

## Public Notice

The Massachusetts Department of Environmental Protection (MassDEP) gives notice that, as part of its retooling of the groundwater discharge program to be more efficient while still maintaining environmental protection, it intends to: revise 314 CMR 2.00, Permit Procedures; 314 CMR 5.00, Ground Water Discharge Permit Program; and 314 CMR 12.00, Operation and Maintenance and Pretreatment Standards For Wastewater Treatment Works and Indirect Dischargers; rescind 314 CMR 6.00, Ground Water Quality Standards; and adopt new regulations, 314 CMR 20.00, Reclaimed Water Permit Program and Standards. MassDEP takes this action pursuant to the Massachusetts Clean Waters Act, M.G.L. c.21, §§26 through 53.

The draft revisions to 314 CMR 2.00: reflect draft revisions to 314 CMR 5.00, and previous revisions to 314 CMR 3.00, Surface Water Discharge Permit Program, primarily by providing procedures for general permits and general permit coverage; reflect draft regulations at 314 CMR 20.00, by providing procedures for permits issued under those regulations; eliminate the requirements for non public entity surface and groundwater discharge permittees annually to both submit inspection information and obtain an inspection certificate from MassDEP and instead provide a requirement for permittees to submit annual inspection information as a permit condition at MassDEP's discretion; and add new stay provisions for appealed NPDES permits.

The draft revisions to 314 CMR 5.00 reduce the time for an applicant to obtain a groundwater discharge permit. In particular, the use of general permits for certain discharges that previously required individual permits, and a new process for evaluating hydrogeological reports will save significant time. Other key changes include the addition of individual or general permits for stormwater runoff from certain land uses, and new provisions for permitting seasonal discharges.

The changes to 314 CMR 5.00 will also eliminate the outdated list of specific effluent limits and replacing them with a requirement to meet the standards in the Drinking Water Regulations. Therefore, 314 CMR 6.00, Groundwater Water Quality Standards is no longer necessary and will be eliminated. There will be an additional provision in 314 CMR 5.00 establishing a procedure to allow discharges meeting less stringent standards in certain limited circumstances.

The draft 314 CMR 20.00 regulates the reuse of wastewater for approved uses. These regulations will replace the Interim Guidelines developed in 2000 that previously governed our reclaimed water program. Reuse alternatives must meet stringent effluent standards, depending on the potential for exposure, and must produce an effluent that is virtually contaminant and pathogen free. Some uses include, but are not limited to, irrigation of golf courses, parks and playgrounds, toilet flushing, cooling water at power plants, and agricultural uses. The regulations will also establish requirements for the use, sale, and distribution of reclaimed water. The Department considered whether or not to allow parties to self certify that they comply with the requirements for sale and distribution of reused waters and have chosen to require our review and approval these documents. Our plan is to revisit this question once we have more experience with these new regulations. MassDEP is specifically seeking comments on this issue.

The draft revisions to 314 CMR 12.00 strengthen the ability of MassDEP to take direct enforcement action against contract operators who fail to fulfill their operational responsibilities. Specifically, the changes will reinforce that the contract operators have definitive responsibilities to operate and maintain a wastewater treatment facility in accordance with the approved operation and maintenance plan and the staffing plan, and to perform the monitoring, reporting, and recordkeeping required by the facility's discharge permit.

Pursuant to M.G.L.c.21, §43, 314 CMR 2.00 and 5.00, MassDEP has tentatively determined to issue and has prepared the following draft General Groundwater Discharge Permits in conjunction with its proposed revisions to 314 CMR 2.00 and 5.00.

GENERAL PERMIT: Small Privately Owned Wastewater Treatment Facilities

TYPE OF DISCHARGE: Sanitary Sewage

QUANTITY OF DISCHARGE: Less than 50,000 gallons per day (gpd)

GENERAL PERMIT: Privately Owned Wastewater Treatment Facilities That Treat Wastewater From Commercial Carwashes

TYPE OF DISCHARGE: Wastewater from a commercial carwash

QUANTITY OF DISCHARGE: Variable

GENERAL PERMIT: Stormwater Runoff From A Parking Lot With High Intensity Use

TYPE OF DISCHARGE: Stormwater

QUANTITY OF DISCHARGE: Variable

GENERAL PERMIT: Open-Loop Geothermal Well Systems

TYPE OF DISCHARGE: Effluent from a geothermal heating/cooling system

QUANTITY OF DISCHARGE: Variable

The draft regulation revisions with more detailed summaries and the draft general permits with fact sheets are on MassDEP's website: <http://www.mass.gov/dep>. MassDEP will hold outreach sessions on its proposals from 10 am to noon, on: April 9, 2008 at 20 Riverside Drive Lakeville MA; April 11, 2008 at 627 Main Street Worcester Ma and April 7, 2008 205B Lowell Street, Wilmington MA. MassDEP will hold public hearings on its proposals from 10am to noon on: April 23, 2008 at 20 Riverside Drive Lakeville MA; April 24, 2008 at 627 Main Street Worcester MA and April 25, 2008, 205B Lowell Street, Wilmington MA. MassDEP will accept verbal and written comments at the hearings and written comments until 5.00 p.m. on May 12, 2008. Written comments should be submitted to MassDEP, One Winter Street 5<sup>th</sup> floor Boston, MA 02108, attn: Glenn Haas, which is the office processing the general permits. Questions on the hearings and requests for a copy of the general permits and facts sheets should go to Alan Slater at 617- 292-5749. For special accommodations or this information in alternate format call Donald Gomes ADA Coordinator 617-556-1057, TDD# 1-866-539-7622 or 617-574-6868.