

MASSACHUSETTS PERMIT TO DISCHARGE POLLUTANTS TO SURFACE WATERS

In compliance with the provisions of the Massachusetts Clean Waters Act, as amended (M.G.L. Chap. 21, §§ 26 - 53) and the implementing regulations at 314 CMR 3.00 and 4.00,

City of Brockton
45 School Street
Brockton, MA

is authorized to discharge from the facility located at

Brockton Advanced Water Reclamation Facility
303 Oak Hill Way
Brockton, MA

to receiving waters named

Salisbury Plain River (Segment MA62-06)

in accordance with the following effluent limitations, monitoring requirements and additional conditions:

1. The issuance date of this permit is the date it is signed by the Massachusetts Department of Environmental Protection (MassDEP).¹
2. This permit shall become effective on March 1, 2026.
3. This permit shall expire five years after the effective date.
4. This permit supersedes the permit issued on 1/11/2017.
5. Pursuant to MassDEP's authority under M.G.L. c. 21, §§26-53, 314 CMR 3.00, and 314 CMR 4.00, this permit incorporates by reference: Part IA., Effluent Limitations and Monitoring Requirements; Part IB., Unauthorized Discharges; Part IC., Operation and Maintenance of the Treatment and Control Facilities; Part ID., Alternate Power Source; Part IE., Industrial Users and Pretreatment Program; Part IF., Sludge Conditions; Part IG., Special Conditions; Part IH, Reporting Requirements; and Part II, Standard Conditions, as set forth in the 2025 Final NPDES Permit No. MA0101010,² issued by the United States Environmental Protection Agency (EPA), Region 1, issued to the City of Brockton ("Permittee") on December 4, 2025 (2025 Final NPDES Permit) and attached hereto by reference as Appendix 1 and available on EPA's website at <https://www.epa.gov/npdes-permits/massachusetts-final-individual-npdes-permits>; provided, however:

¹ Any person aggrieved by the issuance of this permit may file an appeal within 30 days of the issuance date. See the enclosed Notice of Appeal Rights for further details on appeal rights and how to file an appeal.

² This Final Mass DEP permit references the 2025 Final EPA Permit.

- a. that the reporting required by Part IB.1 shall be in accordance with 314 CMR 3.19(20)(e) (24- hour reporting); and
 - b. that, if there is a conflict between the definitions in 314 CMR 3.02 and/or 314 CMR 4.00 and the definitions in Part IIE, the definitions in 314 CMR 3.02 and/or 314 CMR 4.00 shall control, as applicable.
6. This permit incorporates by reference the Standard Permit Conditions set forth in 314 CMR 3.19.
7. Beginning the first full calendar quarter following 6 months after the 2025 Final NPDES Permit effective date, the Permittee shall collect, or require to be collected, annual samples of discharges from all Significant Industrial Users^{3,4} discharging into the Permittee's Publicly Owned Treatment Works (POTW) using Method 1633.
8. Notwithstanding any other provision of the 2025 Final NPDES permit to the contrary, all PFAS monitoring results (influent; effluent; sludge; SIUs; and specific industries as specified in the final NPDES permit) and Adsorbable Organic Fluorine monitoring results shall be reported to MassDEP via the eDEP portal, or as otherwise specified in writing by MassDEP to the Permittee, within 30 days after the Permittee receives the sampling results, in addition to the final NPDES Permit reporting requirements. Information regarding the submittal of data via eDEP may be found at <https://www.mass.gov/how-to/submit-wastewaterresiduals-pfas-data-via-edep>.
9. In order to ensure that the discharge will not cause or contribute to a violation of applicable state water quality standards, pursuant to M.G.L. c. 21, §§ 26-53, and 314 CMR 3.00 and 4.00, including 314 CMR 3.11(3), 314 CMR 3.19(1), and 314 CMR 4.05:
 - a. The discharge shall be free from pollutants in concentrations or combinations that settle to form objectionable deposits; float as debris, scum or other matter to form nuisances; produce objectionable odor, color, taste or turbidity; or produce undesirable or nuisance species of aquatic life.
 - b. The discharge shall be free from pollutants in concentrations or combinations that adversely affect the physical or chemical nature of the bottom, interfere with the propagation of fish or shellfish, or adversely affect populations of non-mobile or sessile benthic organisms.

³ Significant Industrial User (SIU) is defined at 40 CFR part 403: All industrial users subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR chapter I, subpart N; **and** any other industrial user that: discharges an average of 25,000 GPD or more of process wastewater to the POTW, contributes a process wastestream that makes up 5% or more of the average dry weather hydraulic or organic capacity of the POTW, or designated as such by the POTW on the basis that the industrial users has a reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standards or requirement.

⁴ This requirement applies to all Significant Industrial Users and not just those within the sectors identified by EPA in the NPDES permit.

- c. The discharge shall be free from floating, suspended and settleable solids in concentrations and combinations that would impair any use assigned to the receiving water, that would cause aesthetically objectionable conditions, or that would impair the benthic biota or degrade the chemical composition of the bottom.
- d. The discharge shall be free from color and turbidity in concentrations or combinations that are aesthetically objectionable or would impair any use assigned to the receiving water.
- e. The discharge shall be free from oil, grease and petrochemicals that produce a visible film on the surface of the receiving water, impart an oily taste to the edible portions of aquatic life, coat the banks or bottom of the water course, or are deleterious or become toxic to aquatic life.
- f. The discharge shall be free from taste and odor in such concentrations or combinations that are aesthetically objectionable, that would impair any use assigned to the receiving water, or that would cause tainting or undesirable flavors in the edible portions of aquatic life.
- g. The discharge shall be free from pollutants in concentrations or combinations that are toxic to humans, aquatic life or wildlife.

The Towns of Abington (NPDES Permit No. MAC011010) and Whitman (NPDES Permit No. MAC021010) are Co-permittee(s) for Part IB., Unauthorized Discharges; and Part IC., Operation and Maintenance of the Sewer System; and Part I.D, Alternate Power Source as set forth in the 2025 Final NPDES Permit. These sections include conditions regarding the operation and maintenance of the collection systems owned and operated by the Brockton Advanced Water Reclamation Facility.

Operation and maintenance of the sewer system shall be in compliance with the General Requirements of Part II and the terms and conditions of Part IB., Part IC., and Part ID. of the 2025 Final NPDES Permit. The Permittee and Co-permittees are severally liable under Part IB., Part IC., and Part ID. for their own activities and required reporting with respect to the portions of the collection system that they own or operate. They are not liable for violations of Part IB., Part IC., and Part ID. committed by others relative to the portions of the collection system owned and operated by others. Nor are they responsible for any reporting that is required of the Permittee and other Co-permittees under Part IB., Part IC., and Part ID. The responsible town departments are:

Town of Abington
Sewer Department
350 Summer Street
Abington, MA 02351

Town of Whitman

Department of Public Works
100 Essex Street, P.O. Box 454
Whitman, MA 02382

In addition, the Permittee and the Co-permittees are responsible for all public notifications, public health warnings and all other applicable requirements of 314 CMR 16.00 as they relate to their own collection systems including any approved CSO Notification Plans and/or SSO Notification Plans.

Issued on this 30th day of January, 2026

A handwritten signature in black ink, appearing to read "Lealdon Langley". The signature is fluid and cursive, with a prominent initial "L".

Lealdon Langley, Director
Division of Watershed Management
Department of Environmental Protection

RESPONSE TO COMMENTS

**MA Permit No. MA0101010
Brockton Advanced Water Reclamation Facility
303 Oak Hill Way
Brockton, Massachusetts 02301**

The Massachusetts Department of Environmental Protection (MassDEP or the “Department”) is issuing a Surface Water Discharge (SWD) Permit to the City of Brockton (the Permittee) for the Brockton Advanced Water Reclamation Facility (the Facility) located in Brockton, Massachusetts. The permit is being issued under the Massachusetts Clean Waters Act, as amended (M.G.L. Chap. 21, §§ 26 - 53) and the implementing regulations at 314 CMR 3.00 and 4.00.

In accordance with the provisions of 314 CMR 2.09, MassDEP is obligated to prepare a response to comments received on the draft SWD Permit No. MA0101010 (the “Draft Permit”). The Response to Comments explains and supports MassDEP’s determinations that form the basis of the final permit (the “Final Permit”). From January 22, 2025 through February 21, 2025, MassDEP solicited public comments on the Draft Permit for the reissuance of a permit to discharge municipal wastewater from Outfall Serial Number 001 to the Salisbury Plain River and the associated Draft WQC.

During the public comment period for the draft NPDES permit (January 22, 2025 through February 21, 2025), EPA received comments from:

1. Patrick Hill, Commissioner of Public Works, City of Brockton, dated February 21, 2025

During the public comment period for the draft SWD Permit, MassDEP received comments from:

1. Patrick Hill, Commissioner of Public Works, City of Brockton, dated February 21, 2025

All comments received by MassDEP were also received by EPA. MassDEP did not receive comments specifically regarding conditions in MassDEP’s SWD. MassDEP has reviewed EPA’s Response to Comments issued concurrent with the final NPDES permit on December 4, 2025 and concurs with the responses and the associated adjustments made to the Final NPDES permit. Therefore, for the purposes of this document, MassDEP hereby incorporates by reference EPA’s Response to Comments in the Final Permit.

MassDEP’s knowledge of the facility has benefited from the various comments and additional information submitted during the public comment period but the information and arguments presented did not raise any substantial new questions concerning the

Permit that warranted MassDEP exercising the discretion to reopen the public comment period. MassDEP did not make any improvements or changes to the Final Permit.

A copy of the Final Permit and this Response to Comments document will be posted on the [MassDEP website \(https://www.mass.gov/info-details/massachusetts-final-individual-surface-water-discharge-permits-and-associated-documents\)](https://www.mass.gov/info-details/massachusetts-final-individual-surface-water-discharge-permits-and-associated-documents).

A copy of the Final Permit may be also obtained by writing or calling Jennifer Wood, MassDEP, Surface Water Discharge Permitting Program, 100 Cambridge Street, Suite 800, Boston, MA 02114; telephone: 617-835-9886; email: jennifer.wood@mass.gov.

I. Summary of Changes to the Final Permit

1. MassDEP reevaluated the language of Condition 7 of the Draft Permit and determined that a change should be made to ensure clarity and consistency with the Final Permit. MassDEP has revised “the Permittee shall commence annual monitoring of all Significant Industrial Users” to “the Permittee shall “collect, or require to be collected, annual samples of discharges from all Significant Industrial Users.”
2. MassDEP reevaluated the language of Condition 9 of the Draft Permit and determined that a change should be made to ensure clarity and consistency with MassDEP regulations. MassDEP has revised “violate applicable state water quality standards” to “cause or contribute to a violation of state water quality standards.”

II. Responses to Comments

No additional comments were made to the Draft Permit that were not already answered in the Final Permit.

NOTICE OF APPEAL RIGHTS for STATE SURFACE WATER DISCHARGE PERMIT

Within 30 days of the issuance of MassDEP's decision to grant or deny a Surface Water Discharge Permit pursuant to M.G.L. c. 21, § 43, and 314 CMR 3.00, any person aggrieved may request an adjudicatory hearing with MassDEP's Office of Appeals and Dispute Resolution (OADR).

How should the request for an adjudicatory hearing be made?

A request for an adjudicatory hearing for the state Surface Water Discharge Permit must be made during the 30-day period following issuance of the state permit, in accordance with 314 CMR 2.08 and 310 CMR 1.01. 310 CMR 1.01(6)(b) establishes the required form and content of the request. Failure to meet the requirements of 310 CMR 1.01 may result in dismissal of the request or the requirement to file a more definite statement.

A person filing a request for an adjudicatory hearing must complete and mail a MassDEP Adjudicatory Hearing Fee Transmittal Form and send it with a valid check to the Commonwealth Master Lockbox, as instructed below, if a fee is required by 310 CMR 4.06. The MassDEP Adjudicatory Hearing Fee Transmittal Form can be downloaded from: <https://www.mass.gov/doc/adjudicatory-hearing-fee-transmittal-form/download>

The written notice requesting an adjudicatory hearing shall be delivered to MassDEP's Case Administrator together with (i) a copy of the decision being appealed, (ii) a copy of the completed MassDEP Adjudicatory Fee Transmittal Form, if required, and (iii) a copy of the check used to pay any adjudicatory hearing filing fee due for the appeal under 310 CMR 4.06. The notice of claim and other items can be sent to OADR by mail, hand delivery, e-mail (Caseadmin.OADR@mass.gov) or fax (information at <https://www.mass.gov/how-to/file-an-appeal-with-massdeps-office-of-appeals-and-dispute-resolution>).

Please do *not* send the original of the completed MassDEP Adjudicatory Hearing Fee Transmittal Form and check to the Case Administrator. Instead, please follow the instructions below for delivery of the original of the completed Fee Transmittal Form and check to the Commonwealth Master Lockbox.

A \$100 adjudicatory hearing filing fee must be paid, unless (i) a simplified hearing is requested for a reduced fee of \$25, (ii) the person requesting an adjudicatory hearing is a city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority effective January 14, 1994, or any municipal housing authority, in which case there is no fee, or (iii) the person requesting the hearing is seeking to have MassDEP waive the adjudicatory hearing filing fee because paying the fee will create an undue financial hardship.

A person who believes that payment of the fee would be an undue financial hardship shall file with the request for adjudicatory hearing a request for waiver of the fee together with an affidavit setting forth the facts the appellant believes constitute the undue financial hardship. For more information on the adjudicatory hearing filing fee and the grounds on which the Department may waive the fee, please see 310 CMR 4.06.

If a fee is required, the completed MassDEP Adjudicatory Hearing Fee Transmittal Form and a valid check made payable to the Commonwealth of Massachusetts for the amount of the fee due must be mailed to:

Mass. Department of Environmental Protection
Commonwealth Master Lockbox
P.O. Box 4062
Boston, Massachusetts 02211

Failure to pay the adjudicatory hearing filing fee, if required, may be grounds for dismissal of the appeal.

In accordance with 314 CMR 2.08(5), any person who files a request for an adjudicatory hearing with the Department pursuant to 314 CMR 2.08(2) on an individual permit, also shall simultaneously send a copy of the request by certified mail, return receipt requested, to the Permittee and Co-permittees.

Pursuant to 314 CMR 2.08(2), the permit becomes effective unless the person requesting the adjudicatory hearing requests and is granted a stay of the terms and conditions of the permit.

Pursuant to 310 CMR 1.01(6)(h), upon notice or motion of any party, the Department or the Presiding Officer shall stay administratively any appeal of a Surface Water Discharge Permit when the NPDES permit issued by the Environmental Protection Agency for the same discharge has been appealed under the federal Clean Water Act.



重要 महत्वपूर्ण σημαντικός
Important
կարևոր quan trọng مهم



Communication for Non-English-Speaking Parties

This document is important and should be translated immediately.

If you need this document translated, please contact MassDEP's Director of Environmental Justice at the telephone number listed below.

Español Spanish

Este documento es importante y debe ser traducido inmediatamente. Si necesita traducir este documento, póngase en contacto con el Director de Justicia Ambiental de MassDEP (*MassDEP's Director of Environmental Justice*) en el número de teléfono que figura más abajo.

Português Portuguese

Este documento é importante e deve ser traduzido imediatamente. Se você precisar traduzir este documento, entre em contato com o Diretor de Justiça Ambiental do MassDEP no número de telefone listado abaixo.

繁體中文 Chinese Traditional

本文檔很重要，需要即刻進行翻譯。
如需對本文檔進行翻譯，請透過如下列示電話號碼與 MassDEP 的環境司法總監聯絡。

简体中文 Chinese Simplified

这份文件非常重要，需要立即翻译。
如果您需要翻译这份文件，请通过下方电话与 MassDEP 环境司法主任联系。

Ayisyen Kreyòl Haitian Creole

Dokiman sa a enpòtan epi yo ta dwe tradui l imedyatman. Si w bezwen tradui dokiman sa a, tanpri kontakte Direktè. Jistis Anviwònmanal MassDEP a nan nimewo telefòn ki endike anba a.

Việt Vietnamese

Tài liệu này và quan trọng và phải được dịch ngay. Nếu quý vị cần bản dịch của tài liệu này, vui lòng liên hệ với Giám Đốc Phòng Công Lý Môi Trường của MassDEP theo số điện thoại được liệt kê bên dưới.

ប្រទេសកម្ពុជា Khmer/Cambodian

ឯកសារនេះមានសារៈសំខាន់
ហើយគួរត្រូវបានបកប្រែភ្លាមៗ។
ប្រសិនបើអ្នកត្រូវការអោយឯកសារនេះបកប្រែ
សូមទាក់ទងនាយកផ្នែកយុត្តិធម៌បរិស្ថានរបស់
MassDEPតាមរយៈលេខទូរស័ព្ទដែលបានរាយដូចខា
ងក្រោម។

Kriolu Kabuverdianu Cape Verdean

Es dokumentu sta important i tenki ser tradusidu imediatamenti. Se nho ta presisa ke es dokumentu sta tradisidu, por favor kontata O Diretor di Justisia di Environman di DEP ku es numero di telefoni menxionadu di baixo.

Contact Deneen Simpson 857-406-0738

**Massachusetts Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114**

TTY# MassRelay Service 1-800-439-2370 • <https://www.mass.gov/environmental-justice>
(Version revised 8.2.2023) 310 CMR 1.03(5)(a)

Русский Russian

Это чрезвычайно важный документ, и он должен быть немедленно переведен. Если вам нужен перевод этого документа, обратитесь к директору Департамента экологического правосудия MassDEP (MassDEP's Director of Environmental Justice) по телефону, указанному ниже.

العربية Arabic

هذه الوثيقة مهمة وتجب ترجمتها على الفور.

إذا كنت بحاجة إلى ترجمة هذه الوثيقة، فيرجى الاتصال بمدير العدالة البيئية في MassDEP على رقم الهاتف المذكور أدناه.

한국어 Korean

이 문서는 중대하므로 즉시 번역되어야 합니다. 본 문서 번역이 필요하신 경우, 매사추세츠 환경보호부의 "환경정의" 담당자 분께 문의하십시오. 전화번호는 아래와 같습니다.

հայերեն Armenian

Այս փաստաթուղթը կարևոր է, և պետք է անհապաղ թարգմանել այն:
Եթե Ձեզ անհրաժեշտ է թարգմանել այս փաստաթուղթը, դիմեք Մասաչուսեթսի շրջակա միջավայրի պահպանության նախարարության (MassDEP) Բնապահպանական հարցերով արդարադատության ղեկավարին (Director of Environmental Justice)՝ ստորև նշված հեռախոսահամարով

فارسی Farsi Persian

این نوشتار بسیار مهمی است و باید فوراً ترجمه شود. اگر نیاز به ترجمه این نوشتار دارید لطفاً با مدیر عدالت محیط زیستی MassDEP در شماره تلفن ذکر شده زیر تماس بگیرید.

Français French

Ce document est important et doit être traduit immédiatement. Si vous avez besoin d'une traduction de ce document, veuillez contacter le directeur de la justice environnementale du MassDEP au numéro de téléphone indiqué ci-dessous.

Deutsch German

Dieses Dokument ist wichtig und muss sofort übersetzt werden. Wenn Sie eine Übersetzung dieses Dokuments benötigen, wenden Sie sich bitte an MassDEP's Director of Environmental Justice (Direktor für Umweltgerechtigkeit in Massachusetts) unter der unten angegebenen Telefonnummer.

Ελληνική Greek

Το έγγραφο αυτό είναι πολύ σημαντικό και πρέπει να μεταφραστεί αμέσως. Αν χρειάζεστε μετάφραση του εγγράφου αυτού, παρακαλώ επικοινωνήστε με τον Διευθυντή του Τμήματος Περιβαλλοντικής Δικαιοσύνης της Μασαχουσέτης στον αριθμό τηλεφώνου που αναγράφεται παρακάτω

Italiano Italian

Questo documento è importante e deve essere tradotto immediatamente. Se hai bisogno di tradurre questo documento, contatta il Direttore della Giustizia Ambientale di MassDEP al numero di telefono sotto indicato.

Język Polski Polish

Ten dokument jest ważny i powinien zostać niezwłocznie przetłumaczony. Jeśli potrzebne jest tłumaczenie tego dokumentu, należy skontaktować się z dyrektorem ds. sprawiedliwości środowiskowej MassDEP pod numerem telefonu podanym poniżej.

हिन्दी Hindi

यह दस्तावेज महत्वपूर्ण है और इसका अनुवाद तुरंत किया जाना चाहिए। यदि आपको इस दस्तावेज का अनुवाद कराने की जरूरत है, तो कृपया नीचे दिए गए टेलीफोन नंबर पर MassDEP के पर्यावरणीय न्याय निदेशक से संपर्क करें।

Contact Deneen Simpson 857-406-0738

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