

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,

Great Falls Aquaculture, LLC
1 Australia Way
Turners Falls, MA 01376

is authorized to discharge from the facility located at

Great Falls Aquaculture, LLC
1 Australia Way
Turners Falls, MA 01376

to receiving water named

Connecticut River (MA34-02)
Connecticut River Watershed

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

1. This permit shall become effective on September 1, 2022.¹
2. This permit shall expire five years after the effective date.
3. This permit supersedes the permit issued on February 23, 2010.
4. This permit incorporates by reference Part IA., Effluent Limitations and Monitoring Requirements, Part IB., Unauthorized Discharges, Part IC., Narrative Effluent Limitation Requirements for Concentrated Aquatic Animal Production Facilities with Modifications, Part ID., Special Conditions, Part IE. Reporting Requirements, and Part II., Standard Conditions, as set forth in the 2022 draft NPDES Permit No. MA0110264, issued by the United States Environmental Protection Agency (EPA), Region 1, issued to Great Falls Aquaculture on April 4, 2022 (the 2022 Draft NPDES Permit) and attached hereto as Appendix A; 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 IE.3. to be submitted to EPA shall also be submitted to MassDEP electronically to 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;
 - e. that the notification required by 4.a. above shall be provided as follows:

¹ 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.

Laura Schiffman, Acting NPDES Section Chief
Division of Watershed Management
Department of Environmental Protection
1 Winter Street – 5th Floor
Boston, MA 02108

5. This permit incorporates by reference the Standard Permit Conditions set forth in 314 CMR 3.19.
6. This permit includes the following additional conditions:
- Within six (6) months of the effective date of the permit, the permittee shall submit to MassDEP an evaluation of whether the facility uses or stores any products containing any per- and polyfluoroalkyl substances (PFAS) and whether use or storage of those products can be reduced or eliminated. The analysis shall be submitted electronically to massdep.npdes@mass.gov.
 - Within six (6) months after the permittee has been notified by MassDEP of EPA's multi-lab validated method for wastewater, or two (2) years after the effective date of the 2022 Federal NPDES permit, whichever is earlier, the permittee shall conduct monitoring of the effluent for PFAS compounds as detailed in the table below. If EPA's multi-lab validated method is not available by twenty (20) months after the effective date of the 2022 Federal NPDES permit, the permittee shall contact MassDEP (massdep.npdes@mass.gov) for guidance on an appropriate analytical method. Notwithstanding any other provision of the 2022 Federal NPDES permit to the contrary, monitoring results shall be reported to MassDEP electronically at massdep.npdes@mass.gov, or as otherwise specified, within 30 days after they are received. Those results do not need to be reported to EPA through NetDMR unless EPA establishes a requirement through a future permitting action.

Effluent (Outfall 002)

Parameter	Units	Measurement Frequency	Sample Type
Perfluorohexanesulfonic acid (PFHxS)	ng/L	Twice Yearly ²	24-hour Composite
Perfluoroheptanoic acid (PFHpA)	ng/L	Twice Yearly	24-hour Composite
Perfluorononanoic acid (PFNA)	ng/L	Twice Yearly	24-hour Composite
Perfluorooctanesulfonic acid (PFOS)	ng/L	Twice Yearly	24-hour Composite
Perfluorooctanoic acid (PFOA)	ng/L	Twice Yearly	24-hour Composite
Perfluorodecanoic acid (PFDA)	ng/L	Twice Yearly	24-hour Composite

- After completing two years of monitoring, if four (4) consecutive samples are reported as non-detect for all six PFAS compounds, then the permittee may submit a request to discontinue PFAS monitoring. Any such request shall be made in writing and sent to: massdep.npdes@mass.gov. The permittee shall continue such monitoring pending written approval from MassDEP to discontinue it.

² Twice yearly sampling shall be conducted in the third (July to September) and fourth (October to December) quarters. Samples shall be taken during the same month each quarter and shall be taken 3 months apart (e.g., an example sampling schedule could be August and November).

Signed this 2nd day of August, 2022

A handwritten signature in black ink, appearing to read 'Lealdon Langley', written in a cursive style.

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

RESPONSE TO COMMENTS

**MA Permit No. MA0110264
Great Falls Aquaculture LLC
One Australia Way, Turners Falls, Massachusetts**

The Massachusetts Department of Environmental Protection (MassDEP or the “Department”) is issuing a Surface Water Discharge (SWD) Permit to the Great Falls Aquaculture (the Permittee) for the facility (the Facility) located in Turners Falls, 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. MA0110264 (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 April 4, 2022 through May 3, 2022, MassDEP solicited public comments on the Draft SWD Permit and Draft Water Quality Certification (“WQC”) for the reissuance of the SWD and NPDES permits that authorize the discharge of wastewater from the fish production process from Outfall Serial Number 002 to the Connecticut River.

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

1. Great Falls Aquaculture, May 3, 2022.

MassDEP’s knowledge of the facility has benefited from the comments that were received and additional information submitted during the public comment period. However, the information and arguments presented did not raise any substantial new questions concerning the Permit that warranted MassDEP to exercise its discretion to reopen the public comment period. MassDEP does, however, make certain clarifications in this response to comments. Any improvements and changes are explained in this document and reflected in the Final Permit. Below, MassDEP provides a summary of the changes made in the Final Permit. The analyses underlying these changes are contained in the responses to individual comments that follow.

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

A copy of the Final Permit may be also obtained by writing or calling Xiaodan Ruan, MassDEP, Surface Water Discharge Permitting Program, Bureau of Water Resources, 1 Winter Street – 5th Floor, Boston 02108; telephone: 857-256-4172; email: xiaodan.ruan@mass.gov.

I. Summary of Changes to the Final Permit

1. The PFAS monitoring frequency in the table in paragraph 6.b. has been revised from “Quarterly” to “Twice Yearly” (in the 3rd and 4th calendar quarters).
2. Paragraph 6.c., the request for PFAS monitoring discontinuation requirement has been revised from “one year” to “two years”.

II. Responses to Comments

Comments are reproduced below as received; they have not been edited, corrected or otherwise modified.

A. Comments from Spencer Gowan, General Manager, Great Falls Aquaculture on May 3, 2022.

Comment 1

Great Falls Aquaculture is willing to comply with the proposed testing of surface water discharge and a facility-wide evaluation of PFAS containing substances and subsequent efforts to reduce or eliminate their use or storage. Because of the nature of our business, we are not likely a source of PFAS contamination.

I would like to comment that these requirements to evaluate all materials at the facility as well as testing the outflow for PFAS, do not come without a cost to the business in the form of testing costs and labor costs. At this point, we do not fully understand what that cost will be, but wanted to indicate that it is a concern and that time and resources put towards these activities could be allocated in more impactful ways.

Response 1

The evaluation of whether the facility uses PFAS-containing products and the permit prescribed PFAS monitoring will help MassDEP to understand whether the facility’s discharge is a potential source for PFAS. PFAS monitoring will be still required, however, because aquaculture is unlikely a large source of PFAS, MassDEP has reduced the monitoring frequency from quarterly to twice per year (in the 3rd and 4th calendar quarters). The Permittee shall complete two years of effluent monitoring to meet the requirement of completing four (4) consecutive samples in order to request PFAS monitoring discontinuation.



Massachusetts Department of Environmental Protection
One Winter Street, Boston MA 02108 • Phone: 617-292-5751

Communication for Non-English Speaking Parties - 310 CMR 1.03(5)(a)



1 English:

This document is important and should be translated immediately. If you need this document translated, please contact MassDEP's Diversity Director at the telephone numbers listed below.



2 Español (Spanish):

Este documento es importante y debe ser traducido inmediatamente. Si necesita este documento traducido, comuníquese con el Director de Diversidad de MassDEP a los números de teléfono que aparecen más abajo.



3 Português (Portuguese):

Este documento é importante e deve ser traduzido imediatamente. Se você precisa deste documento traduzido, entre em contato com Diretor de Diversidade da MassDEP para os números de telefone listados abaixo.



4(a) 中國（傳統）(Chinese (Traditional)):

本文件非常重要，應立即翻譯。如果您需要翻譯這份文件，請用下面列出的電話號碼與 MassDEP 的多元化總監聯繫。



4(b) 中国（简体中文）(Chinese (Simplified)):

本文件非常重要，应立即翻译。如果您需要翻译这份文件，请用下面列出的电话号码与 MassDEP 的多元化总监联系。



5 Ayisyen (franse kreyòl) (Haitian) (French Creole):

Dokiman sa-a se yon bagay enpòtan epi yo ta dwe tradui imedyatman. Si ou bezwen dokiman sa a tradui, tanpri kontakte Divèsite Direktè MassDEP a nan nimewo telefòn ki nan lis pi ba a.



6 Việt (Vietnamese):

Tài liệu này rất quan trọng và cần được dịch ngay lập tức. Nếu bạn cần dịch tài liệu này, xin vui lòng liên hệ với Giám đốc Đa dạng của MassDEP theo các số điện thoại được liệt kê dưới đây.



7 ប្រទេសកម្ពុជា (Kmer (Cambodian)):

ឯកសារនេះគឺមានសារៈសំខាន់និងត្រូវបានបកប្រែភាសា ប្រសិនបើអ្នកត្រូវបានបកប្រែ ឯកសារនេះសូមទំនាក់ទំនងឆ្នោតជានាយក MassDEP នៅលេខទូរស័ព្ទដែលបានរាយខាងក្រោម។



8 Kriolu Kabuverdianu (Cape Verdean):

Es documento é importante e deve ser traduzido imidiatamente. Se bo precisa des documento traduzido, por favor contacta Diretor de Diversidade na MassDEP's pa es numero indicode li d'boche.



9 Русский язык (Russian):

Это важный документ и он должен быть безотлагательно переведен. Если вам нужен перевод данного документа, пожалуйста, свяжитесь с директором по разнообразию компании MassDEP по телефону указанному ниже

**10 العربية (Arabic):**

هذه الوثيقة مهمة ويجب ترجمتها على الفور. إذا كنت بحاجة إلى هذه الوثيقة المترجمة، يرجى الاتصال بمدير التنوع في MassDEP على أرقام الهواتف المدرجة أدناه.

**11 한국어 (Korean):**

이 문서는 중요하고 즉시 번역해야 합니다. 이 문서의 번역이 필요하시다면, 아래의 전화 번호로 MassDEP의 다양성 감독에 문의하시기 바랍니다.

**12 հայերեն (Armenian):**

Այս փաստաթուղթը շատ կարևոր է և պետք է թարգմանել անմիջապես. Եթե Ձեզ անհրաժեշտ է այս փաստաթուղթը թարգմանվել դիմել MassDEP բազմազանությունը տնօրեն է հեռախոսահամարների թվարկված են ստորև.

**13 فارسی (Farsi [Persian]):**

این سند مهم است و باید فوراً ترجمه شده است. اگر شما نیاز به این سند ترجمه شده، لطفاً با ما تماس تنوع مدیر MassDEP در شماره تلفن های ذکر شده در زیر.

**14 Français (French):**

Ce document est important et devrait être traduit immédiatement. Si vous avez besoin de ce document traduit, s'il vous plaît communiquer avec le directeur de la diversité MassDEP aux numéros de téléphone indiqués ci-dessous.

**15 Deutsch (German):**

Dieses Dokument ist wichtig und sollte sofort übersetzt werden. Sofern Sie die Übersetzung von diesem Dokument benötigen, wenden Sie sich bitte an den Diversity Director MassDEP unter der unten aufgeführten Telefonnummer.

**16 Ελληνική (Greek):**

Το παρόν έγγραφο είναι σημαντικό και θα πρέπει να μεταφραστεί αμέσως. Αν χρειάζεστε μετάφραση του παρόντος εγγράφου, παρακαλούμε επικοινωνήστε με τον Διευθυντή Διαφορετικότητας του MassDEP στους αριθμούς τηλεφώνου που αναγράφονται παρακάτω.

**17 Italiano (Italian):**

Questo documento è importante e dovrebbe essere tradotto immediatamente. Se avete bisogno di questo documento tradotto, si prega di contattare il Direttore di Diversità di MassDEP ai numeri di telefono elencati di seguito.

**18 Język Polski (Polish):**

Dokument ten jest ważny i powinien zostać natychmiast przetłumaczony. Jeśli potrzebujesz przetłumaczonej wersji dokumentu, prosimy o kontakt z dyrektorem ds. różnorodności MassDEP pod jednym z numerów telefonu wymienionych poniżej.

**19 हिन्दी (Hindi):**

यह दस्तावेज़ महत्वपूर्ण है और तुरंत अनुवाद किया जाना चाहिए. यदि आपको इस दस्तावेज़ का अनुवाद करने की आवश्यकता है, तो कृपया नीचे सूचीबद्ध टेलीफोन नंबरों पर मासडेप्स डाइवर्सिटी के निदेशक से संपर्क करें।.