

**MASSACHUSETTS GENERAL PERMIT MODIFICATION AUTHORIZING **SMALL** WASTEWATER TREATMENT FACILITIES (WWTFs) 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, any facility authorized by the United States Environmental Protection Agency (EPA), Region 1, under the 2021 NPDES General Permit No. MAG580000 Modification, the Wastewater Treatment Facility Modified General Permit, is authorized to discharge from the facility as located at the location listed in and the receiving water identified in its Permit Authorization from EPA in accordance with the following effluent limitations, monitoring requirements and additional conditions:

**All modified or new language proposed in this General Permit Modification are in bold red font.**

1. This **General Permit Modification** ~~permit-revises and supersedes the Small Wastewater Treatment Facilities General Permit issued on November 1, 2021~~**shall become effective on December 1, 2021.**<sup>1</sup>
2. This permit shall expire **on November 30, 2026**~~five years after the effective date.~~
3. This permit incorporates by reference Part I Applicability and Coverage of the **Small** WWTF GP, Part IIA, Effluent Limitations and Monitoring Requirements for Massachusetts Facilities, Part IIB., Other Requirements for Massachusetts Facilities, Part IIC., Unauthorized Discharges, Part IID., Additional Requirements for Facilities Discharging to Marine Waters, Part IVA., Operation and Maintenance of the Sewer System, Part IVB., Alternate Power Source, Part IVC., Industrial Users, Part IVD., Sludge Conditions, Part IVE., Notification Requirements, Part IVF., Schedules of Compliance, Part IVG., Additional Requirements for Facilities Discharging to Long Island Sound Watershed, Part V. Obtaining Authorization to Discharge, Part VI. Monitoring, Record-Keeping and Reporting Requirements, Part VII. Administrative Requirements, and Part VIII., Standard Conditions, as set forth in the **2021**~~2023~~ NPDES General Permit **Modification** No. MAG580000, issued by the United States Environmental Protection Agency (EPA), Region 1, issued on **April 8, 2021**~~March 29, 2023~~ (the **2021**~~2023~~ Federal NPDES General Permit **Modification**) and attached hereto by reference as Appendix A and available on EPA's website at [https://www.epa.gov/npdes-permits/massachusetts-  
npdes-permits#fgp](https://www.epa.gov/npdes-permits/massachusetts-<br/>npdes-permits#fgp); provided, however:
  - a. that the notification required by Part IIB.7. shall also be provided to MassDEP;
  - b. that the reporting required by Part IIC.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 VI.3. to be submitted to EPA shall also be submitted to MassDEP electronically to [massdep.npdes@mass.gov](mailto: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 IVC., 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:

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<sup>1</sup> If no comments objecting to the issuance or terms of the permit **modification** were received by the Department during the public comment period, then this permit **modification** shall be effective upon issuance. If comments objecting to the issuance or the terms of the permit are received by the Department during the public comment period, then this permit shall become effective 30 days after issuance.

~~Susannah King David Boyer~~, NPDES Section Chief  
 Division of Watershed Management  
 Department of Environmental Protection  
 100 Cambridge Street, Suite 900  
 Boston, MA 02114

4. This permit incorporates by reference the Standard Permit Conditions set forth in 314 CMR 3.19.
5. This permit includes the following additional conditions:
  - a. Beginning six (6) months after the permittee has been notified by EPA of a multi-lab validated method for wastewater, or **by the dates set forth in Appendix A two (2) years after the effective date of the 2021 Federal NPDES General 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)~~ **four (4) months after prior to the dates set for each in Appendix B the effective date of the 2021 Federal NPDES General Permit**, the permittee shall contact MassDEP ([massdep.npdes@mass.gov](mailto:massdep.npdes@mass.gov)) for guidance on an appropriate analytical method. Notwithstanding any other provision of the ~~2021~~**2023** Federal NPDES General Permit **Modification** to the contrary, monitoring results shall be reported to MassDEP electronically, at [massdep.npdes@mass.gov](mailto:massdep.npdes@mass.gov), or as otherwise specified, within 30 days after they are received. If the permittee is **any of the following facilities, which are** located upstream of the drinking water intake of one or more communities, the permittee shall commence this monitoring beginning 180 days after the effective date of the ~~2021 Federal NPDES General Permit facility's authorization~~ and shall contact MassDEP ([massdep.npdes@mass.gov](mailto:massdep.npdes@mass.gov)) 90 days prior to starting monitoring for guidance on the appropriate analytical method. ~~WWMDC; MCI—Concord; and Middlesex School.~~

#### Influent and Effluent

Parameter	Units	Measurement Frequency	Sample Type
Perfluorohexanesulfonic acid (PFHxS)	ng/L	Twice Yearly <sup>2</sup>	24-hour Composite
Perfluoroheptanoic acid (PFHpA)	ng/L	Twice Yearly	24-hour Composite
Perfluorononanoic acid (PFNA)	ng/L	Twice Yearly	24-hour Composite
Perfluorooctanesulfonic acid (PFOS)	ng/L	Twice Yearly	24-hour Composite
Perfluorooctanoic acid (PFOA)	ng/L	Twice Yearly	24-hour Composite
Perfluorodecanoic acid (PFDA)	ng/L	Twice Yearly	24-hour Composite

#### Sludge

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

<sup>2</sup> Twice yearly sampling shall be conducted in the third (July to September) and fourth (October to December) quarters. 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 August and November).

- b. The requirements of this paragraph apply solely to all municipal and regional wastewater treatment facility permittees covered under this permit and not to privately owned sanitary wastewater treatment facility permittees covered under this permit. Beginning six (6) months after the permittee has been notified by EPA of a multi-lab validated method for wastewater, or **by the dates set forth in Appendix B two (2) years after the effective date of the 2021 Federal NPDES General Permit**, whichever is earlier, the permittee shall commence annual monitoring of all Significant Industrial Users<sup>3,4</sup> discharging into the POTW. Monitoring shall be in accordance with the table below. If EPA's multi-lab validated method is not available **by twenty (20) four (4) months after the effective date of the 2021 Federal NPDES General Permit prior to the dates in Appendix B**, the permittee shall contact MassDEP ([massdep.npdes@mass.gov](mailto:massdep.npdes@mass.gov)) for guidance on an appropriate analytical method. Notwithstanding any other provision of the **20212023** Federal NPDES General Permit **Modification** to the contrary, monitoring results shall be reported to MassDEP electronically at [massdep.npdes@mass.gov](mailto:massdep.npdes@mass.gov), or as otherwise specified, within 30 days after they are received. If the permittee is the following facility, which is located upstream of the drinking water intake of one or more communities, the permittee shall commence this monitoring beginning one (1) year after the effective date of **its authorization of April 1, 2022, under** the 2021 Federal NPDES General Permit, **which would require sampling to start by April 1, 2023. and The Permittee** shall contact MassDEP ([massdep.npdes@mass.gov](mailto:massdep.npdes@mass.gov)) 90 days prior to starting monitoring for guidance on the appropriate analytical method: Wayland WWMDC.

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

6. All facilities seeking coverage under this General Permit **Modification which are not already authorized by MassDEP** must submit to MassDEP a copy of their Notice of Intent (NOI) submitted to EPA for coverage under the **20212023** Federal NPDES General Permit **Modification**, which shall serve as the NOI for coverage under this General Permit. Instructions for submittal will be provided here: <https://www.mass.gov/how-to/wm-15-npdes-general-permit-notice-of-intent>. All permittees granted coverage under this General Permit will be notified by MassDEP and listed on MassDEP's website. For each permittee **previously** granted coverage by MassDEP **under the 2021 Federal NPDES General Permit**, this General Permit **Modification** incorporates by reference any limitations, conditions, and requirements contained within the individual Permit Authorization **or modified individual Permit Authorization** issued by EPA to that permittee.

<sup>3</sup> Significant Industrial User (SIU) is defined at 40 CFR part 403: All industrial users subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR chapter I, subpart N; **and** any other industrial user that: discharges an average of 25,000 GPD or more of process wastewater to the POTW, contributes a process wastestream that makes up 5% or more of the average dry weather hydraulic or organic capacity of the POTW, or designated as such by the POTW on the basis that the industrial users has a reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standards or requirement.

<sup>4</sup> This requirement applies to all Significant Industrial Users and not just those within the sectors identified by EPA in the NPDES permit.

Signed this 2nd day of May, 2023

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

## APPENDIX B

 DATES FOR FACILITIES TO COMMENCE PFAS TESTING

Facility	3rd Quarter 2022	1 <sup>st</sup> Quarter 2024	3rd Quarter 2024	3rd Quarter 2025
Barre WWTP			X	
Battle Road Farm	X			
Charlemont Sewer District WWTP			X	
Charlton WWTP				X
Cohasset WWTP			X	
Douglas WWTP			X	
Erving POTW #3			X	
Hadley Indian Hill WWTP			X	
Hardwick Gilbertville WWTP			X	
Hardwick Wheelwright WWTP			X	
Hatfield WWTP			X	
Hopedale WWTP				X
Huntington WTP			X	
Leicester Water Supply District			X	
Manchester-by-the-Sea WWTP				X
MCI - Concord	X			
MCI Bridgewater		X		
MCI Norfolk-Walpole WWTF				X
Merrimac WWTP			X	
Middlesex School	X			
Monroe WWTF			X	
North Brookfield WWTP				X
Northfield Mt Hermon School			X	
Northfield WWTF			X	
Oak Point Homes		X		
Old Deerfield WWTP			X	
Oxford - Rochdale WWTP			X	
Rockport WWTP				X
Royalston WWTP			X	
Russell WWTF			X	
Shelburne Falls WWTF			X	
South Deerfield WWTP			X	

Facility (cont'd)	3rd Quarter 2022	3rd Quarter 2023	3rd Quarter 2024	3rd Quarter 2025
Stockbridge WWTP			X	
Sunderland WWTF			X	
Templeton WWTP				X
Upton WWTP				X
Wayland WWMDC	X			
West Stockbridge WWTP			X	
Westfield Gardens (formerly Renaissance Manor of Westfield)			X	
Woronoco Village WWTP			X	
Wrentham Development Center			X	

**RESPONSE TO COMMENTS****MA Permit No. MAG580000****GENERAL PERMIT FOR SMALL WASTEWATER TREATMENT FACILITIES MODIFICATION**

The Massachusetts Department of Environmental Protection (MassDEP or the “Department”) is issuing a General Surface Water Discharge (SWD) Permit Modification for Small Wastewater Treatment Facilities. 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 Modification No. MAG580000 (the “Draft Modified Permit”). The Response to Comments explains and supports MassDEP’s determinations that form the basis of the final permit modification (the “Final Permit Modification”). From October 24, 2022 through January 23, 2023, MassDEP solicited public comments on the Draft Permit Modification for the issuance of a general permit modification to discharge wastewater from small wastewater treatment facilities.

During the public comment period for the draft NPDES permit modification (October 27, 2022 through January 25, 2023) which was for both Massachusetts and New Hampshire facilities, EPA received comments from the following regarding the requirements for Massachusetts facilities:

1. Town of Hopedale, MA, dated January 23, 2023
2. Town of Marion, MA, dated January 23, 2023
3. Buzzards Bay Coalition, dated January 25, 2023
4. Charles River Watershed Association, dated January 23, 2023

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

5. Town of Hopedale, MA, dated January 23, 2023
6. Town of Marion, MA, dated January 23, 2023
7. Charles River Watershed Association, dated January 23, 2023

Since these comments were identical to those submitted to EPA, MassDEP has reviewed EPA’s Response to Comments, issued concurrently with the final NPDES permit modification on March 29, 2023 and concurs with EPA’s responses and the associated adjustments made to the final NPDES permit modification. MassDEP hereby incorporates by reference EPA’s Response to Comments and is not adding any additional responses on the comments received.

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 Modification that warranted MassDEP exercising the discretion to reopen the public comment period. MassDEP did, however, make certain clarifications to the permit modification and unified some language. Any improvements and changes are explained in this document and reflected in the Final Permit Modification. Below, MassDEP provides a summary of the changes made in the Final Permit.

A copy of the Final Permit Modification and this Response to Comments document will be posted on the MassDEP website: <https://www.mass.gov/orgs/massachusetts-department-of-environmental-protection>.

A copy of the Final Permit Modification may be also obtained by writing or calling Claire Golden, MassDEP, Surface Water Discharge Permitting Program, 150 Presidential Way, Woburn, MA 01801; telephone: 617-997-8874; email: [claire.golden@mass.gov](mailto:claire.golden@mass.gov).

#### **Summary of Changes to the Final Permit Modification**

1. The SWD Modification Paragraphs 5.a., 5.b. (two references), and Appendix A, *Dates for Facilities to Commence PFAS Testing*, incorrectly identified the appropriate appendix as Appendix A instead of Appendix B. Those typographic errors have been corrected.
2. The Marion WWTF has been removed from Appendix B since it has been removed from eligibility for coverage under the 2023 Federal NPDES General Permit Modification No. MAG580000.

FINAL

Clean Water Act Section 401 Certification  
For the Proposed 2022 Federal NPDES General Permit Modification  
For the Small Wastewater Treatment Facilities  
MA Permit No. MAG580000

The Massachusetts Department of Environmental Protection (MassDEP), having examined and reviewed the United States Environmental Protection Agency (EPA) – Region 1’s draft 2022 Federal NPDES General Permit Modification (MA Permit No. MAG580000) for Small Wastewater Treatment Facilities issued October 24, 2022, and considered the public comments received on MassDEP’s proposed Clean Water Act Section 401 Certification for the draft 2022 Federal NPDES General Permit Modification for Wastewater Treatment Facilities, and in consideration of the relevant water quality considerations, hereby certifies:

1. that the following conditions, together with the terms and conditions contained in the proposed 2022 Federal NPDES General Permit Modification for Small Wastewater Treatment Facilities, are necessary to assure compliance with the applicable provisions of the Federal Clean Water Act Sections 208(e), 301, 302, 303, 306, and 307 and with appropriate requirements of State law, including, without limitation, the Massachusetts Clean Waters Act, M.G.L. c. 21, §§ 26-53 and the Massachusetts Water Quality Standards published at 314 CMR 4.00:
  - a. Pursuant to 314 CMR 3.11 (2)(a)6., and in accordance with MassDEP’s obligation under 314 CMR 4.05(5)(e) to maintain surface waters free from pollutants in concentrations or combinations that are toxic to humans, aquatic life, or wildlife, beginning the first full third (July through September) or fourth (October through December) calendar quarter after the permittee has been notified by EPA of a multi-lab validated method for wastewater, or by the dates set forth in Appendix A of the draft Massachusetts Small Wastewater Treatment Facilities General Permit Modification, 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 four (4) months prior to the dates set for each in Appendix A of the draft Massachusetts Small Wastewater Treatment Facilities General Permit Modification, the permittee shall contact MassDEP ([massdep.npdes@mass.gov](mailto:massdep.npdes@mass.gov)) for guidance on an appropriate analytical method. Influent, effluent, and sludge samples shall be sampled twice yearly in the third and fourth quarters, with the exception of facilities that dispose of sludge in onsite lagoons. Facilities that dispose of sludge in onsite lagoons shall conduct a one time characterization of the PFAS content in the sludge during the first full third quarter following notification from EPA that a multi-lab validated method is available. Notwithstanding any other provision of the 2022 Federal NPDES Permit Modification to the contrary, monitoring results shall be reported to MassDEP electronically, at [massdep.npdes@mass.gov](mailto:massdep.npdes@mass.gov), or as otherwise specified, within 30 days after they are received. If the permittee is located upstream of the drinking water intake of one or more communities, the permittee shall commence this monitoring beginning in the first full third or fourth quarter following 180 days after the effective date of the permittee’s authorization and shall contact MassDEP ([massdep.npdes@mass.gov](mailto:massdep.npdes@mass.gov)) 90 days prior to starting monitoring for guidance on the appropriate analytical method: Battle Road Farm; Wayland WWMD; MCI Concord; Middlesex School; MCI-

Bridgewater and Oak Point Homes. The following small wastewater treatment facility permittees with design flow less than 0.1 MGD that discharge to marine waters are exempt from all PFAS monitoring requirements: Shore Cliff Maintenance Trust and United States Coast Guard Light Station Boston.

#### Influent and Effluent

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

#### Sludge

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

- b. The requirements of this paragraph apply solely to municipal and regional wastewater treatment facilities and not to privately owned sanitary wastewater treatment facilities. Pursuant to 314 CMR 3.11 (2)(a)6., and in accordance with MassDEP's obligation under 314 CMR 4.05(5)(e) to maintain surface waters free from pollutants in concentrations or combinations that are toxic to humans, aquatic life, or wildlife, beginning six (6) months after the permittee has been notified by EPA of a multi-lab validated method for wastewater, or by the dates set forth in Appendix A of the draft Massachusetts Wastewater Treatment Facilities General Permit Modification, whichever is earlier, the permittee shall commence annual monitoring of all Significant Industrial Users<sup>2,3</sup> discharging into the POTW. Monitoring shall be in accordance with the table below. If EPA's multi-lab validated method is not available by twenty (20) months after the effective date permittee's authorization under the 2022 Federal NPDES General Permit Modification, the permittee shall

<sup>1</sup> Twice annually is defined as once during the third calendar quarter (July through September) and once during the fourth calendar quarter (October through December).

<sup>2</sup> Significant Industrial User (SIU) is defined at 40 CFR part 403: All industrial users subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR chapter I, subpart N; **and** any other industrial user that: discharges an average of 25,000 GPD or more of process wastewater to the POTW, contributes a process wastestream that makes up 5% or more of the average dry weather hydraulic or organic capacity of the POTW, or designated as such by the POTW on the basis that the industrial users has a reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standards or requirement.

<sup>3</sup> This requirement applies to all Significant Industrial Users and not just those within the sectors identified by EPA in the NPDES permit.

contact MassDEP ([massdep.npdes@mass.gov](mailto:massdep.npdes@mass.gov)) for guidance on an appropriate analytical method. Notwithstanding any other provision of the 2022 Federal NPDES Small Wastewater Treatment Facility General Permit Modification to the contrary, monitoring results shall be reported to MassDEP electronically at [massdep.npdes@mass.gov](mailto:massdep.npdes@mass.gov) within 30 days after they are received. If the permittee is the following facility, the permittee shall commence this monitoring beginning one (1) year after the effective date of the permittee's authorization under the 2022 Federal NPDES General Permit Modification and shall contact MassDEP ([massdep.npdes@mass.gov](mailto:massdep.npdes@mass.gov)) 90 days prior to starting monitoring for guidance on the appropriate analytical method: Wayland WWMD.

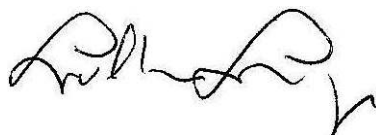
Parameter	Units	Measurement Frequency	Sample Type
Perfluorohexanesulfonic acid (PFHxS)	ng/L	Annual	24-hour Composite
Perfluoroheptanoic acid (PFHpA)	ng/L	Annual	24-hour Composite
Perfluorononanoic acid (PFNA)	ng/L	Annual	24-hour Composite
Perfluorooctanesulfonic acid (PFOS)	ng/L	Annual	24-hour Composite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

2. that there is a reasonable assurance that the activity will be conducted in a manner which will not violate applicable state water quality standards.

To meet the requirements of Massachusetts laws, each of the conditions cited in the draft permit and this certification shall not be made less stringent unless new data or other information is presented and MassDEP determines modification of this certification is appropriate in consideration of the relevant water quality considerations.

If any condition in the draft 2022 Federal NPDES General Permit Modification for Small Wastewater Treatment Facilities is changed during EPA's review in any manner inconsistent with this certification, the Department reserves the right to modify this certification in consideration of the relevant water quality considerations. In addition, the Department reserves the right to modify this certification if there is a change in Massachusetts law or regulation upon which this certification is based, or if a court of competent jurisdiction or MassDEP Office of Appeals and Dispute Resolution stays, vacates or remands this certification, as provided by 40 C.F.R. § 124.55.

Signed this 24th day of February, 2023



Lealdon Langley, Director  
Massachusetts Department of Environmental Protection  
Bureau of Water Resources  
Division of Watershed Management