

b. The MassDEP Transmittal Form must both be submitted to MassDEP. This is located at http://www.mass.gov/eea/agencies/massdep/service/approvals/surface-water-discharge-npdes-permit-application.html.

c. Obtain variances if the receiving waters are designated for protection.

d. All required US EPA Forms must be submitted to both MassDEP and EPA. These are located at http://www.epa.gov/region1/npdes/epa_attach.html.

Throughout the permitting process, send copies of all additional EPA requested application material to the MassDEP Surface Water (NPDES) Permitting Program, Again, keep in mind that EPA and MassDEP are co-permittees of NPDES permits.

4. What is the application fee?
Refer to 310 CMR 4.10 and "Schedule of Permit Application Fees and Timelines" located at the following location: http://www.mass.gov/eea/agencies/massdep/service/approvals/timely-action-fees-and-payments.html
Complete and submit the Treatment Facility Rating Worksheet located with the MassDEP Surface Water Discharge Application to determine whether a facility is categorized as Type I or Type II. MassDEP will use this information to determine the application fee.

BWP IW 18 (Type I, Industrial WWTF, New Facility)	$2,625
BWP IW 16 (Type II, Industrial WWTF, New Facility)	$5,595
BWP IW 26 (Industrial, Experimental/Alternative Treatment Technology)	*
BWP IW 27 (Industrial, Other Industrial Wastewater Projects)	*
BWP IW 35 (Industrial WWTF, Permit Renewal/Modification With Plan Modification)	$1,560
BWP IW 36 (Industrial WWTF, Renewal/Modification Without Plan Modification)	$735
BWP IW 37 (Industrial WWTF, Permit Modification with Plan Approval Modification)	$980
BRP WM 06 (Type I, Non-Industrial WWTF, New Facility)	$3,170
BRP WM 05 (Type II, Non-Industrial WWTF, New Facility)	$6,785
BRP WM 07 (Non-Industrial WWTF, Modification or Renewal)	$985

* Contact the NPDES program before submitting these applications.

5. Where do I send the application forms?

Send a copy of the permit Transmittal form, Surface Water Discharge Permit Application/Treatment Facility Rating Worksheet, and all required US EPA Forms to the following:

MassDEP Surface Water Discharge (NPDES) Permitting Program
Dept. of Environmental Protection
1 Winter Street, 5th floor
Boston, MA 02108

Send the MassDEP Transmittal Form and fee to:

MassDEP
P.O. Box 4062
Boston, MA 02211

6. Where can I get a copy of the timelines and information on annual compliance fees?

The timelines and current annual compliance fees are available on the MassDEP Website at the following location: http://www.mass.gov/eea/agencies/massdep/service/approvals/timely-action-fees-and-payments.html. 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.

7. 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. Upon expiration, if the applicant has re-applied in a timely manner, the permit is administratively continued until a new one is issued.

8. Is submitted information available to the 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 the Surface Water Discharge Permit Application may be claimed as confidential.

9. Where can definitions be referenced?

See applicable regulations.

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

These regulations include, but are not limited to:

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
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Surface Water Discharge (NPDES) Permit Application Instructions

Instructions for completion of MassDEP Surface Water Discharge Permit Application

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".

This form must be completed by all applicants for surface 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.

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

Refer to http://www.epa.gov/region1/npdes/epa_attach.html for US EPA Forms.

Section B – Surface Water Discharge Application- Certification

All permit applications shall be signed as follows:

A. For a corporation, by a responsible corporate officer
B. For a partnership or sole proprietorship, by a general partner or the proprietor, respectively; or
C. For a municipality, State, Federal, or other public agency: by either a principal executive officer, or ranking elected official.

Massachusetts Department of Environmental Protection
Bureau of Water Resources
Surface Water Discharge (NPDES) Permitting Program

BWP IW 16, 18, 26, 27, 35, 36, 37
BRP WM 05, 06, 07

Surface Water Discharge (NPDES) Permit Application Checklist

Completeness Checklist

☐ Send the Transmittal Form and fee to:
MassDEP
P.O. Box 4062
Boston, MA 02211

Refer to 310 CMR 4.10 and "Schedule of Permit Application Fees and Timelines" located at the following location:
http://www.mass.gov/eea/agencies/massdep/service/approvals/timely-action-fees-and-payments.html

The Transmittal Form is available at:
http://www.mass.gov/eea/agencies/massdep/service/approvals/transmittal-form-for-payment.html

☐ Send a copy of the MassDEP Transmittal Form, the original MassDEP Surface Water Discharge Permit Application/Treatment Facility Rating Worksheet, and a copy of the US EPA Forms to:

MassDEP Surface Discharge Permitting (NPDES) Program
Dept. of Environmental Protection
1 Winter Street, 5th floor
Boston, MA 02108

The MassDEP Surface Water Discharge Permit Application/Treatment Facility Rating Worksheet are located at:
http://www.mass.gov/eea/agencies/massdep/service/approvals/bwp-iw-16-18-26-27-35-36-37.html.

US EPA Forms are located at:
http://www.epa.gov/region1/npdes/epa_attach.html.

Throughout the permitting process, send copies of all additional EPA requested application material to the MassDEP Surface Water (NPDES) Permitting Program, Again, keep in mind that EPA and MassDEP are co-permittees of NPDES permits.

Massachusetts Department of Environmental Protection
Bureau of Water Resources – Surface Water Discharge (NPDES) Permitting Program

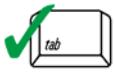
BWP IW 16, 18, 26, 27, 35, 36, 37
BRP WM 05, 06, 07

Surface Water Discharge Permit Application

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

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.



DEP Use Only
Application #
Date Received

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:

Facility Name

Street address

City | State | Zip Code

Ownership: ☐ Individual ☐ Corporation ☐ Partnership ☐ Other (specify):

Status: ☐ Private ☐ Public ☐ Other (specify):

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 Surface Water Discharge (NPDES) Program if necessary.

Name | Title

Telephone Number (including extension)

A. Facility Information (cont.)

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 (MEPA)?

   ☐ Yes ☐ No

   If yes, has a filing been made?

   ☐ Yes ☐ No

6. Submit a copy of the required US EPA Forms to MassDEP:
   The Forms are located at the following link: http://www.epa.gov/region1/npdes/epa_attach.html

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. "

Printed name of applicant

Title

Signature of applicant

Date Signed

Name of Preparer

Title

Telephone Number (including extension)

Massachusetts Department of Environmental Protection
Bureau of Water Resources – Surface Water Discharge (NPDES) Permitting Program

BWP IW 16, 18, 26, 27, 35, 36, 37
BRP WM 05, 06, 07

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 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.

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.

Example:

Unit Operation	**Points**
Equalization	2
Neutralization (single)	3
Cyanide Destruction	5
Chrome Reduction	5
4 Unit Operations	**15 points**

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.

Please submit the following three pages with the application:

Massachusetts Department of Environmental Protection
Bureau of Water Resources – Surface Water Discharge (NPDES) Permitting Program

BWP IW 16, 18, 26, 27, 35, 36, 37
BRP WM 05, 06, 07

Treatment Facility Rating Worksheet

A. Facility Information

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)

B. Worksheet

UNIT OPERATION	RATING	SCORE
Absorption/Adsorption		
Carbon	5	
Ion Exchange	5	
Biological Wastewater Treatment		
Activated Sludge	6	
Contact Beds (anaerobic)	5	
RBC	5	
Sand Filters	4	
Trickling Filters	4	
Chemical Precipitation (reaction vessel) Clarification		
Primary	5	
Secondary	5	
Tertiary	5	
Chrome Reduction	5	
Cyanide Destruction	5	
Disinfection	5	

BWP IW 16, 18, 26, 27, 35, 36, 37
BRP WM 05, 06, 07

Treatment Facility Rating Worksheet

B. Worksheet (cont.)

UNIT OPERATION	RATING	SCORE
Electrolytic Recovery		
Electrodialysis	5	_____
Silver Recovery Unit	5	_____
Equalization	2	_____
Evaporation		
Single	2	_____
Multiple	5	_____
Filtration/Sludge Dewatering		
Cartridge	3	_____
Centrifuge	8	_____
Filter Press	8	_____
Membrane	5	_____
Reverse Osmosis	5	_____
Vacuum Filter	10	_____
Flocculation/Mixing/Coagulation	5	_____
Flotation	5	_____
Neutralization/pH Adjust		
Single	3	_____
Multiple	5	_____
Oil/Water Separation		
Gravity Fed	2	_____
Baffled	5	_____

BWP IW 16, 18, 26, 27, 35, 36, 37
BRP WM 05, 06, 07

Treatment Facility Rating Worksheet

B. Worksheet (cont.)

Settling		
With Manual Sludge Removal	3	_____
With Mechanical Sludge Removal	5	_____
Sludge Blending/Thickening	5	_____
Sludge Drying (mechanical dryers)	5	_____
Stripping (Air/Steam)	5	_____
Propose Additional score per 257 CMR 2.00 – *Describe below		
TOTAL SCORE		_____

* Description of proposed additional score items per 257 CMR 2.00:

_____ _____ _____

_____ _____ _____

_____ _____ _____

_____ _____ _____