



**Massachusetts Department of Environmental Protection
Bureau of Water Resources**

Surface Water Discharge (NPDES) Permitting Program

WM 05, 06, 07

**Surface Water Discharge (NPDES) Individual Permit Application
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Introduction

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

Instructions & Support Materials contain a series of documents that provide guidance on what needs to be submitted to MassDEP for a complete application.



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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 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 treatment plant modification not associated with permit renewal, submit MassDEP Form WM16.

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

2. Who must apply?

Treatment facilities as defined at <https://www.mass.gov/regulations/314-CMR-3-surface-water-discharge-permit-program>, 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.



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3. What forms must be completed and how do I apply?

All applications and attachments (MassDEP and EPA applications) must be filled out electronically and submitted through the ePlace portal, located here: <https://eplace.eea.mass.gov/citizenaccess>. Please do not mail these forms to MassDEP. NPDES specific information about filing in ePlace is available at this weblink: <https://www.mass.gov/how-to/wm-05-06-07-surface-water-discharge-npdes-individual-permit-application>.

If you have an existing permit, you will first need to do one important step: Claim Your Authorization. This will allow us to link your Permit Renewal (WM05/06) or Amendment (WM07) to your existing permit and confirm who you say you are.

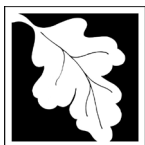
Next, you will need to create an account in ePlace: <https://eplace.eea.mass.gov/citizenaccess>. Once logged in, click on the large blue button on the right "File an Online Application". After approving the Portal Disclaimer, you will click on "Energy and Environmental Affairs" and check "Apply for an EEA General Request". When you are in the Application Information Section, please note that "Legacy ID Number" is your current NPDES Permit Number (MA0000000). Also, in the Documents section, you will be required to fill out and attach the NPDES Claim Authorization Form located on the website. Please move forward and submit your Claim. It may take DEP a day or two to respond and approve your authorization claim.

After MassDEP has approved your authorization claim (you will receive an email), return to ePlace and log in. From the "My Records" button, you will be able to view your Claim record for your existing permit. At that point, click on the Renewal (WM05/06) or Amend (WM07) link where you will proceed with the instructions. At the Documents section, you will attach the appropriate form (WM05, WM06, or WM07), which can be filled out in either the Microsoft Word or Adobe Acrobat PDF format. Additional visual instructions to assist you in claiming your authorization and submitting your renewal application are available at: <https://www.mass.gov/how-to/wm-05-06-07-surface-water-discharge-npdes-individual-permit-application>.

If you don't have an existing NPDES permit authorization for your facility, please contact the MassDEP NPDES program directly.

If you have an existing NPDES Permit, please see the more detailed instructions:

1. Log into the ePortal place at : <https://eplace.eea.mass.gov/citizenaccess>
2. If the facility has not yet entered an application in ePlace, first create an account in ePlace.
3. Once logged in, click on the large blue button on the right, "File an Online Application".
4. Agree to the disclaimer.
5. Scroll to "Energy and Environmental Affairs (EEA, DEP, MDAR, DCR)" and click "Apply for a EEA General Request". Note that in ePlace all permits are referred to as "Legacy Records"
6. Choose the following
 - a. Under, "Which agency is the Legacy Record from?" select MassDEP.
 - b. Under, "Which program is the Legacy Record from?" select "NPDES".
 - c. Under, "General Information" include information about your NPDES permit number and expiration date.
 - d. Finally, upload and submit a completed version of the NPDES Claim Authorization Form. A link to the Claim Authorization Form is available at the end of these instructions.
 - e. Note that you will not be able to continue with submittal of the application until this form has been submitted **and** approval has been received from MassDEP.
 - f. Following submittal of the Claim Authorization Form, wait for MassDEP personnel to approve your access before you can submit the WM07 (this may take a day or two).
7. Upon receiving verification from MassDEP about your access, log in to ePlace and perform the below steps. Note that the above steps only need to be performed the first time you submit information about a facility in ePlace.



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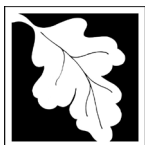
- a. For WM05 and WM06 proposals under “My Records” select “Renew Authorization” and for MW07 proposals under “My Records” select “Amendment”. Then follow prompts to proceed with submittal of applications and supporting information.
- b. Complete payment information if applicable in ePlace.
- c. Note that you can return to an application provided you select “Save and Return Later”. Once you submit an application you can no longer upload documents without approval from MassDEP personnel.
- d. Once an application has been submitted, you will receive an email that will provide you the record number.
- e. From the “My Records” button, you will be able to view the status of your application through the review and approval processes.
8. Edit your application
 - a. You are only able to edit your application if you:
 - i. Contact NPDES staff and request edit access.
 - ii. Are prompted to edit a specific part of your application by request of a staff reviewer via the EIPAS system. In this event, go to : <https://eplace.eea.mass.gov/citizenaccess>, log into your account and enter or upload the requested information to the specified permit application by clicking “Edit” under the “My Records” tab and resubmit your application. Once submitted, you will once again no longer have editing privileges.

Forms and assistance are available as follows:

- a. The MassDEP Surface Water Discharge Permit Application located at <https://www.mass.gov/how-to/wm-05-06-07-surface-water-discharge-npdes-individual-permit-application>.
- b. All required US EPA Forms must be submitted to both MassDEP and EPA. These forms are located at <https://www.epa.gov/npdes-permits/epa-npdes-permit-forms-attachments-new-england>.
 - i. For assistance regarding online filing, contact the ePlace Help Desk Team at 844-733-7522 or ePlace_helpdesk@mass.gov.
 - ii. For technical assistance with this application contact please refer to the following list of NPDES contacts:

Industrial	Xiaodan Ruan 857-256-4172 xiaodan.ruan@mass.gov	
Non-Industrial (including municipal)	Claire Golden 617-997-8874 claire.golden@mass.gov	Jennifer Wood 617-835-9886 jennifer.wood@mass.gov

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.



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4. What is the application fee and how do I pay?

Refer to 310 CMR 4.10 and "Schedule of Permit Application Fees and Timelines" located at: <https://www.mass.gov/lists/massdep-fees-timelines>. Designation of major or minor facilities is determined by EPA. Contact [MassDEP](#) or [EPA](#) if you are not aware of your facility's designation. MassDEP will use this information to determine the application fee.

WM 05 (Major NPDES Permit, Initial/Renewal)	\$6,785
WM 06 (Minor NPDES Permit, Initial/Renewal)	\$3,170
WM 07 (Major/Minor NPDES Permit, Modification)	\$985
WM 16 (Plan Approval New/Modified Facility)	\$980

The ePlace online application form will take you directly to a screen where you can pay the fee (where applicable). The fee can be paid online via credit card or electronic check with a service fee. You can also choose to pay by mail. Payments sent by mail should be in the form of a check or money order made payable to Commonwealth of Massachusetts. The record number should be written on the check or money order. Mail the payment to: MassDEP, P.O. Box 4062, Boston, MA 02211. Once you submit the application online you will receive an email that will provide you the record number as well as a reminder on how to mail payment of the permit fee. The Department will not begin review of the application until the fee is paid.

5. 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: <https://www.mass.gov/lists/massdep-fees-timelines>. 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.

6. 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.

7. Is submitted information available to the public?

To see a copy of your application after submittal, visit:

<https://eeaonline.eea.state.ma.us/EEA/PublicApp/>

Please note that this is made available to the public also.

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.

8. Where can definitions be referenced?

See applicable regulations (listed in Question 9 below).

9. 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. Surface Water Discharge Program, [314 CMR 3.00](#);
- b. Water Quality Standards, 314 CMR 4.00;
- c. Operation, Maintenance and Pretreatment Standards for Wastewater Treatment Works, [314 CMR 12.00](#);
- d. Wastewater Treatment Operator Certification Regulations, [257 CMR 2.00](#).
- e. Timely Action and Fee Provisions, [310 CMR 4.00](#)
- f. Administrative Penalty Regulations, [310 CMR 5.00](#)

Hard copies may be purchased at:

State Bookstore
Massachusetts 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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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 it new, or is it 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 <https://epa.gov/npdes-permits/epa-npdes-permit-forms-attachments-new-england> 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.



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Application Completeness Checklist**

- ☐ The MassDEP Surface Water Discharge Permit Application is located at:
<https://www.mass.gov/how-to/wm-05-06-07-surface-water-discharge-npdes-individual-permit-application>
- ☐ US EPA Forms are located at:
<https://www.epa.gov/npdes-permits/epa-npdes-permit-forms-attachments-new-england>
These forms must be filled out electronically and submitted through ePlace portal, located here:
<https://eplace.eea.mass.gov/citizenaccess>. Please do not mail these applications to MassDEP.

Throughout the permitting process, please include all additional EPA requested application material to your ePlace record submission as additional attachments.

Important Contacts

- For technical assistance regarding online filing, contact the ePlace Help Desk Team at 844-733-7522 or ePLACE_helpdesk@mass.gov.
- To see a copy of your application after submittal, also see:
<https://eeaonline.eea.state.ma.us/EEA/PublicApp/>.