



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

One Winter Street Boston, MA 02108 • 617-292-5500

Charles D. Baker
Governor

Karyn E. Polito
Lieutenant Governor

Bethany A. Card
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Martin Suuberg
Commissioner

July 1, 2022

Kathleen Driscoll, EHS Officer
Massachusetts Maritime Academy
101 Academy Drive
Buzzards Bay, MA 02532

Re: Final 2022 Massachusetts Permit to Discharge Pollutants to Surface Waters for the Massachusetts Maritime Academy

Dear Ms. Driscoll:

Enclosed please find the Final 2022 Massachusetts Permit to Discharge Pollutants to Surface Waters ("Final State Permit" or "Surface Water Discharge Permit") for the Massachusetts Maritime Academy, issued by the Massachusetts Department of Environmental Protection ("MassDEP") on July 2, 2022, 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 May 5, 2022, the United States Environmental Protection Agency ("USEPA") issued NPDES Permit MA0024368 to the Massachusetts Maritime Academy. The NPDES Permit issuance included MassDEP's Final Water Quality Certification. 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.

MassDEP appreciates your cooperation throughout the development of this Final State Permit. Please contact Ms. Claire Golden, the MassDEP permit writer, at 617-997-8874 or claire.golden@mass.gov if you have any questions.

This information is available in alternate format. Contact Glynis Bugg at 617-348-4040.

TTY# MassRelay Service 1-800-439-2370

MassDEP Website: www.mass.gov/dep

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Sincerely,

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
Commonwealth of Massachusetts

Enclosures:

Attachment 1: Final State Permit

Attachment 2: Response to Comments

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

ecc: Capt. Allen Metcalfe, VP of Operations, MMA
Claire Golden, MassDEP
George Papadopoulos, EPA Region 1

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,

Massachusetts Maritime Academy
101 Academy Drive
Buzzards Bay, MA 02532

is authorized to discharge from the facility located at

Massachusetts Maritime Academy
101 Academy Drive
Buzzards Bay, MA 02532

to receiving water named

Cape Cod Canal
Buzzard Bay Watershed

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

1. This permit is issued on July 2, 2022 and shall become effective on August 1, 2022.
2. This permit shall expire five years after the effective date.
3. This permit supersedes the permit issued on February 25, 2011.
4. This permit incorporates by reference Part IA., Effluent Limitations and Monitoring Requirements, Part IB., Unauthorized Discharges, Part IC., Operation and Maintenance of the Sewer System, Part ID. Alternate Power Source, Part IE. Sludge Conditions, Part IF. Special Conditions, Part IG. Reporting Requirements, and Part II, Standard Conditions, as set forth in the 2022 NPDES Permit No. MA0024368, issued by the United States Environmental Protection Agency (EPA), Region 1, issued to the Massachusetts Maritime Academy on May 5, 2022 (the 2022 Federal NPDES Permit) and attached hereto by reference as Appendix A and available on EPA's website at <https://www.epa.gov/npdes-permits/massachusetts-draft-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;
 - 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:

Susannah King, 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. Beginning six (6) months after the permittee has been notified by EPA of a 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 influent, effluent, and sludge for PFAS compounds as detailed in the tables 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.

Influent and Effluent (Outfall 001)

Parameter	Units	Measurement Frequency	Sample Type
Perfluorohexanesulfonic acid (PFHxS)	ng/L	Quarterly ¹	24-hour Composite
Perfluoroheptanoic acid (PFHpA)	ng/L	Quarterly	24-hour Composite
Perfluorononanoic acid (PFNA)	ng/L	Quarterly	24-hour Composite
Perfluorooctanesulfonic acid (PFOS)	ng/L	Quarterly	24-hour Composite
Perfluorooctanoic acid (PFOA)	ng/L	Quarterly	24-hour Composite
Perfluorodecanoic acid (PFDA)	ng/L	Quarterly	24-hour Composite

Sludge

Parameter	Units	Measurement Frequency	Sample Type
Perfluorohexanesulfonic acid (PFHxS)	ng/g	Quarterly	Composite ²
Perfluoroheptanoic acid (PFHpA)	ng/g	Quarterly	Composite
Perfluorononanoic acid (PFNA)	ng/g	Quarterly	Composite
Perfluorooctanesulfonic acid (PFOS)	ng/g	Quarterly	Composite
Perfluorooctanoic acid (PFOA)	ng/g	Quarterly	Composite
Perfluorodecanoic acid (PFDA)	ng/g	Quarterly	Composite

¹ Quarters are defined as January to March, April to June, July to September, and October to December. 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 February, May, August, and November).

² Sludge sampling shall be as representative as possible based on guidance found at <https://www.epa.gov/sites/production/files/2018-11/documents/potw-sludge-sampling-guidance-document.pdf>.

Signed this 1st day of July, 2022

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

RESPONSE TO COMMENTS**MA Permit No. MA0024368****Massachusetts Maritime Academy (MMA)****MMA Wastewater Treatment Plant, 101 Academy Drive, Buzzards Bay, MA 02532**

The Massachusetts Department of Environmental Protection (MassDEP or the “Department”) is issuing a Surface Water Discharge (SWD) Permit to the Massachusetts Maritime Academy (the Permittee) for the facility (the Facility) located in Buzzards Bay, 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. MA0024368 (the “Draft Permit”) and the draft Water Quality Certification (the “Draft WQC”). The Response to Comments explains and supports MassDEP’s determinations that form the basis of the final permit (the “Final Permit”) and the final WQC. From January 10, 2022 through February 8, 2022, MassDEP solicited public comments on the Draft Permit for the reissuance of a permit to discharge treated wastewater from Outfall Serial Number 001 and from Outfall Serial Number 002 to Cape Cod Canal and the associated Draft WQC.

During the public comment period for the draft NPDES permit (January 10, 2022 through February 8, 2022), EPA received comments from:

1. Bill Held
2. Clarence and Beatrice Boucher
3. Dan Moerman
4. Steven Rice and Janine Aversing
5. Jim Buckley
6. Timothy and Laura Petracca
7. Ed Thumith and Janet Thumith
8. Mary Zunino
9. John and Wandra Harmsen
10. Kathy Fox Alfano, President, Gray Gables Association (Bourne)
11. Karen Brendli
12. Sue Page
13. Bill Russell
14. Beth Russell
15. Richard and Judith Conron
16. Save The Cape Cod Canal Committee
17. Nancy Buckley
18. Molly O’Connor
19. Ronald J. and Diane E. Costa
20. William Prodouz and Kristina Prodouz
21. Edith Aucoin
22. Laura Spencer
23. Hank Sudol, Wash-a-Shore on the Cape

24. Becca Britt
25. Patricia Nemeth
26. Frank Gasson
27. Margaret A. Lowe
28. Jacquelyn Chandler
29. Connie Spilhaus
30. E. Sally Girts
31. Tom Egan
32. Maria H. Pires
33. Kathleen Coyle
34. Beth Bumpus
35. Karen Fleming
36. Patrick Jenkins
37. Michael LaRaia
38. Walter S. Wightman, M.D.
39. Douglas Mish
40. Tim Scully
41. Paul and Marilyn Tarallo
42. Richard G Gurnon
43. Monique L. Ward
44. Sheree Koppel
45. Debra Coleman
46. Frank and Barbara Lingard
47. David and Patricia Carter
48. Judith and Joseph Sheehy
49. William Curt Duane
50. Robert Wheeler
51. Mary Ann Mitchell
52. Sean Scannell
53. Joseph Prigioniero
54. Paul and Kathy Alfano
55. Charles Coleman
56. Melissa (Harding) Ferretti, Chairwoman, Herring Pond Wampanoag Tribe
57. John Gallagher
58. Gary Coe
59. Donald F. Ward
60. Keith Barber, President – Pocasset Water Quality Coalition
61. Miguel Prieto, MD
62. Judy Gaseidnes
63. Korrin N. Petersen, Esq. Vice President of Clean Water, Buzzards Bay Coalition
64. W. Thomas Barlow

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

65. Dan Moerman

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 on May 5, 2022, and concurs with EPA's 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 or WQC 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 Claire Golden, MassDEP, Surface Water Discharge Permitting Program, 205 B Lowell Street, Wilmington, MA 01887; telephone: 617-997-8874; email: claire.golden@mass.gov. MassDEP is currently working in a hybrid mode. As such, interested parties are strongly encouraged to email or call Claire Golden if they wish to obtain a copy of the Final Permit or WQC.

**NOTICE OF APPEAL RIGHTS for
STATE SURFACE WATER DISCHARGE PERMIT**

Within 30 days of the issuance of MassDEP's decision to grant or deny a Surface Water Discharge Permit pursuant to M.G.L. c. 21, § 43, and 314 CMR 3.00, any person aggrieved may request an adjudicatory hearing.

How should the request for an adjudicatory hearing be made?

A request for an adjudicatory hearing for the state Surface Water Discharge Permit must be made during the 30-day period following issuance of the state permit, in accordance with 314 CMR 2.08 and 310 CMR 1.01. 310 CMR 1.01(6)(b) establishes the required form and content of the request. Failure to meet the requirements of 310 CMR 1.01 may result in dismissal of the request or the requirement to file a more definite statement.

A person filing a request for an adjudicatory hearing must complete and mail a MassDEP Fee Transmittal Form and send it with a valid check to the Commonwealth Master Lockbox, as instructed below, if a fee is required by 310 CMR 4.06. The MassDEP Fee Transmittal Form can be downloaded from:

<http://www.mass.gov/eea/agencies/massdep/service/approvals/transmittal-form-for-payment.html>.

The written notice requesting an adjudicatory hearing shall be delivered to MassDEP's Case Administrator together with (i) a photocopy of the decision being appealed, (ii) a photocopy of the completed MassDEP Fee Transmittal Form, if required, and (iii) a photocopy of the check used to pay any adjudicatory hearing filing fee due for the appeal under 310 CMR 4.06. The notice of claim must be made in writing and sent by email to Caseadmin.OADR@state.ma.us.

Please do not send the original of the completed MassDEP Fee Transmittal Form and check to the Case Administrator. Instead, please follow the instructions below for delivery of the original of the completed Fee Transmittal Form and check to the Commonwealth Master Lockbox.

A \$100 adjudicatory hearing filing fee must be paid, unless (i) a simplified hearing is requested for a reduced fee of \$25, (ii) the person requesting an adjudicatory hearing is a town, a municipal agency, a county or a municipal housing authority, in which case there is no fee, or (iii) the person requesting the hearing is seeking to have MassDEP waive the adjudicatory hearing filing fee because paying the fee will create an undue financial hardship.

A person who believes that payment of the fee would be an undue financial hardship shall file with the request for adjudicatory hearing a request for waiver of the fee together with an affidavit setting forth the facts the appellant believes constitute the undue financial hardship. For more information on the adjudicatory hearing filing fee and the grounds on which the Department may waive the fee, please see 310 CMR 4.06.

If a fee is required, the completed MassDEP Fee Transmittal Form and a valid check made payable to the Commonwealth of Massachusetts for the amount of the fee due must be mailed to:

Mass. Department of Environmental Protection
Commonwealth Master Lockbox

P.O. Box 4062
Boston, Massachusetts 02211

Failure to pay the adjudicatory hearing filing fee, if required, may be grounds for dismissal of the appeal.

In accordance with 314 CMR 2.08(5), any person, other than the permit applicant or permittee, who files a request for an adjudicatory hearing with the Department pursuant to 314 CMR 2.08(2) on an individual permit or general permit coverage, also shall simultaneously send a copy of the request by certified mail, return receipt requested, to the applicant or permittee. Any person who files a request for an adjudicatory hearing with the Department pursuant to 314 CMR 2.08(2) on a general permit also shall simultaneously send a copy of the request by certified mail, return receipt requested, to each permittee covered by the general permit.



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।