



Commonwealth of Massachusetts  
Executive Office of Energy & Environmental Affairs

## Department of Environmental Protection

100 Cambridge Street Suite 900 Boston, MA 02114 • 617-292-5500

Maura T. Healey  
Governor

Kimberley Driscoll  
Lieutenant Governor

Rebecca L. Tepper  
Secretary

Bonnie Heiple  
Commissioner

November 1, 2023

Francis Cain, Interim Director  
Department of Public Works  
28 Sackett Street  
Westfield, MA 01085

Re: Final 2023 Massachusetts Permit To Discharge Pollutants To Surface Waters for the  
Westfield Water Pollution Control Plant

Dear Mr. Cain:

Enclosed please find the Final 2023 Massachusetts Permit to Discharge Pollutants to Surface Waters ("Final State Permit" or "Surface Water Discharge Permit") for the Westfield Water Pollution Control Plant (MA Permit No. MA0101800), issued by the Massachusetts Department of Environmental Protection ("MassDEP") on November 1, 2023, pursuant to the Massachusetts Clean Waters Act, as amended (M.G.L. Chap. 21, §§ 26-53), and the implementing regulations at 314 CMR 3.00 and 314 CMR 4.00. On September 28, 2023, the United States Environmental Protection Agency ("USEPA") issued NPDES Permit MA0101800 to the City of Westfield. The NPDES Permit issuance included MassDEP's Final Water Quality Certificate. Please note that NPDES and Surface Water Discharge Permits are no longer jointly issued by EPA and MassDEP.

Also enclosed is MassDEP's response to the comments received on the draft permit and information related to appeal of Surface Water Discharge Permits.

The Final State Permit will become effective on the date specified in the permit unless you file a timely appeal with MassDEP's Office of Appeals and Dispute Resolution. Information regarding the appeals process, including deadlines for filing an appeal, may be found at <https://www.mass.gov/guides/about-the-massdep-appeals-process>. In addition, enclosed please find as Attachment 3 the Notice of Appeal Rights for the Surface Water Discharge Permit.

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.

TTY# MassRelay Service 1-800-439-2370  
MassDEP Website: [www.mass.gov/dep](http://www.mass.gov/dep)

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MassDEP appreciates your cooperation throughout the development of this Final State Permit. Please contact Ms. Jennifer Wood, the MassDEP permit writer, at 617-835-9886 or [Jennifer.wood@mass.gov](mailto:Jennifer.wood@mass.gov) if you have any questions.

Sincerely,

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

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

Cc: Michele Duspiva, EPA Region 1

Enclosures:

Attachment 1: Final State Permit

Attachment 2: Response to Comments

Attachment 3: Notice of Appeal Rights (Surface Water Discharge Permit)

**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 Westfield  
59 Court Street  
Westfield, MA 01085

is authorized to discharge from the facility located at

Westfield Water Pollution Control Plant  
149 Neck Road  
Westfield, MA 01085

to receiving water named

Westfield River  
Connecticut River Watershed

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

1. This permit shall become effective on December 1, 2023.<sup>1</sup>
2. This permit shall expire five years after the effective date.
3. This permit supersedes the permit issued on September 30, 2009.
4. 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, Part IF., Sludge Conditions, Part IG., Special Conditions, Part IH., Reporting Requirements, and Part II, Standard Conditions, as set forth in the 2023 Final NPDES Permit No. MA0101800, issued by the United States Environmental Protection Agency (EPA), Region 1, issued to the City of Westfield on September 28, 2023 (the 2023 Final NPDES Permit) and attached hereto by reference as Appendix A and available on EPA's website at <https://www.epa.gov/npdes-permits/massachusetts-final-individual-npdes-permits>; provided, however:
  - a. that the notification required by Part IA.8 shall also be provided to MassDEP;
  - b. that the reporting required by Part IB.1 shall be in accordance with 314 CMR 3.19(20)(e) (24 hour reporting);
  - c. that a copy of the requests, reports, and information required by Part IH.4 to be submitted to EPA shall also be submitted to MassDEP electronically to [massdep.npdes@mass.gov](mailto:massdep.npdes@mass.gov);
  - d. 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;

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<sup>1</sup> If no comments objecting to the issuance or terms of the permit were received by the Department during the public comment period, then this permit shall be effective upon issuance. If comments objecting to the issuance or the terms of the permit are received by the Department during the public comment period, then this permit shall become effective 30 days after issuance.

- e. that the notification required by 4.a. above shall be provided to [massdep.npdes@mass.gov](mailto:massdep.npdes@mass.gov), or as otherwise specified.
5. This permit incorporates by reference the Standard Permit Conditions set forth in 314 CMR 3.19.
6. The permittee shall commence annual monitoring of all Significant Industrial Users<sup>2,3</sup> discharging into the POTW using Draft Method 1633 within six (6) months of the effective date.
7. Notwithstanding any other provision of the 2023 Final Federal NPDES permit to the contrary, all PFAS monitoring results (influent; effluent; sludge; SIUs; and specific industries as specified in the 2023 Final Federal NPDES permit) shall be reported to MassDEP via the eDEP portal, or as otherwise specified, within 30 days after the permittee receives the sampling results, in addition to the 2023 Final Federal 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>.
8. On or before January 31, 2024, the permittee shall submit to MassDEP at [massdep.npdes@mass.gov](mailto:massdep.npdes@mass.gov) a listing of all industrial dischargers and their addresses to be sampled in accordance with both the 2023 Final Federal NPDES Permit and this permit and shall include:
- a. All industries included in the categories listed Part IE. Industrial Users, Paragraph 3 of the 2023 Final Federal NPDES Permit; and
  - b. All Significant Industrial Users as required by Paragraph 5 of this permit.
- The listing shall be maintained by the permittee and updated with any changes. Whenever necessary, a copy of the updated listing reflecting changes shall be forwarded to MassDEP at [massdep.npdes@mass.gov](mailto:massdep.npdes@mass.gov) on or before the next January 31.

The Town of Southwick is a co-permittee for Part IB., Unauthorized Discharges; and Part IC., Operation and Maintenance, as set forth in the 2023 Final Federal NPDES Permit. In addition, these sections include conditions regarding the operation and maintenance of the collection systems owned and operated by the Town of Southwick.

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 2023 Final Federal NPDES permit. The Permittee and co-permittee 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 other Permittees under Part IB., Part IC., and Part ID. The responsible Town/City department is:

**Board of Selectman  
454 College Highway  
Southwick, MA 01077**

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<sup>2</sup> 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.

<sup>3</sup> This requirement applies to all Significant Industrial Users and not just those within the sectors identified by EPA in the NPDES permit.

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.

Signed this 1st day of November, 2023

A handwritten signature in black ink, appearing to read 'Lealdon Langley', with a stylized flourish at the end.

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

**RESPONSE TO COMMENTS**

**MA Permit No. MA0101800  
City of Westfield  
59 Court Street  
Westfield, MA 01085**

The Massachusetts Department of Environmental Protection (MassDEP or the “Department”) is issuing a Surface Water Discharge (SWD) Permit to the City of Westfield (the Permittee) for the Westfield Water Pollution Control (the Facility) located at 149 Neck Road, Westfield, 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. MA0101800 (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 March 30, 2023, through April 28, 2023, and extended to May 12, 2023, MassDEP solicited public comments on the Draft Permit for the (re)issuance of a permit to discharge treated effluent from Outfall Serial Number 001 to the Westfield River and the associated Draft WQC.

During the public comment period for the draft NPDES permit (March 30, 2023, through April 28, 2023, and extended to May 12, 2023), EPA received comments from:

1. Jeffrey Gamelli, Deputy Superintendent, City of Westfield, dated May 5, 2023
2. Randal Brown, DPW Director, Town of Southwick, dated April 28, 2023
3. David Coppes, Chief Operating Officer, Massachusetts Water Resource Authority, dated May 10, 2023
4. Kelsey Wentling, Connecticut River Conservancy, dated May 12, 2023
5. Nisha Patel, Connecticut Department of Energy & Environmental Protection, dated May 5, 2023
6. Emily Remmel, National Association of Clean Water Agencies (NACWA), dated May 12, 2023

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

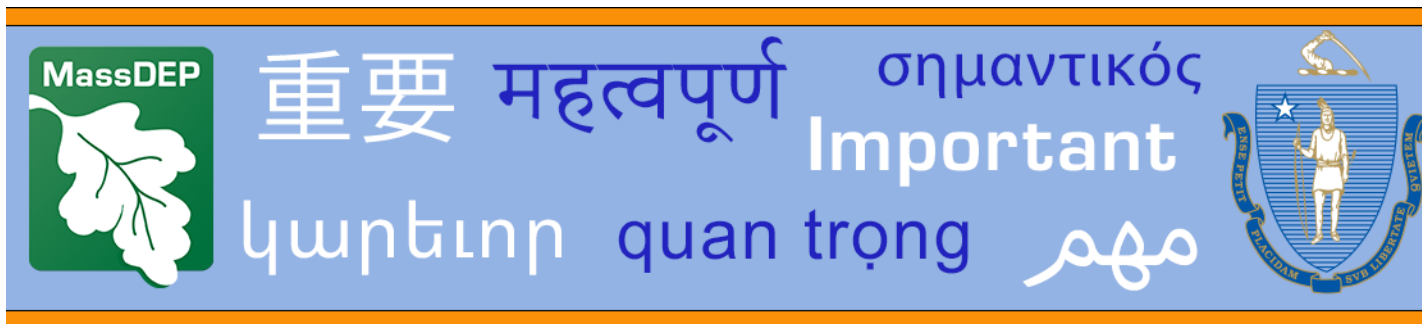
1. David Coppes, Chief Operating Officer, Massachusetts Water Resource Authority, dated May 10, 2023

Since these comments were identical to those submitted to EPA, MassDEP has reviewed EPA’s Response to Comments issued concurrent with the final NPDES permit issued on September 28, 2023, and concurs with their responses and the associated adjustments made to the final NPDES permit. MassDEP hereby incorporates by reference EPA’s Response to Comments and is not adding any additional responses on the comments received.

Consistent with EPA’s determination, 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.

A copy of the Final Permit, WQC, and this Response to Comments document will be posted on the MassDEP website.

A copy of the Final Permit and WQC 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](mailto:jennifer.wood@mass.gov).



## 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  
MassDEPតាមរយៈលេខទូរស័ព្ទដែលបានរាយដូចខាងក្រោម។

### **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 9<sup>th</sup> 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

Massachusetts Department of Environmental Protection  
100 Cambridge Street 9<sup>th</sup> Floor Boston, MA 02114

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