

PART I - DRAFT GENERAL PERMITS UNDER THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES).

This permit is organized as a single permit with the effluent limitations and specific conditions for facilities in Massachusetts (including both Commonwealth and Indian Country Lands) and New Hampshire in Part I.A. and Part I.B., respectively. Additional State or Indian country land conditions are contained in Part I.J. Part I.C. through Part I.K., Part II, and Part III are common to both permits.

A. Massachusetts General Permit, Permit No. MAG360000

In compliance with the provisions of the Federal Clean Water Act, as amended, (33 U.S.C. §§ 1251 et seq.; the "CWA"), and the Massachusetts Clean Waters Act, as amended, (M.G.L. Chap. 21, §§ 26-53), operators of hydroelectric generating facilities located in Massachusetts (including both Commonwealth and Indian Country lands), which discharge equipment cooling waters, equipment and floor drain water, equipment backwash water, and specific maintenance waters from the facility to the classes of waters as designated in the Massachusetts Water Quality Standards, 314 CMR 4.00 et seq.; are authorized to discharge to all waters, unless otherwise restricted, in accordance with effluent limitations, monitoring requirements, and other conditions set forth herein.

This permit shall become effective when issued.

This permit and the authorization to discharge expire at midnight, five years from the effective date specified in the notice of final issuance of the general permit published in the Federal Register.

Signed this day of

Linda M. Murphy
Director
Office of Ecosystem Protection
U.S. Environmental Protection Agency (EPA)
Boston, MA

Glenn Haas
Director
Division of Watershed Management
Department of Environmental Protection
Commonwealth of Massachusetts
Boston, MA

A. 1. Effluent Limitations and Monitoring Requirements for Equipment-Related Cooling Water

During the period beginning on the effective date and lasting through expiration, the permittee is authorized to discharge equipment-related cooling water from the following operations: noncontact cooling water and direct cooling water. Each outfall discharging equipment-related cooling water shall be limited and monitored by the permittee as specified below in accordance with the receiving water classification when indicated. Monitoring for each outfall is to be conducted and reported in accordance with Part I.A.6 and Part I.E.

<u>Effluent Characteristic</u>	<u>Units</u>	<u>Discharge Limitation</u>	<u>Monitoring Requirement</u>	
			<u>Measurement Frequency</u>	<u>Sample Type</u>
		<u>Average Monthly</u>		
Flow ¹	gpd	Report	1/Month	Estimate
pH Range for Class A and Class B waters ^{2,3}	Standard Units	6.5 to 8.3	1/Month	Grab
pH Range for Class SA and Class SB waters ^{2,3}	Standard Units	6.5 to 8.5	1/Month	Grab
Temperature	°F	Report	1/Month	Grab

Explanation to Superscripts to Part I.A.1.:

- (1) Specific No Data Indicator Codes (NODIs) are entered on the monthly Discharge Monitoring Report (DMR) when there is no discharge from the outfall. The Code C applies when there is no discharge and the Code E applies when the sampling point is inaccessible. Additional NODI codes applicable to other conditions are found in the annual NPDES Permit Program Instructions for the DMRs forms.
- (2) State certification requirement.
- (3) The pH shall be in the specified range or as allowed after a pH demonstration study in accordance with Parts I.A.15 and A.16.a of this permit.

A. 2. Effluent Limitations and Monitoring Requirements for Equipment and Floor Drain Water

During the period beginning on the effective date and lasting through expiration, the permittee is authorized to discharge equipment and floor drain water from the following operations: floor drains, trench drains, station sumps, oil/water separators, wheel pit drains or sumps, compressor blowdowns, equipment and seal leakage, lower guide bearing drains and other bearing-related discharges, various pit drains, ground water drains, miscellaneous infiltration and seepage waters collected in a sump, and equipment-related cooling water. Each outfall discharging equipment and floor drain water shall be limited and monitored by the permittee as specified below in accordance with the receiving water classification when indicated. Monitoring for each outfall is to be conducted and reported in accordance with Part I.A.6 and Part I.E.

<u>Effluent Characteristic</u>	<u>Units</u>	<u>Discharge Limitation</u>	<u>Monitoring Requirement</u>	
			<u>Measurement Frequency</u>	<u>Sample Type</u>
Flow ¹	gpd	Report	1/Month	Estimate
pH Range for Class A and Class B waters ^{2,3}	Standard Units	6.5 to 8.3	1/Month	Grab
pH Range for Class SA and Class SB waters ^{2,3}	Standard Units	6.5 to 8.5	1/Month	Grab
Oil and Grease for Class A and Class SA waters ⁴	mg/L	0.0 , See Part I.A.13	1/Month	Grab
Oil and Grease for Class B and Class SB waters ⁴	mg/L	15	1/Month	Grab
Temperature ⁵	°F	Report	1/Month	Grab

Explanation to Superscripts to Part I.A.2.:

- (1) Specific No Data Indicator Codes (NODIs) are entered on the monthly Discharge Monitoring Report (DMR) when there is no discharge from the outfall. The Code C applies when there is no discharge and the Code E applies when the sampling point is inaccessible. Additional NODI codes applicable to other conditions are found in the annual NPDES Permit Program Instructions for the DMRs forms.
- (2) State certification requirement.
- (3) The pH shall be in the specified range or as allowed after a pH demonstration study in accordance with Parts I.A.15 and A.16.a of this permit.
- (4) Oil and Grease shall be tested using EPA test method 1664 Revision A as approved in 40 CFR 136.
- (5) The effluent limitations and monitoring requirements for Temperature apply to those outfalls discharging equipment-related cooling water.

A. 3. Effluent Limitations and Monitoring Requirements for Equipment and Facility Maintenance-Related Water

During the period beginning on the effective date and lasting through expiration, the permittee is authorized to discharge equipment maintenance-related water from the following operations: equipment dewatering and sump dewatering; and to discharge facility maintenance-related water, during periods of flood/high water events, from the following operations: flood water pumps, high water sump pumps, and miscellaneous flood/high water collection devices. Each outfall discharging equipment and facility maintenance-related water shall be limited and monitored by the permittee as specified below in accordance with the receiving water classification when indicated. Monitoring for each outfall is to be conducted and reported in accordance with Part I.A.6 and Part I.E.

<u>Effluent Characteristic</u>	<u>Units</u>	<u>Discharge Limitation</u>	<u>Monitoring Requirement</u>	
			<u>Measurement Frequency</u>	<u>Sample Type</u>
Flow ¹	gpd	Average Monthly Report	1/Year	Estimate
pH Range for Class A and Class B waters ^{2,3}	Standard Units	6.5 to 8.3	1/Year	Grab
pH Range for Class SA and Class SB waters ^{2,3}	Standard Units	6.5 to 8.5	1/Year	Grab
Oil and Grease for Class A and Class SA waters ^{4,5}	mg/L	0.0, See Part I.A.13	1/Year	Grab
Oil and Grease for Class B and Class SB waters ^{4,5}	mg/L	15	1/Year	Grab

Explanation to Superscripts to Part I.A.3.:

- (1) Specific No Data Indicator Codes (NODIs) are entered on the monthly Discharge Monitoring Report (DMR) when there is no discharge from the outfall. The Code C applies when there is no discharge and the Code E applies when the sampling point is inaccessible. Additional NODI codes applicable to other conditions are found in the annual NPDES Permit Program Instructions for the DMRs forms.
- (2) State certification requirement.
- (3) The pH shall be in the specified range or as allowed after a pH demonstration study in accordance with Parts I.A.15 and A.16.a of this permit.
- (4) The effluent limitations and monitoring requirements for Oil and Grease are not applicable to outfalls discharging flood waters and high waters.

- (5) Oil and Grease shall be tested using EPA test method 1664 Revision A as approved in 40 CFR 136.

A. 4. Effluent Limitations and Monitoring Requirements for Equipment-Related Backwash Water

During the period beginning on the effective date and lasting through expiration, the permittee is authorized to discharge equipment-related backwash water from the operation of the strainer screens on the intake water line. Each outfall discharging equipment-related backwash water shall be limited and monitored by the permittee as specified below in accordance with the receiving water classification when indicated. Monitoring for each outfall is to be conducted and reported in accordance with Part I.A.6 and Part I.E.

<u>Effluent Characteristic</u>	<u>Units</u>	<u>Discharge Limitation</u>	<u>Monitoring Requirement</u>	
			<u>Measurement Frequency</u>	<u>Sample Type</u>
Flow ¹	gpd	Report	1/Month	Estimate
pH Range for Class A and Class B waters ²	Standard Units	6.5 to 8.3	1/Month	Grab
pH Range for Class SA and Class SB waters ^{2,3}	Standard Units	6.5 to 8.5	1/Month	Grab
TSS	mg/L	Report	1/Month	Grab

Explanation to Superscripts to Part I.A.4.:

- (1) Specific No Data Indicator Codes (NODIs) are entered on the monthly Discharge Monitoring Report (DMR) when there is no discharge from the outfall. The Code C applies when there is no discharge and the Code E applies when the sampling point is inaccessible. Additional NODI codes applicable to other conditions are found in the annual NPDES Permit Program Instructions for the DMRs forms.
- (2) State certification requirement.
- (3) The pH shall be in the specified range or as allowed after a pH demonstration study in accordance with Parts I.A.15 and A.16.a of this permit.

A. 5.a. Effluent Limitations and Monitoring Requirements for Facility Maintenance-Related Internal Drainage Water

During the period beginning on the effective date and lasting through expiration, the permittee is authorized to discharge facility maintenance-related internal drainage water from the following operations: collection of internal dam drainage and collection of headwall drainage. Each outfall discharging facility maintenance-related internal drainage water shall be limited and monitored by the permittee as specified below in accordance with the receiving water classification when indicated. Monitoring for each outfall is to be conducted and reported in accordance with Part I.A.6 and Part I.E.

<u>Effluent Characteristic</u>	<u>Units</u>	<u>Discharge Limitation</u>	<u>Monitoring Requirement</u>	
		<u>Average Monthly</u>	<u>Measurement Frequency</u>	<u>Sample Type</u>
Flow ¹	gpd	Report	1/Year	Estimate
pH Range for Class A and Class B waters ^{2,3}	Standard Units	6.5 to 8.3	1/Year	Grab
pH Range for Class SA and Class SB waters ^{2,3}	Standard Units	6.5 to 8.5	1/Year	Grab

Explanation to Superscripts to Part I.A.5.:

- (1) Specific No Data Indicator Codes (NODIs) are entered on the monthly Discharge Monitoring Report (DMR) when there is no discharge from the outfall. The Code C applies when there is no discharge and the Code E applies when the sampling point is inaccessible. Additional NODI codes applicable to other conditions are found in the annual NPDES Permit Program Instructions for the DMRs forms.
- (2) State certification requirement.
- (3) The pH shall be in the specified range or as allowed after a pH demonstration study in accordance with Parts I.A.15 and A.16.a of this permit.

A. 5.b. The addition of any pollutant to the discharge of facility maintenance-related internal drainage water is prohibited.

A. Effluent Limitations and Monitoring Requirements (continued)

6. Samples taken in compliance with the monitoring requirements specified above shall be taken at a location that provides a representative analysis of the discharge. Samples for an outfall shall be taken concurrently. If the discharge is commingled with another discharge prior to mixing with the receiving water, samples shall be taken before such commingling. All samples shall be tested using the analytical methods found in 40 CFR §136, or alternative methods approved by EPA in accordance with the procedures in 40 CFR §136.
7. All solid materials except for naturally occurring materials such as leaves, branches, grass, and so forth, will be removed from the trash racks and be land disposed.
8. There shall be no discharge of polychlorinated biphenyl compounds such as those commonly used for transformer fluid.
9. The discharge shall not jeopardize any of the uses assigned to the receiving stream and shall not violate applicable water quality standards for the receiving water Class as defined by the State of Massachusetts.
10. There shall be no discharge of floating solids, visible oil sheen or foam other than in trace amounts.
11. The discharge shall not cause visible discoloration or turbidity in the receiving waters which would impair the uses designated by the classification of the receiving waters.
12. The discharge shall not contain materials in concentrations or in combinations which are hazardous or toxic to aquatic life or which would impair the uses designated by the classification of the receiving waters.
13. The limit at which compliance/noncompliance determinations for Oil and Grease will be based is the Minimum Level (ML) which is defined as 5.0 mg/L for Oil and Grease. Any Oil and Grease value below 5.0 mg/L shall be reported as zero.
14. This permit does not allow for the addition of any chemical for any purpose to the discharges except for non-toxic neutralization chemicals. The Commonwealth of Massachusetts will review each identified neutralization chemical to determine its acceptability. In addition, additives used to control biological growth, corrosion, and/or scale in cooling water are prohibited due to their inherent toxicity to aquatic life.

For each non-toxic neutralization chemical used the following data must be supplied with the Notice Of Intent letter to be covered by this general permit.

- (1) Name and manufacturer,
- (2) Maximum and average daily quantity used on a monthly basis as well as the maximum and average daily expected concentrations (mg/l) in the cooling water, and
- (3) The vendor's reported aquatic toxicity (NOAEL and/or LC50 in % for typically acceptable aquatic organism).

All substitutions of nontoxic neutralization chemicals must be approved by the State in writing prior to their usage. All written substitution requests must contain the information required in Part I.A.14.(1)-(3) immediately above.

15. A written request for a change in the applicable pH range, to be not less restrictive than the default range of 6.0 to 9.0 Standard Units, may be submitted: (1) to EPA and the Massachusetts Department of Environmental Protection (MA DEP) with the Notice of Intent submission or (2) to EPA before the permit expiration date. In the first case, a facility seeking coverage under this general permit may request a change in the permitted pH range for any outfall by submitting information concerning the receiving water pH. This information will demonstrate the naturally occurring receiving water pH will not be significantly altered if discharges to the receiving water from the specified outfall are within a specific numeric pH range. The MA DEP's letter, providing concurrence on the general permit coverage, will indicate the facility has demonstrated that the naturally occurring receiving water pH will not be significantly altered. This letter will also provide the associated numeric pH limit range for each outfall. In the second case, the permittee's written request must include the State's approval letter containing an original signature (no copies). The State's letter shall indicate the permittee has demonstrated to the State's satisfaction that discharges to the receiving water from a specific outfall are within a specific numeric pH range and the naturally occurring receiving water pH will not be significantly altered. That letter must specify for each outfall the associated numeric pH limit range. Until written notice is received from the EPA indicating the pH limit range has been changed, the permittee is required to meet the permitted pH limit range in the respective permit.
16. The Massachusetts state permit conditions require that all Massachusetts permittees shall comply with the following conditions which are included as state certification requirements.
 - a. The pH of the final effluent for discharges to Class A and Class B waters should be in the range of 6.5 through 8.3 Standard Units. The pH of the final effluent for discharges to Class SA and Class SB waters should be in the range of 6.5 through 8.5 Standard Units. There shall be no change from background conditions that would impair any use assigned to any Class. The pH range appropriate for each receiving water Class must be achieved in the final effluent unless the permittee can demonstrate to MA DEP: (1) that the pH 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 MA DEP. In no case shall the above procedure result in pH limits less restrictive than any applicable federal guideline or than the default range of 6.0 to 9.0 Standard Units in the absence of an applicable guideline, whichever is more stringent.
 - b. This Discharge Permit is issued jointly by the U. S. Environmental Protection Agency and the Massachusetts Department of Environmental Protection under Federal and State law, respectively. As such, all the terms and conditions of this permit are hereby incorporated into and constitute a discharge permit issued by the Commissioner of the Massachusetts Department of Environmental Protection pursuant to M.G.L. Chap.21, §43.
 - c. Each agency shall have the independent right to enforce the terms and conditions of this permit. 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 this permit as issued by the other agency, unless and until each agency has concurred in writing with such modification, suspension or revocation. In the event any portion of this permit is declared, invalid, illegal or otherwise issued in violation of state law such permit shall remain in full force and effect under federal law as an NPDES permit issued by the U.S. Environmental Protection Agency. In the event this permit is declared invalid, illegal or otherwise issued in violation of federal law, this permit shall remain in full force and

effect under state law as a permit issued by the Commonwealth of Massachusetts.

B. New Hampshire General Permit, Permit No. NHG360000

In compliance with the provisions of the Federal Clean Water Act, as amended, (33 U.S.C. §§ 1251 et seq.; the "CWA"), operators of hydroelectric generating facilities located in New Hampshire which discharge equipment cooling waters, equipment and floor drain water, equipment backwash water, and specific maintenance waters from the facility are authorized to discharge to all waters, unless otherwise restricted by the New Hampshire water quality standards, 50 RSA § 485-A:8 and the N.H. Code of Administrative Rules, Env-Ws 1700-1709 (December 1999) in accordance with effluent limitations, monitoring requirements, and other conditions set forth herein.

This permit shall become effective when issued.

This permit and the authorization to discharge expire at midnight, five years from the effective date specified in the notice of final issuance of the general permit published in the Federal Register.

Signed this day of

Linda M. Murphy
Director, Office of Ecosystem Protection
U.S. Environmental Protection Agency (EPA)
Boston, MA

B. 1. Effluent Limitations and Monitoring Requirements for Equipment-Related Cooling Water

During the period beginning on the effective date and lasting through expiration, the permittee is authorized to discharge equipment-related cooling water from the following operations: noncontact cooling water and direct cooling water. Each outfall discharging equipment-related cooling water shall be limited and monitored by the permittee as specified below. Monitoring for each outfall is to be conducted and reported in accordance with Part I.B.6 and Part I.E.

<u>Effluent Characteristic</u>	<u>Units</u>	<u>Discharge Limitation</u>	<u>Monitoring Requirement</u>	
			<u>Measurement Frequency</u>	<u>Sample Type</u>
		<u>Average Monthly</u>		
Flow ¹	gpd	Report	1/Month	Estimate
pH Range ^{2,3}	Standard Units	6.5 to 8.0	1/Month	Grab
Temperature	°F	Report	1/Month	Grab

Explanation to Superscripts to Part I.B.1.:

- (1) Specific No Data Indicator Codes (NODIs) are entered on the monthly Discharge Monitoring Report (DMR) when there is no discharge from the outfall. The Code C applies when there is no discharge and the Code E applies when the sampling point is inaccessible. Additional NODI codes applicable to other conditions are found in the annual NPDES Permit Program Instructions for the DMRs forms.
- (2) State certification requirement.
- (3) The pH shall be in the specified range or as allowed after a pH demonstration study in accordance with Parts I.B.15 and B.16.a of this permit.

B. 2. Effluent Limitations and Monitoring Requirements for Equipment and Floor Drain Water

During the period beginning on the effective date and lasting through expiration, the permittee is authorized to discharge equipment and floor drain water from the following operations: floor drains, trench drains, station sumps, oil/water separators, wheel pit drains or sumps, compressor blowdowns, equipment and seal leakage, lower guide bearing drains and other bearing-related discharges, various pit drains, ground water drains, miscellaneous infiltration and seepage waters collected in a sump, and equipment-related cooling water. Each outfall discharging equipment and floor drain water shall be limited and monitored by the permittee as specified below. Monitoring for each outfall is to be conducted and reported in accordance with Part I.B.6 and Part I.E.

<u>Effluent Characteristic</u>	<u>Units</u>	<u>Discharge Limitation</u>	<u>Monitoring Requirement</u>	
			<u>Measurement Frequency</u>	<u>Sample Type</u>
Flow ¹	gpd	Report	1/Month	Estimate
pH Range ^{2,3}	Standard Units	6.5 to 8.0	1/Month	Grab
Oil and Grease ⁴	mg/L	15	1/Month	Grab
Temperature ⁵	°F	Report	1/Month	Grab

Explanation to Superscripts to Part I.B.2.:

- (1) Specific No Data Indicator Codes (NODIs) are entered on the monthly Discharge Monitoring Report (DMR) when there is no discharge from the outfall. The Code C applies when there is no discharge and the Code E applies when the sampling point is inaccessible. Additional NODI codes applicable to other conditions are found in the annual NPDES Permit Program Instructions for the DMRs forms.
- (2) State certification requirement.
- (3) The pH shall be in the specified range or as allowed after a pH demonstration study in accordance with Parts I.B.15 and B.16.a of this permit.
- (4) Oil and Grease shall be tested using EPA test method 1664 Revision A as approved in 40 CFR 136.
- (5) The effluent limitations and monitoring requirements for Temperature apply to those outfalls discharging equipment-related cooling water.

B. 3. Effluent Limitations and Monitoring Requirements for Equipment and Facility Maintenance-Related Water

During the period beginning on the effective date and lasting through expiration, the permittee is authorized to discharge equipment maintenance-related water from the following operations: equipment dewatering and sump dewatering; and to discharge facility maintenance-related water, during periods of flood/high water events, from the following operations: flood water pumps, high water sump pumps, and miscellaneous flood/high water collection devices. Each outfall discharging equipment and facility maintenance-related water shall be limited and monitored by the permittee as specified below. Monitoring for each outfall is to be conducted and reported in accordance with Part I.B.6 and Part I.E.

<u>Effluent Characteristic</u>	<u>Units</u>	<u>Discharge Limitation</u>	<u>Monitoring Requirement</u>	
			<u>Measurement Frequency</u>	<u>Sample Type</u>
		<u>Average Monthly</u>		
Flow ¹	gpd	Report	1/Year	Estimate
pH Range ^{2,3}	Standard Units	6.5 to 8.0	1/Year	Grab
Oil and Grease ^{4,5}	mg/L	15	1/Year	Grab

Explanation to Superscripts to Part I.B.3.:

- (1) Specific No Data Indicator Codes (NODIs) are entered on the monthly Discharge Monitoring Report (DMR) when there is no discharge from the outfall. The Code C applies when there is no discharge and the Code E applies when the sampling point is inaccessible. Additional NODI codes applicable to other conditions are found in the annual NPDES Permit Program Instructions for the DMRs forms.
- (2) State certification requirement.
- (3) The pH shall be in the specified range or as allowed after a pH demonstration study in accordance with Parts I.B.15 and B.16.a of this permit.
- (4) Oil and Grease shall be tested using EPA test method 1664 Revision A as approved in 40 CFR 136.
- (5) The effluent limitations and monitoring requirements for Oil and Grease are not applicable to outfalls discharging flood waters and

high waters.

B. 4. Effluent Limitations and Monitoring Requirements for Equipment-Related Backwash Water

During the period beginning on the effective date and lasting through expiration, the permittee is authorized to discharge equipment-related backwash water from the operation of the strainer screens on the intake water line. Each outfall discharging equipment-related backwash water shall be limited and monitored by the permittee as specified below. Monitoring for each outfall is to be conducted and reported in accordance with Part I.B.6 and Part I.E.

<u>Effluent Characteristic</u>	<u>Units</u>	<u>Discharge Limitation</u>	<u>Monitoring Requirement</u>	
		<u>Average Monthly</u>	<u>Measurement Frequency</u>	<u>Sample Type</u>
Flow ¹	gpd	Report	1/Month	Estimate
pH Range ^{2,3}	Standard Units	6.5 to 8.0	1/Month	Grab
TSS	mg/L	Report	1/Month	Grab

Explanation to Superscripts to Part I.A.4.:

- (1) Specific No Data Indicator Codes (NODIs) are entered on the monthly Discharge Monitoring Report (DMR) when there is no discharge from the outfall. The Code C applies when there is no discharge and the Code E applies when the sampling point is inaccessible. Additional NODI codes applicable to other conditions are found in the annual NPDES Permit Program Instructions for the DMRs forms.
- (2) State certification requirement.
- (3) The pH shall be in the specified range or as allowed after a pH demonstration study in accordance with Parts I.B.15 and B.16.a of this permit.

B. 5. a. Effluent Limitations and Monitoring Requirements for Facility Maintenance-Related Internal Drainage Water

During the period beginning on the effective date and lasting through expiration, the permittee is authorized to discharge facility maintenance-related internal drainage water from the following operations: collection of internal dam drainage and collection of headwall drainage. Each outfall discharging facility maintenance-related internal drainage water shall be limited and monitored by the permittee as specified below. Monitoring for each outfall is to be conducted and reported in accordance with Part I.B.6 and Part I.E.

<u>Effluent Characteristic</u>	<u>Units</u>	<u>Discharge Limitation</u>	<u>Monitoring Requirement</u>	
		<u>Average Monthly</u>	<u>Measurement Frequency</u>	<u>Sample Type</u>
Flow ¹	gpd	Report	1/Year	Estimate
pH Range ^{2,3}	Standard Units	6.5 to 8.0	1/Year	Grab

Explanation to Superscripts to Part I.A.5.:

- (1) Specific No Data Indicator Codes (NODIs) are entered on the monthly Discharge Monitoring Report (DMR) when there is no discharge from the outfall. The Code C applies when there is no discharge and the Code E applies when the sampling point is inaccessible. Additional NODI codes applicable to other conditions are found in the annual NPDES Permit Program Instructions for the DMRs forms.
- (2) State certification requirement.
- (3) The pH shall be in the specified range or as allowed after a pH demonstration study in accordance with Parts I.B.15 and B.16.a of this permit.

B. 5. b. The addition of any pollutant to the discharge of facility maintenance-related internal drainage water is prohibited.

B. Effluent Limitations and Monitoring Requirements (continued)

6. Samples taken in compliance with the monitoring requirements specified above shall be taken at a location that provides a representative analysis of the discharge. Samples for an outfall shall be taken concurrently. If the discharge is commingled with another discharge prior to mixing with the receiving water, samples shall be taken before such commingling. All samples shall be tested using the analytical methods found in 40 CFR §136, or alternative methods approved by EPA in accordance with the procedures in 40 CFR § 136.
7. All solid materials except for naturally occurring materials such as leaves, branches, grass, and so forth, will be removed from the trash racks and be land disposed.
8. There shall be no discharge of polychlorinated biphenyl compounds such as those commonly used for transformer fluid.
9. The discharge shall not jeopardize any of the uses assigned to the receiving stream and shall not violate applicable water quality standards for the receiving water Class as defined by the State of New Hampshire.
10. There shall be no discharge of floating solids, visible oil sheen or foam other than in trace amounts.
11. Discharges shall not cause the turbidity of the receiving waters to exceed naturally occurring conditions by more than 10 Nephelometric Turbidity Units (NTU).
12. The discharge shall not cause visible discoloration which would impair the uses designated by the classification of the receiving waters.
13. The discharge shall not contain materials in concentrations or in combinations which are hazardous or toxic to aquatic life or which would impair the uses designated by the classification of the receiving waters.
14. This permit does not allow for the addition of any chemical for any purpose to the discharges except for non-toxic neutralization chemicals. In addition, additives used to control biological growth, corrosion, and/or scale in cooling water are prohibited due to their inherent toxicity to aquatic life.

For each non-toxic neutralization chemical used the following data must be supplied with the Notice Of Intent letter to be covered by this general permit.

- (1) Name and manufacturer,

- (2) Maximum and average daily quantity used on a monthly basis as well as the maximum and average daily expected concentrations (mg/l) in the cooling water, and
- (3) The vendor's reported aquatic toxicity (NOAEL and/or LC50 in % for typically acceptable aquatic organism).

Notification of all substitutions of nontoxic neutralization chemicals must be sent to EPA and the State in writing. These written substitution notifications must contain the information required in Part I.B.14.(1)-(3) immediately above.

15. The permittee may submit a written request to the EPA requesting a change in the permitted pH limit range to be not less restrictive than the default range of 6.0 to 9.0 Standard Units. The permittee's written request must include the State's approval letter containing an original signature (no copies). The State's letter shall state that the permittee has demonstrated to the State's satisfaction that as long as discharges to the receiving water from a specific outfall are within a specific numeric pH range the naturally occurring receiving water pH will not be significantly altered. That letter must specify for each outfall the associated numeric pH limit range. Until written notice is received by certified mail from the EPA indicating the pH limit range has been changed, the permittee is required to meet the permitted pH limit range in the respective permit.
16. The New Hampshire State Permit Conditions require that all New Hampshire permittees shall comply with the following conditions which are included as State Certification requirements.
 - a. The pH range of 6.5-8.0 Standard Units 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 less restrictive than any applicable federal effluent guideline or than the default range of 6.0-9.0 Standard Units in the absence of an applicable guideline, whichever is more stringent.
 - b. This NPDES Discharge Permit is issued by the EPA under Federal and State law. Upon final issuance by the EPA, the NHDES-WD may adopt this permit, including all terms and conditions, as a State permit pursuant to RSA 485-A:13. Each Agency shall have the independent right to enforce the terms and conditions of this Permit. 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, unless and until each Agency has concurred in writing with such modification, suspension or revocation.

C. Unauthorized Discharges

1. The permittee is authorized to discharge in accordance with the terms and conditions of the permit in Part I. Discharges from any other point sources at the hydroelectric generating facility are not authorized.
2. New and increased discharges from hydroelectric generating facilities that may adversely affect

a listed or proposed to be listed endangered or threatened species or its critical habitat or that may adversely affect any federal managed species for which Essential Fish Habitat has been designated are not authorized under this general permit (see sections IV.G and M of the Fact Sheet).

D. Best Management Practices Plan

1. The permittee shall develop and implement a best management practices (BMP) plan for this hydroelectric generating facility. The BMP plan shall be prepared in accordance with good engineering practices, and except as provided elsewhere in this permit, shall provide for compliance with the terms of this permit and the plan, no later than 90 days after the active date of permit coverage. The objectives of the BMP plan are to minimize the potential for violations of the terms of the permit; to protect the designated water uses of the surrounding surface water bodies; and to mitigate pollution from materials storage areas, in-plant transfers of hazardous and/or toxic materials, process and material handling areas, loading and unloading operations, and accidental spillage. The plan shall identify potential sources of pollution which may reasonably be expected to affect the quality of equipment and floor drain-related water, equipment and station maintenance-related water, and facility maintenance-related internal drainage water discharges associated with day-to-day work activity from the facility. In addition, the plan shall describe and ensure the implementation of practices which are to be used to reduce the pollutants in equipment and floor drain-related water, equipment and station maintenance-related water, and facility maintenance-related internal drainage water discharges associated with work-related operations at the facility and to assure compliance with the terms and conditions of this permit. The permittee must implement the provisions of the BMP plan required under this part as a condition of this permit. The requirements for the development of this plan are contained in Part III.
2. Annually, no later than February 15th, the permittee shall submit a certification to the State and EPA which states that the previous calendar year's inspections and maintenance activities were conducted, results recorded, and records maintained and the hydroelectric generating facility is in compliance with the BMP Plan.

E. Monitoring and Reporting

Massachusetts: Monitoring results obtained during the previous three months shall be summarized for each calendar quarter and reported on separate Discharge Monitoring Report Form(s) postmarked no later than the 15th day of the month following the completed reporting period. The reports are due on the 15th day of April, July, October, and January. The first report may include less than three months information.

New Hampshire: Monitoring results obtained during the previous one month shall be summarized for each month and reported on separate Discharge Monitoring Report Form(s) postmarked no later than the 15th day of the month following the completed reporting period. The DMR reports are due on the 15th day of the month following the reporting period.

The DMR reports and all reports required herein should be sent to EPA and to the appropriate State, according to the instructions below, at the following addresses:

1. EPA: Submit signed and dated original DMRs, certifications for the BMP Plan, and all other reports required herein at the following addressee: U.S. Environmental Protection Agency, Region I, Water Technical Unit (SEW), P.O. Box 8127, Boston, Massachusetts 02114-8127.
2. Massachusetts Department of Environmental Protection:

- a. The Regional Offices wherein the discharge occurs, shall receive a copy of the DMRs required herein:

Massachusetts Department of Environmental Protection
Western Regional Office
436 Dwight Street, Suite 402
Springfield, MA 01103

Massachusetts Department of Environmental Protection
Southeastern Regional Office
20 Riverside Drive
Lakeville, MA 02347

Massachusetts Department of Environmental Protection
Northeastern Regional Office
One Winter Street
Boston, MA 02108

Massachusetts Department of Environmental Protection
Central Regional Office
627 Main Street
Worcester, Massachusetts 01608

- b. Copies of all DMRs, certifications for the BMP Plan, and other notifications required by this permit shall also be submitted to the State at:

Massachusetts Department of Environmental Protection
Division of Watershed Management
627 Main Street, 2nd floor
Worcester, MA 01608

3. New Hampshire Department of Environmental Services: Signed copies of all reports and information required herein shall be submitted to the State at: New Hampshire Department of Environmental Services, Water Division, Wastewater Engineering Bureau, 29 Hazen Drive, P.O. Box 95, Concord, New Hampshire 03302-0095.

F. General NPDES Permit Conditions

1. Description of the Hydroelectric Generating Facility Discharges

Certain discharges at Hydroelectric Generating Facility occur from similar type of operations, are similar in composition, and require the same effluent limitations and monitoring requirements. A

Hydroelectric Generating Facility includes the generating station (station), dam(s), reservoir(s), canal system or tunnel system at certain facilities, and associated equipment and structures used in the generation of hydroelectric power. These discharges consist of the following:

- a. Equipment-related cooling water from the following operations: noncontact cooling water and direct cooling water;
- b. Equipment and floor drain water from the following operations: floor drains, trench drains, station sumps, oil/water separators, wheel pit drains or sumps, compressor blowdowns, equipment and seal leakage, lower guide bearing drains and other bearing-related discharges (including bearing seal leakage, bearing water seal, and bearing lubrication water), various pit drains such as the gate stems, turbine access doors, and scroll case access doors, ground water drains, miscellaneous infiltration and seepage waters collected in a sump, and equipment-related cooling water.
- c. Equipment maintenance-related water from the following operations: equipment dewatering and sump dewatering; and facility maintenance-related water, during periods of flood/high water events, from the following operations: flood water pumps, high water sump pumps, and miscellaneous flood/high water collection devices including floor drains, siphon hoses, and access manway areas;
- d. Equipment-related backwash water from the operation of the strainer screen on the cooling water intake line; and
- e. Facility maintenance-related internal drainage water operation from the collection of internal dam drainage and headwall drainage.

2. Geographic Coverage Area

- a. Massachusetts (Permit No. MAG360000). All of the discharges to be authorized by this general NPDES permit for dischargers in the Commonwealth of Massachusetts are into all waters of the Commonwealth and Indian Country lands unless otherwise restricted by the Massachusetts Surface Water Quality Standards, 314 CMR 4.00 (or as revised), including 314 CMR 4.04(3) Protection of Outstanding Resource Waters.
- b. New Hampshire (Permit No. NHG360000). All of the discharges to be authorized by this general NPDES permit for dischargers in the State of New Hampshire are into all waters of the State of New Hampshire unless otherwise restricted by the State Water Quality Standards: see 50 RSA § 485-A:8 and the N.H. Code of Administrative Rules, Env-Ws 1700-1709 or as revised.

3. Exclusions

- a. These general permits are not available for discharges to impaired waters that are not attaining their water quality standards for a pollutant that is limited in the general permit. The impaired waters require a TMDL according to the state's CWA section 303(d) list.
- b. These general permits are not available to "New Source" dischargers as defined in 40 CFR §

122.2.

c. These general permits are not available for new discharges to Class A waters or for discharges to Class SA waters in Massachusetts, or for discharges to Class A waters in New Hampshire.

d. These general permits are not available to facilities whose discharge(s) may adversely affect threatened or endangered species or its critical habitat.

G. Notice of Intent

1. All facilities that wish to be covered by this General Permit must submit a written Notice of Intent. Operators of facilities whose discharge, or discharges, are identified in Part I.F.1 above and whose facilities are located in the geographic area described in Part I.F.2. above, must submit a Notice of Intent to EPA, Region I to be covered by this general permit at the following address:

U.S. Environmental Protection Agency, Region I
Municipal Assistance Unit (CMU)
1 Congress Street, Suite 1100
Boston, Massachusetts 02114-2023

2. The Notice of Intent must include for each individual facility, the owner's and/or operator's legal name, address and telephone number; the facility name, address, contact name and telephone number; the number and type of facility (SIC code) to be covered; the facility location; the number of discharge points; the number of turbines and the combined turbine discharge in cubic feet per second; and a topographic quadrangle map indicating the facility location and discharge point(s). The outfalls should be grouped under the following categories corresponding with the discharges authorized by these permits: the equipment-related cooling water, equipment and floor drain water, equipment and station maintenance-related water, equipment-related backwash water, and facility maintenance-related internal drainage water (see Parts I.A.1,2, 3, 4, and 5; or Parts I.B.1, 2, 3, 4 and 5); and then numbered sequentially. Provide for each outfall the latitude and longitude; the name(s) of the receiving waters into which discharge will occur; the average flow magnitude with units and appropriate notation if this value is a design value, estimate or not available; the operations contributing flow, and the treatment received by the discharge. Note if the outfall discharges intermittently or seasonally. Include a line drawing or flow schematic showing water flow through the facility including sources of intake water, operations contributing flow, treatment units, outfalls, and receiving waters(s); and antidegradation review where necessary (see section IV.B of the Fact Sheet).
3. Facilities that intend to be covered under these general permits must also submit a formal certification with the Notice of Intent that no chemical additives except those used for pH adjustment are used in their operations that contribute flow to the discharges.
4. Facilities that intend to be covered under the Massachusetts general permit and that discharge to the Connecticut or Merrimack Rivers must also submit a formal certification with the Notice of Intent that indicates the consultation, with the National Marine Fisheries Service, resulted in either a no jeopardy opinion or a written concurrence on a finding that the discharges are not likely to adversely affect the shortnose sturgeon or critical habitat. These facilities should begin

the consultation as early in the process as possible.

a. Operators who conduct informal consultation or prepare a biological assessment regarding the shortnose sturgeon, with the National Marine Fisheries Service, are automatically designated as non-Federal representatives under this permit. See 50 CFR Section 402.08.

b. Operators who choose to conduct informal consultation or prepare a biological assessment as a non-Federal representative must notify EPA and the National Fisheries Service in writing of that decision at the following addresses: U.S. Environmental Protection Agency, Region I, NPDES Permits Unit (CPE), 1 Congress Street, Suite 1100, Boston, Massachusetts 02114-2023; and National Marine Fisheries Service, Northeast Region, Attn: Endangered Species Coordinator, Protected Resources Division, One Blackburn Drive, Gloucester, Massachusetts 01930.

5. The Notice of Intent must be signed in accordance with the signatory requirements of 40 CFR Section 122.22. Each facility must also submit a copy of the Notice of Intent with original signatures to the appropriate State authority listed in Parts I.E.2 and 3. Each facility located in Massachusetts must submit the appropriate information required in Part I.H.2.a.

The facilities authorized to discharge under the final general permit will receive written notification from EPA Region I and the State. Failure to submit to EPA Region I a Notice of Intent to be covered and/or failure to receive from EPA written notification of permit coverage means that the facility is not authorized to discharge under this general permit.

H. Administrative Aspects

1. **Facilities Eligible for Coverage.** Hydroelectric Generating facilities within the geographic coverage area specified in Part I.F. are eligible for coverage under this general permit except for those facilities operated as pump storage projects. Hydroelectric Generating facilities operated as pump storage projects are eligible for coverage, on a case-by-case basis, after a State determination with EPA concurrence (see Section III of the Fact Sheet).

2. **Request to be covered.** A facility is not covered by any of this general permit until it meets the following requirements. First, it must send a Notice of Intent, with original signatures, to EPA and the appropriate State indicating it meets the requirements of the permit and wants to be covered. And second, it must be notified in writing by EPA that it is covered by this general permit.

- a. Massachusetts: Copies of the State Application Form BRPWM14, Request for General Permit coverage for Hydroelectric Generating facilities and the Transmittal Form for Permit Application and Payment, may be obtained from the Massachusetts Department of Environmental Protection (MA DEP) website at www.state.ma.us/dep; by telephoning the MA DEP Info Service Center (Permitting) at (617)- 338-2255 or 1-800-462-0444 in 508, 413, 978 and 781 area codes; or from any MA DEP Regional Service Center located in each Regional Office.

A copy of the transmittal form, a copy of the check, and Form BRPWM14 should be sent to MA DEP, Division of Watershed Management, 627 Main Street, Worcester, MA 01608. A copy of the transmittal form and the appropriate fee should be sent to MA

DEP, P.O. Box 4062, Boston, MA 02111. Municipalities are fee-exempt, but should send a copy of the transmittal form to that address for project tracking purposes. A copy of Form BRPWM14 should be sent to U.S. Environmental Protection Agency, Region I, Municipal Assistance Unit (CMU), 1 Congress Street, Suite 1100 Boston, Massachusetts 02114-2023. Keep a copy of the transmittal form and a copy of the application package for your records.

- b. New Hampshire: Provide the Notice of Intent to New Hampshire Department of Environmental Services, Water Division, Wastewater Engineering Bureau, 29 Hazen Drive, P.O. Box 95, Concord, New Hampshire 03302-0095.

3. Eligibility to Apply: Any facility operating under an effective (unexpired) individual NPDES permit may request that the individual permit be revoked and that coverage under the general permit be granted, as outlined in 40 CFR § 122.28(b)(3)(v). If EPA revokes the individual permit, the general permit would apply to the discharge.

Facilities with expired individual permits that have been administratively continued in accordance with 40 CFR§ 122.6 may apply for coverage under this general permit. When coverage under the general permit is granted, the expired individual permit will automatically terminate. Proposed new dischargers may apply for coverage under this general permit and must submit the Notice of Intent 90 days prior to the discharge.

4. Continuation of this General Permit after expiration: If this permit is not reissued prior to the expiration date, it will be administratively continued in accordance with the Administrative Procedures Act and remain in force and in effect as to any particular permittee as long as the permittee submits a new Notice of Intent two (2) months prior to the expiration date in the permit. However, once this permit expires EPA cannot provide written notification of coverage under this general permit to any permittee who submits Notice of Intent to EPA Region I after the permit's expiration date. Any permittee who was granted permit coverage prior to the expiration date will automatically remain covered by the continued permit until the earlier of:

- a. Reissuance of this permit, at which time the permittee must comply with the Notice of Intent conditions of the new permit to maintain authorization to discharge; or
- b. The permittee's submittal of a Notice of Termination; or
- c. Issuance of an individual permit for the permittee's discharges; or
- d. A formal permit decision by the Director not to reissue this general permit, at which time the permittee must seek coverage under an alternative general permit or an individual permit.

I. Additional General Permit Conditions

1. Termination of Operations

Operators of facilities and/or operations authorized under this permit shall notify the Director upon the termination of discharges. The notice must contain the name, mailing address, and location of the facility for which the notification is submitted, the NPDES permit number for the discharge identified by the notice, and an indication of whether the discharge has been eliminated or the operator of the discharge has changed. The notice must be signed in accordance with the signatory requirements of 40 CFR §122.22.

2. When the Director May Require Application for an Individual NPDES Permit.

a. The Director may require any person authorized by this permit to apply for and obtain an individual NPDES permit. Any interested person may petition the Director to take such action. Instances where an individual permit may be required include the following:

- (1) The discharge(s) is a significant contributor of pollution;
- (2) The discharger is not in compliance with the conditions of this permit;
- (3) A change has occurred in the availability of the demonstrated technology of practices for the control or abatement of pollutants applicable to the point source;
- (4) Effluent limitation guidelines are promulgated for point sources covered by this permit;
- (5) A Water Quality Management Plan or Total Maximum Daily Load containing requirements applicable to such point source is approved;
- (6) Discharge to the territorial sea;
- (7) Discharge to outstanding natural resource water;
- (8) Adequate streamflows to protect the existing and designated uses established in the state's water quality standards are not maintained by the facility;
- (9) The discharge causes violations to the water quality standards of the receiving water or if actual or imminent harm to aquatic organisms is identified;
- (10) The discharge adversely impacts any federal managed species for which Essential Fish Habitat has been designated;
- (11) Discharge into waters that are not attaining state water quality standards; or
- (12) The point source(s) covered by this permit no longer:
 - (a) Involves the same or substantially similar types of operations;
 - (b) Discharges the same types of wastes;
 - (c) Requires the same effluent limitations or operating conditions;
 - (d) Requires the same or similar monitoring; and
 - (e) In the opinion of the Director, is more appropriately controlled under a general permit than under an individual NPDES permit.

b. The Director may require an individual permit only if the permittee authorized by the general permit has been notified in writing that an individual permit is required, and has been given a brief explanation of the reasons for this decision.

3. When an Individual NPDES Permit may be Requested.

a. Any operator may request to be excluded from the coverage of this general permit by applying for an individual permit.

b. When an individual NPDES permit is issued to an operator otherwise subject to this general permit, the applicability of this permit to that owner or operator is automatically terminated on the effective date of the individual permit.

J. Additional Permit Conditions Applicable to Specific States or Indian Country Lands

(If required, to be completed following State certification process and the public notice period.)

K. Summary of Responses to Public Comments

(To be completed following the public notice period.)

Part II. Standard Conditions - See attachment.

Part III. Best Management Practices (BMP) Plan- See attachment.