



Massachusetts Department of Environmental Protection
Bureau of Resource Protection –Title 5 Permitting

BRP WP 58a Approval of a Nitrogen Aggregation Loading Plan Instructions and Supporting Materials

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Introduction

MassDEP *Permit Applications*, as well as *Instructions & Support Materials*, are available for download from the MassDEP Web site at mass.gov/dep in two file formats: Microsoft Word™ and Adobe Acrobat PDF™.

Instructions & Support Materials provide guidance on how to prepare a permit application.

These *Permit Applications*, supporting documents, and the fee payment (if applicable) must now be submitted through the [ePLACE Portal](#). See ePLACE step-by-step instructions on the mass.gov page for this application.



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Note: When completing the Transmittal Form, write the "a" immediately after the space provided for the seven digit character code at the top of the Form.

1. What is the purpose of this approval?

This approval is necessary to ensure that the aggregation of nitrogen loading for on-site subsurface sewage disposal system(s) is performed in an environmentally acceptable manner and in accordance with the provisions of Title 5 of the Environmental Code, 310 CMR 15.000.

You must obtain approval from MassDEP for the following plans:

- Community plans to aggregate for nitrogen loading over a region wide area, such as Zone IIs or Interim Wellhead Protection Areas (310 CMR 15.216(4)) or in environmentally sensitive areas such as systems serving new residential construction where the use of both on-site wastewater disposal systems and drinking water supply wells are proposed, i.e., private well areas.

2. Who must apply?

Any municipality proposing to implement a community nitrogen aggregation plan for a community is required to obtain MassDEP approval in accordance with 310 CMR 15.216.

If this category does not apply to you, please be advised this is not the only permit category for Title 5 on-site sewage disposal systems or related plans. Please consult the Timely Action Schedule and Fee Provisions, 310 CMR 4.00 and Title 5 of the Environmental Code, 310 CMR 15.000, to determine whether another category may apply to you. Note: Any and all land identified as "restricted" or "credit land" for the purposes of one application for aggregate nitrogen loading cannot be used for another application pursuant to 310 CMR 15.216.

Note: MassDEP anticipates the preparation of a Community Plan proposing to aggregate for nitrogen loading may require both technical (including hydrogeologic) and legal expertise.

3. What other requirements should be considered when applying?

- Plans proposing nitrogen restrictions on facility and credit land(s) require prior written approval by the property owner(s) (310 CMR 15.216(5)).

Note: These additional requirements are intended to serve as a guide to the applicant. They do not necessarily include all additional requirements.

4. What is the application fee?

No fees charged for municipalities.

5. Where should the application be sent?

The application must be submitted through ePLACE, located here: <https://eplace.eea.mass.gov/citizenaccess>

Additional visual ePLACE step-by-step instructions to assist in submitting your application are available at: <https://www.mass.gov/how-to/wp-58a-approval-of-a-nitrogen-aggregation-loading-plan>

- Log into the ePLACE Portal at: <https://eplace.eea.mass.gov/citizenaccess> and create an account.
- Once logged in, click on the large blue button on the right, "File an Online Application".



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- Read and agree to the disclaimer. Click “Continue”.
- To find this application, click on “Apply for DEP Authorization – Water Pollution Wastewater (WP)”, and check on WP 58a, and click “Continue Application”.
- Follow instructions on each screen and click “Continue Application” to move to the next step. The WP 58a application and supporting forms are to be completed in MS Word™ or Acrobat Adobe PDF™ and attached in the Documents section.
- 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.
- At the end of the application steps, the ePLACE system will take you directly to a screen where you can pay the fee, if applicable. Complete payment information in ePLACE.
- Once an application has been submitted, you will receive an email that will provide you the record number.
- From the “My Records” button, you will be able to view the status of your application through the review and approval processes.

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>.

6. Where can I get a copy of the timelines?

The timelines are available on the MassDEP Website: <https://www.mass.gov/lists/massdep-fees-timelines>

7. What is the annual compliance fee?

There is no annual compliance fee.

8. How long is the approval in effect?

This approval remains valid until MassDEP revokes or modifies the approval. A Community Plan approval is in effect until there is a local land use regulation change or other action that would impact the MassDEP approved nitrogen loading plan.

9. How can I avoid the most common mistakes made in applying for this approval?

- a. Review application for completeness to be sure all questions are answered correctly.
- b. Refer to the Department's, "Guidelines For Title 5 Aggregation of Flows and Nitrogen Loading (310 CMR 15.216)" for further guidance.
- c. For a Community Plan, attach the following:
 - completed application with supporting materials;
 - a map for the area covered by the plan;
 - buildout analysis under current zoning for the area covered by the plan;
 - 440 gpd per acre equivalency calculations;
 - in the case of a Zone II, results of the MassDEP Nitrogen Loading Computer Model;
 - approval from the local approving authority;
 - comments from the Planning Board, if any;
 - a nitrogen loading management plan.
- d. Submit the application & documents listed above and pay fee through ePLACE, <https://eplace.eea.mass.gov/citizenaccess>.



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10. What are the regulations that apply to this approval? Where can I get copies?

These regulations include, but are not limited to:

- a. Title 5 Regulations, 310 CMR 15.000.
- b. Timely Action Schedule and Fee Provisions, 310 CMR 4.00.

These may be purchased at:

State Bookstore
Room 116
Boston, MA 02133
617-727-2834

State Bookstore
436 Dwight Street, Room 102
Springfield, MA 01103
413-784-1376

MassDEP Title 5 Regulations and permit application packages also may be obtained from MassDEP's web site at <http://mass.gov/dep>



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BRP WP 58a Approval of a Nitrogen Aggregation Loading Plan Application Completeness Checklist

A MassDEP application form for the permit category BRP WP 58a has been completed. The following information has been provided:

- Completed application clearly indicating the name, address and telephone number of municipal official and the project consultant. All supportive materials must be included.

For the BRP WP 58a, supportive materials include:

For a Community Plan:

- A suitably scaled map for the area covered by the plan;
- A buildout analysis under current zoning;
- 440 gpd per acre equivalency calculations;
- In the case of a Zone II, analysis from the MassDEP Nitrogen Loading Model;
- Comments from the Planning Board, if any;
- A nitrogen loading management plan.

To submit the application package:

- Submit the application and documents listed above through ePLACE, <https://eplace.eea.mass.gov/citizenaccess>