

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

PART Env-Ws 904 STANDARDS FOR PRETREATMENT OF INDUSTRIAL WASTEWATER

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ORIGINAL	
N.H.P.U.C. Case No.	DE 11-250
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Witness	Panel 1
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NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

PART Env-Ws 904 STANDARDS FOR PRETREATMENT OF INDUSTRIAL WASTEWATER

Env-Ws 904.01 Purpose. The purpose of these standards is to prevent the indirect discharge of pollutants to a publicly-owned treatment works (POTW) which would:

- (a) Pass through, interfere with, or otherwise be incompatible with the safe and successful performance, operation, and maintenance of the POTW;
- (b) Cause the POTW to violate any water quality standards specified in Env-Ws 1700; or
- (c) Adversely impact sludge quality and prevent its use or disposal as other than a hazardous waste.

Source. #2240, eff 12-31-82; ss by #2851, eff 9-21-84;
EXPIRED 9-21-90

New. #6373, eff 11-16-96; ss by #8203, INTERIM, eff 11-16-04, EXPIRES: 5-15-05; ss by #8328, eff 4-23-05

Env-Ws 904.02 Applicability. These rules shall apply to the discharge of industrial wastes, as defined by RSA 485-A:2, VI, into a POTW.

Source. #2240, eff 12-31-82; ss by #2851, eff 9-21-84;
EXPIRED 9-21-90

New. #6373, eff 11-16-96; ss by #8203, INTERIM, eff 11-16-04, EXPIRES: 5-15-05; ss by #8328, eff 4-23-05

Env-Ws 904.03 Definitions. As used herein the following terms shall have the following meanings:

- (a) "Department" means the New Hampshire department of environmental services.
- (b) "Domestic septage" means either liquid or solid material removed from a septic tank, cesspool, or similar containment area that receives only domestic sewage.
- (c) "Domestic sewage" means sewage comprised of waste and wastewater from household or commercial operations, that:
 - (1) Contains no industrial waste; and
 - (2) Is discharged to or otherwise enters a treatment works.
- (d) "Fume toxicity screening level" means that concentration of a pollutant in water which, under equilibrium conditions, a confined environment, and a standard temperature, would cause the concentration of the pollutant in the air over that water to exceed the exposure limit.
- (e) "Headworks" means that portion of a wastewater treatment plant which first receives the total influent flow for initial treatment.
- (f) "Headworks loading limit" means the maximum allowable quantity of pollutants at the headworks of a wastewater treatment plant when the following constraints are considered:
 - (1) Water quality standards for the receiving water;
 - (2) Discharge permit limits;

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- (3) Inhibition of biological treatment processes;
- (4) Sludge criteria;
- (5) Corrosive destruction of the POTW;
- (6) Air quality limitations; and
- (7) Worker safety.

(g) "Indirect discharge" means the introduction of pollutants into a POTW from any non-domestic sources.

(h) "Indirect discharger" means a facility that discharges waste, as defined by RSA 485-A:2, XVI, alone or in combination with domestic sewage to a POTW.

(i) "Industrial waste" means "industrial waste" as defined by RSA 485-A:2, VI, namely "any liquid, gaseous or solid waste substance resulting from any process of industry, manufacturing trade or business or from development of any natural resources."

(j) "Interference" means an indirect discharge which, alone or in conjunction with indirect discharge(s) from other sources:

- (1) Inhibits or disrupts the POTW's treatment processes or operations, or its processing, use, or disposal of sludge in compliance with applicable statutes and rules;
- (2) Is a cause of a violation of any requirements of the POTW's federal or state discharge permit; or
- (3) Prevents sewage sludge use or disposal in compliance with the following statutory provisions and rules or permits issued thereunder:
 - a. Env-Wm 101-102, 201-210, 301-316, and 2100- 3700 relative to solid waste management;
 - b. Env-A 100-3800 relative to air pollution control;
 - c. The General Pretreatment Regulations For Existing and New Sources of Pollution, 40 CFR 403;
 - d. The Federal Toxic Substances Control Act;
 - e. The Federal Marine Protection, Research and Sanctuaries Act; and
 - f. Env-Ws 800 and 40 CFR 503 relative to use or disposal of sewage sludge.

(k) "Local limit" means a pollutant quantity specified in a municipal sewer ordinance which numerically limits the amount of each specified pollutant that can be discharged to the POTW by an indirect discharger.

(l) "Medical/infectious waste" means "medical/infectious waste" as defined by RSA 125-N:2, VIII.

(m) "Municipal sewer use ordinance" means that set of ordinances, bylaws, or regulations duly adopted by the governing body of the municipality relating to the POTW and all appurtenant structures, including any pretreatment facilities as are required for the proper maintenance and operation of the foregoing enumerated facilities.

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(n) "Municipality" means, for the purposes of these rules, any state, county, city, town, district, governmental subdivision of the state, or any other public entity, other than federal agencies, responsible for the operation and maintenance of the treatment works.

(o) "Other wastes" means other wastes as defined by RSA 485-A:2, VIII, namely "garbage, municipal refuse, decayed wood, sawdust, shavings, bark, lime, ashes, offal, oil, tar, chemicals and other substances other than sewage or industrial wastes, and any other substances harmful to human, animal, fish or aquatic life."

(p) "Pass through" means a discharge to a POTW 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 federal and/or state discharge permit.

(q) "Person" means person as defined by RSA 485-A:2, IX, namely "any municipality, governmental subdivision, public or private corporation, individual, partnership, or other entity."

(r) "Pharmaceutical waste" means a prescription drug, as defined by RSA 318:1, XVII, or a nonprescription or proprietary medicine, as defined by RSA 318:1, XVIII, that is no longer suitable for its intended purpose or is otherwise being discarded.

(s) "Pretreatment" means the application of physical, chemical, or biological processes, either singly or in combination, to reduce the amount of pollutants in or alter the nature of the pollutant property in a waste prior to discharge into a POTW.

(t) "Publicly owned treatment works" or "POTW" means a treatment works which is owned by a municipality.

(u) "Radiological waste" means radioactive waste as regulated by RSA 125-F.

(v) "Sewage" means "sewage" as defined by RSA 485-A:2, X, namely "the water-carried waste products from buildings, public or private, together with such groundwater infiltration and surface water as may be present."

(w) "Significant Indirect Discharger" means an indirect discharger that meets one or more of the following criteria:

- (1) Is subject to national categorical pretreatment standards under 40 CFR 403.6;
- (2) Discharges an average of 10,000 gallons per day or more of process wastewater;
- (3) Discharges a process wastewater which contributes 5 percent or more of the hydraulic or organic loading to the wastewater treatment plant;
- (4) Discharges medical/infectious waste, pharmaceutical waste, or radiological waste; or
- (5) Is designated as such by the municipality as having a reasonable potential for adversely affecting the POTW's operation or performance or for violating any pretreatment standard or requirement.

(x) "Sludge" means "sludge" as defined by RSA 485-A:2, XI-a, namely "the solid or semisolid material produced by water and wastewater treatment processes, excluding domestic septage; provided, however, sludge which is disposed of at solid waste facilities permitted by the department shall be considered solid waste and regulated under RSA 149-M."

(y) "Sludge toxicity" means the degree to which a sludge has a toxic effect on living organisms.

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(z) "Surface waters of the state" means "surface waters of the state" as defined by RSA 485-A:2, XIV, namely "perennial and seasonal streams, lakes, ponds, and tidal waters within the jurisdiction of the state, including all streams, lakes, or ponds bordering on the state, marshes, water courses and other bodies of water, natural or artificial."

(aa) "Treatment works" means any device or system used in the collection, storage, treatment, recycling, or reclamation of sewage or industrial waste and includes all collection sewers, interceptor sewers, pumping stations, treatment and appurtenant facilities essential to the operation of an entire system.

(ab) "Upset" means "upset" as defined by RSA 485-A:2, XVIII, namely "an exceptional incident in which there is unintentional and temporary noncompliance with permit effluent limitations because of factors beyond the reasonable control of the permittee."

(ac) "Waste" means "waste" as defined by RSA 485-A:2, XVI, namely "industrial waste and other wastes."

(ad) "Wastewater treatment plant" means "wastewater treatment plant" as defined by RSA 485-A:2, XVI-a, namely "the treatment facility or group of treatment devices which treats domestic or combined domestic and industrial wastewater through alteration, alone or in combination, of the physical, chemical, or bacteriological quality of the wastewater and which dewateres and handles sludge removed from the wastewater."

Source. #2240, eff 12-31-82; ss by #2851, eff 9-21-84;
EXPIRED 9-21-90

New. #6373, eff 11-16-96; ss by #8203, INTERIM, eff
11-16-04, EXPIRES: 5-15-05; ss by #8328, eff 4-23-05

Env-Ws 904.04 Municipal Sewer Use Ordinance. Subject to Env-Ws 904.07, in order to be approvable pursuant to Env-Ws 904.08, a municipal sewer use ordinance or revisions thereto shall include the following minimum pretreatment standards and related provisions applicable to indirect dischargers:

- (a) Local limits as specified in Env-Ws 904.05;
- (b) Fume toxicity, explosivity, and ignitability screening levels when necessary for the protection of personnel or sewer structures;
- (c) A requirement that wastes introduced into a POTW by any person shall not:
 - (1) Interfere with the safety, operation, maintenance, or performance of the POTW;
 - (2) Have an adverse effect on the receiving stream;
 - (3) Prevent beneficial use of sludge as defined in Env-Ws 802.05; or
 - (4) Otherwise endanger life, limb, public property, or constitute a nuisance;
- (d) A prohibition on diluting any waste stream to meet required limits;
- (e) A list of wastes prohibited to be discharged to the POTW, which shall include as a minimum the items listed in Env-Ws 904.06;
- (f) A provision or provisions by which the municipality may require a discharger to:
 - (1) Install and maintain monitoring and sampling equipment;

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(2) Keep records of monitoring and sampling data, including quality assurance/ quality control records for a period of at least 5 years from the date of the measuring, sampling, or report, which period shall be extended through the duration of any enforcement action; and

(3) Submit records upon written request to local or state officials.

(g) A space for documentation that the local authority has adopted the sewer use ordinance, including adoption date and signatures of adopting officials;

(h) A requirement that an indirect discharge of wastewater shall only be allowed to a sewer connected to the POTW;

(i) A requirement that all newly-connected discharges shall be in compliance with pretreatment standards prior to connection to the POTW;

(j) A requirement that each significant indirect discharger obtain a discharge permit from the municipality in accordance with Env-Ws 904.14 prior to discharging any industrial waste to the POTW; and

(k) A requirement that any discharge permit issued shall include the provisions identified in Env-Ws 904.15.

Source. #2240, eff 12-31-82; ss by #2851, eff 9-21-84;
EXPIRED 9-21-90

New. #6373, eff 11-16-96; ss by #8203, INTERIM, eff
11-16-04, EXPIRES: 5-15-05; ss by #8328, eff 4-23-05

Env-Ws 904.05 Local Limits. The municipality shall develop local limits as follows:

(a) Local limits shall specifically meet the headworks loading limit and reflect the design and operational capabilities of the POTW;

(b) Specific numerical limits shall be required on constituents contained in waste if the inclusion of such limits is necessary to meet applicable federal and state law;

(c) Local limits shall be established on a mass basis to allow indirect dischargers to reduce water use; and

(d) Local limits shall be reevaluated and revised as necessary no less than every 5 years from adoption.

Source. #2240, eff 12-31-82; ss by #2851, eff 9-21-84;
EXPIRED 9-21-90

New. #6373, eff 11-16-96; ss by #8203, INTERIM, eff
11-16-04, EXPIRES: 5-15-05; ss by #8328, eff 4-23-05

Env-Ws 904.06 Prohibited Wastes. The list of prohibited wastes required by Env-Ws 904.04(e) shall include the following:

(a) Any waste that contains pollutants in such concentrations as will cause corrosive or structural damage to the POTW, and in no case wastes with pH lower than 5.0 or higher than 12.0;

(b) Solid or viscous pollutants in amounts that will cause obstruction to the flow in the POTW or result in interference with the proper operation of the POTW;

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(c) Any pollutant, including oxygen demanding pollutants, released in a discharge at a flow rate or pollutant concentration or quantity that will cause interference with the POTW operations, constitute a hazardous to humans or animals, create a public nuisance, exceed any national categorical pretreatment standard, or cause pass through;

(d) Any waste that contains such concentrations or quantities of pollutants that its introduction to a POTW would cause a treatment process upset and subsequent loss of treatment ability;

(e) Any waste that contains heat in amounts which would inhibit biological activity in a POTW resulting in an interference, and in no case heat in such quantities that the temperature of the influent at the POTW exceeds 40° C, 104° F;

(f) Petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through;

(g) Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that might cause worker health and safety problems;

(h) Any trucked or hauled pollutants, except at discharge points designated by the POTW;

(i) Any medical/infectious waste, pharmaceutical waste, or radiological waste except as specifically authorized in a discharge permit;

(j) Any wastewater causing the POTW's effluent or sludge to fail a toxicity test; and

(k) Any hazardous waste listed or designated by the department under Env-Wm 400.

Source. #2240, eff 12-31-82; ss by #2851, eff 9-21-84; EXPIRED 9-21-90

New. #6373, eff 11-16-96; ss by #8203, INTERIM, eff 11-16-04, EXPIRES: 5-15-05; ss by #8328, eff 4-23-05

Env-Ws 904.07 Alternate Provisions. A municipality may omit an element required by Env-Ws 904.04 from its municipal sewer use ordinance, or may include alternate or additional elements in its municipal sewer use ordinance, only if:

(a) The municipality obtains a waiver pursuant to Env-Ws 904.09; or

(b) The municipality includes, as part of its submittal pursuant to Env-Ws 904.08, an explanation of:

(1) Why the element was omitted; and

(2) How the resulting municipal sewer use ordinance supports the purpose and intent of the industrial pretreatment requirements as expressed in RSA 485-A and Env-Ws 904.

Source. #2266, eff 1-8-83; ss by #2851, eff 9-21-84; EXPIRED 9-21-90

New. #6373, eff 11-16-96; ss by #8203, INTERIM, eff 11-16-04, EXPIRES: 5-15-05; ss and moved by #8328, eff 4-23-05 (from Env-Ws 904.05)

Env-Ws 904.08 Approval of Municipal Sewer Use Ordinance.

(a) Each municipality shall submit its sewer use ordinance or any revisions thereto to the

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department for approval before adoption.

(b) Within 60 days of receipt of a sewer use ordinance from a municipality, the department shall review the ordinance for conformity with Env-Ws 904.04.

(c) The department shall approve the sewer use ordinance if it determines that:

(1) The ordinance contains all of the elements required by Env-Ws 904.04 or alternate provisions provided in accordance with Env-Ws 904.07; and

(2) The ordinance does not contain any provisions which are less stringent than the elements required by Env-Ws 904.04.

(d) The department shall notify the municipality of its approval or disapproval of the sewer use ordinance in writing. If the ordinance is not approved, the written notification shall include the reasons for disapproval.

(e) Within 60 days of adopting the approved sewer use ordinance, the municipality shall send to the department:

(1) A copy of the adopted ordinance; or

(2) A copy of the signature page together with a certification that no changes were made to the department-approved ordinance prior to adoption.

Source. #2240, eff 12-31-82; ss by #2851, eff 9-21-84;
EXPIRED 9-21-90

New. #6373, eff 11-16-96; ss by #8203, INTERIM, eff
11-16-04, EXPIRES: 5-15-0 ; ss and moved by #8328, eff
4-23-05 (from Env-Ws 904.06)

Env-Ws 904.09 Waivers.

(a) Waivers to the pretreatment standards set forth in a sewer use ordinance approved by the department shall be granted by the department only in accordance with this section.

(b) All requests for waiver approval shall be submitted to the department by the municipality and shall be in writing.

(c) All waiver requests shall include the following information:

(1) A full explanation of why a waiver is necessary, with supporting information and calculations;

(2) A full explanation of how the granting of the waiver is consistent with the purpose of RSA 485-A as set forth in RSA 485-A:1;

(3) A technical analysis of the effects of the proposed discharge on the POTW, relative to:

a. Performance and effluent quality;

b. Operation and maintenance;

c. Safety and health of workers;

d. Pass through; and

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e. Sludge use or disposal; and

(4) Any other information that the person requesting the waiver believes is relevant to the waiver request.

(d) The department shall review the waiver request within 60 days of receipt. If the request does not contain all of the information specified in (c) above, or if the information is otherwise insufficient to allow the department to make an informed decision, the department shall request additional information.

(e) The department shall grant the waiver if the information submitted by the applicant demonstrates that:

(1) The alternatives proposed are at least equivalent to the specific requirements contained in the rule; or

(2) The alternatives proposed are adequate to ensure that the purpose of RSA 485- A is met and the result provides equivalent or better protection of the POTW and the receiving waters.

(f) The department shall notify the municipality of its decision in writing. If the waiver request is denied, the written decision shall specifically state the reasons for the denial.

Source. #8328, eff 4-23-05 (from Env-Ws 904.07)

Env-Ws 904.10 Industrial Wastewater Discharge Request.

(a) Subject to Env-Ws 904.16, the owner of the indirect discharger from which industrial waste is or will be discharged to a POTW that has its wastewater treatment plant located in New Hampshire shall apply for approval of the discharge in accordance with this section prior to discharging any industrial waste, increasing the volume of the industrial wastewater flow, or changing any characteristics of the discharge, such as pollutant concentration or characteristics, if such discharge is from a significant indirect discharger or could:

(1) Cause interference with the POTW;

(2) Have an adverse affect on the receiving stream or otherwise endanger public or private safety or property; or

(3) Constitute a nuisance by affecting qualities not specifically regulated, such as odor or the color of the discharge.

(b) The application shall be submitted in accordance with Env-Ws 904.14.

(c) A complete application shall include the following:

(1) The information specified on the department's "discharge request" form as specified in Env-Ws 904.11, on:

a. A form obtained from the department; or

b. A form that requires at least the same information provided by the municipality;

(2) The information specified in Env-Ws 904.12; and

(3) The certifications identified in Env-Ws 904.13.

Source. #8328, eff 4-23-05 (from Env-Ws 904.08)

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Env-Ws 904.11 Discharge Request Form: Municipal Portion. The municipality shall complete the first part of the discharge request form by including:

- (a) The name of the municipality;
- (b) Whether the requested permit is for a new discharge or a modified discharge;
- (c) Prior flow volume, if any;
- (d) New flow volume and total flow volume to be discharged; and

(e) The approval of the proposed discharge and signature of an authorized municipal official in accordance with Env-Ws 904.13(a).

Source. #8328, eff 4-23-05

Env-Ws 904.12 Discharge Request Form: Applicant Portion. The applicant shall provide the following information:

(a) The name, street address, and mailing address of the indirect discharger;

(b) The name, position, and daytime telephone number of a responsible individual at the indirect discharger, such as a plant manager, plant engineer, president, or vice president of the company, who has certified the permit application in accordance with Env-Ws 904.13(b), below;

(c) The North American Industry Classification System (“NAICS”) code of the indirect discharger, if available;

(d) Whether the indirect discharger is subject to national categorical standards, and if so, which standards;

(e) The estimated average, minimum, maximum and total daily flow for domestic discharges and each process discharge and the time and duration of those discharges;

(f) A schematic of the proposed treatment process;

(g) If applicable, plans, specifications, and operation and maintenance procedures for new or modified treatment facilities at the indirect discharger, stamped by a chemical, civil, sanitary, or environmental engineer registered in New Hampshire;

(h) A schematic diagram showing the production process, including the origin of each waste stream;

(i) A list of pollutants expected to be present in the discharge and the anticipated quantity of each, based on:

(1) Analyses of the waste stream(s) to be discharged, in which case test results shall be submitted with the discharge permit request; or

(2) Knowledge of the process which produces the wastewater;

(j) Information on the toxicity and treatability of the pollutants proposed to be discharged, as available from manufacturer’s testing, safety, and data publications;

(k) A map showing the location within the municipality of the indirect discharger with respect to the POTW;

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- (l) A listing of all chemicals used at the indirect discharger that will be or could be discharged, such as production chemicals, degreasers, and cleaning solvents;
- (m) A description and location diagram of all sampling locations at the indirect discharger;
- (n) A brief narrative describing those measures taken or planned to reduce water usage and implement pollution prevention techniques, if any, such as:
 - (1) Flow restricters;
 - (2) Countercurrent rinses;
 - (3) Recycling of non-contact cooling water;
 - (4) Chemical substitutions; and
 - (5) Pollutant source reduction; and
- (o) A list of all environmental permits held by or for the indirect discharger.

Source. #8328, eff 4-23-05

Env-Ws 904.13 Certifications.

- (a) The individual authorized by the governing body of the municipality to sign discharge requests shall sign the following certification statement:

“This proposal meets with the approval of all local authorities having jurisdiction over the request.”

- (b) The responsible individual identified pursuant to Env-Ws 904.12(b) shall sign the following certification statement:

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the individual or individuals who manage the system, or those individuals directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief, true, accurate, and complete.

I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

Source. #8328, eff 4-23-05

Env-Ws 904.14 Discharge Application Processing.

- (a) The applicant shall submit the information required by Env-Ws 904.12 to the municipality.
- (b) Upon receipt of a discharge request, the municipality shall evaluate the proposed discharge and the ability of the POTW to accommodate the discharge based on information submitted by the applicant.
- (c) No municipality shall allocate or accept for treatment more than 90 percent of the headworks loading limits of its POTW.
- (d) The municipality shall not approve the discharge request if the proposed discharge does not meet the requirements of these rules and all applicable local pretreatment programs and sewer use

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ordinances.

(e) If the municipality approves the discharge request, it shall sign the certification required by Env-Ws 904.13(a) and forward the discharge request to the department.

(f) Upon receipt of a discharge request from a municipality, the department shall review the request. The department shall approve the request subject to the conditions listed in (g), below, if the information submitted by the applicant demonstrates that the proposed discharge shall meet the requirements of these rules and all applicable local pretreatment programs and sewer use ordinances.

(g) The department's approval of a discharge request shall be subject to the following conditions:

- (1) The indirect discharger shall fully comply with the applicable sewer use ordinance;
- (2) The indirect discharger shall fully comply with all federal, state and local pretreatment standards and requirements;
- (3) Using additional water to dilute effluent or introducing uncontaminated water to the effluent shall not be allowed as a substitute for any pretreatment necessary to maintain compliance;
- (4) The indirect discharger shall not make changes in the type of production, amount of flow, or pollutant characteristics, or any increase in pollutant concentration, without prior approval by the department through the submission of a new industrial wastewater discharge request in accordance with Env-Ws 904.10;
- (5) The approval shall be based on and apply only to the subject discharge request and all associated plans and supporting information as submitted and shall be signed by the indirect discharger's authorized representative; and
- (6) The approval shall become void if the discharge approved does not begin within one year from the date of approval.

(h) Upon receipt of notification from the department that the discharge request is approved, the municipality shall issue a discharge permit to the indirect discharger.

Source. #8328, eff 4-23-05

Env-Ws 904.15 Discharge Permits. The discharge permit for significant indirect dischargers issued pursuant to Env-Ws 904.14(h) shall contain the following provisions:

- (a) Indirect discharger name, street address, mailing address, and daytime telephone number;
- (b) Dates of issuance and expiration;
- (c) The general and specific prohibitions from the sewer use ordinance which apply to the discharge;
- (d) A list of pollutants, allowable parameters, and discharge limits;
- (e) Identification of applicable EPA categorical standards;
- (f) A list of pollutant to be monitored and the monitoring requirements applicable thereto;
- (g) Sampling frequency, techniques, and locations;
- (h) Reporting requirements;

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- (i) Inspection requirements;
- (j) Notification requirements, including for:
 - (1) Slug loading;
 - (2) Spills, bypasses, and upsets;
 - (3) Changes in volume or characteristics of the discharge for which a permit revision is not required; and
 - (4) Permit violations.
- (k) Record keeping requirements;
- (l) Applicable definitions and special conditions from the sewer use ordinance;
- (m) Applicable civil and criminal penalties for violations;
- (n) Notification requirements prior to any new or increased discharge;
- (o) A requirement to submit a complete new application at a specified frequency, which shall be not less than once every five years; and
- (p) A requirement to provide a copy of the permit to the department, if the department so requests.

Source. #8328, eff 4-23-05

Env-Ws 904.16 When Discharge Permits Not Required. A discharge request and permit shall not be required for a trial of a new technology provided that:

- (a) The trial will not last longer than 4 months; and
- (b) No discharge from the indirect discharger at which the trial is occurring will cause a violation of:
 - (1) The indirect discharger's existing discharge permit from the municipality; or
 - (2) Any requirements of the municipality's sewer use ordinance or any other applicable state, federal, or local requirements.

Source. #8328, eff 4-23-05

Env-Ws 904.17 Reporting.

(a) In order to demonstrate compliance with RSA 485-A:5, III, each municipality shall provide the following to the department no less frequently than once every 5 years:

- (1) A copy of its current sewer use ordinance if it has been revised without department approval since any previous submittal to the department or a certification that no changes have been made;
- (2) A current list of all significant indirect dischargers to the POTW, which shall include for each significant indirect discharger:
 - a. Name and address;

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- b. The name and daytime telephone number of a contact person;
 - c. Products manufactured;
 - d. Industrial processes used;
 - e. Existing pretreatment processes; and
 - f. Discharge permit status.
- (3) A list of all permitted indirect dischargers; and
- (4) A certification that the municipality is strictly enforcing its sewer use ordinance and all discharge permits it has issued.

Source. #8328, eff 4-23-05

Appendix

Rule	Specific State Statute which the Rule Implements
Env-Ws 904	RSA 485-A:4, XV; 485-A:5