

STATE OF NEW HAMPSHIRE
DEPARTMENT OF NATURAL AND CULTURAL RESOURCES
DIVISION OF PARKS AND RECREATION
CAPITAL PROJECTS & MAINTENANCE

**WASTE WATER TREATMENT PLANT OPERATION,
SAMPLING, TESTING, AND MAINTENANCE
AT WALLIS SANDS STATE PARK
1050 OCEAN BLVD. RYE, NH 03870**

SPECIFICATIONS

PROJECT No. OPS-2436



September 27, 2024

**STATE OF NEW HAMPSHIRE
DEPARTMENT OF NATURAL AND CULTURAL RESOURCES
DIVISION OF PARKS AND RECREATION
CAPITAL PROJECTS & MAINTENANCE**

172 Pembroke Road
Concord, NH 03301
Tel. (603) 271-3973 Fax (603) 271-2629

**SPECIFICATIONS FOR WASTE WATER TREATMENT PLANT
OPERATION, SAMPLING, TESTING, AND MAINTENANCE
WALLIS SANDS STATE PARK
1050 OCEAN BLVD. RYE, NH 03870**

PROJECT No. OPS-2436

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172 Pembroke Road
Concord, N.H. 03301
TEL. 603-271-3973 FAX 603-271-2629

NOTICE TO BIDDERS

**Project: #OPS-2436 WASTE WATER TREATMENT PLANT OPERATION, SAMPLING,
TESTING & MAINTENANCE AT WALLIS SANDS STATE PARK
1050 OCEAN BLVD RYE, NH 03870**

Sealed bid proposals for the above project will be accepted until 2:00 P.M., prevailing time, on Thursday November 7, 2024. Proposals should be mailed to: Attn: Edward Mussey Public Works Project Manager II Department of Natural and Cultural Resources, 172 Pembroke Road, Concord, NH 03301.

Specifications will be available to interested contractors at the Planning and Development Office on September 27, 2024. They may also be viewed at the following locations:

1. Construction Summary of New Hampshire Inc. 734 Chestnut Street, Manchester, NH 03104 Tel. (603) 627-8856.
2. Alpha Graphics 933 Islington Street, Portsmouth, NH 03801 Tel. (603) 436-3030
3. McGraw-Hill Construction Plan Room 34 Crosby Drive Suite 201 Bedford, MA, 03170 Tel. (781) 430-2006
4. Signature Digital Imaging, 472 Amherst St. Unit 23 Nashua, NH 03063 Tel. (603) 624-4025
5. Works in Progress, 20 Farrell Street, Suite 103, South Burlington, VT 05403 Tel. 1-800-669-7048
6. New Hampshire Department of Administrative Services Bureau of Purchase and Property Website <http://admin.state.nh.us/purchasing/vendorresources.asp>
7. New Hampshire State Parks Website <http://www.nhstateparks.org/partner-and-community-resources/rfps-and-projects.aspx>

All companies, corporations, and tradenames bidding must be registered and have a certificate of existence from the NH Secretary of State, Corporate Division (telephone 603-271-3246) in order to do business with the State of New Hampshire.

All bidders will be required to attend the pre-bid conference at the Wallis Sands State Park Ocean Blvd. Rye, NH at 10:00 a.m. on Tuesday October 22, 2024. Please call Edward Mussey at 603-271-3973 at least 24 hours prior to the bid conference if you will be attending.

Bid Proposals must be made out on the forms provided in the specifications packet and submitted in a sealed envelope marked: Bid Proposal: Wallis Sands Waste Water Treatment Plant Sampling and Testing, Project No. OPS-2436.

Edward V Mussey
Public Works Project Manager II

STATE OF NEW HAMPSHIRE
DEPARTMENT OF NATURAL AND CULTURAL RESOURCES
DIVISION OF PARKS AND RECREATION
CAPITAL PROJECTS AND MAINTENANCE
172 Pembroke Road
Concord, N.H. 03301
TEL. 603-271-2973 FAX 603-271-2629

BID PROPOSAL FORM

PROJECT: #OPS-2436 **WASTE WATER TREATMENT PLANT OPERATION
SAMPLING, TESTING, & MAINTENANCE
WALLIS SANDS STATE PARK
1050 OCEAN BLVD RYE, NH 03870**

MANDATORY PRE BID MEETING: October 22, 2024 at 10:00 a.m. at the site.

DATE BID OPENING: November 7, 2024, 2024 at 2:00 p.m.

START DATE: December 18, 2024

COMPLETION DATE: No later than December 31, 2027

Sealed bid proposals for the above project will be accepted until 2:00 p.m., prevailing time, on November 7, 2024. Bids should be MAILED TO: Attn: Edward Mussey Public Works Project Manager II Department of Natural and Cultural Resources 172 Pembroke Road, Concord, NH 03301 Please note on the outside of the envelope "Bid Proposal Wallis Sands Waste Water Sampling, Testing & Maintenance" Project No. OPS-2436.

DATE:_____

PROPOSAL OF:_____
(Company Name)

GRAND TOTAL / LUMP SUM BASE BID:_____

STATE OF NEW HAMPSHIRE
DEPARTMENT OF NATURAL AND CULTURAL RESOURCES
DIVISION OF PARKS AND RECREATION
CAPITAL PROJECTS AND MAINTENANCE

PROPOSAL

Proposal of...

(Company name)

(Company address)

To furnish and deliver all materials and services except as noted and to perform all work in accordance with the Contract of the State of New Hampshire, Department of Natural and Cultural Resources for:.

Project #OPS-2436 Waste Water Treatment Plant Operation, Sampling, Testing & Maintenance at Wallis Sands State Park, 1050 Ocean Blvd. Rye, NH 03870.

Commissioner
Department of Natural and Cultural Resources
172 Pembroke Road,
Concord, N.H. 03301

Commissioner:

In accordance with the advertisement of the Department of Natural and Cultural Resources inviting proposals for the project herein before named and in conformity with the Plans and Specifications on file in the office of the Department of Natural and Cultural Resources, _____(firm name) hereby certifies that _____ is/are the only person, or persons, interested in this proposal as principals; that this proposal is made without collusion with any person, firm, or corporation; that an examination has been made of the Plans, of the Standard Specifications, and Special Attentions, Supplemental Specifications, and Special Provisions, all of which are attached hereto, and also of the site of the work; and I, or we, propose to furnish all necessary machinery, equipment, tools, labor, and other means of construction, and to furnish all materials specified in the manner and at the time prescribed; and understand that the quantities of work as shown herein are approximate only and are subject to increase or decrease, and further understand that all quantities of work are to be performed at the quoted prices.

To execute the form of contract and begin work within 15 (fifteen) days after the notice to proceed has been received or otherwise delivered to the contractor and to prosecute said work until its completion.

It is further proposed:

To guarantee all of the work performed under this contract to be done in accordance with the plans and specifications and contract documents.

The undersigned acknowledges receipt of the following addenda, issued if any, during the bidding time, and states that these have been incorporated in the proposal:

Addendum #1 dated _____

Addendum #2 dated _____

Addendum #3 dated _____

Dated _____

SCHEDULE OF VALUES FOR WASTE WATER TREATMENT PLANT SAMPLING, TESTING & MAINTENANCE, PROJECT # OPS-2436

Month/Year	Cost
Fiscal Year 2025	
May 2025	
June 2025	
\$5,000 Allowance	\$5,000
FY 2025 subtotal	
Fiscal Year 2026	
July 2025	
August 2025	
September 2025	
CMOM Plan Due September 2025	
May 2026	
June 2026	
\$5000 ALLOWANCE	\$5,000
FY 2026 subtotal	
Fiscal Year 2027	
July 2026	
August 2026	
September 2026	
May 2027	
June 2027	
\$5000 ALLOWANCE	\$5,000
FY 2027 subtotal	
Fiscal Year 2028	
July 2027	
August 2027	
September 2027	
May 2028	
June 2028	
\$5000 ALLOWANCE	\$5,000
FY 2028 Subtotal	
Fiscal Year 2029	
July 2028	
August 2028	
September 2028	
\$5000 ALLOWANCE	\$5,000
FY 2029 Subtotal	
Total Lump Sum FY 2025-FY2029	

NOTE: The Schedule of values must be completely filled out in order for bid proposal to be considered responsive.

ALLOWANCE #1: Unanticipated Modification and/or Additions to Contract Items:

Include in the Contract, a stipulated sum/price of **\$25,000** for use upon the Project Managers instruction. This Allowance will make money available for modifications and/or additions to contract items due to owner-initiated changes, or for unknown, latent or differing existing conditions. Contractor's costs for products, delivery, installation, labor, insurance, payroll, taxes, equipment rental, overhead and profit will be included in Change Orders authorizing expenditure of funds from this Allowance.

- a. Funds will be drawn from an Allowance only by Change Order. Contractor can proceed with Change Order Work against Allowance with direction from the Project Manager. The Contractor shall not proceed with any work that will exceed the amount of Allowance remaining.
- b. Credits can only be added to an Allowance by Alteration Order. The Contractor may not use a credit until an Alteration Order is fully executed.
- c. Notwithstanding the Contractors objection, the Project Manager may at any time reduce the funds remaining in the Allowance by Alteration Order.
- d. At Final Payment of the Contract, funds remaining in the Allowance will be credited to the State.

SIGNATURE PAGE

Company Name _____

Address _____

Phone _____

Fax _____

E-mail Address _____

Signature of Authorized Bidder _____

Print _____

Title _____

Address of Bidder _____

(if different than company)

Names and Addresses of Members of the Firm/Corporation

Name _____ address _____

Name _____ address _____

Name _____ address _____

Notice: This agreement and all of its attachments shall become public upon submission to Governor and Executive Council for approval. Any information that is private, confidential or proprietary must be clearly identified to the agency and agreed to in writing prior to signing the contract.

AGREEMENT

The State of New Hampshire and the Contractor hereby mutually agree as follows:

GENERAL PROVISIONS

1. IDENTIFICATION.

1.1 State Agency Name Department of Natural and Cultural Resources		1.2 State Agency Address 172 Pembroke Rd. Concord, NH 03301	
1.3 Contractor Name		1.4 Contractor Address	
1.5 Contractor Phone Number	1.6 Account Unit and Class	1.7 Completion Date	1.8 Price Limitation
1.9 Contracting Officer for State Agency Edward Mussey, Public Works Project manager I		1.10 State Agency Telephone Number 603-271-8973	
1.11 Contractor Signature Date:		1.12 Name and Title of Contractor Signatory	
1.13 State Agency Signature Date:		1.14 Name and Title of State Agency Signatory	
1.15 Approval by the N.H. Department of Administration, Division of Personnel (<i>if applicable</i>) By: _____ Director, On: _____			
1.16 Approval by the Attorney General (Office of Legal Substance and Execution) (<i>if applicable</i>) By: _____ On: _____			
1.17 Approval by the Governor and Executive Council (<i>if applicable</i>) G&C Item number: _____ G&C Meeting Date: _____			

2. SERVICES TO BE PERFORMED. The State of New Hampshire, acting through the agency identified in block 1.1 ("State"), engages contractor identified in block 1.3 ("Contractor") to perform, and the Contractor shall perform, the work or sale of goods, or both, identified and more particularly described in the attached EXHIBIT B which is incorporated herein by reference ("Services").

3. EFFECTIVE DATE/COMPLETION OF SERVICES.

3.1 Notwithstanding any provision of this Agreement to the contrary, and subject to the approval of the Governor and Executive Council of the State of New Hampshire, if applicable, this Agreement, and all obligations of the parties hereunder, shall become effective on the date the Governor and Executive Council approve this Agreement, unless no such approval is required, in which case the Agreement shall become effective on the date the Agreement is signed by the State Agency as shown in block 1.13 ("Effective Date").

3.2 If the Contractor commences the Services prior to the Effective Date, all Services performed by the Contractor prior to the Effective Date shall be performed at the sole risk of the Contractor, and in the event that this Agreement does not become effective, the State shall have no liability to the Contractor, including without limitation, any obligation to pay the Contractor for any costs incurred or Services performed.

3.3 Contractor must complete all Services by the Completion Date specified in block 1.7.

4. CONDITIONAL NATURE OF AGREEMENT.

Notwithstanding any provision of this Agreement to the contrary, all obligations of the State hereunder, including, without limitation, the continuance of payments hereunder, are contingent upon the availability and continued appropriation of funds. In no event shall the State be liable for any payments hereunder in excess of such available appropriated funds. In the event of a reduction or termination of appropriated funds by any state or federal legislative or executive action that reduces, eliminates or otherwise modifies the appropriation or availability of funding for this Agreement and the Scope for Services provided in EXHIBIT B, in whole or in part, the State shall have the right to withhold payment until such funds become available, if ever, and shall have the right to reduce or terminate the Services under this Agreement immediately upon giving the Contractor notice of such reduction or termination. The State shall not be required to transfer funds from any other account or source to the Account identified in block 1.6 in the event funds in that Account are reduced or unavailable.

5. CONTRACT PRICE/PRICE LIMITATION/ PAYMENT.

5.1 The contract price, method of payment, and terms of payment are identified and more particularly described in EXHIBIT C which is incorporated herein by reference.

5.2 Notwithstanding any provision in this Agreement to the contrary, and notwithstanding unexpected circumstances, in no event shall the total of all payments authorized, or actually made hereunder, exceed the Price Limitation set forth in block 1.8. The payment by the State of the contract price shall be the only and the complete reimbursement to the Contractor for all expenses, of whatever nature incurred by the Contractor in the performance

hereof, and shall be the only and the complete compensation to the Contractor for the Services.

5.3 The State reserves the right to offset from any amounts otherwise payable to the Contractor under this Agreement those liquidated amounts required or permitted by N.H. RSA 80:7 through RSA 80:7-c or any other provision of law.

5.4 The State's liability under this Agreement shall be limited to monetary damages not to exceed the total fees paid. The Contractor agrees that it has an adequate remedy at law for any breach of this Agreement by the State and hereby waives any right to specific performance or other equitable remedies against the State.

6. COMPLIANCE BY CONTRACTOR WITH LAWS AND REGULATIONS/EQUAL EMPLOYMENT OPPORTUNITY.

6.1 In connection with the performance of the Services, the Contractor shall comply with all applicable statutes, laws, regulations, and orders of federal, state, county or municipal authorities which impose any obligation or duty upon the Contractor, including, but not limited to, civil rights and equal employment opportunity laws and the Governor's order on Respect and Civility in the Workplace, Executive order 2020-01. In addition, if this Agreement is funded in any part by monies of the United States, the Contractor shall comply with all federal executive orders, rules, regulations and statutes, and with any rules, regulations and guidelines as the State or the United States issue to implement those regulations. The Contractor shall also comply with all applicable intellectual property laws.

6.2 During the term of this Agreement, the Contractor shall not discriminate against employees or applicants for employment because of age, sex, sexual orientation, race, color, marital status, physical or mental disability, religious creed, national origin, gender identity, or gender expression, and will take affirmative action to prevent such discrimination, unless exempt by state or federal law. The Contractor shall ensure any subcontractors comply with these nondiscrimination requirements.

6.3 No payments or transfers of value by Contractor or its representatives in connection with this Agreement have or shall be made which have the purpose or effect of public or commercial bribery, or acceptance of or acquiescence in extortion, kickbacks, or other unlawful or improper means of obtaining business.

6.4. The Contractor agrees to permit the State or United States access to any of the Contractor's books, records and accounts for the purpose of ascertaining compliance with this Agreement and all rules, regulations and orders pertaining to the covenants, terms and conditions of this Agreement.

7. PERSONNEL.

7.1 The Contractor shall at its own expense provide all personnel necessary to perform the Services. The Contractor warrants that all personnel engaged in the Services shall be qualified to perform the Services, and shall be properly licensed and otherwise authorized to do so under all applicable laws.

7.2 The Contracting Officer specified in block 1.9, or any successor, shall be the State's point of contact pertaining to this Agreement.

8. EVENT OF DEFAULT/REMEDIES.

8.1 Any one or more of the following acts or omissions of the Contractor shall constitute an event of default hereunder ("Event of Default"):

- 8.1.1 failure to perform the Services satisfactorily or on schedule;
- 8.1.2 failure to submit any report required hereunder; and/or
- 8.1.3 failure to perform any other covenant, term or condition of this Agreement.

8.2 Upon the occurrence of any Event of Default, the State may take any one, or more, or all, of the following actions:

8.2.1 give the Contractor a written notice specifying the Event of Default and requiring it to be remedied within, in the absence of a greater or lesser specification of time, thirty (30) calendar days from the date of the notice; and if the Event of Default is not timely cured, terminate this Agreement, effective two (2) calendar days after giving the Contractor notice of termination;

8.2.2 give the Contractor a written notice specifying the Event of Default and suspending all payments to be made under this Agreement and ordering that the portion of the contract price which would otherwise accrue to the Contractor during the period from the date of such notice until such time as the State determines that the Contractor has cured the Event of Default shall never be paid to the Contractor;

8.2.3 give the Contractor a written notice specifying the Event of Default and set off against any other obligations the State may owe to the Contractor any damages the State suffers by reason of any Event of Default; and/or

8.2.4 give the Contractor a written notice specifying the Event of Default, treat the Agreement as breached, terminate the Agreement and pursue any of its remedies at law or in equity, or both.

9. TERMINATION.

9.1 Notwithstanding paragraph 8, the State may, in its sole discretion, terminate the Agreement for any reason, in whole or in part, by thirty (30) calendar days written notice to the Contractor that the State is exercising its option to terminate the Agreement.

9.2 In the event of an early termination of this Agreement for any reason other than the completion of the Services, the Contractor shall, at the State's discretion, deliver to the Contracting Officer, not later than fifteen (15) calendar days after the date of termination, a report ("Termination Report") describing in detail all Services performed, and the contract price earned, to and including the date of termination. In addition, at the State's discretion, the Contractor shall, within fifteen (15) calendar days of notice of early termination, develop and submit to the State a transition plan for Services under the Agreement.

10. PROPERTY OWNERSHIP/DISCLOSURE.

10.1 As used in this Agreement, the word "Property" shall mean all data, information and things developed or obtained during the performance of, or acquired or developed by reason of, this Agreement, including, but not limited to, all studies, reports, files, formulae, surveys, maps, charts, sound recordings, video recordings, pictorial reproductions, drawings, analyses, graphic representations, computer programs, computer printouts, notes, letters, memoranda, papers, and documents, all whether finished or unfinished.

10.2 All data and any Property which has been received from the State, or purchased with funds provided for that purpose under this Agreement, shall be the property of the State, and shall be returned to the State upon demand or upon termination of this Agreement for any reason.

10.3 Disclosure of data, information and other records shall be governed by N.H. RSA chapter 91-A and/or other applicable law. Disclosure requires prior written approval of the State.

11. CONTRACTOR'S RELATION TO THE STATE. In the performance of this Agreement the Contractor is in all respects an independent contractor, and is neither an agent nor an employee of the State. Neither the Contractor nor any of its officers, employees, agents or members shall have authority to bind the State or receive any benefits, workers' compensation or other emoluments provided by the State to its employees.

12. ASSIGNMENT/DELEGATION/SUBCONTRACTS.

12.1 Contractor shall provide the State written notice at least fifteen (15) calendar days before any proposed assignment, delegation, or other transfer of any interest in this Agreement. No such assignment, delegation or other transfer shall be effective without the written consent of the State.

12.2 For purposes of paragraph 12, a Change of Control shall constitute an assignment. "Change of Control" means (a) merger, consolidation, or a transaction or series of related transactions in which a third party, together with its affiliates, becomes the direct or indirect owner of fifty percent (50%) or more of the voting shares or similar equity interests, or combined voting power of the Contractor, or (b) the sale of all or substantially all of the assets of the Contractor.

12.3 None of the Services shall be subcontracted by the Contractor without prior written notice and consent of the State.

12.4 The State is entitled to copies of all subcontracts and assignment agreements and shall not be bound by any provisions contained in a subcontract or an assignment agreement to which it is not a party.

13. INDEMNIFICATION. The Contractor shall indemnify, defend, and hold harmless the State, its officers, and employees from and against all actions, claims, damages, demands, judgments, fines, liabilities, losses, and other expenses, including, without limitation, reasonable attorneys' fees, arising out of or relating to this Agreement directly or indirectly arising from death, personal injury, property damage, intellectual property infringement, or other claims asserted against the State, its officers, or employees caused by the acts or omissions of negligence, reckless or willful misconduct, or fraud by the Contractor, its employees, agents, or subcontractors. The State shall not be liable for any costs incurred by the Contractor arising under this paragraph 13. Notwithstanding the foregoing, nothing herein contained shall be deemed to constitute a waiver of the State's sovereign immunity, which immunity is hereby reserved to the State. This covenant in paragraph 13 shall survive the termination of this Agreement.

14. INSURANCE.

14.1 The Contractor shall, at its sole expense, obtain and continuously maintain in force, and shall require any subcontractor or assignee to obtain and maintain in force, the following insurance:

14.1.1 commercial general liability insurance against all claims of bodily injury, death or property damage, in amounts of not less than \$1,000,000 per occurrence and \$2,000,000 aggregate or excess; and

14.1.2 special cause of loss coverage form covering all Property subject to subparagraph 10.2 herein, in an amount not less than 80% of the whole replacement value of the Property.

14.2 The policies described in subparagraph 14.1 herein shall be on policy forms and endorsements approved for use in the State of New Hampshire by the N.H. Department of Insurance, and issued by insurers licensed in the State of New Hampshire.

14.3 The Contractor shall furnish to the Contracting Officer identified in block 1.9, or any successor, a certificate(s) of insurance for all insurance required under this Agreement. At the request of the Contracting Officer, or any successor, the Contractor shall provide certificate(s) of insurance for all renewal(s) of insurance required under this Agreement. The certificate(s) of insurance and any renewals thereof shall be attached and are incorporated herein by reference.

15. WORKERS' COMPENSATION.

15.1 By signing this agreement, the Contractor agrees, certifies and warrants that the Contractor is in compliance with or exempt from the requirements of N.H. RSA chapter 281-A ("Workers' Compensation").

15.2 To the extent the Contractor is subject to the requirements of N.H. RSA chapter 281-A, Contractor shall maintain and require any subcontractor or assignee to secure and maintain, payment of Workers' Compensation in connection with activities which the person proposes to undertake pursuant to this Agreement. The Contractor shall furnish the Contracting Officer identified in block 1.9, or any successor, proof of Workers' Compensation in the manner described in N.H. RSA chapter 281-A and any applicable renewal(s) thereof, which shall be attached and are incorporated herein by reference. The State shall be responsible for payment of any Workers' Compensation premiums or for any other claim or benefit for Contractor, or any subcontractor or employee of Contractor, which might arise under applicable State of New Hampshire Workers' Compensation laws in connection with the performance of the Services under this Agreement.

16. WAIVER OF BREACH. A State's failure to enforce its rights with respect to any single or continuing breach of this Agreement shall not act as a waiver of the right of the State to later enforce any such rights or to enforce any other or any subsequent breach.

17. NOTICE. Any notice by a party hereto to the other party shall be deemed to have been duly delivered or given at the time of mailing by certified mail, postage prepaid, in a United States Post Office addressed to the parties at the addresses given in blocks 1.2 and 1.4, herein.

18. AMENDMENT. This Agreement may be amended, waived or discharged only by an instrument in writing signed by the parties hereto and only after approval of such amendment, waiver or discharge by the Governor and Executive Council of the State of New Hampshire unless no such approval is required under the circumstances pursuant to State law, rule or policy.

19. CHOICE OF LAW AND FORUM.

19.1 This Agreement shall be governed, interpreted and construed in accordance with the laws of the State of New Hampshire except where the Federal supremacy clause requires otherwise. The wording used in this Agreement is the wording chosen by the parties to express their mutual intent, and no rule of construction shall be applied against or in favor of any party.

19.2 Any actions arising out of this Agreement, including the breach or alleged breach thereof, may not be submitted to binding arbitration, but must, instead, be brought and maintained in the Merrimack County Superior Court of New Hampshire which shall have exclusive jurisdiction thereof.

20. CONFLICTING TERMS. In the event of a conflict between the terms of this P-37 form (as modified in EXHIBIT A) and any other portion of this Agreement including any attachments thereto, the terms of the P-37 (as modified in EXHIBIT A) shall control.

21. ENTIRE PARTIES. This Agreement is being entered into for the sole benefit of the parties hereto, and nothing herein, express or implied, is intended to or will confer any legal or equitable right, benefit, or remedy of any nature upon any other person.

22. HEADINGS. The headings throughout the Agreement are for reference purposes only, and the words contained therein shall in no way be held to explain, modify, amplify or aid in the interpretation, construction or meaning of the provisions of this Agreement.

23. SPECIAL PROVISIONS. Additional or modifying provisions set forth in the attached EXHIBIT A are incorporated herein by reference.

24. FURTHER ASSURANCES. The Contractor, along with its agents and affiliates, shall, at its own cost and expense, execute any additional documents and take such further actions as may be reasonably required to carry out the provisions of this Agreement and give effect to the transactions contemplated hereby.

25. SEVERABILITY. In the event any of the provisions of this Agreement are held by a court of competent jurisdiction to be contrary to any state or federal law, the remaining provisions of this Agreement will remain in full force and effect.

26. ENTIRE AGREEMENT. This Agreement, which may be executed in a number of counterparts, each of which shall be deemed an original, constitutes the entire agreement and understanding between the parties, and supersedes all prior agreements and understandings with respect to the subject matter hereof.

GENERAL CONDITIONS

GENERAL

This contract is to be governed by all the applicable provisions of these specifications.

This project consists of assembling winterized equipment, Performing Waste Water Treatment Plant Sampling, Testing, and Maintenance, disassembly and winterization of equipment and Reporting Monthly Data to the USEPA through NetDMR, at the Wallis Sands State Park in Rye, NH as indicated in these specifications.

BIDDING REQUIREMENTS

Bids shall only be accepted on the official Bid Proposal Forms, attached to these specifications. **Any bids submitted that are not on the official bid proposal forms will not be accepted.**

CONDITIONS AT SITE OR BUILDING

Bidders shall visit the site and be responsible for having ascertained pertinent local conditions such as: location, accessibility, general character of the site or building, the character and extent of existing work within or adjacent to the site, and any other work being performed thereon at the time of the submission of this bid.

RIGHT TO WORK IN N.H.

All bidders must be registered and have a certificate of existence from the Secretary of State, Corporate Division (telephone 603-271-3246) in order to do business with the State of New Hampshire.
All Bidders must obtain the certificate of Existence before the bid award is approved.

PROPOSAL SELECTION

In most cases the proposal submitted by the qualified bidder with the lowest base bid price shall be selected. However, the Department of Natural and Cultural Resources reserves the right to reject any or all proposals, or advertise for new proposals as it judges to be in the best interest of the state.

CONTRACTORS QUALIFICATIONS

The successful bidder shall provide evidence upon request that they have been in the Waste Water Sampling and Testing business successfully performing this type, scale, and quality of work for a minimum of five years. A comprehensive list of all projects worked on involving Waste Water Sampling and Testing work in the past two years by the contractor shall be submitted with references.

EXECUTION OF CONTRACT

The Contractor's attention is called to the following:

EXECUTION AND APPROVAL OF CONTRACT. The contract shall be signed by the successful Bidder and returned, together with the contract bond, if applicable, within 15 days after the contract has been mailed or otherwise delivered to the Bidder. No contract shall be considered as in effect until it has been fully executed by all the parties thereto and, when the contract amount is more than \$10,000, the award has been concurred in by the Governor and Council.

FAILURE TO EXECUTE CONTRACT. Failure to execute the contract within 15 days after the contract has been mailed or otherwise delivered to the successful Bidder shall be just cause for the cancellation of the award and the forfeiture of the proposal guaranty which shall become the property of the Department, not as a penalty, but in liquidation of damages sustained. Award may then be made to the next lowest Bidder, or the work may be re-advertised as the Commissioner may decide.

STARTING DATE

The Contractor shall start work, after the notice to proceed is received. The notice to proceed shall be issued immediately upon contract approval by the Governor and Council.

PROTECTION OF EXISTING PROPERTY

It shall be the responsibility of the contractor to protect existing property from damage. Any damage caused by the contractor in the performance of the work shall be repaired or replaced at his expense to the satisfaction of the Department Project Manager.

CODES

All work performed shall meet the provisions, if applicable, of

WORKMANSHIP

All work shall be performed in a neat workmanlike manner by skilled workmen who have been actively engaged in performing the type of work specified under this contract for the last two years.

CLEAN-UP

All debris from the sampling, testing & maintenance of the facility shall be cleaned up daily and removed from the site on a daily basis.

DEFAULT AND TERMINATION OF CONTRACT

If the Contractor...

- (a) Fails to begin the work under the contract within the time specified in the contract, or
- (b) Fails to perform the work with sufficient workmen and equipment or with sufficient materials to assure the prompt completion of said work, or
- (c) Performs the work unsuitably or neglects or refuses to remove materials or to perform anew such work as may be rejected as unacceptable and unsuitable, or
- (d) Discontinues the prosecution of work, or
- (e) Fails to resume work which has been discontinued, within reasonable time after notice to do so, or
- (f) Becomes insolvent or is declared bankrupt, or commits any act of bankruptcy or insolvency, or
- (g) Makes an assignment for the benefit of creditors, or
- (h) For any other cause whatsoever, fails to carry on the work in an acceptable manner...

The Commissioner will give notice in writing to the Contractor of such delay, neglect, or default.

If the Contractor or Surety does not proceed in accordance with the Notice, then the Commissioner will, upon written notification from the Project Manager of the fact of such delay, neglect or default, and the Contractor's failure to comply with such notice, have full power and authority without violating the contract, to take the prosecution of the work out of the hands of the Contractor. The Commissioner may enter into an agreement for the completion of said contract according to the terms and conditions thereof, or use such other methods as in his opinion will be required for the completion of said contract in an acceptable manner.

All extra costs and charges incurred by the Department as a result of such delay, neglect or default, together with the cost of completion of the work under the contract will be deducted from any monies due or which may become due said Contractor. If such expenses exceed the sum which would have been payable under the contract, then the Contractor and the Surety shall be liable and shall pay to the Department, the amount of such excess.

FAILURE TO COMPLETE THE WORK ON TIME

If the Contractor fails to complete all of the work or sections of the Project, within the time specified in the Contract, the sum given in the schedule that follows will be deducted from any money due the Contractor. This deduction will be made, not as a penalty, but as fixed, agreed liquidation damages for inconvenience to the State and for reimbursing the Department the cost of the Administration of the Contract, including engineering and inspection. Should the amount of money otherwise due the Contractor be less than the amount of such liquidated damages, the Contractor and his Surety shall be liable to the State for such deficiency.

Permitting the Contractor to continue and finish the work after the time fixed for its completion, shall in no way obligate the State to waive any of its rights under the Contract.

When the final acceptance has been duly made by the Project Manager, any liquidated damage charges shall end.

The fixed, agreed, liquidated damages shall be assessed in accordance with the following schedule.

<u>ORIGINAL CONTRACT AMOUNT</u>		<u>AMOUNT OF LIQUIDATED DAMAGES</u> <u>PER WORKING DAY</u>
From more than:	to and including:	
0.	25,000.	\$ 200.00
25,000.	50,000.	\$ 300.00
50,000.	100,000.	\$ 400.00
100,000.	500,000.	\$ 500.00

CHANGES IN THE WORK

The Project Manager may at any time, by a written order, and without notice to the Sureties, make changes in the Specifications and completion date of this contract and within the general scope thereof.

In making any change, the additional cost or credit for the change shall be determined as follows:

- The order shall stipulate the mutually agreed upon lump sum price which shall be added to or deducted from the contract price. The contractor shall furnish an itemized breakdown of the prices used in computing the value of any change that might be ordered.
- If the price change is an addition to the contract price and the work is performed by the general contractor and not a subcontractor, it shall include the contractor's indirect costs as follows: Workmen's Compensation and Employee Liability, Unemployment and Social Security Taxes.
- In addition to the above indirect costs, the general contractor shall be allowed a markup not to exceed ten percent (10%). Said ten percent (10%) shall be all inclusive for overhead, supervision, and profit. In addition to this, an allowance shall be made for performance and payment bond additional premium.
- If the price change is an addition to the contract price and involves the work of the general contractor and subcontractor, the general contractor would be allowed ten percent (10%) on that part of the work performed by him and five percent (5%) on that part of the work performed by the subcontractor. The same percentages shall apply to subcontractors.
- On any change which involves a net credit to the Owner, no allowance for overhead and profit shall be figured.

INSURANCE REQUIREMENTS

No operations under this contract shall commence unless and until certification of insurance attesting to the below listed requirements have been filed with the Commissioner, approved by the Attorney General, and the Contract approved by the Governor and Council and a Notice to Proceed is issued.

Insurance requirements by paragraphs 1-4 below shall be the responsibility of the Prime Contractor. The Prime Contractor, at his discretion, may make similar requests of any subcontractor.

Following is the summary of minimum insurance requirements:

1. Workmen's Compensation Insurance (In accordance with RSA 281-A.)
 - a. Employers' Liability
 - 1.) \$100,000 each accident
 - 2.) \$500,000 Disease-policy limit
 - 3.) \$100,000 Disease-each employee
2. Commercial General Liability Insurance: Occurrence Form Policy: Include full Contractual Liability (see Indemnification Clause 9)., Explosion, Collapse, and Underground coverage's:
 - a. Limits of Liability:
 - 1.) \$1,000,000 Each Occurrence Bodily injury & Property Damage.
 - 2.) \$2,000,000 General Aggregate-Include per Project Aggregate Endorsement.
 - 3.) \$2,000,000 Products/Completed Operations Aggregate.
 - 4.) State shall be named as an additional named insured.
3. Commercial Umbrella Liability
 - a. Limits of Liability:
 - 1.) \$1,000,000 Each Occurrence
 - 2.) 1,000,000 Aggregate
4. General Insurance Conditions
 - a. Each policy shall contain a clause prohibiting cancellation or modifications of the policy earlier than thirty (30) days or ten (10) in cases of non-payment of premium after written notice thereof has been received by the State.
5. Indemnification:
 - a. The Contractor shall indemnify, defend, and hold harmless the State of New Hampshire, its Agencies, and its agents and employees from and against any and all claims, liabilities, suits or penalties arising out of (or which may be claimed to arise out of) acts of omissions of the Contractor or subcontractors in the performance of work covered by the Contract. This covenant shall survive the termination of the Contract. Notwithstanding the foregoing, nothing herein contained shall be deemed to constitute a waiver of the sovereign immunity of the State, which immunity is hereby reserved by the State.

NOTE:

References to "the Project Manager" shall be understood to mean the Department Project Manager designated by the Planning and Development office of the New Hampshire Department of Resources and Economic Development.

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Corporate Resolution

I, _____, **hereby certify** that I am duly elected Clerk/Secretary/Officer
(Name)
of _____. I hereby certify the following is a
(Name of Corporation)
true of a vote taken at a meeting of the Board of Directors/shareholders, duly called and held on
_____, 20____, at which a quorum of the directors/shareholders were present and
voting.

Voted: That _____ (may list more than one person) is duly
(P-37 Form Contract Signatory, Name and Title)

authorized to enter into contracts or agreements on behalf of

(Name of Corporation)

with the State of New Hampshire and any of its agencies and departments and further is
authorized to execute any documents which may in his/her judgement to be desirable or
necessary to affect the purpose of this vote.

I hereby certify that said vote has not been amended or repealed and remains in full force
and effect as the date of the contract to which this certificate is attached. This authority **shall**
remain valid for thirty (30) days from the date of this Corporate Resolution. I further certify
that it is understood the State of New Hampshire will rely on this certificate as evidence the
person(s) listed above currently occupy the positions(s) indicated and that they have full
authority to bind the corporation. To the extent that there are limits on the authority of any listed
individual to bind the corporation in contracts with the State of New Hampshire, all such
limitations are expressly stated herein.

DATED: _____

ATTEST: _____
(Name & Title) Not the P-37 Signatory

Corporate Bylaws

I, _____, **hereby certify** that I am duly elected Clerk/Secretary/Officer
of _____.
(Name)
(Name of Corporation) I hereby certify the following is a true copy of the current
Bylaws or Articles of Incorporation of Corporation and that the Bylaws or Articles of
Incorporation authorize the following officers or positions to bind the Corporation for contractual
obligations _____.
(List officer titles or position)

I further certify that the following individuals currently hold the office or positions
authorized: _____.
(List individuals holding positions authorized)

I hereby certify that it is understood that the State of New Hampshire will rely on this
certificate as evidence the person listed above currently occupies the position indicated and they
have full authority to bind the corporation. This authority **shall remain valid for thirty (30)**
days from the date of this certificate.

DATED: _____

ATTEST: _____
(Name & Title)

STATE OF _____
COUNTY OF _____

On the ____ day of _____, before me _____ the undersigned officer personally
appeared _____, known to me or satisfactorily proven to be the person whose name is
subscribed to the within instrument and acknowledged that he/she executed the same for purposes therein
contained. In witness whereof, I hereunto set me hand and official seal:

Justice of the Peace / Notary Public

My Commission Expires:

Limited Partnership or LLC Certificate of Authority

I, _____, hereby certify that I am a Partner, Member or Manager
(Name)
of _____ a limited liability partnership under RSA 304-B, a limited
(Name of Partnership or LLC)
liability professional partnership under RSA 304-D, or a limited liability company under
RSA 304-C.

I certify that _____ is authorized to bind the partnership or LLC. I
(P-37 Signatory)*
further certify that it is understood that the State of New Hampshire will rely on this
certificate as evidence that the person listed above currently occupies the position indicated
and that they have full authority to bind the partnership or LLC and that this authorization
shall remain valid for thirty (30) days from the date of this Corporate Resolution

DATE: _____

ATTEST: _____
(Name)

(Title)

*** Note:** The signatory to this Certificate of Authority and the signatory to the P-37 may not be the same individual.

Certificate of Authority # 4

(General partnership)

Partnership Certification of Authority

I, _____, hereby certify that I am the General Partner
(Name)
of _____ a general partnership under RSA 304-A.
(Name of Partnership)

I certify that I am authorized to bind the partnership.

I further certify that it is understood that the State of New Hampshire will rely on this certificate as evidence that the person listed above currently occupies the position indicated and that they have full authority to bind the partnership and the authority has not expired or been revoked. This authority **shall remain valid for thirty (30) days** from the date of this Corporate Resolution

DATED: _____

ATTEST: _____
(Name & Title)

Certificate of Authority # 5

(Sole Proprietor)

Sole Proprietor Certification of Authority

I, _____, hereby certify that I am the Sole Proprietor
(Name)
of _____ which is a tradename registered with the Secretary of State
(Name of Business)

under RSA 349. I certify that I am the sole owner of my business and of the tradename.

I further certify that it is understood that the State of New Hampshire
will rely on this certificate as evidence that the person listed above currently
occupies the position indicated and that they have full authority to bind the
business. This authority shall remain valid for thirty (30) days from the
date of this Corporate Resolution

DATED: _____

ATTEST: _____
(Name & Title)

Certificate of Authority # 6

*(Limited Partnership or LLC- Corporate General Partner
or Manager)*

Corporate Resolution

I, _____, hereby certify that I am duly elected Clerk/Secretary of
(Name)
_____. I hereby certify the following is a true copy of a vote taken at a
(Name of Corporation)
meeting of the Board of Directors/shareholders, duly called and held on _____, 20__,
at which a quorum of the Directors/shareholders were present and voting.

VOTED: That _____ is duly authorized to enter a
(Name and Title)
contract on behalf of _____ which is the general
(Name of Corporation)
partner of _____ a limited partnership,
(Name of Limited Partnership)
with the _____, State of New Hampshire and
(Name of State Agency)
further is authorized to execute any documents which may in his/her
judgment be desirable or necessary to effect the purpose of this vote.

I hereby certify that said vote has not been amended or repealed and remains in full
force and effect as of the _____, 20__. I further certify that it is understood that the
State of New Hampshire will rely on this certificate as evidence that the person listed above
currently occupies the position indicated and that they have full authority to bind the
corporation and that the corporation as the general partner has full authority to bind the
limited partnership to the specific contract indicated. This authority **shall remain valid for**
thirty (30) days from the date of this Corporate Resolution.

DATED: _____

ATTEST: _____
(Name & Title)



BUSINESS NAME/ADDRESS LOCATION

Legal Entity Name: _____

Doing Business As Name: _____

Payment Address: _____

City/Town: _____ STATE: _____ ZIP: _____ COUNTRY: _____

Business Address: _____

City/Town: _____ STATE: _____ ZIP: _____ COUNTRY: _____

Telephone #: _____ Cell Phone #: _____ FAX #: _____

Contact Person: _____ Website: _____ E-Mail (Main Office): _____

Electronic Payment Option: Please contact Treasury at ACHProcessing@treasury.nh.gov or visit their website at [Department of Treasury](http://DepartmentofTreasury) for further information on this option. Registration as a vendor must be completed prior to contacting.

TYPE OF BUSINESS

(Note: Registration with the NH Secretary of State MUST be done prior to the awarding of any contracts) [Secretary of State Corporate Division Registration](http://SecretaryofStateCorporateDivisionRegistration) (603) 271-3244

Registered with NH Secretary of State? YES _____ NO _____ State Incorporated In: _____

DUNS #: _____

Select the appropriate designations for your Entity:

Minority Institutions	<input type="checkbox"/>	Minority Owned Large Business	<input type="checkbox"/>	Minority Owned Small Business	<input type="checkbox"/>
Disabled Veteran Business	<input type="checkbox"/>	Svs Disabled Veteran Owned	<input type="checkbox"/>	Veteran Owned Small Business	<input type="checkbox"/>
Physically Challenged Bus	<input type="checkbox"/>	SBA Cert Fin Disadvantaged Bus	<input type="checkbox"/>	SBA Cert Hist Underutilized Bus	<input type="checkbox"/>
Historically Black Colleges	<input type="checkbox"/>	Women Owned Sm Bus	<input type="checkbox"/>	Women Owned Large Businesses	<input type="checkbox"/>
Small Business	<input type="checkbox"/>	SBA Cert Sm Disadvantaged Bus	<input type="checkbox"/>		

SIGNATURE BLOCK

I certify the above information to be correct and grant authorization to the State of New Hampshire to investigate any and all facts contained therein, including facility visitation.

Name and Title (print or type): _____

Signature: _____ Date: _____

RETURN ADDRESS

(Phone) 603-271-2201
(Fax) 603-271-2700
prch.web@das.nh.gov
<http://das.nh.gov/purchasing>

DIVISION OF PROCUREMENT & SUPPORT SERVICES
BUREAU OF PURCHASE AND PROPERTY
STATE HOUSE ANNEX, ROOM 102
25 CAPITOL STREET
CONCORD NH 03301-6398



STATE OF NEW HAMPSHIRE ALTERNATE W-9 FORM

PLEASE USE THIS FORM TO PROVIDE THE REQUESTED INFORMATION

Pursuant to IRS Regulations, you must furnish your Taxpayer Identification Number (TIN) to the State whether or not you are required to file tax returns. If this number is not provided, you may be subject to a 24% withholding on each payment made to you. To avoid this 24% withholding & to ensure that accurate tax information is reported to the IRS, A RESPONSE IS REQUIRED.

Legal Entity Name: _____

Doing Business As Name: _____

Payment Address: _____

City/Town: _____ STATE: _____ ZIP: _____ COUNTRY: _____

Business Address: _____

City/Town: _____ STATE: _____ ZIP: _____ COUNTRY: _____

Telephone #: _____ Cell Phone #: _____ FAX #: _____

Contact Person: _____ Website: _____ E-Mail (Main Office): _____

TAXPAYER IDENTIFICATION NUMBER (TIN) as used on IRS tax return

Social Security # (SSN): _____ Fed ID # (EIN/FIN): _____

PRINCIPAL ACTIVITY

☐ Service Provider ☐ Product/Merchandise Provider ☐ Other Provider

List the principal type of service, product or other that is provided: _____

☐ Medical/Health Care Services ☐ Legal Services ☐ 1099 Grant Reportable

DESIGNATION (select ONLY THOSE which apply to you/your organization as provided to the IRS)

<input type="checkbox"/> Individual/Sole-Proprietor Single Member LLC	<input type="checkbox"/> Corporation (S)	<input type="checkbox"/> Government
<input type="checkbox"/> LLC (C Corporation)	<input type="checkbox"/> Corporation (C)	<input type="checkbox"/> Travel/Intern
<input type="checkbox"/> LLC (S Corporation)	<input type="checkbox"/> Partnership	<input type="checkbox"/> Refund/Reimbursement
<input type="checkbox"/> LLC (P Partnership)	<input type="checkbox"/> Estate or Trust	<input type="checkbox"/> Tax-Exempt

EXEMPTIONS: _____ Exemption from FATCA reporting: _____

Under penalty of perjury, I declare that the information provided is true, correct & complete, to the best of my knowledge & belief.

NAME & TITLE (print or type): _____

TELEPHONE #: _____ CELL PHONE #: _____ FAX #: _____

SIGNATURE: _____ DATE: _____

E-Mail (Main Office): _____ Website: _____

PLEASE RETURN WHEN COMPLETED TO:

Email: PRCH.WEB@DAS.NH.GOV

(Phone) 603-271-2201

(FAX) 603-271-2700

<http://das.nh.gov/purchasing>

DIVISION OF PROCUREMENT & SUPPORT SERVICES

BUREAU OF PURCHASE & PROPERTY

STATE HOUSE ANNEX – ROOM 102

25 CAPITOL ST

CONCORD NH 03301

SUMMARY SCOPE OF WORK FOR WALLIS SANDS WASTE WATER TREATMENT PLANT SAMPLING, TESTING & MAINTENANCE

The Waste Water Treatment plant service provider shall furnish all tools, equipment, and materials needed to perform the duties at Wallis Sands State Park, Rye NH and shall be responsible for the following:

1. State Certification requirement: Waste Water Treatment Plant Operator shall be at a minimum NHDES Certified Grade II Waste Water Treatment Plant Operator in accordance with RSA 485-A:5-a.
2. Seasonal Waste Water Treatment Plant Operation facility from:
May 1, 2025 to September 30, 2025
May 1, 2026 to September 30, 2026
May 1, 2027 to September 30, 2027
May 1, 2028 to September 30, 2028
3. Perform Sampling, testing, and reporting of effluent characteristics as required by the National Pollutant Discharge Elimination System (NPDES) permit # NHG580014 and General Permit No. NHG580000. In compliance with the provisions of the Federal Clean Water Act as amended, 33 U.S.C. §§ 1251 et seq. (the "CWA").
4. Perform USEPA Region 1 Marine Acute Toxicity Test Procedure and Protocol July 2012 (Attachment C)
5. Perform USEPA Region 1 Marine Chronic Toxicity Test Procedure and Protocol November 2013 (Attachment D)
6. Adhere to Part II NPDES Standard Conditions.
7. Filling out and submitting a standard NPDES monthly discharge monitoring report using NetDMR reporting. The DMR's will be available on the USEPA Website.
8. Monthly DMRs are to be submitted electronically. Submit NetDMR Attachments for any attachment explaining the basis of all Permit violations, including violations of effluent limits, narrative requirements, reporting requirements, compliance schedules, deviations from all required monitoring frequencies, sample types and units of measurement. Also, state the reasons for including any NODI codes and the action taken to resolve any NODI code violation.

Service Provider Shall Report No-Discharge in the months where there are no discharges, October through April of each NH State fiscal year.

9. State Reporting Requirements: Duplicate signed copies of all reports, information, requests or notifications described in the NPDES Permit shall be submitted to the State electronically via e-mail to the permittee's assigned NPDES inspector at NHDES-WD or in Hard copy to the following address:

New Hampshire Department of Environmental Services
Water Division
Wastewater Engineering Bureau
P.O. Box 95
Concord, NH 03302-0095
E-mail: Stephanie.Larson@des.nh.gov

And

Attn: Edward Mussey Project Manager II
Department of Natural and Cultural Resources
Capital Projects & Maintenance
172 Pembroke Rd.
Concord, NH 03301
E-mail: Edward.V.Mussey@dnrcr.nh.gov

10. Assembly of winterized equipment; pumps, ultraviolet lamps, hoses, metering equipment, etc. for use during the operating season. Disassembly and winterization of equipment at the end of the operating season.
11. Perform Inspection and light maintenance of the facility as needed; to include test operation of pumps, alarm system, valves, cleaning and or replacement of ultraviolet lamps, ballasts, and a check of the associated mechanical and electrical equipment. Any deficiencies are to be reported immediately to, the Project Manager and the Park Manager for repairs. The service provider shall occasionally advise the Project Manager and Park Manager as to the use of materials, methods, or procedures to ensure the proper operation of the system.
12. Replacement UV Lamps, ballasts, Pumps and other electrical or mechanical parts will be charged against the allowance of the contract at the approval of the Project Manager.
13. Service provider shall represent DNCR as necessary in responding to inquiries, requests for information, or meetings with State, Federal and or local officials at no additional cost to the state.
14. Perform year-end summary and self-assessment reports as needed.
15. Perform EPA Quality Control procedures as needed.
16. Complete Yearly Wastewater Operator in Responsible Charge Verification Form by February 15th each year.
17. In accordance with Part IV Additional Limitations, Conditions and Requirements 5. Collection System O&M Plan b. (1) thru (8) Prepare, and Submit, full Collection System O&M Plan by no later than September 1, 2025. DNCR to provide previous Collection System O&M Plan to service provider.
18. In accordance with Part IV Additional Limitations, Conditions and Requirements 6. Annual Reporting Requirement Submit a summary report of activities related to implementation of the Collection System O&M Plan during the previous calendar year. This report shall be submitted to EPA and the State annually by March 31. The First annual report is due March 31, 2025.

DNCR to provide list of activities performed during the previous calendar year if any.

DNCR to provide a description of the staffing levels maintained during the year.
19. DNCR to Provide Alternate Power Source for the duration of the Seasonal Operation.
20. This proposal is for seasonal Sampling, Testing & Maintenance work to be performed from May 1, 2025 thru September 30, 2028.

21. DNCR will pump coordinate with others to pump out the septic tank on a yearly basis at the end of each operating season. DNCR will coordinate with others to pump out the dosing building and or the UV treatment building if operationally necessary.

22. Wallis Sands State Park is open to the Public from 8:00 am. – 5:00 pm. 7 days a week, including Holidays during the Operational Season.

ADDITIONAL REQUIREMENTS: Please see attached Permit No. NHG580014 "AUTHORIZATION TO DISCHARGE UNDER THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM SMALL WASTEWATER TREATMENT FACILITY GENERAL PERMIT".



Wallis Sands UV Treatment Building



Trojan 3000 PTP



Trojan 3000 PTP UV Treatment System
5.



Outfall Serial Number 001 @ low tide



PUMP STATION/DOSING BUILDING

**AUTHORIZATION TO DISCHARGE UNDER THE
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM SMALL
WASTEWATER TREATMENT FACILITY GENERAL PERMIT**

In compliance with the provisions of the Federal Clean Water Act as amended, 33 U.S.C. §§ 1251 et seq. (the “CWA”),

The New Hampshire Department of Natural and Cultural Resources
is authorized to discharge from the facility located at

**Wallis Sands State Park
Rye, NH 03870**

to receiving water named

Atlantic Ocean

in accordance with effluent limitations, monitoring requirements and other conditions set forth in this authorization and the Small WWTF GP (General Permit No. NHG580000).

This authorization shall become effective on September 1, 2023.

For applicable attachments see the complete version of the Small WWTF General Permit¹:

Part VIII – Standard Conditions

Attachment A – Freshwater Acute Toxicity Test Procedure and Protocol, February 2011

Attachment B – Freshwater Chronic Toxicity Test Procedure and Protocol, March 2013

Attachment C – Marine Acute Toxicity Test Procedure and Protocol, July 2012

Attachment D – Marine Chronic Toxicity Test Procedure and Protocol, November 2013

I. Applicability and Coverage of the WWTF GP

Supplementary information provided in the complete version of the Small WWTF GP.

II. Massachusetts General Permit, Permit No. MAG580000

N/A

¹ <https://www.epa.gov/npdes-permits/region-1-final-small-wastewater-treatment-facilities-general-permit>

III. New Hampshire General Permit, Permit No. NHG580000**A. Effluent Limitations and Monitoring Requirements**

During the period beginning on the effective date and lasting through the expiration date, the Permittee is authorized to discharge treated effluent through Outfall Serial Number 001 to the Atlantic Ocean between May 1st and October 31st of each year. The discharge shall be limited and monitored as specified below at the end of all treatment processes, including disinfection or dechlorination, or at an alternative representative location approved by EPA and the New Hampshire Department of Environmental Services (NHDES), that provides a representative sample of the effluent. The receiving water and the influent shall be monitored as specified below.

Table 1. Effluent Limitations and Monitoring Requirements

Effluent Characteristic	Discharge Limitation¹⁵			Monitoring Requirement^{1,2,3}	
	Average Monthly	Average Weekly	Maximum Daily	Measurement Frequency	Sample Type⁴
Seasonal Average Effluent Flow ⁵	0.01 MGD	---	---	Continuous	Recorder
Effluent Flow ⁵	Report MGD	---	Report MGD	Continuous	Recorder
BOD ₅	30 mg/L 2.5 lb/day	45 mg/L 3.8 lb/day	50 mg/L 4.2 lb/day	2/Month	Grab
BOD ₅ Removal	≥ 85 %	---	---	1/Month	Calculate
TSS	30 mg/L 2.5 lb/day	45 mg/L 3.8 lb/day	50 mg/L 4.2 lb/day	2/Month	Grab
TSS Removal	≥ 85 %	---	---	1/Month	Calculate
pH Range ⁸	6.5-8.0 S.U.			3/Week	Grab
Enterococci ⁹	35/100 mL	---	104/100 mL	5/Week	Grab
Fecal Coliform ^{9,10}	14/100 mL	---	---	5/Week	Grab
Fecal Coliform ^{9,10} (% of samples > 28/100 mL)	---	---	≤ 10%	5/Week	Grab
Total Copper ¹²	3.7 µg/L	---	5.8 µg/L	2/Month	Grab
Total Nickel ¹²	8.3 µg/L	---	---	2/Month	Grab
Ammonia Nitrogen ¹² (May 1 – October 31)	1.21 mg/L	---	---	1/Week	Grab

Effluent Characteristic	Discharge Limitation ¹⁵			Monitoring Requirement ^{1,2,3}	
Parameter	Average Monthly	Average Weekly	Maximum Daily	Measurement Frequency	Sample Type ⁴
Total Nitrogen ¹³	Report mg/L Report lb/day	---	Report mg/L Report lb/day	1/Quarter	Grab
Total Kjeldahl Nitrogen ¹³	Report mg/L	---	Report mg/L	1/Quarter	Grab
Nitrate + Nitrite ¹³	Report mg/L	---	Report mg/L	1/Quarter	Grab
Perfluorohexanesulfonic acid (PFHxS) ¹⁴	---	---	Report ng/L	2/Year	Grab
Perfluorononanoic acid (PFNA) ¹⁴	---	---	Report ng/L	2/Year	Grab
Perfluorooctanesulfonic acid (PFOS) ¹⁴	---	---	Report ng/L	2/Year	Grab
Perfluorooctanoic acid (PFOA) ¹⁴	---	---	Report ng/L	2/Year	Grab
Whole Effluent Toxicity (WET) Testing^{16,17}					
Acute (LC ₅₀) (Test Species: <i>Menidia beryllina</i> and <i>Mysidopsis bahia</i>)	---	---	≥ 100%	Once in the 4 th Year	Grab
Chronic (C-NOEC) (Test Species: <i>Menidia beryllina</i> and <i>Mysidopsis bahia</i>)	---	---	≥ 100%	Once in the 4 th Year	Grab
Hardness (as CaCO ₃)	---	---	Report mg/L	Same as WET Measurement Frequency and Sample Type	
Ammonia Nitrogen	---	---	Report mg/L		
Total Cadmium	---	---	Report mg/L		
Total Copper	---	---	Report mg/L		
Total Lead	---	---	Report mg/L		
Total Nickel	---	---	Report mg/L		
Total Zinc	---	---	Report mg/L		

Ambient Characteristic ¹⁸	Reporting Requirements			Monitoring Requirements ^{1,2,3}	
	Average Monthly	Average Weekly	Maximum Daily	Measurement Frequency	Sample Type ⁴
Salinity	---	---	Report ppt		Grab
Ammonia Nitrogen	---	---	Report mg/L		Grab
Total Cadmium	---	---	Report mg/L		Grab
Total Copper	---	---	Report mg/L		Grab
Total Nickel	---	---	Report mg/L		Grab
Total Lead	---	---	Report mg/L		Grab
Total Zinc	---	---	Report mg/L		Grab
Total Organic Carbon	---	---	Report mg/L		Grab
pH ²⁰	---	---	Report S.U.		Grab
Temperature ²⁰	---	---	Report °C		Grab

Influent Characteristic	Reporting Requirements			Monitoring Requirements ^{1,2,3}	
	Average Monthly	Average Weekly	Maximum Daily	Measurement Frequency	Sample Type ⁴
BOD ₅	Report mg/L	---	---	2/Month	Grab
TSS	Report mg/L	---	---	2/Month	Grab
Perfluorohexanesulfonic acid (PFHxS) ¹⁴	---	---	Report ng/L	2/Year	Grab
Perfluorononanoic acid (PFNA) ¹⁴	---	---	Report ng/L	2/Year	Grab
Perfluorooctanesulfonic acid (PFOS) ¹⁴	---	---	Report ng/L	2/Year	Grab
Perfluorooctanoic acid (PFOA) ¹⁴	---	---	Report ng/L	2/Year	Grab

Sludge Characteristic	Reporting Requirements			Monitoring Requirements ^{1,2,3}	
	Average Monthly	Average Weekly	Maximum Daily	Measurement Frequency	Sample Type ⁴
Perfluorohexanesulfonic acid (PFHxS) ²²	---	---	Report ng/g	2/Year	Grab ²³
Perfluorononanoic acid (PFNA) ²²	---	---	Report ng/g	2/Year	Grab ²³
Perfluorooctanesulfonic acid (PFOS) ²²	---	---	Report ng/g	2/Year	Grab ²³
Perfluorooctanoic acid (PFOA) ²²	---	---	Report ng/g	2/Year	Grab ²³

Footnotes to Part III.A. Table 1:

1. All samples shall be collected in a manner to yield representative data. A routine sampling program shall be developed in which samples are taken at the same location, same time and same days of the week each month. Occasional deviations from the routine sampling program are allowed, but the reason for the deviation shall be documented as an electronic attachment to the applicable discharge monitoring report. The Permittee shall report the results to the Environmental Protection Agency Region 1 (EPA) and the State of any additional testing above that required herein, if testing is in accordance with 40 CFR Part 136.
2. In accordance with 40 CFR § 122.44(i)(1)(iv), the Permittee shall monitor according to sufficiently sensitive test procedures (i.e., methods) approved under 40 CFR Part 136 or required under 40 CFR chapter I, subchapter N or O, for the analysis of pollutants or pollutant parameters (except WET). A method is “sufficiently sensitive” when: 1) The method minimum level (ML) is at or below the level of the effluent limitation established in the permit for the measured pollutant or pollutant parameter; or 2) The method has the lowest ML of the analytical methods approved under 40 CFR Part 136 or required under 40 CFR chapter I, subchapter N or O for the measured pollutant or pollutant parameter. The term “minimum level” refers to either the sample concentration equivalent to the lowest calibration point in a method or a multiple of the method detection limit (MDL), whichever is higher. Minimum levels may be obtained in several ways: They may be published in a method; they may be based on the lowest acceptable calibration point used by a laboratory; or they may be calculated by multiplying the MDL in a method, or the MDL determined by a laboratory, by a factor.

When a parameter is not detected above the ML, the Permittee must report the data qualifier signifying less than the ML for that parameter (e.g., < 50 µg/L, if the ML for a parameter is 50 µg/L). For reporting an average based on a mix of values detected and not detected, assign a value of “0” to all non-detects for that reporting period and report the average of all the results.

3. N/A
4. A “grab” sample is an individual sample collected in a period of less than 15 minutes.

A “composite” sample is a composite of at least twenty-four (24) grab samples taken during one consecutive 24-hour period, either collected at equal intervals and combined proportional to flow or continuously collected proportional to flow.
5. The seasonal average, monthly average, and the maximum daily flows shall be reported. The limit of 0.01 MGD is a seasonal average, which shall be reported in November of each year. The value will be calculated as the arithmetic mean of the monthly average flows from May 1st through October 31st of that year.
6. N/A
7. N/A

8. The pH shall be within the specified range at all times. The minimum and maximum pH sample measurement values for the month shall be reported in standard units (S.U.).

The pH range may be modified if the Permittee satisfies conditions set forth in Part III.E.5 below. Upon notification of an approval by NHDES, EPA will review and, if acceptable, will submit written notice to the Permittee of the permit change. The modified pH range will not be in effect until the Permittee receives written notice from EPA.

9. Bacteria monitoring shall be conducted concurrently with TRC monitoring, if TRC monitoring is required. The monthly average limits for bacteria are expressed as a geometric mean.

For samples tested using the Most Probable Number (MPN) method, the units may be expressed as MPN. The units may also be expressed as colony forming units (cfu) when using the Membrane Filtration method.

10. The average monthly values for fecal coliform shall be determined by calculating the geometric mean using daily sample results. As a daily maximum, not more than 10 percent of collected samples (over a monthly period) shall exceed a Most Probable Number (MPN) of 28 per 100. Each month the percentage of collected samples that exceeds an MPN of 28 per 100 mL shall be reported at the Daily Maximum value. Furthermore, all Fecal Coliform data collected must be submitted with the monthly Discharge Monitoring Reports (DMRs).

11. N/A

12. See Part IV.E below for compliance schedules applicable to copper, nickel, and ammonia limits.

13. Total Kjeldahl nitrogen and nitrate + nitrite samples shall be collected concurrently. The results of these analyses shall be used to calculate both the concentration and mass loadings of total nitrogen, as follows.

$$\text{Total Nitrogen (mg/L)} = \text{Total Kjeldahl Nitrogen (mg/L)} + \text{Nitrate} + \text{Nitrite (mg/L)}$$
$$\text{Total Nitrogen (lb/day)} = [(\text{average monthly Total Nitrogen (mg/L)} * \text{total monthly effluent flow (Millions of Gallons (MG))} / \# \text{ of days in the month}] * 8.34.$$

14. Report in nanograms per liter (ng/L). Monitoring and reporting shall be done twice per year, once in each 3rd calendar quarter and once in each 4th calendar quarter. This reporting requirement for the listed PFAS parameters takes effect the first full 3rd or 4th calendar quarter following 6 months after EPA notifies the permittee that an EPA multi-lab validated method for wastewater is available.

15. N/A

16. The Permittee shall conduct acute toxicity tests (LC50) and chronic toxicity tests (C-NOEC) in accordance with test procedures and protocols specified in **Attachments C and D** of this permit. LC50 and C-NOEC are defined in Part VIII.E. of this permit. The Permittee shall test

the mysid shrimp (*Mysidopsis bahia*) and the inland silverside (*Menidia beryllina*). The toxicity test samples shall be collected during the 3rd calendar quarter (the quarter ending September 30th) of the 4th year of the permit term. The complete report for each toxicity test shall be submitted as an attachment to the DMR submittal which includes the results for that toxicity test.

17. For Part I.A.1., Whole Effluent Toxicity Testing, the Permittee shall conduct the analyses specified in **Attachments C and D**, Part VI. CHEMICAL ANALYSIS for the effluent sample. If toxicity test(s) using the receiving water as diluent show the receiving water to be toxic or unreliable, the Permittee shall follow procedures outlined in **Attachments C and D**, Section IV., DILUTION WATER. Minimum levels and test methods are specified in **Attachments C and D**, Part VI. CHEMICAL ANALYSIS.
18. For Part I.A.1., Ambient Characteristic, the Permittee shall conduct the analyses specified in **Attachments C and D**, Part VI. CHEMICAL ANALYSIS for the receiving water sample collected as part of the WET testing requirements. Such samples shall be taken from the receiving water at a point immediately upstream (for freshwater discharges) or outside (for marine discharges) of the permitted discharge's zone of influence at a reasonably accessible location, as specified in **Attachments C and D**. Minimum levels and test methods are specified in **Attachments C and D**, Part VI. CHEMICAL ANALYSIS.
19. Monitoring and reporting for dissolved organic carbon (DOC) are not requirements of the Whole Effluent Toxicity (WET) tests but are additional requirements. The Permittee may analyze the WET samples for DOC or may collect separate samples for DOC concurrently with WET sampling.
20. A pH and temperature measurement shall be taken of each receiving water sample at the time of collection and the results reported on the appropriate DMR. These pH and temperature measurements are independent from any pH and temperature measurements required by the WET testing protocols.
21. N/A
22. Report in nanograms per gram (ng/g).

Monitoring and reporting for PFAS in the sludge of non-lagoon facilities shall be done twice per year, once in each 3rd calendar quarter and once in each 4th calendar quarter. This reporting requirement for the listed PFAS parameters takes effect the first full 3rd or 4th calendar quarter following 6 months after EPA notifies the Permittee that an EPA multi-lab validated method for sludge is available.
23. 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>.

B. Other Requirements

1. The discharge shall not cause a violation of the water quality standards of the receiving water.
2. The discharge shall be free from substances in kind or quantity that settle to form harmful benthic deposits; float as foam, debris, scum or other visible substances; produce odor, color, taste or turbidity that is not naturally occurring and would render the surface water unsuitable for its designated uses; result in the dominance of nuisance species; or interfere with recreational activities.
3. Tainting substances shall not be present in the discharge in concentrations that individually or in combination are detectable by taste and odor tests performed on the edible portions of aquatic organisms.
4. The discharge shall not result in toxic substances or chemical constituents in concentrations or combinations in the receiving water that injure or are inimical to plants, animals, humans or aquatic life; or persist in the environment or accumulate in aquatic organisms to levels that result in harmful concentrations in edible portions of fish, shellfish, other aquatic life, or wildlife that might consume aquatic life.
5. The discharge shall not result in benthic deposits that have a detrimental impact on the benthic community. The discharge shall not result in oil and grease, color, slicks, odors, or surface floating solids that would impair any existing or designated uses in the receiving water.
6. The discharge shall not result in an exceedance of the naturally occurring turbidity in the receiving water by more than 10 NTUs.
7. The Permittee must provide adequate notice to EPA-Region 1 and the State of the following:
 - a. Any new introduction of pollutants into the POTW or facility from an indirect discharger which would be subject to Part 301 or Part 306 of the Clean Water Act if it were directly discharging those pollutants or in a primary industry category (see 40 CFR Part 122 Appendix A as amended) discharging process water; and
 - b. Any substantial change in the volume or character of pollutants being introduced into that POTW or facility by a source introducing pollutants into the POTW or facility at the time of issuance of the permit.
 - c. For purposes of this paragraph, adequate notice shall include information on:
 - (1) The quantity and quality of effluent introduced into the POTW or facility; and
 - (2) Any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW or facility.
8. Pollutants introduced into the POTW or facility by a non-domestic source (user) shall not pass through the POTW or facility or interfere with the operation or performance of the works.

C. Unauthorized Discharges

This permit authorizes discharges only from the outfall(s) listed in the written authorization to discharge from EPA in accordance with the terms and conditions of this permit. Discharges of wastewater from any other point sources, including sanitary sewer overflows (SSOs), are not authorized by this permit in accordance with Part VIII.D.1.e.(1) (24-hour reporting). See Part VI below for reporting requirements.

D. Additional Requirements for Facilities Discharging to Marine Waters

The requirements below apply only to facilities that discharge to marine waters.

1. N/A
2. NHDES Shellfish Notification Procedures

The Permittee shall immediately notify the Shellfish Section of NHDES-WD of possible high bacteria/virus loading events from the facility or its sewer collection system. Such events include:

- a. Any lapse or interruption of normal operation of the POTW disinfection system, or other event that results in discharge of sewage from the POTW or sewer infrastructure (pump stations, sewer lines, manholes, etc.) that has not undergone full disinfection as specified in the NPDES permit;
- b. N/A; and
- c. Daily post-disinfection effluent samples of 43 organisms per 100 mL or greater.
Notification shall also be made for instances where NPDES-required bacteria sampling is not completed, or where the results of such sampling are invalid. This is a state certification requirement.

Notification shall be made using the program's cell phone number. If Shellfish Program staff are not available to answer the phone, leave a message describing the issue or situation and provide your contact information, including phone number. Then, call the Shellfish Program's pager and enter a call back number. Upon initial notification of a possible high bacteria/virus loading event, Shellfish Program staff will determine the most suitable interval for continued notification and updates on an event-by-event basis.

NHDES - Shellfish Program
Cell phone: 603-568-6741
Pager: 603-771-9826

3. Pursuant to 40 CFR § 125.123(d)(4), this permit shall be modified or revoked at any time if, on the basis of any new data, the director determines that continued discharges may cause unreasonable degradation of the marine environment.

E. State Permit Conditions

1. The Permittee shall not at any time, either alone or in conjunction with any person or persons, cause directly or indirectly the discharge of waste into the said receiving water unless it has been treated in such a manner as will not lower the legislated water quality classification or interfere with the uses assigned to said water by the New Hampshire Legislature (RSA 485-A:12).
2. This NPDES discharge permit is issued by EPA under federal and state law. Upon final issuance by EPA, the New Hampshire Department of Environmental Services – Water Division (NHDES-WD) may adopt this permit, including all terms and conditions, as a state permit pursuant to RSA 485-A:13.
3. EPA shall have the right to enforce the terms and conditions of this permit pursuant to federal law and NHDES-WD shall have the right to enforce the permit pursuant to state law, if the permit is adopted. Any modification, suspension, or revocation of this permit shall be effective only with respect to the agency taking such action and shall not affect the validity or status of the permit as issued by the other agency.
4. Pursuant to New Hampshire Statute RSA 485-A:13, I(c), any person responsible for a bypass or upset at a *wastewater facility* shall give immediate notice of a bypass or upset to all public or privately owned water systems drawing water from the same receiving water and located within 20 miles downstream of the point of discharge regardless of whether or not it is on the same receiving water or on another surface water to which the receiving water is tributary. Wastewater facility is defined at RSA 485-A:2XIX as the structures, equipment, and processes required to collect, convey, and treat domestic and industrial wastes, and dispose of the effluent and sludge. The Permittee shall maintain a list of persons, and their telephone numbers, who are to be notified immediately by telephone. In addition, written notification, which shall be postmarked within 3 days of the bypass or upset, shall be sent to such persons.
5. The pH range of 6.5 to 8.0 Standard Units (S.U.) must be achieved in the final effluent unless the Permittee can demonstrate to NHDES-WD: 1) that the range should be widened due to naturally occurring conditions in the receiving water; or 2) that the naturally occurring receiving water pH is not significantly altered by the Permittee's discharge. The scope of any demonstration project must receive prior approval from NHDES-WD. In no case, shall the above procedure result in pH limits outside the range of 6.0 to 9.0 S.U., which is the federal effluent limitation guideline regulation for pH for secondary treatment and is found in 40 CFR § 133.102(c).
6. Pursuant to New Hampshire Code of Administrative Rules, Env-Wq 703.07(a):
 - a. Any person proposing to construct or modify any of the following shall submit an application for a sewer connection permit to the department:
 - (1) Any extension of a collector or interceptor, whether public or private, regardless of flow;
 - (2) Any wastewater connection or other discharge in excess of 5,000 gpd;

- (3) Any wastewater connection or other discharge to a WWTP operating in excess of 80 percent design flow capacity or design loading capacity based on actual average flow or loading for 3 consecutive months;
 - (4) Any industrial wastewater connection or change in existing discharge of industrial wastewater, regardless of quality or quantity;
 - (5) Any sewage pumping station greater than 50 gpm or serving more than one building; or
 - (6) Any proposed sewer that serves more than one building or that requires a manhole at the connection.
7. For each new or increased discharge of industrial waste to the POTW, the Permittee shall submit, in accordance with Env-Wq 305.10(b) an "Industrial Wastewater Discharge Request."
8. Pursuant to Env-Wq 305.15(d) and 305.16(f), the Permittee shall not allocate or accept for treatment more than 90 percent of the headworks loading limits of the facility.
9. Pursuant to Env-Wq 305.21, at a frequency no less than every five years, the Permittee shall submit to NHDES:
 - a. A copy of its current sewer use ordinance if it has been revised without department approval subsequent to any previous submittal to the department or a certification that no changes have been made.
 - b. A current list of all significant indirect dischargers to the POTW. At a minimum, the list shall include for each significant indirect discharger, its name and address, the name and daytime telephone number of a contact person, products manufactured, industrial processes used, existing pretreatment processes, and discharge permit status.
 - c. A list of all permitted indirect dischargers; and
 - d. A certification that the municipality is strictly enforcing its sewer use ordinance and all discharge permits it has issued.
10. When the effluent discharged for a period of three (3) consecutive months exceeds 80 percent of the design flow or design loading capacity, the Permittee shall submit to the permitting authorities a projection of flows and loadings up to the time when the design capacity of the treatment facility will be reached, and a program for maintaining satisfactory treatment levels consistent with approved water quality management plans. Before the design flow will be reached, or whenever treatment necessary to achieve permit limits cannot be assured, the Permittee may be required to submit plans for facility improvements.

IV. Additional Limitations, Conditions, and Requirements

A. Operation and Maintenance of the Sewer System

Operation and maintenance (O&M) of the sewer system shall be in compliance with the Standard Conditions of Part II and the following terms and conditions. The Permittee shall complete the following activities for the collection system which it owns:

1. Maintenance Staff

The Permittee shall provide an adequate staff to carry out the operation, maintenance, repair, and testing functions required to ensure compliance with the terms and conditions of this permit. Provisions to meet this requirement shall be described in the Collection System O&M Plan required pursuant to Section IV.A.5. below.

2. Preventive Maintenance Program

The Permittee shall maintain an ongoing preventive maintenance program to prevent overflows and bypasses caused by malfunctions or failures of the sewer system infrastructure. The program shall include an inspection program designed to identify all potential and actual unauthorized discharges. Plans and programs to meet this requirement shall be described in the Collection System O&M Plan required pursuant to Section IV.A.5. below.

3. Infiltration/Inflow

The Permittee shall control infiltration and inflow (I/I) into the sewer system as necessary to prevent high flow related unauthorized discharges from their collection systems and high flow related violations of the wastewater treatment plant's effluent limitations. Plans and programs to control I/I shall be described in the Collection System O&M Plan required pursuant to Section IV.A.5. below.

4. Collection System Mapping

Within 30 months of the effective date of this permit, the Permittee shall prepare a map of the sewer collection system it owns. The map shall be on a street map of the community, with sufficient detail and at a scale to allow easy interpretation. The collection system information shown on the map shall be based on current conditions and shall be kept up-to-date and available for review by federal, state, or local agencies. Such map(s) shall include, but not be limited to the following:

- a. All sanitary sewer lines and related manholes;
- b. All combined sewer lines, related manholes, and catch basins;
- c. All combined sewer regulators and any known or suspected connections between the sanitary sewer and storm drain systems (e.g. combination manholes);

- d. All outfalls, including the treatment plant outfall(s), CSOs, and any known or suspected SSOs, including stormwater outfalls that are connected to combination manholes;
- e. All pump stations and force mains;
- f. The wastewater treatment facility(ies);
- g. All surface waters (labeled);
- h. Other major appurtenances such as inverted siphons and air release valves;
- i. A numbering system which uniquely identifies manholes, catch basins, overflow points, regulators and outfalls;
- j. The scale and a north arrow; and
- k. The pipe diameter, date of installation, type of material, distance between manholes, and the direction of flow.

5. Collection System O&M Plan

- a. Within six (6) months of the effective date of the permit, the Permittee shall submit to EPA and the State
 - (1) A description of the collection system management goals, staffing, information management, and legal authorities;
 - (2) A description of the collection system and the overall condition of the collection system including a list of all pump stations and a description of recent studies and construction activities; and
 - (3) A schedule for the development and implementation of the full Collection System O&M Plan including the elements in paragraphs b.1. through b.8. below.
- b. The full Collection System O&M Plan shall be completed, implemented and submitted to EPA and the State within twenty-four (24) months from the effective date of this permit. The Plan shall include:
 - (1) The required submittal from paragraph 5.a. above, updated to reflect current information;
 - (2) A preventive maintenance and monitoring program for the collection system;
 - (3) Description of sufficient staffing necessary to properly operate and maintain the sanitary sewer collection system and how the operation and maintenance program is staffed;
 - (4) Description of funding, the source(s) of funding and provisions for funding sufficient for implementing the plan;
 - (5) Identification of known and suspected overflows and back-ups, including manholes. A description of the cause of the identified overflows and back-ups, corrective

actions taken, and a plan for addressing the overflows and back-ups consistent with the requirements of this permit;

- (6) A description of the Permittee's programs for preventing I/I related effluent violations and all unauthorized discharges of wastewater, including overflows and by-passes and the ongoing program to identify and remove sources of I/I. The program shall include an inflow identification and control program that focuses on the disconnection and redirection of illegal sump pumps and roof down spouts;
- (7) An educational public outreach program for all aspects of I/I control, particularly private inflow; and
- (8) An Overflow Emergency Response Plan to protect public health from overflows and unanticipated bypasses or upsets that exceed any effluent limitation in the permit.

6. Annual Reporting Requirement

The Permittee shall submit a summary report of activities related to the implementation of its Collection System O&M Plan during the previous calendar year. The report shall be submitted to EPA and the State annually by March 31. The first annual report is due the first March 31st following submittal of the collection system O&M Plan required by Part IV.A.5.b. of this permit. The summary report shall, at a minimum, include:

- a. A description of the staffing levels maintained during the year;
- b. A map and a description of inspection and maintenance activities conducted and corrective actions taken during the previous year;
- c. Expenditures for any collection system maintenance activities and corrective actions taken during the previous year;
- d. A map with areas identified for investigation/action in the coming year;
- e. A summary of unauthorized discharges during the past year and their causes and a report of any corrective actions taken as a result of the unauthorized discharges reported pursuant to the Unauthorized Discharges section of this permit; and
- f. In New Hampshire, if the monthly average flow exceeded 80 percent of the facility's design flow for three consecutive months in the previous calendar year, or there have been capacity related overflows, the report shall include items in (1) and (2) below.
 - (1) Plans for further potential flow increases describing how the Permittee will maintain compliance with the flow limit and all other effluent limitations and conditions; and
 - (2) A calculation of the maximum daily, weekly, and monthly infiltration and the maximum daily, weekly, and monthly inflow for the reporting year.

B. Alternate Power Source

In order to maintain compliance with the terms and conditions of this permit, the Permittee shall provide an alternative power source(s) sufficient to operate the portion of the publicly owned treatment works it owns and operates, as defined in Part VIII.E.1 of this permit.

C. Industrial Users

1. The Permittee shall submit to EPA and the State the name of any Industrial User (IU) subject to Categorical Pretreatment Standards under 40 CFR § 403.6 and 40 CFR chapter I, subchapter N (Parts 405-415, 417-430, 432, 447, 449-451, 454, 455, 457-461, 463-469, and 471 as amended) who commences discharge to the facility after the effective date of this permit.

This reporting requirement also applies to any other IU who is classified as a Significant Industrial User which discharges an average of 25,000 gallons per day or more of process wastewater into the facility (excluding sanitary, noncontact cooling and boiler blowdown wastewater); contributes a process wastewater which makes up five (5) percent or more of the average dry weather hydraulic or organic capacity of the facility; or is designated as such by the Control Authority as defined in 40 CFR § 403.3(f) on the basis that the industrial user has a reasonable potential to adversely affect the wastewater treatment facility's operation, or for violating any pretreatment standard or requirement (in accordance with 40 CFR § 403.8(f)(6)).

2. In the event that the Permittee receives originals of reports (baseline monitoring reports, 90-day compliance reports, periodic reports on continued compliance, etc.) from industrial users subject to Categorical Pretreatment Standards under 40 CFR § 403.6 and 40 CFR chapter I, subchapter N (Parts 405-415, 417-430, 432-447, 449-451, 454, 455, 457-461, 463-469, and 471 as amended), or from a Significant Industrial User, the Permittee shall forward the originals of these reports within ninety (90) days of their receipt to EPA, and copy the State in accordance with Part VI.2 below.
3. Beginning the first full calendar quarter following 6 months after EPA has notified the Permittee that a multi-lab validated method for wastewater is available, the Permittee shall commence annual sampling of the following types of industrial discharges into the POTW:

- Commercial Car Washes
- Platers/Metal Finishers
- Paper and Packaging Manufacturers
- Tanneries and Leather/Fabric/Carpet Treaters
- Manufacturers of Parts with Polytetrafluoroethylene (PTFE) or teflon type coatings (i.e. bearings)
- Landfill Leachate
- Centralized Waste Treaters
- Contaminated Sites
- Fire Fighting Training Facilities
- Airports
- Any Other Known or Expected Sources of PFAS

For dischargers in New Hampshire, sampling shall be for the following PFAS chemicals:

Industrial User Effluent Characteristic	Maximum Daily	Monitoring Requirements	
		Frequency	Sample Type
Perfluorohexanesulfonic acid (PFHxS)	Report ng/L	1/year	Composite
Perfluorononanoic acid (PFNA)	Report ng/L	1/year	Composite
Perfluorooctanesulfonic acid (PFOS)	Report ng/L	1/year	Composite
Perfluorooctanoic acid (PFOA)	Report ng/L	1/year	Composite

The industrial discharges sampled and the sampling results shall be summarized and submitted to EPA and copy the state as an electronic attachment to the March discharge monitoring report due April 15th of the calendar year following the testing.

D. Sludge Conditions

1. The Permittee shall comply with all existing federal and state laws and regulations² that apply to sewage sludge use and disposal practices, including EPA regulations promulgated at 40 CFR Part 503, which prescribe “Standards for the Use or Disposal of Sewage Sludge” pursuant to § 405(d) of the CWA, 33 U.S.C. § 1345(d).
2. If both state and federal requirements apply to the Permittee’s sludge use and/or disposal practices, the Permittee shall comply with the more stringent of the applicable requirements.
3. The requirements and technical standards of 40 CFR Part 503 apply to the following sludge use or disposal practices:
 - a. Land application - the use of sewage sludge to condition or fertilize the soil
 - b. Surface disposal - the placement of sewage sludge in a sludge only landfill
 - c. Sewage sludge incineration in a sludge only incinerator
4. The requirements of 40 CFR Part 503 do not apply to facilities which dispose of sludge in a municipal solid waste landfill. 40 CFR § 503.4. These requirements also do not apply to facilities which do not use or dispose of sewage sludge during the life of the permit but rather treat the sludge (e.g., lagoons, reed beds), or are otherwise excluded under 40 CFR § 503.6.
5. The 40 CFR Part 503 requirements include the following elements:
 - General requirements

² For Permittees in New Hampshire, compliance with the requirements of this permit or 40 CFR Part 503 shall not eliminate or modify the need to comply with applicable requirements under RSA 485-A and Env-Wq 800, New Hampshire Sludge Management Rules

- Pollutant limitations
- Operational Standards (pathogen reduction requirements and vector attraction reduction requirements)
- Management practices
- Record keeping
- Monitoring
- Reporting

Which of the 40 CFR Part 503 requirements apply to the Permittee will depend upon the use or disposal practice followed and upon the quality of material produced by a facility. The EPA Region 1 Guidance document, “EPA Region 1 - NPDES Permit Sludge Compliance Guidance” (November 4, 1999), may be used by the Permittee to assist it in determining the applicable requirements.³

6. The sludge shall be monitored for pollutant concentrations (all Part 503 methods) and pathogen reduction and vector attraction reduction (land application and surface disposal) at the following frequency. This frequency is based upon the volume of sewage sludge generated at the facility in dry metric tons per year, as follows:

less than 290	1/ year
290 to less than 1,500	1 /quarter
1,500 to less than 15,000	6 /year
15,000 +	1 /month

Sampling of the sewage sludge shall use the procedures detailed in 40 CFR § 503.8.

7. Under 40 CFR § 503.9(r), the Permittee is a “person who prepares sewage sludge” because it “is ... the person who generates sewage sludge during the treatment of domestic sewage in a treatment works” If the Permittee contracts with *another* “person who prepares sewage sludge” under 40 CFR § 503.9(r) – i.e., with “a person who derives a material from sewage sludge” – for use or disposal of the sludge, then compliance with Part 503 requirements is the responsibility of the contractor engaged for that purpose. If the Permittee does not engage a “person who prepares sewage sludge,” as defined in 40 CFR § 503.9(r), for use or disposal, then the Permittee remains responsible to ensure that the applicable requirements in Part 503 are met. 40 CFR § 503.7. If the ultimate use or disposal method is land application, the Permittee is responsible for providing the person receiving the sludge with notice and necessary information to comply with the requirements of 40 CFR § 503 Subpart B.

³ This guidance document is available upon request from EPA Region 1 and may also be found at:
<http://www.epa.gov/region1/npdes/permits/generic/sludgeguidance.pdf>

E. Schedules of Compliance

1. The Permittee will have a schedule of compliance of 18 months for the monthly average and daily maximum copper limits of 3.7 µg/L and 5.8 µg/L, respectively. During the compliance schedule, the Permittee shall monitor at the frequency specified in Table 1 and report monitoring results for copper.

The Permittee will have a schedule of compliance of 18 months for the monthly average nickel limit of 8.3 µg/L. During the compliance schedule, the Permittee shall monitor at the frequency specified in Table 1 and report monitoring results for nickel.

The Permittee will have a schedule of compliance of 18 months for the monthly average May – October ammonia limit of 1.21 mg/L. During the compliance schedule, the Permittee shall monitor at the frequency specified in Table 1 and report monitoring results for ammonia (May-October).

2. Within twelve (12) months of the authorization to discharge under the General Permit, the Permittee shall submit to EPA and the State a status report relative to the process improvements necessary to achieve the permit limits.

V. Obtaining Authorization to Discharge

N/A

VI. Monitoring, Record-Keeping, and Reporting Requirements

Unless otherwise specified in this permit, the Permittee shall submit reports, requests, and information and provide notices in the manner described in this section.

1. Submittal of DMRs Using NetDMR

The Permittee shall continue to submit its monthly monitoring data in discharge monitoring reports (DMRs) to EPA and the State no later than the 15th day of the month electronically using NetDMR. When the Permittee submits DMRs using NetDMR, it is not required to submit hard copies of DMRs to EPA or the State. NetDMR is accessible through EPA's Central Data Exchange at <https://cdx.epa.gov/>.

2. Submittal of Reports as NetDMR Attachments

Unless otherwise specified in this permit, the Permittee shall electronically submit all reports to EPA as NetDMR attachments rather than as hard copies. For dischargers in New Hampshire, this includes the NHDES Monthly Operating Reports (MORs). See Part VI.5 for more information on State reporting. Because the due dates for reports described in this permit may not coincide with the due date for submitting DMRs (which is no later than the 15th day of the month), a report submitted electronically as a NetDMR attachment shall be considered timely if it is electronically submitted to EPA using NetDMR with the next DMR due following the report due date specified in this permit.

3. Submittal of Requests and Reports to EPA Water Division (WD)

- a. The following requests, reports, and information described in this permit shall be submitted to the NPDES Applications Coordinator in EPA Water Division (WD):

- (1) Transfer of permit notice;
- (2) Request for changes in sampling location;
- (3) Request for reduction in testing frequency;
- (4) Request for change in WET testing requirement; and
- (5) Report on unacceptable dilution water / request for alternative dilution water for WET testing.
- (6) Report of new industrial user commencing discharge
- (7) Report received from existing industrial user
- (8) Request for extension of compliance schedule

- b. These reports, information, and requests shall be submitted to EPA WD electronically at R1NPDESReporting@epa.gov.

4. Submittal of Reports to EPA Enforcement and Compliance Assurance Division (ECAD) in Hard Copy form

- a. The following notifications and reports shall be signed and dated originals, submitted as hard copy, with a cover letter describing the submission:
- (1) Written notifications required under Part VIII.B.4.c, for bypasses, and Part VIII.D.1.e, for sanitary sewer overflows (SSOs). Starting on 21 December 2025, such notifications must be done electronically using EPA's NPDES Electronic Reporting Tool ("NeT"), or another approved EPA system, which will be accessible through EPA's Central Data Exchange at <https://cdx.epa.gov/>.
- b. This information shall be submitted to EPA ECAD at the following address:

U.S. Environmental Protection Agency
Enforcement and Compliance Assurance Division
Water Compliance Section
5 Post Office Square, Suite 100 (04-SMR)
Boston, MA 02109-3912

5. State Reporting

Unless otherwise specified in this permit or by the State, duplicate signed copies of all reports, information, requests or notifications described in this permit, including the reports, information, requests or notifications described in Parts VI.3 and VI.4 shall also be submitted to the New Hampshire Department of Environmental Services, Water Division (NHDES-WD) electronically to the Permittee's assigned NPDES inspector at NHDES-WD or as a hardcopy to the following addresses:

New Hampshire Department of Environmental Services

Water Division
Wastewater Engineering Bureau
29 Hazen Drive, P.O. Box 95
Concord, New Hampshire 03302-0095

6. Verbal Reports and Verbal Notifications

- a. Any verbal reports or verbal notifications, if required in Parts I through VIII of this permit, shall be made to both EPA and to the State. This includes verbal reports and notifications which require reporting within 24 hours (e.g., Part VIII.B.4.c.(2), Part VIII.B.5.c.(3), and Part VIII.D.1.e).
- b. Verbal reports and verbal notifications shall be made to:

EPA ECAD at 617-918-1510
and
NHDES Assigned NPDES Inspector listed below:
Central/South NH: 603-271-2985
North/West NH: 603-271-1494
NH Seacoast: 603-271-1493

VII. Administrative Requirements

A. Notice of Termination (NOT) of Discharge or Change of Owner/Operator

Permittees shall notify EPA and the appropriate State agency in writing upon the termination of any discharge(s) authorized by the Small WWTF GP. The NOT shall include the name, mailing address, phone number, and the location of the facility for which the notification is being submitted, the NPDES permit number of the discharge identified by the notice, and an indication of whether the discharge has been eliminated or if the owner/operator of the discharge has changed. The NOT shall be signed in accordance with the signatory requirements of 40 CFR § 122.22. Completed and signed NOTs shall be submitted to EPA and the appropriate State agency at the addresses provided in Part VI above.

B. Continuation of this General Permit After Expiration

If this General Permit is not reissued prior to its expiration date, it will be administratively continued in accordance with the Administrative Procedures Act (5 U.S.C. 558(c)) and 40 CFR § 122.6 and remain in full force and in effect for discharges covered prior to its expiration. The permit application requirement under 40 CFR § 122.6 and Part VIII.A.7 of this permit has been waived for this permit term.

Coverage under this permit will not be available to any facility that is not authorized to discharge under the General Permit before the expiration date.

Any permittee whose authorization to discharge under this General Permit was administratively continued will automatically remain covered by the continued General Permit until the earlier of:

1. Authorization to discharge under a reissued permit or a replacement of this permit; or
2. The Permittee's submittal of a Notice of Termination; or
3. Issuance of an individual permit for the Permittee's discharge; or
4. A formal permit decision by EPA not to reissue this General Permit, at which time EPA will identify a reasonable time period for covered dischargers to seek coverage under an alternative general permit or an individual permit. Coverage under this permit will cease at the end of this time period.

ATTACHMENT C
MARINE ACUTE
TOXICITY TEST PROCEDURE AND PROTOCOL

I. GENERAL REQUIREMENTS

The permittee shall conduct acceptable acute toxicity tests in accordance with the appropriate test protocols described below:

- **2007.0 - Mysid Shrimp (Americamysis bahia) definitive 48 hour test.**
- **2006.0 - Inland Silverside (Menidia beryllina) definitive 48 hour test.**

Acute toxicity data shall be reported as outlined in Section VIII.

II. METHODS

The permittee shall use the most recent 40 CFR Part 136 methods. Whole Effluent Toxicity (WET) Test Methods and guidance may be found at:

<http://water.epa.gov/scitech/methods/cwa/wet/index.cfm#methods>

The permittee shall also meet the sampling, analysis and reporting requirements included in this protocol. This protocol defines more specific requirements while still being consistent with the Part 136 methods. If, due to modifications of Part 136, there are conflicting requirements between the Part 136 method and this protocol, the permittee shall comply with the requirements of the Part 136 method.

III. SAMPLE COLLECTION

A discharge and receiving water sample shall be collected. The receiving water control sample must be collected immediately upstream of the permitted discharge's zone of influence. The acceptable holding times until initial use of a sample are 24 and 36 hours for on-site and off-site testing, respectively. A written waiver is required from the regulating authority for any holding time extension. Sampling guidance dictates that, where appropriate, aliquots for the analysis required in this protocol shall be split from the samples, containerized and immediately preserved, or analyzed as per 40 CFR Part 136. EPA approved test methods require that samples collected for metals analyses be preserved immediately after collection. Testing for the presence of total residual chlorine¹ (TRC) must be analyzed immediately or as soon as possible, for all effluent samples, prior to WET testing. TRC analysis may be performed on-site or by the toxicity testing laboratory and the samples must be dechlorinated, as necessary, using sodium thiosulfate

¹ For this protocol, total residual chlorine is synonymous with total residual oxidants.
(July 2012)

prior to sample use for toxicity testing. If performed on site the results should be included on the chain of custody (COC) presented to WET laboratory.

Standard Methods for the Examination of Water and Wastewater describes dechlorination of samples (APHA, 1992). Dechlorination can be achieved using a ratio of 6.7 mg/L anhydrous sodium thiosulfate to reduce 1 mg/L chlorine. If dechlorination is necessary, a thiosulfate control consisting of the maximum concentration of thiosulfate used to dechlorinate the sample in the toxicity test control water must also be run in the WET test.

All samples submitted for chemical and physical analyses will be analyzed according to Section VI of this protocol. Grab samples must be used for pH, temperature, and total residual chlorine (as per 40 CFR Part 122.21).

All samples held for use beyond the day of sampling shall be refrigerated and maintained at a temperature range of 0-6° C.

IV. DILUTION WATER

Samples of receiving water must be collected from a reasonably accessible location in the receiving water body immediately upstream of the permitted discharge's zone of influence. Avoid collection near areas of obvious road or agricultural runoff, storm sewers or other point source discharges and areas where stagnant conditions exist. EPA strongly urges that screening for toxicity be performed prior to the set up of a full, definitive toxicity test any time there is a question about the test dilution water's ability to achieve test acceptability criteria (TAC) as indicated in Section V of this protocol. The test dilution water control response will be used in the statistical analysis of the toxicity test data. All other control(s) required to be run in the test will be reported as specified in the Discharge Monitoring Report (DMR) Instructions, Attachment F, page 2, Test Results & Permit Limits.

The test dilution water must be used to determine whether the test met the applicable TAC. When receiving water is used for test dilution, an additional control made up of standard laboratory water (0% effluent) is required. This control will be used to verify the health of the test organisms and evaluate to what extent, if any, the receiving water itself is responsible for any toxic response observed.

If dechlorination of a sample by the toxicity testing laboratory is necessary a "sodium thiosulfate" control, representing the concentration of sodium thiosulfate used to adequately dechlorinate the sample prior to toxicity testing, must be included in the test.

If the use of alternate dilution water (ADW) is authorized, in addition to the ADW test control, the testing laboratory must, for the purpose of monitoring the receiving water, also run a receiving water control.

If the receiving water is found to be, or suspected to be toxic or unreliable, ADW of known quality with hardness similar to that of the receiving water may be substituted. Substitution is

species specific meaning that the decision to use ADW is made for each species and is based on the toxic response of that particular species. Substitution to an ADW is authorized in two cases. The first case is when repeating a test due to toxicity in the site dilution water requires an **immediate decision** for ADW use by the permittee and toxicity testing laboratory. The second is when two of the most recent documented incidents of unacceptable site dilution water toxicity require ADW use in future WET testing.

For the second case, written notification from the permittee requesting ADW use **and** written authorization from the permit issuing agency(s) is required **prior to** switching to a long-term use of ADW for the duration of the permit.

Written requests for use of ADW must be mailed with supporting documentation to the following addresses:

Director
Office of Ecosystem Protection (CAA)
U.S. Environmental Protection Agency, Region 1
Five Post Office Square, Suite 100
Mail Code OEP06-5
Boston, MA 02109-3912

and

Manager
Water Technical Unit (SEW)
U.S. Environmental Protection Agency
Five Post Office Square, Suite 100
Mail Code OES04-4
Boston, MA 02109-3912

Note: USEPA Region 1 retains the right to modify any part of the alternate dilution water policy stated in this protocol at any time. Any changes to this policy will be documented in the annual DMR posting.

See the most current annual DMR instructions which can be found on the EPA Region 1 website at <http://www.epa.gov/region1/enforcementandassistance/dmr.html> for further important details on alternate dilution water substitution requests.

V. TEST CONDITIONS AND TEST ACCEPTABILITY CRITERIA

EPA Region 1 requires tests be performed using four replicates of each control and effluent concentration because the non-parametric statistical tests cannot be used with data from fewer replicates. The following tables summarize the accepted Americamysis and Menidia toxicity test conditions and test acceptability criteria:

EPA NEW ENGLAND EFFLUENT TOXICITY TEST CONDITIONS FOR THE MYSID, AMERICAMYSIS BAHIA 48 HOUR TEST¹

1. Test type	48hr Static, non-renewal
2. Salinity	25ppt \pm 10 percent for all dilutions by adding dry ocean salts
3. Temperature (°C)	20°C \pm 1°C or 25°C \pm 1°C, temperature must not deviate by more than 3°C during test
4. Light quality	Ambient laboratory illumination
5. Photoperiod	16 hour light, 8 hour dark
6. Test chamber size	250 ml (minimum)
7. Test solution volume	200 ml/replicate (minimum)
8. Age of test organisms	1-5 days, <u>\leq 24 hours age range</u>
9. No. Mysids per test chamber	10
10. No. of replicate test chambers per treatment	4
11. Total no. Mysids per test concentration	40
12. Feeding regime	Light feeding using concentrated <u>Artemia</u> naupli while holding prior to initiating the test
13. Aeration ²	None
14. Dilution water	5-30 ppt, +/- 10%; Natural seawater, or deionized water mixed with artificial sea salts
15. Dilution factor	\geq 0.5
16. Number of dilutions ³	5 plus a control. An additional dilution at the permitted effluent concentration (%)

	effluent) is required if it is not included in the dilution series.
17. Effect measured	Mortality - no movement of body appendages on gentle prodding
18. Test acceptability	90% or greater survival of test organisms in control solution
19. Sampling requirements	For on-site tests, samples are used within 24 hours of the time that they are removed from the sampling device. For off-site tests, samples must be first used within 36 hours of collection.
20. Sample volume required	Minimum 1 liter for effluents and 2 liters for receiving waters

Footnotes:

- ¹ Adapted from EPA 821-R-02-012.
- ² If dissolved oxygen falls below 4.0 mg/L, aerate at rate of less than 100 bubbles/min. Routine D.O. checks are recommended.
- ³ When receiving water is used for dilution, an additional control made up of standard laboratory dilution water (0% effluent) is required.

EPA NEW ENGLAND TOXICITY TEST CONDITIONS FOR THE INLAND SILVERSIDE, MENIDIA BERYLLINA 48 HOUR TEST¹

1. Test Type	48 hr Static, non-renewal
2. Salinity	25 ppt \pm 10 % by adding dry ocean salts
3. Temperature	20°C \pm 1°C or 25°C \pm 1°C, temperature must not deviate by more than 3°C during test
4. Light Quality	Ambient laboratory illumination
5. Photoperiod	16 hr light, 8 hr dark
6. Size of test vessel	250 mL (minimum)
7. Volume of test solution	200 mL/replicate (minimum)
8. Age of fish	9-14 days; 24 hr age range
9. No. fish per chamber	10 (not to exceed loading limits)
10. No. of replicate test vessels per treatment	4
11. Total no. organisms per concentration	40
12. Feeding regime	Light feeding using concentrated <u>Artemia</u> nauplii while holding prior to initiating the test
13. Aeration ²	None
14. Dilution water	5-32 ppt, +/- 10% ; Natural seawater, or deionized water mixed with artificial sea salts.
15. Dilution factor	≥ 0.5
16. Number of dilutions ³	5 plus a control. An additional dilution at the permitted concentration (% effluent) is required if it is not included in the dilution series.
17. Effect measured	Mortality-no movement on gentle prodding.

18. Test acceptability	90% or greater survival of test organisms in control solution.
19. Sampling requirements	For on-site tests, samples must be used within 24 hours of the time they are removed from the sampling device. Off-site test samples must be used within 36 hours of collection.
20. Sample volume required	Minimum 1 liter for effluents and 2 liters for receiving waters.

Footnotes:

- ¹ Adapted from EPA 821-R-02-012.
- ² If dissolved oxygen falls below 4.0 mg/L, aerate at rate of less than 100 bubbles/min. Routine D.O. checks recommended.
- ³ When receiving water is used for dilution, an additional control made up of standard laboratory dilution water (0% effluent) is required.

V.1. Test Acceptability Criteria

If a test does not meet TAC the test must be repeated with fresh samples within 30 days of the initial test completion date.

V.2. Use of Reference Toxicity Testing

Reference toxicity test results and applicable control charts must be included in the toxicity testing report.

In general, if reference toxicity test results fall outside the control limits established by the laboratory for a specific test endpoint, a reason or reasons for this excursion must be evaluated, correction made and reference toxicity tests rerun as necessary as prescribed below.

If a test endpoint value exceeds the control limits at a frequency of more than one out of twenty then causes for the reference toxicity test failure must be examined and if problems are identified corrective action taken. The reference toxicity test must be repeated during the same month in which the exceedance occurred.

If two consecutive reference toxicity tests fall outside control limits, the possible cause(s) for the exceedance must be examined, corrective actions taken and a repeat of the reference toxicity test must take place immediately. Actions taken to resolve the problem must be reported.

V.2.a. Use of Concurrent Reference Toxicity Testing

In the case where concurrent reference toxicity testing is required due to a low frequency of testing with a particular method, if the reference toxicity test results fall slightly outside of laboratory established control limits, but the primary test met the TAC, the results of the primary test will be considered acceptable. However, if the results of the concurrent test fall well outside the established **upper** control limits i.e. ≥ 3 standard deviations for IC25s and LC50 values and \geq two concentration intervals for NOECs or NOAECs, and even though the primary test meets TAC, the primary test will be considered unacceptable and must be repeated.

VI. CHEMICAL ANALYSIS

At the beginning of the static acute test, pH, salinity, and temperature must be measured at the beginning and end of each 24 hour period in each dilution and in the controls. The following chemical analyses shall be performed for each sampling event.

<u>Parameter</u>	<u>Effluent</u>	<u>Diluent</u>	<u>Minimum Level for effluent^{*1} (mg/L)</u>
pH	x	x	---
Salinity	x	x	ppt(o/oo)
Total Residual Chlorine ^{*2}	x	x	0.02
Total Solids and Suspended Solids	x	x	---
Ammonia	x	x	0.1
Total Organic Carbon	x	x	0.5
<u>Total Metals</u>			
Cd	x	x	0.0005
Pb	x	x	0.0005
Cu	x	x	0.003
Zn	x	x	0.005
Ni	x	x	0.005

Superscript:

^{*1} These are the minimum levels for effluent (fresh water) samples. Tests on diluents (marine waters) shall be conducted using the Part 136 methods that yield the lowest MLs.

^{*2} Either of the following methods from the 18th Edition of the APHA Standard Methods for the Examination of Water and Wastewater must be used for these analyses:

- Method 4500-Cl E Low Level Amperometric Titration (the preferred method);
- Method 4500-CL G DPD Photometric Method.

VII. TOXICITY TEST DATA ANALYSIS

LC50 Median Lethal Concentration

An estimate of the concentration of effluent or toxicant that is lethal to 50% of the test organisms during the time prescribed by the test method.

Methods of Estimation:

- Probit Method
- Spearman-Kärber
- Trimmed Spearman-Kärber
- Graphical

See flow chart in Figure 6 on page 73 of EPA 821-R-02-012 for appropriate method to use on a given data set.

No Observed Acute Effect Level (NOAEL)

See flow chart in Figure 13 on page 87 of EPA 821-R-02-012.

VIII. TOXICITY TEST REPORTING

A report of results must include the following:

- Toxicity Test summary sheet(s) (Attachment F to the DMR Instructions) which includes:
 - Facility name
 - NPDES permit number
 - Outfall number
 - Sample type
 - Sampling method
 - Effluent TRC concentration
 - Dilution water used
 - Receiving water name and sampling location
 - Test type and species
 - Test start date
 - Effluent concentrations tested (%) and permit limit concentration
 - Applicable reference toxicity test date and whether acceptable or not
 - Age, age range and source of test organisms used for testing
 - Results of TAC review for all applicable controls
 - Permit limit and toxicity test results
 - Summary of any test sensitivity and concentration response evaluation that was conducted

Please note: The NPDES Permit Program Instructions for the Discharge Monitoring Report Forms (DMRs) are available on EPA's website at

<http://www.epa.gov/NE/enforcementandassistance/dmr.html>

In addition to the summary sheets the report must include:

- A brief description of sample collection procedures;
- Chain of custody documentation including names of individuals collecting samples, times and dates of sample collection, sample locations, requested analysis and lab receipt with time and date received, lab receipt personnel and condition of samples upon receipt at the lab(s);
- Reference toxicity test control charts;
- All sample chemical/physical data generated, including minimum levels (MLs) and analytical methods used;
- All toxicity test raw data including daily ambient test conditions, toxicity test chemistry, sample dechlorination details as necessary, bench sheets and statistical analysis;
- A discussion of any deviations from test conditions; and
- Any further discussion of reported test results, statistical analysis and concentration-response relationship and test sensitivity review per species per endpoint.

ATTACHMENT D

MARINE CHRONIC

TOXICITY TEST PROCEDURE AND PROTOCOL

I. GENERAL REQUIREMENTS

The permittee shall be responsible for the conduct of acceptable silverside chronic and sea urchin chronic toxicity tests in accordance with the appropriate test protocols described below:

- Inland Silverside (Menidia beryllina) Larval Growth and Survival Test
- Sea Urchin (Arbacia punctulata) 1 Hour Fertilization Test

Chronic toxicity data shall be reported as outlined in Section VIII.

II. METHODS

The permittee shall use 40 CFR Part 136 methods. Methods and guidance may be found at:

<https://www.epa.gov/cwa-methods/whole-effluent-toxicity-methods>

The permittee shall also meet the sampling, analysis and reporting requirements included in this protocol. Where there are conflicting requirements between the Part 136 method and this protocol, the permittee shall comply with the requirements of the Part 136 method.

III. SAMPLE COLLECTION AND USE

A total of three fresh samples of effluent and receiving water are required for initiation and subsequent renewals of a marine, chronic, toxicity test. The receiving water control sample must be collected immediately upstream of the permitted discharge's zone of influence. Fresh samples are recommended for use on test days 1, 3, and 5. However, provided a total of three samples are used for testing over the test period, an alternate sampling schedule is acceptable. The acceptable holding times until initial use of a fresh sample are 24 and 36 hours for on-site and off-site testing, respectively. A written waiver is required from the regulating authority for any hold time extension. All fresh test samples collected may be used for 24, 48 and 72 hour renewals after initial use. All samples held for use beyond the day of sampling shall be refrigerated and maintained at a temperature range of 0-6° C.

If any of the renewal samples are of sufficient potency to cause lethality to 50 percent or more of the test organisms in any of the test treatments for either species or, if the test fails to meet its permit limits, then chemical analysis for total metals (originally required for the initial sample only in Section VI) will be required on the renewal sample(s) as well.

Sampling guidance dictates that, where appropriate, aliquots for the analysis required in this protocol shall be split from the samples, containerized and immediately preserved, or analyzed as per 40 CFR Part 136. EPA approved test methods require that samples collected for metals analyses be preserved immediately after collection. Testing for the presence of total residual chlorine (TRC) must be analyzed immediately or as soon as possible, for all effluent samples, prior to WET testing. For TRC analysis performed on site the results must be included on the chain of custody (COC) presented to WET laboratory. For the purpose of sample preparation, i.e. eliminating chlorine prior to toxicity testing, if called for by the permit, TRC analysis may also be performed by the toxicity testing laboratory and the samples must be dechlorinated, as necessary, using sodium thiosulfate prior to sample use for toxicity testing. According to Standard Methods for the Examination of Water and Wastewater describes dechlorination of samples (APHA, 1992) dechlorination can be achieved using a ratio of 6.7 mg/L anhydrous sodium thiosulfate to reduce 1 mg/L chlorine.

If dechlorination of a sample by the toxicity testing laboratory is necessary a “sodium thiosulfate” control, representing the concentration of sodium thiosulfate used to adequately dechlorinate the sample prior to toxicity testing, must be included in the test.

All samples submitted for chemical and physical analyses will be analyzed according to Section VI of this protocol. Grab samples must be used for pH, temperature, and total residual oxidants (as per 40 CFR Part 122.21).

IV. DILUTION WATER

Samples of receiving water must be collected from a location in the receiving water body immediately upstream of the permitted discharge’s zone of influence at a reasonably accessible location. Avoid collection near areas of obvious road or agricultural runoff, storm sewers or other point source discharges and areas where stagnant conditions exist. EPA strongly urges that screening for toxicity be performed prior to the set up of a full, definitive toxicity test any time there is a question about the test dilution water's ability to achieve test acceptability criteria (TAC) as indicated in Section V of this protocol. The test dilution water control response will be used in the statistical analysis of the toxicity test data. All other control(s) required to be run in the test will be reported as specified in the Discharge Monitoring Report (DMR) Instructions, Attachment F, page 2, Test Results & Permit Limits.

The test dilution water must be used to determine whether the test met the applicable test acceptability criteria (TAC). When receiving water is used for test dilution, an additional control made up of standard laboratory water (0% effluent) is required. This control will be used to verify the health of the test organisms and evaluate to what extent, if any, the receiving water itself is responsible for any toxic response observed.

If the receiving water diluent is found to be, or suspected to be toxic or unreliable, an alternatedilution water (ADW) of known quality with hardness similar to that of the receiving water may be substituted. Substitution is species specific meaning that the decision to use ADW is made for each species and is based on the toxic response of that particular species.

Substitution to an ADW is authorized in two cases. The first is the case where repeating a test due to toxicity in the site dilution water requires an immediate decision for ADW use be made by the permittee and toxicity testing laboratory. The second is in the case where two of the most recent documented incidents of unacceptable site dilution water toxicity requires ADW use in future WET testing. For the second case, written notification from the permittee requesting ADW use and written authorization from the permit issuing agency(s) is required **prior to** switching to a long-term use of ADW for the duration of the permit.

Written requests for use of ADW must be mailed with supporting documentation to the following addresses:

Director
Office of Ecosystem Protection
U.S. Environmental Protection Agency, Region 1
Five Post Office Square, Suite 100
Mail Code OEP06-5
Boston, MA 02109-3912

and

Manager
Water Technical Unit (SEW)
U.S. Environmental Protection Agency
Five Post Office Square, Suite 100
Mail Code OES04-4
Boston, MA 02109-3912

Note: USEPA Region 1 retains the right to modify any part of the alternate dilution water policy stated in this protocol at any time. Any changes to this policy will be documented in the annual DMR posting.

See the most current annual DMR instructions, which can be found on the EPA Region 1 website at <http://www.epa.gov/region1/enforcementandassistance/dmr.html> for further important details on alternate dilution water substitution requests.

If the use of an alternate dilution water (ADW) is authorized, in addition to the ADW test control, the testing laboratory must, for the purpose of monitoring the receiving water, also run a receiving water control.

V. TEST CONDITIONS AND TEST ACCEPTABILITY CRITERIA

EPA New England requires that if a reference toxicant test was being performed concurrently with an effluent or receiving water test and fails, both tests must be repeated.

The following tables summarize the accepted Menidia and Arbacia toxicity test conditions and

test acceptability criteria:

EPA NEW ENGLAND RECOMMENDED TEST CONDITIONS FOR THE SEA URCHIN, ARBACIA PUNCTULATA, FERTILIZATION TEST¹

1. Test type	Static, non-renewal
2. Salinity	30 o/oo \pm 2 o/oo by adding dry ocean salts
3. Temperature	20 \pm 1°C temperature must not deviate by more than 3°C during test
4. Light quality	Ambient laboratory illumination
5. Light intensity	10-20 uE/m ² /s, or 50-100 ft-c (Ambient Laboratory Levels)
6. Test vessel size	Disposal (glass) liquid scintillation vials (20 ml capacity), presoaked in control water
7. Test solution volume	5 ml
8. Number of sea urchins	Pooled sperm from four males and pooled eggs from four females are used per test
9. Number of egg and sperm cells	About 2000 eggs per chamber and 5,000,000 sperm cells per vial
10. Number of replicate chambers	4 per treatment
11. Dilution water	Uncontaminated source of natural seawater or deionized water mixed with artificial sea salts
12. Dilution factor	Approximately 0.5, must bracket the permitted RWC
13. Test duration	1 hour and 20 minutes
14. Effects measured	Fertilization of sea urchin eggs
15. Number of treatments per test ²	5 and a control. (receiving water and laboratory water control) An additional dilution at the permitted effluent concentration (% effluent) is required.

16. Acceptability of test	70% - 90% egg fertilization in all controls. Minimum of 70% fertilization in dilution water control. Effluent concentrations exhibiting greater than 70% fertilization, flagged as statistically significantly different from the controls, will not be considered statistically different from the controls for NOEC reporting.
17. Sampling requirements	For on-site tests, samples are to be used within 24 hours of the time that they are removed from the sampling device. For off-site tests, samples must be first used within 36 hours of collection.
18. Sample volume required	Minimum 1 liter

Footnotes:

¹ Adapted from EPA 821-R-02-014

EPA NEW ENGLAND RECOMMENDED TEST CONDITIONS FOR THE INLAND SILVERSIDE, MENIDIA BERYLLINA, GROWTH AND SURVIVAL TEST¹

1. Test type	Static, renewal
2. Salinity	5 o/oo to 32 o/oo +/- 2 o/oo of the selected salinity by adding artificial sea salts
3. Temperature	25 ± 1°C, temperature must not deviate by more than 3°C during test
4. Light quality	Ambient laboratory light
5. Light intensity	10-20 uE/m ² /s, or 50-100 ft-C (Ambient Laboratory Levels)
6. Photoperiod	16 hr light, 8 hr darkness
7. Test vessel size	600 - 1000 mL beakers or equivalent (glass test chambers should be used)
8. Test solution volume	500-750 mL/replicate loading and DO restrictions must be met)
9. Renewal of test solutions	Daily using most recently collected sample
10. Age of test organisms	Seven to eleven days post hatch; 24 hr range in age
11. Larvae/test chamber	15 (minimum of 10)
12. Number of replicate chambers	4 per treatment
13. Source of food	Newly hatched and rinsed <u>Artemia</u> nauplii less than 24 hr old
14. Feeding regime	Feed once a day 0.10 g wet wt <u>Artemia</u> nauplii per replicate on days 0 – 2 feed 0.15 g wet wt <u>Artemia</u> nauplii per replicate on days 3-6
15. Cleaning	Siphon daily, immediately before test solution renewal and feeding
16. Aeration ²	None
17. Dilution water	Uncontaminated source of natural seawater; or deionized water mixed with artificial sea salts

18. Effluent concentrations	5 and a control (receiving water and laboratory water control) An additional dilution at the permitted effluent concentration (% effluent) is required
19. Dilution factor	≥ 0.5 , must bracket the permitted RWC
20. Test duration	7 days
21. Effects measured	Survival and growth (weight)
22. Acceptability of test	The average survival of dilution water control larvae is a minimum of 80%, and the average dry wt of unpreserved control larvae is a minimum of 0.5 mg, or the average dry wt of preserved control larvae is a minimum of 0.43 mg if preserved not more than 7 days in 4% formalin or 70% ethanol
23. Sampling requirements	For on-site tests, samples are collected daily and used within 24 hours of the time they are removed from the sampling device. For off-site tests, samples must be first used within 36 hours of collection.
24. Sample Volume Required	Minimum of 6 liters/day.

Footnotes:

¹ Adapted from EPA 821-R-02-014

² If dissolved oxygen (D.O.) falls below 4.0 mg/L, aerate all chambers at a rate of less than 100 bubbles/min. Routine D.O. checks are recommended.

V.1. Test Acceptability Criteria

If a test does not meet TAC the test must be repeated with fresh samples within 30 days of the initial test completion date.

V.2. Use of Reference Toxicity Testing

Reference toxicity test results and applicable control charts must be included in the toxicity testing report.

In general, if reference toxicity test results fall outside the control limits established by the laboratory for a specific test endpoint, a reason or reasons for this excursion must be evaluated, correction made and reference toxicity tests rerun as necessary as prescribed below.

If a test endpoint value exceeds the control limits at a frequency of more than one out of twenty then causes for the reference toxicity test failure must be examined and if problems are identified corrective action taken. The reference toxicity test must be repeated during the same month in which the exceedance occurred.

If two consecutive reference toxicity tests fall outside control limits, the possible cause(s) for the exceedance must be examined, corrective actions taken and a repeat of the reference toxicity test must take place immediately. Actions taken to resolve the problem must be reported.

V.2.a. Use of Concurrent Reference Toxicity Testing

In the case where concurrent reference toxicity testing is required due to a low frequency of testing with a particular method, if the reference toxicity test results fall slightly outside of laboratory established control limits, but the primary test met the TAC, the results of the primary test will be considered acceptable. However, if the results of the concurrent test fall well outside the established upper control limits i.e. ≥ 3 standard deviations for IC₂₅s values and \geq two concentration intervals for NOECs, and even though the primary test meets TAC, the primary test will be considered unacceptable and must be repeated.

VI. CHEMICAL ANALYSIS

The toxicity test requires measurement of pH, salinity, and temperature at the beginning and end of each 24 hour period in each dilution and controls for both daily test renewal and waste. The following chemical analyses shall be performed for each initial sample as well as any renewal samples, if necessary pursuant to the requirement of Part III above.

<u>Parameter</u>	<u>Effluent</u>	<u>Diluent</u>	<u>Minimum Level for effluent^{*1} (mg/L)</u>
pH	x	x	---
Salinity	x	x	ppt(o/oo)
Total Residual Chlorine ^{*2}	x	x	0.02
Total Solids and Suspended Solids	x	x	---
Ammonia	x	x	0.1
Total Organic Carbon	x	x	0.5
<u>Total Metals</u>			
Cd	x	x	0.0005
Pb	x	x	0.0005
Cu	x	x	0.003
Zn	x	x	0.005
Ni	x	x	0.005

Superscript:

^{*1} These are the minimum levels for effluent (fresh water) samples. Tests on diluents (marine waters) shall be conducted using the Part 136 methods that yield the lowest MLs.

^{*2} Either of the following methods from the 18th Edition of the APHA Standard Methods for the Examination of Water and Wastewater must be used for these analyses:

- Method 4500-Cl E Low Level Amperometric Titration (the preferred method);
- Method 4500-CL G DPD Photometric Method.

VII. TOXICITY TEST DATA ANALYSIS AND REVIEW

A. Test Review

1. Concentration / Response Relationship

A concentration/response relationship evaluation is required for test endpoint determinations from both Hypothesis Testing and Point Estimate techniques. The test report is to include documentation of this evaluation in support of the endpoint values reported.

The dose-response review must be performed as required in Section 10.2.6 of EPA-821-R-02-014. Guidance for this review can be found at http://water.epa.gov/scitech/methods/cwa/wet/upload/2007_07_10_methods_wet_disk1_ctm.pdf.

In most cases, the review will result in one of the following three conclusions: (1) Results are reliable and reportable; (2) Results are anomalous and require explanation; or (3) Results are inconclusive and a retest with fresh samples is required.

2. Test Variability (Test Sensitivity)

This review step is separate from the determination of whether a test meets or does not meet TAC. Within test variability is to be examined for the purpose of evaluating test sensitivity. This evaluation is to be performed for the sub-lethal hypothesis testing endpoint growth for *Menidia beryllina* as required by the permit. The test report is to include documentation of this evaluation to support that the endpoint values reported resulted from a toxicity test of adequate sensitivity. This evaluation must be performed as required in Section 10.2.8 of EPA-821-R-02-014.

To determine the adequacy of test sensitivity, USEPA requires the calculation of test percent minimum significant difference (PMSD) values. In cases where NOEC determinations are made based on a non-parametric technique, calculation of a test PMSD value, for the sole purpose of assessing test sensitivity, shall be calculated using a comparable parametric statistical analysis technique. The calculated test PMSD is then compared to the upper and lower PMSD bounds shown for marine tests in Section 10.2.8.3, p. 54, Table 6 of EPA-821-R-02-014. The comparison will yield one of the following determinations.

- The test PMSD exceeds the PMSD upper bound test variability criterion in Table 6, the test results are considered highly variable and the test may not be sensitive enough to determine the presence of toxicity at the permit limit concentration (PLC). If the test results indicate that the discharge is not toxic at the PLC, then the test is considered insufficiently sensitive and must be repeated within 30 days of the initial test completion using fresh samples. If the test results indicate that the discharge is toxic at the PLC, the test is considered acceptable and does not have to be repeated.
- The test PMSD falls below the PMSD lower bound test variability criterion in Table 6, the test is determined to be very sensitive. In order to determine which treatment(s) are statistically significant and which are not, for the purpose of reporting a NOEC, the relative percent difference (RPD) between the control and each treatment must be calculated and compared to the lower PMSD boundary. See *Understanding and Accounting for Method Variability in Whole Effluent Toxicity Applications Under the NPDES Program*, EPA 833-R-00-003, June 2002, Section 6.4.2. The document can be located under Guidance Documents

at the following website location

<http://water.epa.gov/scitech/methods/cwa/wet/index.cfm#guidance>. If the RPD for a treatment falls below the PMSD lower bound, the difference is considered statistically insignificant. If the RPD for a treatment is greater than the PMSD lower bound, then the treatment is considered statistically significant.

- The test PMSD falls within the PMSD upper and lower bounds in Table 6, the sub-lethal test endpoint values shall be reported as is.

B. Statistical Analysis

1. General - Recommended Statistical Analysis Method

Refer to general data analysis flowchart, EPA 821-R-02-014, page 45

For discussion on Hypothesis Testing, refer to EPA 821-R-02-014, Section 9.6

For discussion on Point Estimation Techniques, refer to EPA 821-R-02-014, Section 9.7

2. *Menidia beryllina*

Refer to survival hypothesis testing analysis flowchart, EPA 821-R-02-014, page 181

Refer to survival point estimate techniques flowchart, EPA 821-R-02-013, page 182

Refer to growth data statistical analysis flowchart, EPA 821-R-02-014, page 193

3. *Arbacia punctulata*

Refer to fertilization data testing flowchart, EPA 821-R-02-014, page 312

VIII. TOXICITY TEST REPORTING

A report of results must include the following:

- Toxicity Test summary sheet(s) (Attachment F to the DMR Instructions) which includes:
 - Facility name
 - NPDES permit number
 - Outfall number
 - Sample type
 - Sampling method
 - Effluent TRC concentration
 - Dilution water used
 - Receiving water name and sampling location
 - Test type and species
 - Test start date
 - Effluent concentrations tested (%) and permit limit concentration
 - Applicable reference toxicity test date and whether acceptable or not
 - Age, age range and source of test organisms used for testing
 - Results of TAC review for all applicable controls
 - Test sensitivity evaluation results (test PMSD for growth)
 - Permit limit and toxicity test results
 - Summary of test sensitivity and concentration response evaluation

Please note: The NPDES Permit Program Instructions for the Discharge Monitoring Report Forms (DMRs) are available on EPA's website at

<http://www.epa.gov/NE/enforcementandassistance/dmr.html>

In addition to the summary sheets the report must include:

- A brief description of sample collection procedures;
- Chain of custody documentation including names of individuals collecting samples, times and dates of sample collection, sample locations, requested analysis and lab receipt with time and date received, lab receipt personnel and condition of samples upon receipt at the lab(s);
- Reference toxicity test control charts;
- All sample chemical/physical data generated, including minimum limits (MLs) and analytical methods used;
- All toxicity test raw data including daily ambient test conditions, toxicity test chemistry, sample dechlorination details as necessary, bench sheets and statistical analysis;
- A discussion of any deviations from test conditions; and
- Any further discussion of reported test results, statistical analysis and concentration-response relationship and test sensitivity review.

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¹ Updated July 17, 2018 to fix typographical errors.

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A. GENERAL REQUIREMENTS

1. Duty to Comply

The Permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Clean Water Act (CWA or Act) and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application.

- a. The Permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants and with standards for sewage sludge use or disposal established under Section 405(d) of the CWA within the time provided in the regulations that establish these standards or prohibitions, or standards for sewage sludge use or disposal, even if the permit has not yet been modified to incorporate the requirement.
- b. Penalties for Violations of Permit Conditions: The Director will adjust the civil and administrative penalties listed below in accordance with the Civil Monetary Penalty Inflation Adjustment Rule (83 Fed. Reg. 1190-1194 (January 10, 2018) and the 2015 amendments to the Federal Civil Penalties Inflation Adjustment Act of 1990, 28 U.S.C. § 2461 note. See Pub. L. 114-74, Section 701 (Nov. 2, 2015)). These requirements help ensure that EPA penalties keep pace with inflation. Under the above-cited 2015 amendments to inflationary adjustment law, EPA must review its statutory civil penalties each year and adjust them as necessary.

(1) Criminal Penalties

- (a) *Negligent Violations.* The CWA provides that any person who negligently violates permit conditions implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Act is subject to criminal penalties of not less than \$2,500 nor more than \$25,000 per day of violation, or imprisonment of not more than 1 year, or both. In the case of a second or subsequent conviction for a negligent violation, a person shall be subject to criminal penalties of not more than \$50,000 per day of violation or by imprisonment of not more than 2 years, or both.
- (b) *Knowing Violations.* The CWA provides that any person who knowingly violates permit conditions implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Act is subject to a fine of not less than \$5,000 nor more than \$50,000 per day of violation, or by imprisonment for not more than 3 years, or both. In the case of a second or subsequent conviction for a knowing violation, a person shall be subject to criminal penalties of not more than \$100,000 per day of violation, or imprisonment of not more than 6 years, or both.
- (c) *Knowing Endangerment.* The CWA provides that any person who knowingly violates permit conditions implementing Sections 301, 302, 303, 306, 307, 308, 318, or 405 of the Act and who knows at that time that he or she is placing another person in imminent danger of death or serious bodily injury shall upon conviction be subject to a fine of not more than \$250,000 or by imprisonment of not more than 15 years, or both. In the case of a second or subsequent conviction for a knowing

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endangerment violation, a person shall be subject to a fine of not more than \$500,000 or by imprisonment of not more than 30 years, or both. An organization, as defined in Section 309(c)(3)(B)(iii) of the Act, shall, upon conviction of violating the imminent danger provision, be subject to a fine of not more than \$1,000,000 and can be fined up to \$2,000,000 for second or subsequent convictions.

- (d) *False Statement.* The CWA provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$10,000, or by imprisonment for not more than 2 years, or both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment is a fine of not more than \$20,000 per day of violation, or by imprisonment of not more than 4 years, or both. The Act further provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or non-compliance shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both.
- (2) *Civil Penalties.* The CWA provides that any person who violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Act is subject to a civil penalty not to exceed the maximum amounts authorized by Section 309(d) of the Act, the 2015 amendments to the Federal Civil Penalties Inflation Adjustment Act of 1990, 28 U.S.C. § 2461 note, and 40 C.F.R. Part 19. *See* Pub. L.114-74, Section 701 (Nov. 2, 2015); 83 Fed. Reg. 1190 (January 10, 2018).
- (3) *Administrative Penalties.* The CWA provides that any person who violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Act is subject to an administrative penalty as follows:
 - (a) *Class I Penalty.* Not to exceed the maximum amounts authorized by Section 309(g)(2)(A) of the Act, the 2015 amendments to the Federal Civil Penalties Inflation Adjustment Act of 1990, 28 U.S.C. § 2461 note, and 40 C.F.R. Part 19. *See* Pub. L.114-74, Section 701 (Nov. 2, 2015); 83 Fed. Reg. 1190 (January 10, 2018).
 - (b) *Class II Penalty.* Not to exceed the maximum amounts authorized by Section 309(g)(2)(B) of the Act the 2015 amendments to the Federal Civil Penalties Inflation Adjustment Act of 1990, 28 U.S.C. § 2461 note, and 40 C.F.R. Part 19. *See* Pub. L.114-74, Section 701 (Nov. 2, 2015); 83 Fed. Reg. 1190 (January 10, 2018).

2. Permit Actions

This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit

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condition.

3. Duty to Provide Information

The Permittee shall furnish to the Director, within a reasonable time, any information which the Director may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The Permittee shall also furnish to the Director, upon request, copies of records required to be kept by this permit.

4. Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the Permittee from responsibilities, liabilities or penalties to which the Permittee is or may be subject under Section 311 of the CWA, or Section 106 of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA).

5. Property Rights

This permit does not convey any property rights of any sort, or any exclusive privilege.

6. Confidentiality of Information

a. In accordance with 40 C.F.R. Part 2, any information submitted to EPA pursuant to these regulations may be claimed as confidential by the submitter. Any such claim must be asserted at the time of submission in the manner prescribed on the application form or instructions or, in the case of other submissions, by stamping the words "confidential business information" on each page containing such information. If no claim is made at the time of submission, EPA may make the information available to the public without further notice. If a claim is asserted, the information will be treated in accordance with the procedures in 40 C.F.R. Part 2 (Public Information).

b. Claims of confidentiality for the following information will be denied:

- (1) The name and address of any permit applicant or Permittee;
- (2) Permit applications, permits, and effluent data.

c. Information required by NPDES application forms provided by the Director under 40 C.F.R. § 122.21 may not be claimed confidential. This includes information submitted on the forms themselves and any attachments used to supply information required by the forms.

7. Duty to Reapply

If the Permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the Permittee must apply for and obtain a new permit. The Permittee shall submit a new application at least 180 days before the expiration date of the existing permit, unless permission for a later date has been granted by the Director. (The Director shall not grant permission for applications to be submitted later than the expiration date of the existing permit.)

8. State Authorities

Nothing in Parts 122, 123, or 124 precludes more stringent State regulation of any activity

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covered by the regulations in 40 C.F.R. Parts 122, 123, and 124, whether or not under an approved State program.

9. Other Laws

The issuance of a permit does not authorize any injury to persons or property or invasion of other private rights, or any infringement of State or local law or regulations.

B. OPERATION AND MAINTENANCE OF POLLUTION CONTROLS

1. Proper Operation and Maintenance

The Permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a Permittee only when the operation is necessary to achieve compliance with the conditions of the permit.

2. Need to Halt or Reduce Not a Defense

It shall not be a defense for a Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

3. Duty to Mitigate

The Permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

4. Bypass

a. Definitions

- (1) *Bypass* means the intentional diversion of waste streams from any portion of a treatment facility.
- (2) *Severe property damage* means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

- b. *Bypass not exceeding limitations.* The Permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of paragraphs (c) and (d) of this Section.

c. Notice

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- (1) *Anticipated bypass.* If the Permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least ten days before the date of the bypass. As of December 21, 2020 all notices submitted in compliance with this Section must be submitted electronically by the Permittee to the Director or initial recipient, as defined in 40 C.F.R. § 127.2(b), in compliance with this Section and 40 C.F.R. Part 3 (including, in all cases, Subpart D to Part 3), § 122.22, and 40 C.F.R. Part 127. Part 127 is not intended to undo existing requirements for electronic reporting. Prior to this date, and independent of Part 127, Permittees may be required to report electronically if specified by a particular permit or if required to do so by state law.
- (2) *Unanticipated bypass.* The Permittee shall submit notice of an unanticipated bypass as required in paragraph D.1.e. of this part (24-hour notice). As of December 21, 2020 all notices submitted in compliance with this Section must be submitted electronically by the Permittee to the Director or initial recipient, as defined in 40 C.F.R. § 127.2(b), in compliance with this Section and 40 C.F.R. Part 3 (including, in all cases, Subpart D to Part 3), § 122.22, and 40 C.F.R. Part 127. Part 127 is not intended to undo existing requirements for electronic reporting. Prior to this date, and independent of Part 127, Permittees may be required to report electronically if specified by a particular permit or required to do so by law.

d. *Prohibition of bypass.*

- (1) Bypass is prohibited, and the Director may take enforcement action against a Permittee for bypass, unless:
 - (a) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
 - (b) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance; and
 - (c) The Permittee submitted notices as required under paragraph 4.c of this Section.
- (2) The Director may approve an anticipated bypass, after considering its adverse effects, if the Director determines that it will meet the three conditions listed above in paragraph 4.d of this Section.

5. Upset

- a. *Definition.* *Upset* means an exceptional incident in which there is an unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the Permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or

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improper operation.

- b. *Effect of an upset.* An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based permit effluent limitations if the requirements of paragraph B.5.c. of this Section are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.
- c. *Conditions necessary for a demonstration of upset.* A Permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - (1) An upset occurred and that the Permittee can identify the cause(s) of the upset;
 - (2) The permitted facility was at the time being properly operated; and
 - (3) The Permittee submitted notice of the upset as required in paragraph D.1.e.2.b. (24-hour notice).
 - (4) The Permittee complied with any remedial measures required under B.3. above.
- d. *Burden of proof.* In any enforcement proceeding the Permittee seeking to establish the occurrence of an upset has the burden of proof.

C. MONITORING REQUIREMENTS

1. Monitoring and Records

- a. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
- b. Except for records of monitoring information required by this permit related to the Permittee's sewage sludge use and disposal activities, which shall be retained for a period of at least 5 years (or longer as required by 40 C.F.R. § 503), the Permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the sample, measurement, report or application. This period may be extended by request of the Director at any time.
- c. Records of monitoring information shall include:
 - (1) The date, exact place, and time of sampling or measurements;
 - (2) The individual(s) who performed the sampling or measurements;
 - (3) The date(s) analyses were performed;
 - (4) The individual(s) who performed the analyses;
 - (5) The analytical techniques or methods used; and
 - (6) The results of such analyses.
- d. Monitoring must be conducted according to test procedures approved under 40 C.F.R. § 136 unless another method is required under 40 C.F.R. Subchapters N or O.
- e. The Clean Water Act provides that any person who falsifies, tampers with, or

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knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$10,000, or by imprisonment for not more than 2 years, or both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment is a fine of not more than \$20,000 per day of violation, or by imprisonment of not more than 4 years, or both.

2. Inspection and Entry

The Permittee shall allow the Director, or an authorized representative (including an authorized contractor acting as a representative of the Administrator), upon presentation of credentials and other documents as may be required by law, to:

- a. Enter upon the Permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
- b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
- d. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act, any substances or parameters at any location.

D. REPORTING REQUIREMENTS

1. Reporting Requirements

- a. *Planned Changes.* The Permittee shall give notice to the Director as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:
 - (1) The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 C.F.R. § 122.29(b); or
 - (2) The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements at 40 C.F.R. § 122.42(a)(1).
 - (3) The alteration or addition results in a significant change in the Permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan.
- b. *Anticipated noncompliance.* The Permittee shall give advance notice to the Director of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

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- c. *Transfers.* This permit is not transferable to any person except after notice to the Director. The Director may require modification or revocation and reissuance of the permit to change the name of the Permittee and incorporate such other requirements as may be necessary under the Clean Water Act. *See* 40 C.F.R. § 122.61; in some cases, modification or revocation and reissuance is mandatory.
- d. *Monitoring reports.* Monitoring results shall be reported at the intervals specified elsewhere in this permit.
 - (1) Monitoring results must be reported on a Discharge Monitoring Report (DMR) or forms provided or specified by the Director for reporting results of monitoring of sludge use or disposal practices. As of December 21, 2016 all reports and forms submitted in compliance with this Section must be submitted electronically by the Permittee to the Director or initial recipient, as defined in 40 C.F.R. § 127.2(b), in compliance with this Section and 40 C.F.R. Part 3 (including, in all cases, Subpart D to Part 3), § 122.22, and 40 C.F.R. Part 127. Part 127 is not intended to undo existing requirements for electronic reporting. Prior to this date, and independent of Part 127, Permittees may be required to report electronically if specified by a particular permit or if required to do so by State law.
 - (2) If the Permittee monitors any pollutant more frequently than required by the permit using test procedures approved under 40 C.F.R. § 136, or another method required for an industry-specific waste stream under 40 C.F.R. Subchapters N or O, the results of such monitoring shall be included in the calculation and reporting of the data submitted in the DMR or sludge reporting form specified by the Director.
 - (3) Calculations for all limitations which require averaging or measurements shall utilize an arithmetic mean unless otherwise specified by the Director in the permit.
- e. *Twenty-four hour reporting.*
 - (1) The Permittee shall report any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the Permittee becomes aware of the circumstances. A written report shall also be provided within 5 days of the time the Permittee becomes aware of the circumstances. The written report shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance. For noncompliance events related to combined sewer overflows, sanitary sewer overflows, or bypass events, these reports must include the data described above (with the exception of time of discovery) as well as the type of event (combined sewer overflows, sanitary sewer overflows, or bypass events), type of sewer overflow structure (e.g., manhole, combined sewer overflow outfall), discharge volumes untreated by the treatment works treating domestic sewage, types of human health and environmental impacts of the sewer overflow event, and whether the noncompliance was related to wet weather. As of December 21, 2020 all

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reports related to combined sewer overflows, sanitary sewer overflows, or bypass events submitted in compliance with this section must be submitted electronically by the Permittee to the Director or initial recipient, as defined in 40 C.F.R. § 127.2(b), in compliance with this Section and 40 C.F.R. Part 3 (including, in all cases Subpart D to Part 3), § 122.22, and 40 C.F.R. Part 127. Part 127 is not intended to undo existing requirements for electronic reporting. Prior to this date, and independent of Part 127, Permittees may be required to electronically submit reports related to combined sewer overflows, sanitary sewer overflows, or bypass events under this section by a particular permit or if required to do so by state law. The Director may also require Permittees to electronically submit reports not related to combined sewer overflows, sanitary sewer overflows, or bypass events under this section.

- (2) The following shall be included as information which must be reported within 24 hours under this paragraph.
 - (a) Any unanticipated bypass which exceeds any effluent limitation in the permit. *See* 40 C.F.R. § 122.41(g).
 - (b) Any upset which exceeds any effluent limitation in the permit.
 - (c) Violation of a maximum daily discharge limitation for any of the pollutants listed by the Director in the permit to be reported within 24 hours. *See* 40 C.F.R. § 122.44(g).
 - (3) The Director may waive the written report on a case-by-case basis for reports under paragraph D.1.e. of this Section if the oral report has been received within 24 hours.
- f. *Compliance Schedules.* Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.
 - g. *Other noncompliance.* The Permittee shall report all instances of noncompliance not reported under paragraphs D.1.d., D.1.e., and D.1.f. of this Section, at the time monitoring reports are submitted. The reports shall contain the information listed in paragraph D.1.e. of this Section. For noncompliance events related to combined sewer overflows, sanitary sewer overflows, or bypass events, these reports shall contain the information described in paragraph D.1.e. and the applicable required data in Appendix A to 40 C.F.R. Part 127. As of December 21, 2020 all reports related to combined sewer overflows, sanitary sewer overflows, or bypass events submitted in compliance with this section must be submitted electronically by the Permittee to the Director or initial recipient, as defined in 40 C.F.R. § 127.2(b), in compliance with this Section and 40 C.F.R. Part 3 (including, in all cases, Subpart D to Part 3), § 122.22, and 40 C.F.R. Part 127. Part 127 is not intended to undo existing requirements for electronic reporting. Prior to this date, and independent of Part 127, Permittees may be required to electronically submit reports related to combined sewer overflows, sanitary sewer overflows, or bypass events under this section by a particular permit or if required to do so by state law. The Director may also require Permittees to electronically submit reports not related to combined sewer overflows, sanitary sewer overflows, or bypass events under this Section.
 - h. *Other information.* Where the Permittee becomes aware that it failed to submit any

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relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Director, it shall promptly submit such facts or information.

- i. *Identification of the initial recipient for NPDES electronic reporting data.* The owner, operator, or the duly authorized representative of an NPDES-regulated entity is required to electronically submit the required NPDES information (as specified in Appendix A to 40 C.F.R. Part 127) to the appropriate initial recipient, as determined by EPA, and as defined in 40 C.F.R. § 127.2(b). EPA will identify and publish the list of initial recipients on its Web site and in the FEDERAL REGISTER, by state and by NPDES data group (see 40 C.F.R. § 127.2(c) of this Chapter). EPA will update and maintain this listing.

2. Signatory Requirement

- a. All applications, reports, or information submitted to the Director shall be signed and certified. *See* 40 C.F.R. §122.22.
- b. The CWA provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or non-compliance shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both.

3. Availability of Reports.

Except for data determined to be confidential under paragraph A.6. above, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the State water pollution control agency and the Director. As required by the CWA, effluent data shall not be considered confidential. Knowingly making any false statements on any such report may result in the imposition of criminal penalties as provided for in Section 309 of the CWA.

E. DEFINITIONS AND ABBREVIATIONS

1. General Definitions

For more definitions related to sludge use and disposal requirements, see EPA Region 1's NPDES Permit Sludge Compliance Guidance document (4 November 1999, modified to add regulatory definitions, April 2018).

Administrator means the Administrator of the United States Environmental Protection Agency, or an authorized representative.

Applicable standards and limitations means all, State, interstate, and federal standards and limitations to which a "discharge," a "sewage sludge use or disposal practice," or a related activity is subject under the CWA, including "effluent limitations," water quality standards, standards of performance, toxic effluent standards or prohibitions, "best management practices," pretreatment standards, and "standards for sewage sludge use or disposal" under Sections 301, 302, 303, 304, 306, 307, 308, 403 and 405 of the CWA.

Application means the EPA standard national forms for applying for a permit, including any additions, revisions, or modifications to the forms; or forms approved by EPA for use in

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“approved States,” including any approved modifications or revisions.

Approved program or *approved State* means a State or interstate program which has been approved or authorized by EPA under Part 123.

Average monthly discharge limitation means the highest allowable average of “daily discharges” over a calendar month, calculated as the sum of all “daily discharges” measured during a calendar month divided by the number of “daily discharges” measured during that month.

Average weekly discharge limitation means the highest allowable average of “daily discharges” over a calendar week, calculated as the sum of all “daily discharges” measured during a calendar week divided by the number of “daily discharges” measured during that week.

Best Management Practices (“BMPs”) means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of “waters of the United States.” BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

Bypass see B.4.a.1 above.

C-NOEC or “*Chronic (Long-term Exposure Test) – No Observed Effect Concentration*” means the highest tested concentration of an effluent or a toxicant at which no adverse effects are observed on the aquatic test organisms at a specified time of observation.

Class I sludge management facility is any publicly owned treatment works (POTW), as defined in 40 C.F.R. § 501.2, required to have an approved pretreatment program under 40 C.F.R. § 403.8 (a) (including any POTW located in a State that has elected to assume local program responsibilities pursuant to 40 C.F.R. § 403.10 (e)) and any treatment works treating domestic sewage, as defined in 40 C.F.R. § 122.2, classified as a Class I sludge management facility by the EPA Regional Administrator, or, in the case of approved State programs, the Regional Administrator in conjunction with the State Director, because of the potential for its sewage sludge use or disposal practice to affect public health and the environment adversely.

Contiguous zone means the entire zone established by the United States under Article 24 of the Convention on the Territorial Sea and the Contiguous Zone.

Continuous discharge means a “discharge” which occurs without interruption throughout the operating hours of the facility, except for infrequent shutdowns for maintenance, process changes, or similar activities.

CWA means the Clean Water Act (formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972) Public Law 92-500, as amended by Public Law 95-217, Public Law 95-576, Public Law 96-483 and Public Law 97-117, 33 U.S.C. 1251 *et seq.*

CWA and regulations means the Clean Water Act (CWA) and applicable regulations promulgated thereunder. In the case of an approved State program, it includes State program requirements.

Daily Discharge means the “discharge of a pollutant” measured during a calendar day or any

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other 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the “daily discharge” is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurements, the “daily discharge” is calculated as the average measurement of the pollutant over the day.

Direct Discharge means the “discharge of a pollutant.”

Director means the Regional Administrator or an authorized representative. In the case of a permit also issued under Massachusetts’ authority, it also refers to the Director of the Division of Watershed Management, Department of Environmental Protection, Commonwealth of Massachusetts.

Discharge

- (a) When used without qualification, *discharge* means the “discharge of a pollutant.”
- (b) As used in the definitions for “interference” and “pass through,” *discharge* means the introduction of pollutants into a POTW from any non-domestic source regulated under Section 307(b), (c) or (d) of the Act.

Discharge Monitoring Report (“DMR”) means the EPA uniform national form, including any subsequent additions, revisions, or modifications for the reporting of self-monitoring results by Permittees. DMRs must be used by “approved States” as well as by EPA. EPA will supply DMRs to any approved State upon request. The EPA national forms may be modified to substitute the State Agency name, address, logo, and other similar information, as appropriate, in place of EPA’s.

Discharge of a pollutant means:

- (a) Any addition of any “pollutant” or combination of pollutants to “waters of the United States” from any “point source,” or
- (b) Any addition of any pollutant or combination of pollutants to the waters of the “contiguous zone” or the ocean from any point source other than a vessel or other floating craft which is being used as a means of transportation.

This definition includes additions of pollutants into waters of the United States from: surface runoff which is collected or channeled by man; discharges through pipes, sewers, or other conveyances owned by a State, municipality, or other person which do not lead to a treatment works; and discharges through pipes, sewers, or other conveyances, leading into privately owned treatment works. This term does not include an addition of pollutants by any “indirect discharger.”

Effluent limitation means any restriction imposed by the Director on quantities, discharge rates, and concentrations of “pollutants” which are “discharged” from “point sources” into “waters of the United States,” the waters of the “contiguous zone,” or the ocean.

Effluent limitation guidelines means a regulation published by the Administrator under section 304(b) of CWA to adopt or revise “effluent limitations.”

Environmental Protection Agency (“EPA”) means the United States Environmental Protection

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Agency.

Grab Sample means an individual sample collected in a period of less than 15 minutes.

Hazardous substance means any substance designated under 40 C.F.R. Part 116 pursuant to Section 311 of CWA.

Incineration is the combustion of organic matter and inorganic matter in sewage sludge by high temperatures in an enclosed device.

Indirect discharger means a nondomestic discharger introducing “pollutants” to a “publicly owned treatment works.”

Interference means a discharge (see definition above) which, alone or in conjunction with a discharge or discharges from other sources, both:

- (a) Inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use or disposal; and
- (b) Therefore is a cause of a violation of any requirement of the POTW’s NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued thereunder (or more stringent State or local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including title II, more commonly referred to as the Resources Conservation and Recovery Act (RCRA), and including State regulations contained in any State sludge management plan prepared pursuant to Subtitle D of the SDWA), the Clean Air Act, the Toxic Substances Control Act, and the Marine Protection, Research and Sanctuaries Act.

Landfill means an area of land or an excavation in which wastes are placed for permanent disposal, and that is not a land application unit, surface impoundment, injection well, or waste pile.

Land application is the spraying or spreading of sewage sludge onto the land surface; the injection of sewage sludge below the land surface; or the incorporation of sewage sludge into the soil so that the sewage sludge can either condition the soil or fertilize crops or vegetation grown in the soil.

Land application unit means an area where wastes are applied onto or incorporated into the soil surface (excluding manure spreading operations) for agricultural purposes or for treatment and disposal.

LC₅₀ means the concentration of a sample that causes mortality of 50% of the test population at a specific time of observation. The LC₅₀ = 100% is defined as a sample of undiluted effluent.

Maximum daily discharge limitation means the highest allowable “daily discharge.”

Municipal solid waste landfill (MSWLF) unit means a discrete area of land or an excavation that receives household waste, and that is not a land application unit, surface impoundment, injection well, or waste pile, as those terms are defined under 40 C.F.R. § 257.2. A MSWLF unit also may receive other types of RCRA Subtitle D wastes, such as commercial solid waste, nonhazardous sludge, very small quantity generator waste and industrial solid waste. Such a landfill may be

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publicly or privately owned. A MSWLF unit may be a new MSWLF unit, an existing MSWLF unit or a lateral expansion. A construction and demolition landfill that receives residential lead-based paint waste and does not receive any other household waste is not a MSWLF unit.

Municipality

- (a) When used without qualification *municipality* means a city, town, borough, county, parish, district, association, or other public body created by or under State law and having jurisdiction over disposal of sewage, industrial wastes, or other wastes, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under Section 208 of CWA.
- (b) As related to sludge use and disposal, *municipality* means a city, town, borough, county, parish, district, association, or other public body (including an intermunicipal Agency of two or more of the foregoing entities) created by or under State law; an Indian tribe or an authorized Indian tribal organization having jurisdiction over sewage sludge management; or a designated and approved management Agency under Section 208 of the CWA, as amended. The definition includes a special district created under State law, such as a water district, sewer district, sanitary district, utility district, drainage district, or similar entity, or an integrated waste management facility as defined in Section 201 (e) of the CWA, as amended, that has as one of its principal responsibilities the treatment, transport, use or disposal of sewage sludge.

National Pollutant Discharge Elimination System means the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under Sections 307, 402, 318, and 405 of the CWA. The term includes an “approved program.”

New Discharger means any building, structure, facility, or installation:

- (a) From which there is or may be a “discharge of pollutants;”
- (b) That did not commence the “discharge of pollutants” at a particular “site” prior to August 13, 1979;
- (c) Which is not a “new source;” and
- (d) Which has never received a finally effective NPDES permit for discharges at that “site.”

This definition includes an “indirect discharger” which commences discharging into “waters of the United States” after August 13, 1979. It also includes any existing mobile point source (other than an offshore or coastal oil and gas exploratory drilling rig or a coastal oil and gas exploratory drilling rig or a coastal oil and gas exploratory drilling rig or a coastal oil and gas developmental drilling rig) such as a seafood processing rig, seafood processing vessel, or aggregate plant, that begins discharging at a “site” for which it does not have a permit; and any offshore or coastal mobile oil and gas exploratory drilling rig or coastal mobile oil and gas developmental drilling rig that commences the discharge of pollutants after August 13, 1979, at a “site” under EPA’s permitting jurisdiction for which it is not covered by an individual or general permit and which is located in an area determined by the Director in the issuance of a final permit to be in an area of biological concern. In determining whether an area is an area of biological concern, the Director shall consider the factors specified in 40 C.F.R. §§ 125.122 (a) (1) through (10).

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An offshore or coastal mobile exploratory drilling rig or coastal mobile developmental drilling rig will be considered a “new discharger” only for the duration of its discharge in an area of biological concern.

New source means any building, structure, facility, or installation from which there is or may be a “discharge of pollutants,” the construction of which commenced:

- (a) After promulgation of standards of performance under Section 306 of CWA which are applicable to such source, or
- (b) After proposal of standards of performance in accordance with Section 306 of CWA which are applicable to such source, but only if the standards are promulgated in accordance with Section 306 within 120 days of their proposal.

NPDES means “National Pollutant Discharge Elimination System.”

Owner or operator means the owner or operator of any “facility or activity” subject to regulation under the NPDES programs.

Pass through means a Discharge (see definition above) which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the POTW’s NPDES permit (including an increase in the magnitude or duration of a violation).

Pathogenic organisms are disease-causing organisms. These include, but are not limited to, certain bacteria, protozoa, viruses, and viable helminth ova.

Permit means an authorization, license, or equivalent control document issued by EPA or an “approved State” to implement the requirements of Parts 122, 123, and 124. “Permit” includes an NPDES “general permit” (40 C.F.R. § 122.28). “Permit” does not include any permit which has not yet been the subject of final agency action, such as a “draft permit” or “proposed permit.”

Person means an individual, association, partnership, corporation, municipality, State or Federal agency, or an agent or employee thereof.

Person who prepares sewage sludge is either the person who generates sewage sludge during the treatment of domestic sewage in a treatment works or the person who derives a material from sewage sludge.

pH means the logarithm of the reciprocal of the hydrogen ion concentration measured at 25° Centigrade or measured at another temperature and then converted to an equivalent value at 25° Centigrade.

Point Source means any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural storm water runoff (see 40 C.F.R. § 122.3).

Pollutant means dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials

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(except those regulated under the Atomic Energy Act of 1954, as amended (42 U.S.C. 2011 *et seq.*)), heat, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, municipal, and agricultural waste discharged into water. It does not mean:

- (a) Sewage from vessels; or
- (b) Water, gas, or other material which is injected into a well to facilitate production of oil or gas, or water derived in association with oil and gas production and disposed of in a well, if the well is used either to facilitate production or for disposal purposes is approved by the authority of the State in which the well is located, and if the State determines that the injection or disposal will not result in the degradation of ground or surface water resources.

Primary industry category means any industry category listed in the NRDC settlement agreement (*Natural Resources Defense Council et al. v. Train*, 8 E.R.C. 2120 (D.D.C. 1976), *modified* 12 E.R.C. 1833 (D.D.C. 1979)); also listed in Appendix A of 40 C.F.R. Part 122.

Privately owned treatment works means any device or system which is (a) used to treat wastes from any facility whose operator is not the operator of the treatment works and (b) not a “POTW.”

Process wastewater means any water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct, or waste product.

Publicly owned treatment works (POTW) means a treatment works as defined by Section 212 of the Act, which is owned by a State or municipality (as defined by Section 504(4) of the Act). This definition includes any devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage or industrial wastes of a liquid nature. It also includes sewers, pipes and other conveyances only if they convey wastewater to a POTW Treatment Plant. The term also means the municipality as defined in Section 502(4) of the Act, which has jurisdiction over the indirect discharges to and the discharges from such a treatment works.

Regional Administrator means the Regional Administrator, EPA, Region I, Boston, Massachusetts.

Secondary industry category means any industry which is not a “primary industry category.”

Septage means the liquid and solid material pumped from a septic tank, cesspool, or similar domestic sewage treatment system, or a holding tank when the system is cleaned or maintained.

Sewage Sludge means any solid, semi-solid, or liquid residue removed during the treatment of municipal waste water or domestic sewage. Sewage sludge includes, but is not limited to, solids removed during primary, secondary, or advanced waste water treatment, scum, septage, portable toilet pumpings, type III marine sanitation device pumpings (33 C.F.R. Part 159), and sewage sludge products. Sewage sludge does not include grit or screenings, or ash generated during the incineration of sewage sludge.

Sewage sludge incinerator is an enclosed device in which only sewage sludge and auxiliary fuel are fired.

Sewage sludge unit is land on which only sewage sludge is placed for final disposal. This does

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not include land on which sewage sludge is either stored or treated. Land does not include waters of the United States, as defined in 40 C.F.R. § 122.2.

Sewage sludge use or disposal practice means the collection, storage, treatment, transportation, processing, monitoring, use, or disposal of sewage sludge.

Significant materials includes, but is not limited to: raw materials; fuels; materials such as solvents, detergents, and plastic pellets; finished materials such as metallic products; raw materials used in food processing or production; hazardous substance designated under Section 101(14) of CERCLA; any chemical the facility is required to report pursuant to Section 313 of title III of SARA; fertilizers; pesticides; and waste products such as ashes, slag and sludge that have the potential to be released with storm water discharges.

Significant spills includes, but is not limited to, releases of oil or hazardous substances in excess of reportable quantities under Section 311 of the CWA (see 40 C.F.R. §§ 110.10 and 117.21) or Section 102 of CERCLA (see 40 C.F.R. § 302.4).

Sludge-only facility means any “treatment works treating domestic sewage” whose methods of sewage sludge use or disposal are subject to regulations promulgated pursuant to section 405(d) of the CWA, and is required to obtain a permit under 40 C.F.R. § 122.1(b)(2).

State means any of the 50 States, the District of Columbia, Guam, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, the Commonwealth of the Northern Mariana Islands, the Trust Territory of the Pacific Islands, or an Indian Tribe as defined in the regulations which meets the requirements of 40 C.F.R. § 123.31.

Store or storage of sewage sludge is the placement of sewage sludge on land on which the sewage sludge remains for two years or less. This does not include the placement of sewage sludge on land for treatment.

Storm water means storm water runoff, snow melt runoff, and surface runoff and drainage.

Storm water discharge associated with industrial activity means the discharge from any conveyance that is used for collecting and conveying storm water and that is directly related to manufacturing, processing, or raw materials storage areas at an industrial plant.

Surface disposal site is an area of land that contains one or more active sewage sludge units.

Toxic pollutant means any pollutant listed as toxic under Section 307(a)(1) or, in the case of “sludge use or disposal practices,” any pollutant identified in regulations implementing Section 405(d) of the CWA.

Treatment works treating domestic sewage means a POTW or any other sewage sludge or waste water treatment devices or systems, regardless of ownership (including federal facilities), used in the storage, treatment, recycling, and reclamation of municipal or domestic sewage, including land dedicated for the disposal of sewage sludge. This definition does not include septic tanks or similar devices.

For purposes of this definition, “domestic sewage” includes waste and waste water from humans or household operations that are discharged to or otherwise enter a treatment works. In States where there is no approved State sludge management program under Section 405(f) of the CWA, the Director may designate any person subject to the standards for sewage sludge use and

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disposal in 40 C.F.R. Part 503 as a “treatment works treating domestic sewage,” where he or she finds that there is a potential for adverse effects on public health and the environment from poor sludge quality or poor sludge handling, use or disposal practices, or where he or she finds that such designation is necessary to ensure that such person is in compliance with 40 C.F.R. Part 503.

Upset see B.5.a. above.

Vector attraction is the characteristic of sewage sludge that attracts rodents, flies, mosquitoes, or other organisms capable of transporting infectious agents.

Waste pile or *pile* means any non-containerized accumulation of solid, non-flowing waste that is used for treatment or storage.

Waters of the United States or *waters of the U.S.* means:

- (a) All waters which are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide;
- (b) All interstate waters, including interstate “wetlands;”
- (c) All other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, “wetlands”, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds the use, degradation, or destruction of which would affect or could affect interstate or foreign commerce including any such waters:
 - (1) Which are or could be used by interstate or foreign travelers for recreational or other purpose;
 - (2) From which fish or shellfish are or could be taken and sold in interstate or foreign commerce; or
 - (3) Which are used or could be used for industrial purposes by industries in interstate commerce;
- (d) All impoundments of waters otherwise defined as waters of the United States under this definition;
- (e) Tributaries of waters identified in paragraphs (a) through (d) of this definition;
- (f) The territorial sea; and
- (g) “Wetlands” adjacent to waters (other than waters that are themselves wetlands) identified in paragraphs (a) through (f) of this definition.

Waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of CWA (other than cooling ponds as defined in 40 C.F.R. § 423.11(m) which also meet the criteria of this definition) are not waters of the United States. This exclusion applies only to manmade bodies of water which neither were originally created in waters of the United States (such as disposal area in wetlands) nor resulted from the impoundment of waters of the United States. Waters of the United States do not include prior converted cropland.

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Notwithstanding the determination of an area's status as prior converted cropland by any other federal agency, for the purposes of the Clean Water Act, the final authority regarding Clean Water Act jurisdiction remains with EPA.

Wetlands means those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

Whole Effluent Toxicity (WET) means the aggregate toxic effect of an effluent measured directly by a toxicity test.

Zone of Initial Dilution (ZID) means the region of initial mixing surrounding or adjacent to the end of the outfall pipe or diffuser ports, provided that the ZID may not be larger than allowed by mixing zone restrictions in applicable water quality standards.

2. Commonly Used Abbreviations

BOD	Five-day biochemical oxygen demand unless otherwise specified
CBOD	Carbonaceous BOD
CFS	Cubic feet per second
COD	Chemical oxygen demand
Chlorine	
Cl ₂	Total residual chlorine
TRC	Total residual chlorine which is a combination of free available chlorine (FAC, see below) and combined chlorine (chloramines, etc.)
TRO	Total residual chlorine in marine waters where halogen compounds are present
FAC	Free available chlorine (aqueous molecular chlorine, hypochlorous acid, and hypochlorite ion)
Coliform	
Coliform, Fecal	Total fecal coliform bacteria
Coliform, Total	Total coliform bacteria
Cont.	Continuous recording of the parameter being monitored, i.e. flow, temperature, pH, etc.
Cu. M/day or M ³ /day	Cubic meters per day
DO	Dissolved oxygen

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kg/day	Kilograms per day
lbs/day	Pounds per day
mg/L	Milligram(s) per liter
mL/L	Milliliters per liter
MGD	Million gallons per day
Nitrogen	
Total N	Total nitrogen
NH ₃ -N	Ammonia nitrogen as nitrogen
NO ₃ -N	Nitrate as nitrogen
NO ₂ -N	Nitrite as nitrogen
NO ₃ -NO ₂	Combined nitrate and nitrite nitrogen as nitrogen
TKN	Total Kjeldahl nitrogen as nitrogen
Oil & Grease	Freon extractable material
PCB	Polychlorinated biphenyl
Surfactant	Surface-active agent
Temp. °C	Temperature in degrees Centigrade
Temp. °F	Temperature in degrees Fahrenheit
TOC	Total organic carbon
Total P	Total phosphorus
TSS or NFR	Total suspended solids or total nonfilterable residue
Turb. or Turbidity	Turbidity measured by the Nephelometric Method (NTU)
µg/L	Microgram(s) per liter
WET	“Whole effluent toxicity”
ZID	Zone of Initial Dilution

WASTEWATER TREATMENT FACILITY
Monthly Operations Report

D A T E	DAY OF THE WEEK	TOTAL DAILY Flows			Total Ammonia (as N) (mg/l)		TKN (mg/l)	Nitrate/ Nitrite (mg/l)		Total Nitrogen (mg/l)	Total Copper (ug/l)	Total Nickel (ug/l)	pH	TOTAL SUSPENDED SOLIDS (mg/l)		5-DAY BOD CONCENTRATION (mg/l)		Fecal Coliform MPN 100 ml.	Enterococci Bacteria MPN 100 ml.
		INF.	EFF.		MGD	EFF.		EFF.	EFF.					INF.	EFF.	INF.	EFF.		
1	F																		
2	S																		
3	S																		
4	M																		
5	T		0.003		0.95								6.90		52	0	230	0	< 1.0
6	W																		
7	R																		
8	F																		
9	S																		
10	S																		
11	M		0.002		1.00	1.7	21.0	22.7	7.9	23.0	7.20							< 1.0	< 1.0
12	T																		
13	W																		
14	R																		
15	F																		
16	S																		
17	S																		
18	M		0.002		0.93						7.30			50	0	190	0	< 1.0	< 1.0
19	T																		
20	W																		
21	R																		
22	F																		
23	S																		
24	S																		
25	M		0.002		0.69				8.1	27.0	7.60						< 1.0	< 1.0	
26	T																		
27	W																		
28	R																		
29	F																		
30	S																		
TOTALS		n/a	0.0080		n/a	n/a	n/a	n/a	n/a	n/a				102	0	420	0		
AVERAGE		n/a	0.0020		0.89	1.7	21.0	22.7	8.0	25.0				51	0	210	0	< 1.0	< 1.0
MINIMUM		n/a	0.0016		0.69	1.7	21.0	22.7	7.9	23.0	6.90			50	0	190	0		
MAXIMUM			0.0026		1.00	1.7	21.0	22.7	8.1	27.0	7.60			52	0	230	0	< 1.0	< 1.0

Notes:

Fecal Coliform bacteria reported as "0.00" are below the detection limit of 1 colony/100ml

Enterococci bacteria reported as "0.00" are below the detection limit of 1 colony/100ml

TSS results reported as "0.00" are below the detection limit of 5 mg/l

BOD results reported as "0.00" are below the detection limit of 6 mg/l

Percent Removal----->			
100.0		100.0	
Lbs TN = Avg TN * Total Flow * / # days in month * 8.34			
Lbs TN =		30	0.05

Signature:

Peter Helffach

Date: 10 / 10 / 2023

Month: September Year: 2023

Wallis Sands State Park Treatment Facility

Daily Check Sheet 2023
 Month: 3 Year: 2023

Test Alarm at Beginning of Season

Date	Day	Time	oper- ators initial	Do UV lights Work?	Water Meter Start	Water Meter Finish	Eff pH Sample Time	Eff pH analysis Time	Record Eff. pH	Record Duplicate pH	Record Eff Temp	Eff Samples Taken (see below)	Influent Samples Taken	Run Inf. Pumps
1												FC Ent TSS BOD	TSS, BOD	
2												FC Ent TSS BOD	TSS, BOD	
3												FC Ent TSS BOD	TSS, BOD	
4												FC Ent TSS BOD	TSS, BOD	
5	Thurs	0700	PH	Y	4705	4731	0709	0710	6.9	7.0	19	FC Ent TSS BOD	TSS, BOD	Y
6												FC Ent TSS BOD	TSS, BOD	
7												FC Ent TSS BOD	TSS, BOD	
8												FC Ent TSS BOD	TSS, BOD	
9												FC Ent TSS BOD	TSS, BOD	
10												FC Ent TSS BOD	TSS, BOD	
11	M	0710	PH	Y	4731	4750	0715	0723	7.2	7.1	20	FC Ent TSS BOD	TSS, BOD	Y
12												FC Ent TSS BOD	TSS, BOD	
13												FC Ent TSS BOD	TSS, BOD	
14												FC Ent TSS BOD	TSS, BOD	
15												FC Ent TSS BOD	TSS, BOD	
16												FC Ent TSS BOD	TSS, BOD	
17												FC Ent TSS BOD	TSS, BOD	
18	M	0714	PH	Y	4750	4769	0721	0724	7.3	7.2	19	FC Ent TSS BOD	TSS, BOD	Y
19												FC Ent TSS BOD	TSS, BOD	
20												FC Ent TSS BOD	TSS, BOD	
21												FC Ent TSS BOD	TSS, BOD	
22												FC Ent TSS BOD	TSS, BOD	
23												FC Ent TSS BOD	TSS, BOD	
24												FC Ent TSS BOD	TSS, BOD	
25	M	0715	PH	Y	4769	4785	0723	0730	7.6	7.5	18	FC Ent TSS BOD	TSS, BOD	Y
26												FC Ent TSS BOD	TSS, BOD	
27												FC Ent TSS BOD	TSS, BOD	
28												FC Ent TSS BOD	TSS, BOD	
29												FC Ent TSS BOD	TSS, BOD	
30												FC Ent TSS BOD	TSS, BOD	
31												FC Ent TSS BOD	TSS, BOD	

FC=Fecal Coliform; Ent=Enterococci Bacteria; TSS=Total Suspended Solids; BOD=Biological Oxygen Demand
 Analysis methods # for pH is Standard Methods 4500-H B 2011. Bacteria samples collected in 100 ml pre sterilized containers.
 BOD/TSS samples collected in 1000ml containers, pH samples taken in 250 ml containers. All sample and analysis dates are the same.
 Sampler and analyst are the same unless marked otherwise. All effluent samples taken at UV effluent box, ALL SAMPLES ARE GRABS!
 All Influent samples taken at pump station wetwell.
 Notes: 2 influent and 2 effluent BOD's and TSS's per month. Enterococci Bacteria analysis must use IDEXX methodology.

State of New Hampshire
Water Supply & Pollution Control
P.O. Box 95, Hazen Drive
Concord, New Hampshire 03301

WASTEWATER TREATMENT FACILITY

Monthly Operations Report

Facility Name: Wallis Sands WWTF
Chief Operator: Peter Hellfach
Month: May Year: 2024
NPDES ID#: NHG580014

DATE	DAY OF THE WEEK	TOTAL DAILY FLOWS		Total Ammonia (as N) (mg/l)	TKN (mg/l)	Nitrate/Nitrite (mg/l)	Total Nitrogen (mg/l)	Total Copper (ug/l)	Total Nickel (ug/l)	pH	TOTAL SUSPENDED SOLIDS (mg/l)		5-DAY BOD CONCENTRATION (mg/l)		Fecal Coliform MPN 100 ml. EFF.	Enterococci Bacteria MPN 100 ml. EFF.
		INF.	EFF.	Eff	Eff	Eff	Eff	Eff	Eff	Eff	INF.	EFF.	INF.	EFF.		
1	W															
2	R															
3	F															
4	S															
5	S															
6	M															
7	T															
8	W															
9	R															
10	F															
11	S															
12	S															
13	M															
14	T															
15	W															
16	R															
17	F															
18	S															
19	S															
20	M		0.0014	2.70				9.20	59.00	6.70	0	6	Invalid	0	< 1.0	1.0
21	T															
22	W															
23	R															
24	F															
25	S															
26	S															
27	M															
28	T		0.0012	3.20				12.00	69.00	6.60	0	0	Invalid	0	< 1.0	< 1.0
29	W															
30	R															
31	F															
TOTALS		n/a	0.0026	n/a	n/a	n/a	n/a	n/a	n/a		0	6	0	0		
AVERAGE		n/a	0.0013	2.95	ERR	ERR	ERR	10.6	64.0		0	3	ERR	0	< 1.0	1.0
MINIMUM		n/a	0.0012	2.70	ERR	ERR	ERR	9.2	59.0	6.60	0	0	ERR	0		
MAXIMUM			0.0014	3.20	ERR	ERR	ERR	12.0	69.0	6.70	0	6	ERR	0	< 1.0	1.0

Notes:

Fecal Coliform bacteria reported as "0.00" are below the detection limit of 1 colony/100ml

Enterococci bacteria reported as "0.00" are below the detection limit of 1 colony/100ml

TSS results reported as "0.00" are below the detection limit of 5 mg/l

BOD results reported as "0.00" are below the detection limit of 6 mg/l

Percent Removal:-----> Lbs TN = Avg TN * Total Flow * / # days in month * 8.34

Lbs TN =

Signature:

Peter Hellfach

Date: 6/11/2024

Month: May Year: 2024

Wallis Sands State Park Treatment Facility

Daily Check Sheet

Month: May Year: 2024

Test Alarm at Beginning of Season

Tested 05-20-24

Date	Day	Time	oper- ators initial	Do UV lights Work?	Water Meter Start	Water Meter Finish	Eff pH Sample Time	Eff pH analysis Time	Record Eff. pH	Record Duplicate pH	Record Temp	Eff Samples Taken (see below)	Influent Samples Taken	Run Inf. Pumps
1												FC Ent TSS BOD	TSS, BOD	
2												FC Ent TSS BOD	TSS, BOD	
3												FC Ent TSS BOD	TSS, BOD	
4												FC Ent TSS BOD	TSS, BOD	
5												FC Ent TSS BOD	TSS, BOD	
6												FC Ent TSS BOD	TSS, BOD	
7												FC Ent TSS BOD	TSS, BOD	
8												FC Ent TSS BOD	TSS, BOD	
9												FC Ent TSS BOD	TSS, BOD	
10												FC Ent TSS BOD	TSS, BOD	
11												FC Ent TSS BOD	TSS, BOD	
12												FC Ent TSS BOD	TSS, BOD	
13												FC Ent TSS BOD	TSS, BOD	
14												FC Ent TSS BOD	TSS, BOD	
15												FC Ent TSS BOD	TSS, BOD	
16												FC Ent TSS BOD	TSS, BOD	
17												FC Ent TSS BOD	TSS, BOD	
18												FC Ent TSS BOD	TSS, BOD	
19												FC Ent TSS BOD	TSS, BOD	
20	W	0655	PH	Y	478.5	479.9	0714	0715	6.7	6.7	10	FC Ent TSS BOD	TSS, BOD	✓
21												FC Ent TSS BOD	TSS, BOD	
22												FC Ent TSS BOD	TSS, BOD	
23												FC Ent TSS BOD	TSS, BOD	
24												FC Ent TSS BOD	TSS, BOD	
25												FC Ent TSS BOD	TSS, BOD	
26												FC Ent TSS BOD	TSS, BOD	
27												FC Ent TSS BOD	TSS, BOD	
28	T	0650	PH	Y	479.4	481.1	0656	0658	6.6	6.6	11	FC Ent TSS BOD	TSS, BOD	✓
29												FC Ent TSS BOD	TSS, BOD	
30												FC Ent TSS BOD	TSS, BOD	
31												FC Ent TSS BOD	TSS, BOD	

Ca, Mg, NH₄

Ca, Mg, NH₄

FC=Fecal Coliform; Ent=Enterococci Bacteria; TSS=Total Suspended Solids; BOD=Biological Oxygen Demand
 Analysis methods # for pH is Standard Methods 4500-H B 2011. Bacteria samples collected in 100 ml pre sterilized containers,
 BOD/TSS samples collected in 1000ml containers, pH samples taken in 250 ml containers. All sample and analysis dates are the same.
 Sampler and analyst are the same unless marked otherwise. All effluent samples taken at UV effluent box, ALL SAMPLES ARE GRABS!
 All Influent samples taken at pump station wetwell.
 Notes: 2 influent and 2 effluent BOD's and TSS's per month. Enterococci Bacteria analysis must use IDEXX methodology.

State of New Hampshire
Water Supply & Pollution Control
P.O. Box 95, Hazen Drive
Concord, New Hampshire 03301

WASTEWATER TREATMENT FACILITY

Monthly Operations Report

Facility Name: Wallis Sands WWTF
Chief Operator: Peter Hellfach
Month: June Year: 2024
NPDES ID#: NHG580014

DATE	DAY OF THE WEEK	TOTAL DAILY Flows		Total Ammonia (as N) (mg/l)	TKN (mg/l)	Nitrate/ Nitrite (mg/l)	Total Nitrogen (mg/l)	Total Copper (ug/l)	Total Nickel (ug/l)	pH	TOTAL SUSPENDED SOLIDS (mg/l)		5-DAY BOD CONCENTRATION (mg/l)		Fecal Coliform MPN 100 ml. EFF.	Enterococci Bacteria MPN 100 ml. EFF.
		INF.	MGD EFF.			Eff	Eff	Eff	Eff	Eff	INF.	EFF.	INF.	EFF.		
1	S															
2	S															
3	M		0.0010	4.0	2.7	20.0	22.7	14.0	75.0	5.5	18	28	55	6	< 1.0	< 1.0
4	T															
5	W															
6	R															
7	F															
8	S															
9	S															
10	M		0.0012	4.6						7.18					< 1.0	< 1.0
11	T															
12	W															
13	R															
14	F															
15	S															
16	S															
17	M		0.0011	5.1			12.0	81.0	7.32	7.42	43	16	200	0	< 1.0	< 1.0
18	T															
19	W															
20	R															
21	F															
22	S															
23	S															
24	M		0.0009	7.6											< 1.0	< 1.0
25	T															
26	W															
27	R															
28	F															
29	S															
30	S															
TOTALS		n/a	0.0042	n/a	n/a	n/a	n/a	n/a	n/a		61	44	255	6		
AVERAGE		n/a	0.0011	5.33	2.7	20.0	22.7	13.0	78.0		31	22	128	3	< 1.0	< 1.0
MINIMUM		n/a	0.0009	4.00	2.7	20.0	22.7	12.0	75.0	7.18	18	16	55	0		
MAXIMUM			0.0012	7.60	2.7	20.0	22.7	14.0	81.0	7.42	43	28	200	6	< 1.0	< 1.0
Percent Removal:----->											27.9		97.6			
Lbs TN = Avg TN * Total Flow * # days in month * 8.34											227		8.34		Lbs TN =	
Lbs TN =											0.0042		30		0.03	

Notes:

Fecal Coliform bacteria reported as "0.00" are below the detection limit of 1 colony/100ml

Enterococci bacteria reported as "0.00" are below the detection limit of 1 colony/100ml

TSS results reported as "0.00" are below the detection limit of 5 mg/l

BOD results reported as "0.00" are below the detection limit of 6 mg/l

Signature:

Peter Hellfach

Date: 07 / 02 / 2024

Month: June

Year: 2024

Wallis Sands State Park Treatment Facility

Daily Check Sheet

Test Alarm at Beginning of Season

Month: June Year: 2024

Date	Day	Time	oper- ators initial	Do UV lights Work?	Water Meter Start	Water Meter Finish	Eff pH Sample Time	Eff pH analysis Time	Record Eff. pH	Record Duplicate pH	Record Eff Temp	Eff Samples Taken (see below)	Influent Samples Taken	Run Inf. Pumps
1												FC Ent TSS BOD	TSS, BOD	
2												FC Ent TSS BOD	TSS, BOD	
3	M	0650	PH	Y	4844	4821	PH meter not working				18	FC Ent TSS BOD	TSS, BOD	✓
4												FC Ent TSS BOD	TSS, BOD	
5												FC Ent TSS BOD	TSS, BOD	
6												FC Ent TSS BOD	TSS, BOD	
7												FC Ent TSS BOD	TSS, BOD	
8												FC Ent TSS BOD	TSS, BOD	
9												FC Ent TSS BOD	TSS, BOD	
10	PH	0650	PH	Y	4833	4833	7.08	6709	7.18	7.16	14	FC Ent TSS BOD	TSS, BOD	✓
11												FC Ent TSS BOD	TSS, BOD	
12												FC Ent TSS BOD	TSS, BOD	
13												FC Ent TSS BOD	TSS, BOD	
14												FC Ent TSS BOD	TSS, BOD	
15												FC Ent TSS BOD	TSS, BOD	
16												FC Ent TSS BOD	TSS, BOD	
17	PH	0650	PH	Y	4833	4844	5700	0703	7.32	7.36	15	FC Ent TSS BOD	TSS, BOD	✓
18												FC Ent TSS BOD	TSS, BOD	
19												FC Ent TSS BOD	TSS, BOD	
20												FC Ent TSS BOD	TSS, BOD	
21												FC Ent TSS BOD	TSS, BOD	
22												FC Ent TSS BOD	TSS, BOD	
23												FC Ent TSS BOD	TSS, BOD	
24	PH	0645	PH	Y	4844	4853	0650	0651	7.42	7.45	20	FC Ent TSS BOD	TSS, BOD	✓
25												FC Ent TSS BOD	TSS, BOD	
26												FC Ent TSS BOD	TSS, BOD	
27												FC Ent TSS BOD	TSS, BOD	
28												FC Ent TSS BOD	TSS, BOD	
29												FC Ent TSS BOD	TSS, BOD	
30												FC Ent TSS BOD	TSS, BOD	
31												FC Ent TSS BOD	TSS, BOD	

FC=Fecal Coliform; Ent=Enterococci Bacteria; TSS=Total Suspended Solids; BOD=Biological Oxygen Demand
 Analysis methods # for pH is Standard Methods 4500-H B 2011. Bacteria samples collected in 100 ml pre sterilized containers,
 BOD/TSS samples collected in 1000ml containers. pH samples taken in 250 ml containers. All sample and analysis dates are the same.
 Sampler and analyst are the same unless marked otherwise. All effluent samples taken at UV effluent box. ALL SAMPLES ARE GRABS!
 All Influent samples taken at pump station wetwell.
 Notes: 2 influent and 2 effluent BOD's and TSS's per month. Enterococci Bacteria analysis must use IDEXX methodology.

State of New Hampshire
Water Supply & Pollution Control
P.O. Box 95, Hazen Drive
Concord, New Hampshire 03301

WASTEWATER TREATMENT FACILITY

Monthly Operations Report

Facility Name: Wallis Sands WWTF
Chief Operator: Peter Hellfiach
Month: July Year: 2024
NPDES ID#: NHG580014

D A T E	DAY OF THE WEEK	TOTAL DAILY Flows		Total Ammonia (as N) (mg/l)	TKN (mg/l)	Nitrate/ Nitrite (mg/l)		Total Nitrogen (mg/l)	Total Copper (ug/l)	Total Nickel (ug/l)	pH	TOTAL SUSPENDED SOLIDS (mg/l)		5-DAY BOD CONCENTRATION (mg/l)		Fecal Coliform MPN 100 ml. EFF.	Enterococci Bacteria MPN 100 ml. EFF.
		MGD	EFF.			Eff	Eff					Inf.	EFF.	Inf.	EFF.		
		INF.	EFF.	Eff	Eff	Eff	Eff	Eff	Eff	Eff	Eff	Eff	Eff	Inf.	EFF.	Inf.	EFF.
1	M		0.0010	9.3					14.00	110.00	7.40	44	22	190	0	< 1.0	
2	T																
3	W																
4	R																
5	F																
6	S																
7	S																
8	M		0.0010	12.0							7.10					< 1.0	< 1.0
9	T																
10	W																
11	R																
12	F																
13	S																
14	S																
15	M		0.0010	17.0					16.0	140.0	6.85	44	34	280	0	< 1.0	< 1.0
16	T																
17	W																
18	R																
19	F																
20	S																
21	S																
22	M																
23	T		0.0010	17.0							7.17					< 1.0	< 1.0
24	W																
25	R																
26	F																
27	S																
28	S																
29	M		0.0010	14.0							7.51					< 1.0	< 1.0
30	T																
31	W																
TOTALS		n/a	0.0050	n/a	n/a	n/a	n/a	n/a	n/a	n/a		88	56	470	0		
AVERAGE		n/a	0.0010	13.86	ERR	ERR	ERR	ERR	15.0	125.0		44	28	235	0	< 1.0	< 1.0
MINIMUM		n/a	0.0010	9.30	ERR	ERR	ERR	ERR	14.0	110.0	6.85	44	22	190	0		
MAXIMUM			0.0010	17.00	ERR	ERR	ERR	ERR	16.0	140.0	7.51	44	34	280	0	< 1.0	< 1.0
Percent Removal----->												36.4		100.0			
Lbs TN = Avg TN * Total Flow * / # days in month * 8.34															Lbs TN =		

Notes:
Fecal Coliform bacteria reported as "0.00" are below the detection limit of 1 colony/100ml
Enterococci bacteria reported as "0.00" are below the detection limit of 1 colony/100ml

Notes:

Fecal Coliform bacteria reported as "0.00" are below the detection limit of 1 colony/100ml

Enterococci bacteria reported as "0.00" are below the detection limit of 1 colony/100ml

TSS results reported as "0.00" are below the detection limit of 5 mg/l

BOD results reported as "0.00" are below the detection limit of 6 mg/l

Signature:

Peter Hellfiach

Date: 08/04/2024

Month: July Year: 2024

Wallis Sands State Park Treatment Facility

Daily Check Sheet

Test Alarm at Beginning of Season

Month: July Year: 2024

Date	Day	Time	oper- ators initial	Do UV lights Work?	Water Meter Start	Water Meter Finish	Eff pH Sample Time	Eff pH analysis Time	Record Eff. pH	Record Duplicate pH	Record Eff Temp	Eff Samples Taken (see below)	Influent Samples Taken	Run Inf. Pumps
1	M	0650	PH	Y	4853	4863	7:01	7:03	7:40	7:41	17.7	FC Ent TSS BOD	TSS, BOD	✓
2												FC Ent TSS BOD	TSS, BOD	
3												FC Ent TSS BOD	TSS, BOD	
4												FC Ent TSS BOD	TSS, BOD	
5												FC Ent TSS BOD	TSS, BOD	
6												FC Ent TSS BOD	TSS, BOD	
7												FC Ent TSS BOD	TSS, BOD	
8	M	0645	PH	Y	4863	4873	0653	0654	7:10	7:08	19.1	FC Ent TSS BOD	TSS, BOD	✓
9												FC Ent TSS BOD	TSS, BOD	
10												FC Ent TSS BOD	TSS, BOD	
11												FC Ent TSS BOD	TSS, BOD	
12												FC Ent TSS BOD	TSS, BOD	
13												FC Ent TSS BOD	TSS, BOD	
14												FC Ent TSS BOD	TSS, BOD	
15	M	0655	PH	Y	4873	4883	0703	0704	6:55	6:53	18.9	FC Ent TSS BOD	TSS, BOD	✓
16												FC Ent TSS BOD	TSS, BOD	
17												FC Ent TSS BOD	TSS, BOD	
18												FC Ent TSS BOD	TSS, BOD	
19												FC Ent TSS BOD	TSS, BOD	
20												FC Ent TSS BOD	TSS, BOD	
21												FC Ent TSS BOD	TSS, BOD	
22												FC Ent TSS BOD	TSS, BOD	
23	T	0650	PH	Y	4883	4893	0702	0704	7:17	7:14	19.3	FC Ent TSS BOD	TSS, BOD	✓
24												FC Ent TSS BOD	TSS, BOD	
25												FC Ent TSS BOD	TSS, BOD	
26												FC Ent TSS BOD	TSS, BOD	
27												FC Ent TSS BOD	TSS, BOD	
28												FC Ent TSS BOD	TSS, BOD	
29	M	0650	PH	Y	4893	4903	7:00	7:02	7:51	7:49	19.0	FC Ent TSS BOD	TSS, BOD	✓
30												FC Ent TSS BOD	TSS, BOD	
31												FC Ent TSS BOD	TSS, BOD	

FC=Fecal Coliform; Ent=Enterococci Bacteria; TSS=Total Suspended Solids; BOD=Biological Oxygen Demand
 Analysis methods # for pH is Standard Methods 4500-H B 2011. Bacteria samples collected in 100 ml pre sterilized containers,
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 Notes: 2 Influent and 2 effluent BOD's and TSS's per month. Enterococci Bacteria analysis must use IDEXX methodology.

WASTEWATER TREATMENT FACILITY
Monthly Operations Report

Facility Name: Wallis Sands WWTF
Chief Operator: Peter Hellfach
Month: August Year: 2024
NPDES ID#: NHG580014

State of New Hampshire
Water Supply & Pollution Control
P.O. Box 95, Hazen Drive
Concord, New Hampshire 03301

DATE	DAY OF THE WEEK	TOTAL DAILY Flows		Total Ammonia (as N) (mg/l)	TKN (mg/l)	Nitrate/ Nitrite (mg/l)		Total Nitrogen (mg/l)	Total Copper (ug/l)	Total Nickel (ug/l)	pH	TOTAL SUSPENDED SOLIDS (mg/l)		5-DAY BOD CONCENTRATION (mg/l)		Fecal Coliform MPN 100 ml. EFF.	Enterococci Bacteria MPN 100 ml. EFF.
		INF.	EFF.			Eff	Eff					INF.	EFF.	INF.	EFF.		
1	R																
2	F																
3	S																
4	S																
5	M		0.0010	10.0					15.0	78.0	7.43	45	24	390	0	< 1.0	< 1.0
6	T																
7	W																
8	R																
9	F																
10	S																
11	S																
12	M																
13	T		0.0015	5.6							6.81					< 1.0	< 1.0
14	W																
15	R																
16	F																
17	S																
18	S																
19	M		0.0014	4.0					13.0	52.0	6.92	49	14	200	0	< 1.0	< 1.0
20	T																
21	W																
22	R																
23	F																
24	S																
25	S																
26	M		0.0013	3.4							7.63					< 1.0	< 1.0
27	T																
28	W																
29	R																
30	F																
31	S																
TOTALS		n/a	0.0052	n/a	n/a	n/a	n/a	n/a	n/a	n/a		94	38	590	0		
AVERAGE		n/a	0.0013	5.8	ERR	ERR	ERR	ERR	14.0	65.0		47	19	295	0	< 1.0	< 1.0
MINIMUM		n/a	0.0010	3.40	ERR	ERR	ERR	ERR	13.0	52.0	6.81	45	14	200	0		
MAXIMUM			0.0015	10.00	FRR	FRR	FRR	FRR	15.0	78.0	7.63	49	24	390	0	< 1.0	< 1.0

Notes:

Fecal Coliform bacteria reported as "0.00" are below the detection limit of 1 colony/100ml

Enterococci bacteria reported as "0.00" are below the detection limit of 1 colony/100ml

TSS results reported as "0.00" are below the detection limit of 5 mg/l

BOD results reported as "0.00" are below the detection limit of 6 mg/l

Percent Removal----->		59.6	100.0
		Lbs TN = Avg TN * Total Flow * / # days in month * 8.34	Lbs TN =
		Lbs TN =	
		10ml	

Signature:

Date: 07/05/2024

Month: August Year: 2024

Wallis Sands State Park Treatment Facility

Daily Check Sheet

Test Alarm at Beginning of Season

Month: Aug Year: 2024

Date	Day	Time	oper- ators initial	Do UV lights Work?	Water Meter Start	Water Meter Finish	Eff pH Sample Time	Eff pH analysis Time	Record Eff. pH	Record Duplicate pH	Record Eff Temp	Eff Samples Taken (see below)	Influent Samples Taken	Run Inf. Pumps
1												FC Ent TSS BOD	TSS, BOD	
2												FC Ent TSS BOD	TSS, BOD	
3												FC Ent TSS BOD	TSS, BOD	
4												FC Ent TSS BOD	TSS, BOD	
5	M	0650	PH	Y	4403	4413	7:00	7:02	7.43	7.41	19.9	FC Ent TSS BOD	TSS, BOD	✓ CUMULATIVE NH ₃
6												FC Ent TSS BOD	TSS, BOD	
7												FC Ent TSS BOD	TSS, BOD	
8												FC Ent TSS BOD	TSS, BOD	
9												FC Ent TSS BOD	TSS, BOD	
10												FC Ent TSS BOD	TSS, BOD	
11												FC Ent TSS BOD	TSS, BOD	
12												FC Ent TSS BOD	TSS, BOD	
13	PH	0650	PH	Y	4413	4428	0659	6:59	6.81	6.78	17.9	FC Ent TSS BOD	TSS, BOD	✓ NH ₃
14												FC Ent TSS BOD	TSS, BOD	
15												FC Ent TSS BOD	TSS, BOD	
16												FC Ent TSS BOD	TSS, BOD	
17												FC Ent TSS BOD	TSS, BOD	
18												FC Ent TSS BOD	TSS, BOD	
19	PH	0657	PH	Y	4428	4442	0710	6711	6.92	6.87	19.8	FC Ent TSS BOD	TSS, BOD	✓ CUMULATIVE NH ₃
20												FC Ent TSS BOD	TSS, BOD	
21												FC Ent TSS BOD	TSS, BOD	
22												FC Ent TSS BOD	TSS, BOD	
23												FC Ent TSS BOD	TSS, BOD	
24												FC Ent TSS BOD	TSS, BOD	
25												FC Ent TSS BOD	TSS, BOD	
26	M	0700	PH	Y	4442	4455	0710	6712	7.63	7.59	18.9	FC Ent TSS BOD	TSS, BOD	✓ NH ₃
27												FC Ent TSS BOD	TSS, BOD	
28												FC Ent TSS BOD	TSS, BOD	
29												FC Ent TSS BOD	TSS, BOD	
30												FC Ent TSS BOD	TSS, BOD	
31												FC Ent TSS BOD	TSS, BOD	

FC=Fecal Coliform; Ent=Enterococci Bacteria; TSS=Total Suspended Solids; BOD=Biological Oxygen Demand
 Analysis methods # for pH is Standard Methods 4500-H B 2011. Bacteria samples collected in 100 ml pre sterilized containers,
 BOD/TSS samples collected in 1000ml containers, pH samples taken in 250 ml containers. All sample and analysis dates are the same.
 Sampler and analyst are the same unless marked otherwise. All effluent samples taken at UV effluent box, ALL SAMPLES ARE GRABS!
 All Influent samples taken at pump station wetwell.
 Notes: 2 Influent and 2 effluent BOD's and TSS's per month. Enterococci Bacteria analysis must use IDEXX methodology.



* 46 Darby Lane *
* Rochester, NH 03839 *
* Ph 603 661-9048 *
* e-mail piscataqu@aol.com *

December 21, 2023

USEPA – Region 1
5 Post Office Square, Suite 100
Boston, MA 02109 - 3912

Attn: Mr. Michael Cobb
Cobb.Michael@epa.gov

Re: Wallis Sands Wastewater Facility CMOM Plan

Dear Mr. Cobb:

In accordance with the National Pollutant Discharge Elimination System (NPDES) Small Wastewater Treatment Facility General Permit (NHG580014) with an effective coverage date of September 1, 2023, the New Hampshire Department of Natural and Cultural Resources (DNCR) is pleased to present the following information in accordance with the requirements of Section IV A.5 (a) 1-3 relative to the Capacity, Management, Operations and Maintenance (CMOM) Plan.

1. Collection System Management

1.1. Goals

The Wallis Sands Wastewater Treatment Facility (WSWWTF) preventive maintenance plan (PMP) covers the assets managed in the wastewater collection system and is one component of the overall Capacity, Management, Operations and Maintenance (CMOM) Plan. The PMP combines preventive, predictive and corrective maintenance strategies with best management practices. The CMOM Plan and PMP will be prepared to help the DNCR effectively manage the wastewater collection system and will achieve the following goals:

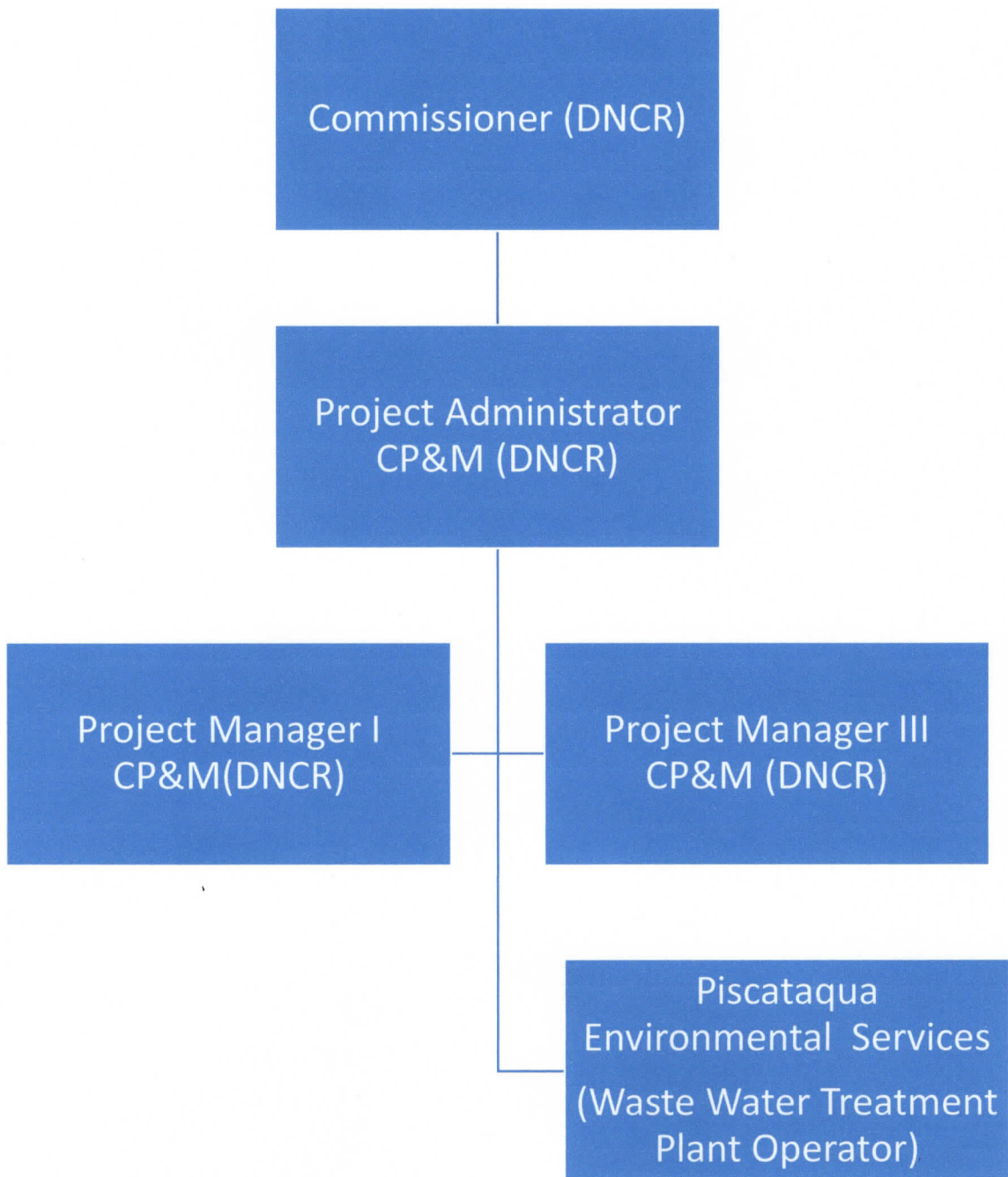
- Prevent public health hazards
- Protect the environment
- Comply with regulations
- Minimize the frequency of SSOs
- Mitigate the impact of SSOs
- Minimize disruptions in service
- Minimize complaints
- Provide quick response to any disruption in service that occurs
- Protect the State's significant investment in the sewer collection system by maintaining maximum capacity and extending the useful life of the associated assets
- Prevent unnecessary damage to public/private property
- Efficiently use the funds available for the maintenance of the infrastructure and the operation of services
- Reduce expenditures for emergency maintenance

- Convey wastewater to the Wastewater Treatment Facility (WWTF) with minimum infiltration, inflow and exfiltration
- Provide adequate capacity to convey peak flow
- Provide immediate, responsive, and efficient service to all emergency calls
- Provide a safe work environment for employees, operators and employers
- Perform all operations in a safe manner to prevent personal injury
- Utilize evolving technology to increase our effectiveness and efficiency
- Provide reliable service now and into the future

1.2. Staffing

The DNCR is responsible for all aspects of the wastewater collection system, within the Park. The DNCR contracts out the operation and maintenance of the system. Contractors are used for emergency support.

Organizational Chart DNCR



DNCR:

The general responsibilities of the DNCR include the following:

- Providing good working conditions, and equipment that is in good working order.
- Communicating the importance of proper station performance and the consequences of poor operation.
- Seeing that adequate operational and management records are maintained.
- Motivating personnel to achieve maximum efficiency of operation.
- Ensuring operating personnel have the proper certifications.
- Planning for future plant needs to permit early planning and budgeting.
- Preparing budgets and reports.
- Maintaining good public relations.

Contract Operator:

Under administrative direction, oversees, supervises, and coordinates the operation and maintenance of the pumping stations; coordinates assigned activities with other units, divisions, outside agencies, and the public; and provides to the DNCR. Establishes operational policy, plans strategy, leads staff, and delegates responsibility, allocates resources, authorizes outside contractors to perform services, and may serve as public information officer. Additionally, the contractor operator assists in the operation, maintenance, and control of the Wastewater system, including pump stations to ensure safe, economical, and efficient operation. Directs, coordinates, and assist with the operations and maintenance functions, services, and activities at the collection system; monitors workflow; reviews and assist in evaluation of work products, methods, and procedures; and resolves issues.

Managerial Responsibilities

While the effectiveness of the pump stations is directly dependent upon the operators, policy management responsibility of the pump stations is the DNCR responsibility. It takes both the operator and management working together to operate the pump stations in the most efficient and cost-effective manner.

Operator Responsibilities

For the pump stations to operate effectively as part of the WSWWTF, the operator must assume the responsibility of seeing that the stations remain in continuous service, have a long service life, and have reasonable operation and maintenance costs. The operator should take pride in his or her work and be

capable of monitoring and adjusting pump station equipment, thereby correcting operational difficulties before they become major problems.

There are important maintenance checks and procedures which must occur for the smooth operation of each station. Regular inspections and timely maintenance will greatly increase the effectiveness and life of the station. In the long run this is in the best interest of controlling costs and protecting the environment. It is the operator's responsibility to accomplish this at the lowest unit cost and at the highest quality possible.

The general responsibilities of the Operator include the following:

- Keep and maintain an efficient equipment record system.
- Take positive action in managing operating costs by gathering and filing sufficient information to permit proper monitoring and control of maintenance costs.
- Maintain constant communication with supervisors.
- Observe all safety procedures.
- Update and adhere to all maintenance schedules.
- Provide routine housekeeping ensuring cleanliness of the facility.
- Perform preventative and corrective maintenance.

1.3. Legal Authorities and Controls

The DNCR was established as owner of the WSWWTF and as such regulates the use of the wastewater collection system. The WSWWTF is organized differently than most municipalities in that it has no customers only its own users. All flows are generated in via the park bathhouse shower and toilet facilities. There are no flows from outside the park.

2. General Information

The WSWWTF is located in Rockingham County. The topography throughout the Park varies in elevation from 5 to 10 feet above mean sea level (USGS Datum).

2.1. Wastewater Treatment and Collection System Description

The Park's wastewater collection system was constructed in 1964. The collection system transports wastewater to the WWTF, located within the Park located on a map at 1050 Ocean Blvd, Rye, NH. The treated wastewater discharges into the Atlantic Ocean.

WSWWTF Description

The WSWWTF operates and maintains the wastewater collection system. The collection system includes one pump station and approximately 75 feet of sewers and force mains of 3 inches in diameter.

Wallis Sands contract operators perform planned maintenance tasks at scheduled frequencies. Frequencies are established based on experience and collection system information to minimize the risk of blockages or equipment failures that could lead to sewer overflows.

2.2. Collection System Details

The Wallis Sands collection system has categorized the sewer system by age, size, and feature type:

<u>Size</u>	<u>Sum of Length</u>
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6 inch	125 ft
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<u>Year Installed</u>	<u>Length of pipe</u>
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1964	125 ft
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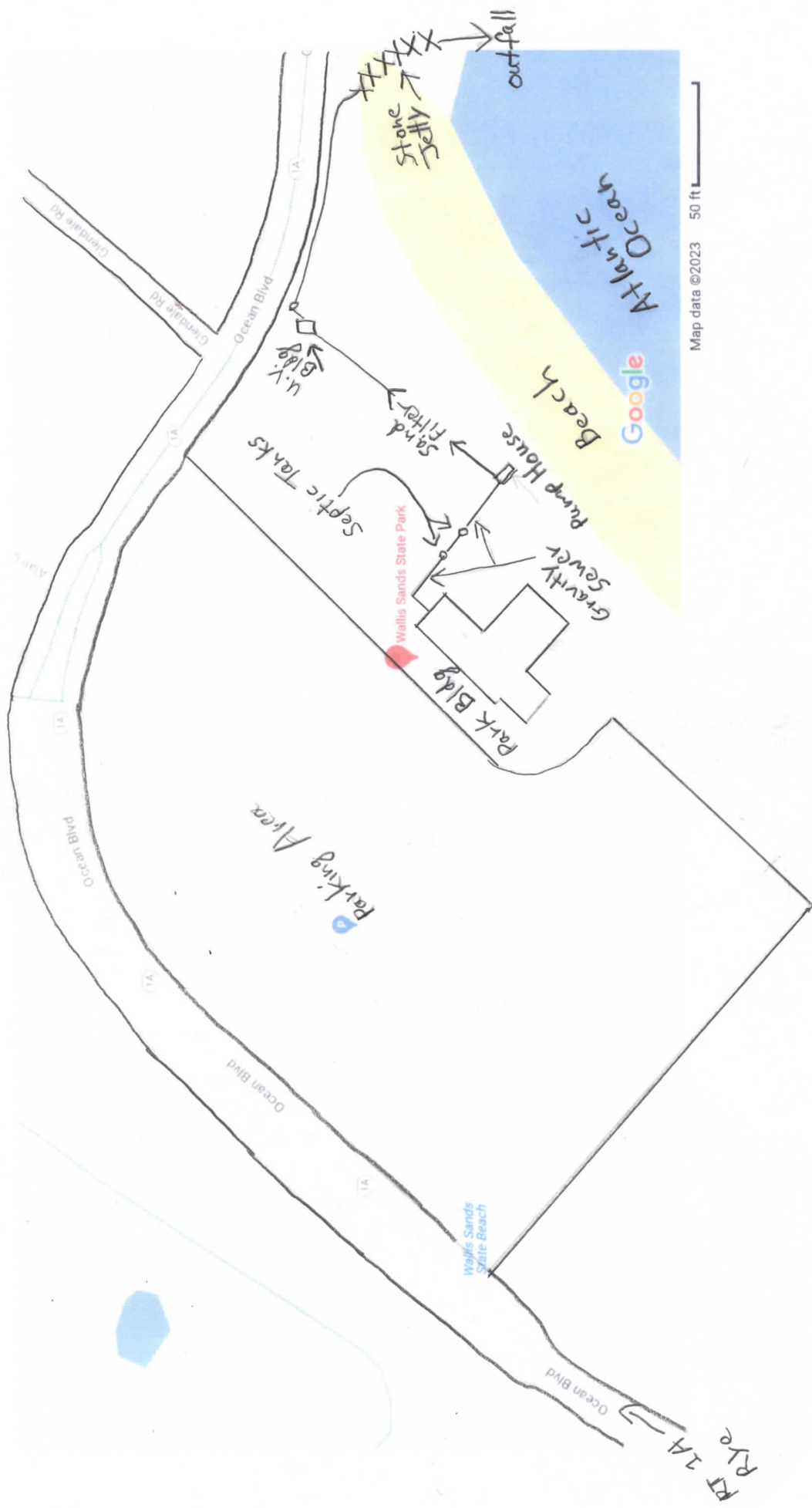
Force main	50 ft
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Gravity	75 ft
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Figure 2 - Wallis Sands System Map (Satellite View)



Figure 3
Wallis Sands State Park - (Map View)



3. O&M Plan Schedule

3.1 Full Schedule for full implementation of the CMOM Plan

- Update the CMOM Plan to reflect current information
- Develop a preventative maintenance and monitoring program
- Update staffing as necessary to properly operate and maintain the sanitary sewer collection system
- Provide a description of funding, the sources, and provisions for funding sufficient for implementing the plan
- Identify known and suspected overflows and back-ups including a description of the cause and corrective actions
- Describe the WSWWTF's programs for preventing I/I related effluent violations.
- Conduct a public outreach program for all aspects of I/I control
- Develop an Overflow Emergency Response Plan as necessary

It is expected that all the above items will be fully addressed in a complete CMOM Plan Report and submitted by September 2025.

We trust that the information provided herein will satisfy Section requirements of the NPDES permit Section IV A. 5 (a) 1-3 relative to the Capacity, Management, Operations and Maintenance (CMOM) Plan and will demonstrate the DNCR's commitment to move forward with the next Phase of the work as detailed in Section 3.2 for full implementation.

Should you require any additional information at all, please do not hesitate to contact me as below.

Very truly yours,

Piscataqua Environmental Services

Peter Hellfach

Peter Hellfach, Chief Operator
piscataqu@aol.com

Copy: Edward Mussey, edward.v.mussey@dn-cr.nh.gov
Teresa.ptak@des.gov
Pastrana-del-valle.solanch@epa.gov