

The Commonwealth of Massachusetts

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Executive Office of Environmental Affairs

Department of Environmental Quality Engineering

Division of Water Pollution Control

One Winter Street, Boston, Mass. 02108



Thomas C. McMahon
Director

May 20, 1988

Re: Ground Water Discharge
Permit No. 0-98

Mal Yeaton, Manager
Merriman Division of Quamco, Inc.
100 Industrial Park Road
Hingham, MA 02043

Dear Mr. Yeaton:

In response to your application for a permit to discharge into the ground a treated effluent from a wastewater treatment facility located at Merriman, Division of Quamco Inc., 100 Industrial Park Road, Hingham, and after due public notice, I hereby issue the attached final permit.

No comments objecting to the issuance or terms of the permit were received by the Division of Water Pollution Control during the public comment period. Therefore, in accordance with 314 CMR 2.08, the permit becomes effective upon issuance.

Parties aggrieved by the issuance of this permit are hereby advised of their right to request an Adjudicatory Hearing under the provisions of Chapter 30A of the Massachusetts General Laws and 314 CMR 1.00, Rules for the Conduct of Adjudicatory Proceedings. Unless the person requesting the adjudicatory hearing requests and is granted a stay of the terms and conditions of the permit, the permit shall remain fully effective.

Very truly yours,

Thomas C. McMahon
Director

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cc: DEQE Regional Office, NERO, Attn: Tom Mahin and Jack Duggan
Board of Health, 7 East Street, Hingham, MA 02043

APPENDIX B

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DISCHARGE PERMIT

Name and Address of Applicant: Merriman Division of Quanco,
Incorporated, 100 Industrial Park Road, Hincham, MA 02043

Application No.: 0-98

Date of Application: December 27, 1986

Permit No.: 0-98

Date of Issuance: May 20, 1988

Date of Expiration: May 20, 1993

AUTHORITY FOR ISSUANCE

Pursuant to authority granted by Chapter 21, Sections 26-53 of the Massachusetts General Laws, as amended, the following permit hereby issued to:

Merriman Division/Division of Quanco/Incorporated. (hereinafter called "the permittee"), authorizing discharges from the wastewater disposal systems to the ground such authorization being expressly conditional on compliance by the permittee with all terms and conditions of the permit hereinafter set forth.

This permit shall become effective on the date of the Director's signature and shall expire on May 20, 1993.

Thomas C. McMahon
Thomas C. McMahon, Director
Division of Water Pollution Control

5/20/88
Date

APPENDIX B

I. SPECIAL CONDITIONS

A. Effluent Limits

The permittee is authorized to discharge into the ground from the wastewater treatment facilities for which this permit is issued a treated effluent whose characteristics, within one month after start-up of the facilities and continuing thereafter, shall not exceed the following values:

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>
<u>Flow, gallons per day 3,900 (sanitary waste) + 2,500 (industrial waste)</u>	
Iron	0.3 mc/l
Lead	0.05 mc/l
Sulfate	250.0 mc/l
Oils and Grease	15.0 mc/l
Copper	1.0 mc/l
Zinc	5.0 mc/l
1,1,1-Trichloroethane	0.14 mc/l
1,1-Dichloroethylene	0.007 mc/l
Foaming Agents (MBAS)	1.0 mc/l
Tetrachloroethylene	0.02 mc/l
Trichloroethylene	0.005 mc/l
BOD 5-Day 20°C	30.0 mc/l
Suspended Solids	30.0 mc/l
Phenols	0.03 mc/l
Mercury	0.002 mc/l

- (a) The pH of the effluent shall not be less than 6.5 nor greater than 8.5 at any time.
- (b) The discharge of the effluent shall not result in any demonstrable adverse effect on the ground water or violate any water quality standard that has been promulgated.
- (c) The monthly average concentration of BOD and total suspended solids in the discharge shall not exceed 15 percent of the monthly average concentrations of BOD and total suspended solids in the influent into the permittee's wastewater treatment facilities.
- (d) When the effluent discharged for a period of 90 consecutive days exceeds 80 percent of the permitted flow limitation, the permittee shall submit to the permitting authorities projected loadings and a program for maintaining satisfactory treatment levels consistent with approved water quality management plans.

Monitoring and Reporting

- 1) BOD and Suspended Solids shall be monitored in the effluent from the sewage treatment facility. All other constituents shall be monitored in the effluent to the lagoons.
- 2) The permittee shall monitor and record the quality and quantity of effluent prior to discharge to the ground according to the following schedule and other provisions:

<u>Parameter</u>	<u>Minimum Frequency of Analysis</u>	<u>Sample Type</u>
	continuous	
Flow	Monthly	Grab
Iron	Monthly	Grab
Lead	Monthly	Grab
Sulfate	Monthly	Grab
Oil and Grease	Monthly	Grab
Copper	Monthly	Grab
Zinc	Monthly	Grab
pH	Monthly	8-hour composite
BOD	Monthly	8-hour composite
Suspended Solids	Monthly	Grab
Volatile Organic Analysis (EPA #624)	Quarterly	Grab
Foaming Agents	Monthly	Grab
Mercury	Monthly	Grab
Phenols (EPA #625)	Monthly	Grab

- 2) The permittee shall monitor four (4) monitoring wells, one (#1) upgradient and (#2), (#3) & (#4) downgradient of the discharge. Detailed plans of the wells, the locations thereof, and the methods and means for sampling therefrom have been submitted to and approved by the Division prior to issuance of the permit. The permittee shall monitor, record and report the quality of water in the monitoring wells according to the following schedule and other provisions:

pH	1 x quarterly
Specific Conductance	1 x quarterly
Static Water Level	1 x quarterly
Iron	1 x quarterly
Lead	1 x quarterly
Sulfate	1 x quarterly
Oil and Grease	1 x quarterly
Copper	1 x quarterly
Zinc	1 x quarterly
Volatile Organic Analysis (EPA #624)	1 x quarterly
Mercury	1 x quarterly
Phenols (EPA #625)	1 x quarterly

(Entered 1989)

- 3) Any grab sample or composite sample required to be taken less frequently than daily shall be taken during the period of Monday through Friday inclusive. Eight hour composites and grab samples shall be taken between 8:00 a.m. and 6:00 p.m. All composite samples shall be taken over the operating day.

The permittee shall submit all reports on an acceptable form, properly filled and signed, on the fifteenth day of every month, beginning thirty days after the issuance of this permit, to the Regional Environmental Engineer, Department of Environmental Quality Engineering, Northeast Regional Office, 5 Commonwealth Avenue, Woburn, MA 01801, and to the Director, Department of Environmental Quality Engineering, Division of Water Pollution Control, One Winter Street, Boston, MA 02108.

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PART II GENERAL PERMIT CONDITIONS

The following conditions apply to all permits:

- 1 No discharge authorized in the permit shall result in a violation of the Massachusetts Surface Water Quality Standards (314 CMR 4.00) or the Massachusetts Ground Water Quality Standards (314 CMR 6.00), or any amendments thereto. Upon promulgation of any amended standard, this permit may be revised or amended in accordance with such standard and 314 CMR 2.10 and 3.12 or 5.12. For purposes of determining compliance with ground water quality standards, a violation of the ground water quality standards, and the discharge permit, will be determined to occur when any parameter measured in any downgradient well exceeds the applicable criteria listed in 314 CMR 6.06. In those cases where it is shown that a measured parameter exceeds the applicable criteria listed in 314 CMR 6.06 at the upgradient monitoring well, a violation of the ground water quality standards and the discharge permit will be determined to occur when it is shown that a measured parameter in any downgradient well exceeds the level of that same measured parameter in the upgradient well for the same sampling period.
- 2 Duty to comply. The permittee shall comply at all times with the terms and conditions of the permit, 314 CMR, the State Act and all other applicable state and federal statutes and regulations.
- 3 Standards and prohibitions for toxic pollutants. The permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Federal Act for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement.
- 4 Proper operation and maintenance. The permittee shall at all times properly operate and maintain all facilities and equipment installed or used to achieve compliance with the terms and conditions of the permit, and in accordance with 314 CMR 12.00.
- 5 Duty to halt or reduce activity. Upon reduction, loss, or failure of the treatment facility, the permittee shall, to the extent necessary to maintain compliance with its permit, control production or discharges of both until the facility is restored or an alternative method of treatment is provided. 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 the permit.

6 Power Failure. In order to maintain compliance with the effluent limitations and prohibitions of this permit, the permittee shall either:

- (a) provide an alternative power source sufficient to operate the wastewater control facilities; or
- (b) halt, reduce or otherwise control production and/or all discharges upon the reduction, loss, or failure of the primary source of power to the wastewater control facilities.

7 Duty to mitigate. The permittee shall take all reasonable steps to minimize or prevent any adverse impact on human health or the environment resulting from non-compliance with the permit.

8 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 the permit, or to determine whether the permittee is complying with the terms and conditions of the permit.

9 Inspection and entry. The permittee shall allow the Director or his authorized representatives to:

- (a) Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records required by the permit are kept;
- (b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;
- (c) Inspect at reasonable times any facilities, equipment, practices, or operations regulated or required under the permit; and
- (d) Sample or monitor at reasonable times for the purpose of determining compliance with the terms and conditions of the permit.

10 Monitoring. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. Monitoring must be conducted according to test procedures approved under 40CFR Part 136 unless other test procedures are specified in the permit.

11 Record keeping. 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 the permit, and all records of all data used to complete the application for the permit, for a period of at least three (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.

Records of monitoring information shall include:

- (a) The date, exact place, and time of sampling or measurements;
- (b) The individual(s) who performed the sampling or measurement;
- (c) The date(s) analyses were performed;
- (d) The individual(s) who performed the analyses;
- (e) The analytical techniques or methods used; and
- (f) The results of such analyses.

12 Prohibition of bypassing: Except as provided in 314 CMR 3.19(13), bypassing is prohibited and the Director may take enforcement action against a permittee for bypassing, unless the discharge is to a surface water and:

- (a) The 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 the permittee could have installed adequate backup equipment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
- (c) The permittee submitted notice of the bypass to the Director:

- 1. In the event of an anticipated bypass at least ten (10) days in advance, if possible; or
- 2. In the event of an unanticipated bypass as soon as the permittee has knowledge of the bypass and no later than twenty-four (24) hours after its first occurrence.

13 Bypass not exceeding limitations. The permittee may allow a bypass to occur which does not cause effluent limitations to be exceeded, but only if necessary for the performance of essential maintenance or to assure efficient operation of treatment facilities.

14 Permit actions. The permit may be modified, suspended, or revoked for cause. The filing of a request by the permittee for a permit modification, reissuance, or termination, or a notification of planned changes or anticipated non-compliance does not stay any permit condition.

15 Duty to reapply. If the permittee wishes to continue an activity regulated by the permit after the expiration date of the permit, the permittee must apply for and obtain a new permit. The permittee shall submit a new application at least one hundred and eighty (180) days before the expiration date of the existing permit, unless permission for a later date has been granted by the Director.

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16 Property rights. The permit does not convey any property rights of any sort or any exclusive privilege.

17 Other laws. The issuance of a permit does not authorize any injury to persons or property or invasion of other private rights, nor does it relieve the permittee of its obligation to comply with any other applicable Federal, State and local laws and regulations.

18 Oil and hazardous substance liability. Nothing in the permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311 of the Federal Act, and M.G.L.c.21E.

19 Removed substances. Solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall be disposed in a manner consistent with applicable Federal and State laws and regulations including, but not limited to, the State and Federal Acts, the Massachusetts Hazardous Waste Management Act, M.G.L.c.21C, and the federal Resource Conservation and Recover Act, 42 U.S.C. s.6901, et seq. 310 CMR 19.00 and 30.000, and other applicable regulations.

20 Reporting requirements.

(a) Monitoring reports. Monitoring results shall be reported on a Discharge Monitoring Report (DMR) at the intervals specified elsewhere in the permit. If the permittee monitors any pollutant more frequently than required by the permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR.

(b) Compliance schedules. Reports of compliance or non-compliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of the permit shall be submitted no later than fourteen (14) days following each schedule date.

(c) 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 or activity which could significantly change the nature or increase the quantity of pollutants discharged. Unless and until the permit is modified, any new or increased discharge in excess of permit limits or not specifically authorized by the permit constitutes a violation.

(d) Anticipated non-compliance. The permittee shall give advance notice to the Director of any planned changes in the permitted facility or activity which may result in non-compliance with permit requirements.

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(e) Twenty-four (24) hour reporting. The permittee shall report any non-compliance which may endanger health or the environment. Any information shall be provided orally within twenty-four (24) hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within five (5) days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the non-compliance, including exact dates and times, and if the non-compliance 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 non-compliance.

The following shall be included as information which must be reported within twenty-four (24) hours:

1. Any unanticipated bypass which exceeds any effluent limitation in the permit.
2. Violation of a maximum daily discharge limitation for any of the pollutants listed by the Director in the permit to be reported within twenty-four (24) hours.

(f) Other non-compliance. The permittee shall report all instances of non-compliance not reported under 314 CMR 3.19(20)(a), (b) or (e) at the time monitoring reports are submitted. The reports shall contain the information listed in 314 CMR 3.19(20)(e).

(g) Toxics. All manufacturing, commercial, mining, or silvicultural dischargers must notify the Director as soon as they know or have reason to believe:

1. That any activity has occurred or will occur which would result in the discharge of any toxic pollutant listed in 314 CMR 3.16 which is not limited in the permit, if that discharge will exceed the highest of the following notification levels:

- a. One hundred micrograms per liter (100 ug/l);
- b. Two hundred micrograms per liter (200 ug/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 ug/l) for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/l) for antimony;
- c. Five (5) times the maximum concentration value reported for that pollutant in the permit application; or

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2. That they have begun or expect to begin to use or manufacture as an intermediate or final product or byproduct any toxic pollutant which was not reported in the permit application.

(h) Indirect dischargers. All Publicly Owned Treatment Works shall provide adequate notice to the Director of the following:

1. Any new introduction of pollutants into the POTW from an indirect discharger which would be subject to Sections 301, or 306 of the Federal Act if it were directly discharging those pollutants; and
2. Any substantial change in the volume or character of pollutants being introduced into the POTW by a source introducing pollutants into the POTW at the time of issuance of the permit.
3. For purposes of 314 CMR 3.00, adequate notice shall include information on the quality and quantity of effluent introduced into the POTW, and any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW.

(i) Information. Where the permittee becomes aware that it failed to submit any 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.

21 Signatory requirement. All applications, reports, or information submitted to the Director shall be signed and certified in accordance with 314 CMR 3.14 and 5.14.

22 Severability. The provisions of the permit are severable, and if any provision of the permit, or the application of any provision of the permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of the permit, shall not be affected thereby.

23 Reopener clause. The Director reserves the right to make appropriate revisions to the permit in order to establish any appropriate effluent limitations, schedules of compliance, or other provisions which may be authorized under the State or Federal Acts in order to bring all discharges into compliance with said statutes.

24 Approval of plans and specifications for treatment works. All discharges and associated treatment works authorized herein shall be consistent with the terms and conditions of this permit and the approved plans and specifications. Any modification to the approved treatment works shall require written approval of the Director or the Department.

25 Transfer of Permits.

(a) RCRA facilities. Any permit which authorized the operation of a RCRA facility which is subject to the requirements of 314 CMR 8.07 shall be valid only for the person to whom it is issued and may not be transferred.

(b) Transfers by modification. Except as provided in 314 CMR 3.19(25)(a) and (c) a permit may be transferred by the permittee to a new owner or operator only if the permit has been modified or revoked and reissued or a minor modification made to identify the new permittee.

(c) Automatic transfers. As an alternative to transfers under 314 CMR 3.19(25)(b), any permit may be automatically transferred to a new permittee if:

1. The current permittee notifies the Director at least thirty (30) days in advance of the proposed transfer date in 314 CMR 3.19(25)(c)2.

2. The notice includes a written agreement between the existing and new permittees containing a specific date for transfer of permit responsibility, coverage, and liability between them; and

3. The Director does not notify the existing permittee and the proposed new permittee of his intent to modify or revoke and reissue the permit. A modification under 314 CMR 3.19(25) may also be a minor modification. If this notice is not received, the transfer is effective on the date specified in the agreement mentioned in 314 CMR 3.19(25)(c)2.

26 Permit Fees.

(a) Any permittee, other than a public entity, required to obtain a surface water or ground water discharge permit pursuant to M.G.L. c.21, s.43 and 314 CMR 3.00 and 5.00, shall be required annually to obtain an inspection certificate from the Division, and submit the information and fee associated therewith in accordance with 314 CMR 2.12.