



Massachusetts Department of Environmental Protection

Bureau of Resource Protection – Drinking Water Program (Water Supply) – Water Quality Assurance/Water Treatment

BRP WS 23 A, B, & C Approval to Construct a Facility to Treat less than One Million Gallons per Day

BRP WS 24 Approval to Construct a Facility to Treat One Million Gallons per Day or Greater

Instructions and Supporting Materials

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Introduction

MassDEP *Instructions & Support Materials* are available for download from the MassDEP Web site at www.mass.gov/dep in two file formats: Microsoft Word™ and Adobe Acrobat PDF™. Either format allows documents to be printed.

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

The supporting documents for these permit applications, 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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Permit Fact Sheet

1. What is the purpose of this approval?

These approvals serve to protect the public health by ensuring that the application meets minimum drinking water requirements and conforms to current Division of Water Supply guidelines and policies contained in *Guidelines and Policies for Public Water Supply Systems*. This publication is available at the State House Bookstore.

Apply in category **BRP WS 23 A, B, or C** if your facility will treat less than one million gallons per day. The specific subcategory is determined by the design capacity of the system:

BRP WS23A: less than 40,000 gallons per day (gpd);

BRP WS23B: 40,000 gpd or more and less than 200,000 gpd; and,

BRP WS23C: 200,000 gpd or more and less than 1 million gpd.

Apply in category **BRP WS 24** if your facility will treat more than one million gallons per day. Legislative authority for both approvals is stated in MGL Chapter 111, section 160A. Regulatory authority for these approvals is stated in 310 CMR 22.04.

2. Who must apply?

Public water systems (PWS) or their designated representatives seeking approval to construct a treatment facility.

3. What other requirements should be considered when applying for this approval?

If the PWS or their representative applies for either of these permits it may be necessary to apply for other water treatment permits, e.g. BRP WS 21, 22, or 25.

Approvals of this type may require Massachusetts Environmental Policy Act (MEPA) Office 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 Office of the Executive Office of Environmental Affairs (100 Cambridge Street, Suite 900, Boston, MA 02114; (617-626-1020). ***If MEPA review is required by regulation, MassDEP cannot begin technical review of the application until the MEPA process has been completed, unless otherwise agreed to in writing.*** Copies of MEPA filings should be sent to the MEPA Coordinator in the appropriate Regional Office.

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

4. What is the application fee?

The fee structures associated with these approvals are stated in 310 CMR 4.10(5) (dd).

BRP WS23A (less than 40,000 gallons per day (gpd)) \$1,125

BRP WS23B (40,000 gpd or more and less than 200,000 gpd) \$1,780

BRP WS23C (200,000 gpd or more and less than 1 million gpd) \$5,005

BRP WS 24 (1 million gpd or greater). The application fee is negotiated in accordance with 310 CMR 4.05.



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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/ws-23-24-approval-to-construct-a-water-treatment-facility>

- 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”.
- Read and agree to the disclaimer. Click “Continue”.
- To find this application, click on “Apply for DEP Authorization – Drinking Water (DW)”, and check on WS 23 or WS 24, and click “Continue Application”.
- Follow instructions on each screen and click “Continue Application” to move to the next step. The WS 23 or WS 24 supporting forms are to be attached in the Documents section. **Any documents being submitted that do not fit in with one of the dropdown categories, should be submitted under “other”.**
- 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. What are the timelines?

As of December 25, 1998, if MassDEP fails to complete its review of an adequately prepared **BRP WS Application** that has been submitted with the transmittal form and applicable fee within the specified timelines, the fee will be refunded. The timelines as specified in 310 CMR 4.00 are:

BRP WS 23:

- a) Administrative Completeness Review: 30 days;
- b) Technical Review: 90 days;
- c) Applicant Response to Deficiencies: 180 days (only if required); and,
- d) Second Technical Review: 90 days (only if required).

BRP WS 24: Individual Rule Project subject to 310 CMR 4.05.



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Notes: There is no public comment period for these permits. The timeline for the Supplemental Technical Review is calculated from the date that any deficiencies identified in the initial Technical Review are received by MassDEP.

7. What is the annual compliance fee?

Currently, there is no annual compliance fee for this permit.

8. How long is this approval in effect?

These approvals shall remain in effect for 2 years from the approval date or as otherwise determined by MassDEP, as long as the applicant continues to meet drinking water standards and conforms to current guidelines and policies, described in *Guidelines and Policies for Public Water Supply Systems*.

9. How can I avoid the most common mistakes made in applying for these approvals?

- a. Be sure all items on the Application Completeness Checklist are completed and included in submitted application in ePLACE.
- b. Submit the documents required for this application and pay fee (if applicable) through ePLACE, <https://eplace.eea.mass.gov/citizenaccess>.

10. What are the regulations that apply to these approvals? Where can I get copies?

These regulations include, but are not limited to:

- a. Drinking Water Regulations, 310 CMR 22.00.
- b. Timely Action and Fee Provisions, 310 CMR 4.00.
- c. Administrative Penalty Regulations, 310 CMR 5.00.

These may be purchased at:

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

State House West Bookstore
436 Dwight Street
Springfield, MA 01103
413-784-1376



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Application Completeness Checklist

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The following documents should be submitted through ePLACE:

- ☐ WS Certification Form (with P.E. signature and stamp)
- ☐ Cover Letter: A cover letter explaining the request and the intended purpose of the work.
- ☐ Plans and Specifications: Plans need to show the layout and configuration of the work. Please include sufficient detail to fully describe the proposed work and equipment. The description of the work needs to be complete and include all work, not just contract drawings, such as if some work of equipment is being provided outside of the contract. Plans & specifications should be prepared by a Massachusetts registered professional engineer unless otherwise determined by the Department.

The following documents may need (if applicable) to be submitted through ePLACE:

- ☐ Chemical Feed Checklist(s): If the permit includes new or modifications to certain chemical feed systems, the applicable Water Supply Facility Checklist needs to be completed and submitted with the permit application. Copies of the Checklists are available for download from the Department's web site.
- ☐ Design/Engineering Study: Provide sufficient documentation to justify the elements of proposed work and the basis of design. For chemical feed systems, this would include expected daily and monthly use and dosages. This should include a Water Quality/Simultaneous Compliance Evaluation with an overview of the existing water quality and expected impacts of the work on future water quality and compliance, including a specific evaluation of impacts of the work on corrosion control. If the work will involve removing any existing capabilities or system capacity while the work is being performed, provide a summary of the impacts and any mitigation to be implemented (Continuity/Implementation Plan). (Please also review the Drinking Water Regulations 310 CMR 22.21 and the Division of Water Supply's *Guidelines and Policies for Public Water Systems*.)
- ☐ MEPA Certificate

Note: Any documents being submitted that do not fit in with one of the dropdown categories in the ePLACE system, should be submitted under "other". Some or all the following information is required for certain permits (please contact your Regional DWP office for further guidance on these items):

- Capacity/Business Plan
- Staffing Plan
- Waste Management Plan
- New Technology Approvals, as appropriate.

If you have concerns about any specific documents displaying on the ePLACE Public Access Portal, please contact regional staff for alternative delivery.



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Application Completeness Checklist

To submit the application package:

- ☐ Submit the application and documents listed above through ePLACE, <https://eplace.eea.mass.gov/citizenaccess>
- ☐ Pay fee (if applicable):
\$1,125 for BRP WS23A;
\$1,780 for BRP WS23B;
\$5,005 for BRP WS23C; or,
the negotiated amount for BRP WS 24;

You can pay online in ePLACE or pay by mail in the form of a check or money order made payable to *Commonwealth of Massachusetts* (please follow email instructions provided to you once your application is submitted).