

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,

New England Aquarium
Central Wharf
Boston, MA 02110

is authorized to discharge from the facility located at

New England Aquarium
Central Wharf
Boston, MA 02110

to receiving water named

Boston Inner Harbor (MA70-02)
Boston Harbor Watershed

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

1. This permit shall become effective on February 1, 2023.
2. This permit shall expire five years after the effective date.
3. This permit supersedes the permit issued on August 1, 2013.
4. This permit incorporates by reference Part IA., Effluent Limitations and Monitoring Requirements, Part IB., Unauthorized Discharges, Part IC., Special Conditions, Part ID. Reporting Requirements, and Part II., Standard Conditions, as set forth in the 2022 draft NPDES Permit No. MA0003123, issued by the United States Environmental Protection Agency (EPA), Region 1, to New England Aquarium on November 14, 2022 (the 2022 Final NPDES Permit), <https://www3.epa.gov/region1/npdes/permits/2022/finalma0003123permit.pdf>; 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 discharges of a new chemical or additive authorized under Part IC.3. are only authorized under this permit 30 days following written notification to MassDEP electronically to massdep.npdes@mass.gov, unless otherwise notified in writing by MassDEP;
 - d. that a copy of the requests, reports, and information required by Part ID.3. to be submitted to EPA shall also be submitted to MassDEP electronically to massdep.npdes@mass.gov;
 - e. 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;
 - f. that the notifications required by 4.a. and 4.c. above shall be provided to massdep.npdes@mass.gov.
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:
 - a. 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.

- b. 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. Sampling of the intake water is optional and shall be conducted concurrently with sampling of the effluent. If any of the six (6) PFAS compounds are detected in the effluent, the permittee can decide to analyze the intake water sample for all six (6) PFAS compounds. 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's electronic database (eDEP) in accordance with the information available at the following website: <https://www.mass.gov/info-details/testing-of-pfas-in-wastewater-and-residuals#testing-of-pfas-in-wastewater->, or as otherwise specified, within 30 days after testing is complete. Those results do not need to be reported to EPA through NetDMR unless EPA establishes a requirement through a future permitting action.

Effluent (Outfall 001)

Parameter	Units	Measurement Frequency	Sample Type
Perfluorohexanesulfonic acid (PFHxS)	ng/L	2/year ¹	Grab
Perfluoroheptanoic acid (PFHpA)	ng/L	2/year	Grab
Perfluorononanoic acid (PFNA)	ng/L	2/year	Grab
Perfluorooctanesulfonic acid (PFOS)	ng/L	2/year	Grab
Perfluorooctanoic acid (PFOA)	ng/L	2/year	Grab
Perfluorodecanoic acid (PFDA)	ng/L	2/year	Grab

- c. After completing two years of monitoring, if four (4) consecutive samples are reported as non-detect for all six (6) PFAS compounds, then the permittee may submit a request to discontinue PFAS monitoring. After completing two years of optional monitoring of intake water, if the permittee sufficiently demonstrates that the detected PFAS compounds in the effluent are from the intake water from the Boston Inner Harbor and not from the animal holding operations, the permittee may submit a request to MassDEP to modify the effluent monitoring requirements. 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.

Signed this 11th day of January, 2023



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

¹ Twice yearly samples shall be taken in the third (July to September) and fourth (October to December) calendar quarters and shall be taken 3 months apart (e.g., an example sampling schedule could be July and October).