

**NPDES/STATE WATER DISCHARGE PERMIT REPORTING  
REPORTING OF NON-COMPLIANCE**

1. **24-HOUR REPORTING.** This is a telephone call provided within 24 hours from the time the permittee becomes aware of the circumstances. This is followed by a written or electronic submission provided within 5 calendar days from the time the permittee becomes aware of the circumstances. Reporting is to both the EPA and the NHDES.

The following items must be reported under the 24-hour reporting requirements:

- Any non-compliance which may endanger health or the environment. This includes pump station and collection system or plant overflows.
- Any unanticipated bypass (see definition in Part II of the permit) which causes a violation of any effluent limitation in the permit.
- Any “upset” (see definition in Part II of the permit) which causes a violation of any effluent limitation in the permit.
- Any violation of a daily maximum limitation in your permit. Daily minimum pH violations must also be reported.

**WHO ARE YOU GOING TO CALL?**

U.S. Environmental Protection Agency  
Region 1- New England  
5 Post Office Square, Suite 100  
Mail Code: OES04-3  
Boston, MA 02109-3912  
Attn: Joy Hilton  
617-918-1877

NH Department of Environmental Services  
Water Division/Wastewater Engineering Bureau  
Permits & Compliance Section  
P.O. Box 95  
Concord, NH 03302-0095  
Attn: Inspector for your facility  
603-271-2985 Nancy Lesieur  
603-271-1493 Stephanie Larson  
603-271-1494 Jocelyn Henry

2. **MONTHLY REPORTING WITH THE DMR SUBMISSION.** This covers all permit limit violations, including ones that are not required to be reported under the 24-hour reporting noted above. This is required by both the EPA and NHDES.

The DMR must have a complete explanation of the circumstances surrounding all violations. The explanation **MUST** include the items noted in Part II, Section D.1.e of the permit (see last page).

3. **REPORTING NON-COMPLIANCE TO DOWNSTREAM PUBLIC/PRIVATELY OWNED WATER SYSTEMS WHENEVER A BYPASS OR UPSET OCCURS. THIS TYPE OF NOTIFICATION HAS THE UTMOST PRIORITY**

This is required by RSA 485-A:13, I (c) and is designed to protect downstream users of the receiving waters. This is a NHDES requirement only.

This notification has to be made if a public water supply draws from the same receiving stream and is within 20 miles of the discharge. This is an immediate notification (phone call) to the water treatment plant with a written or electronic notification to the water treatment plant within 3 calendar days.

4. **PART I, INDUSTRIAL NOTIFICATION.** All existing manufacturing, commercial, mining, and silvicultural dischargers must notify the Director as soon as they know or have reason to believe (40 CFR §122.42):
  - a. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant (as defined in 40 CFR §122.2) which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":
    - (1) One hundred micrograms per liter (100 ug/L);
    - (2) 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;
    - (3) Five (5) times the maximum concentration value reported for that pollutant in the permit application in accordance with 40 CFR §122.21(g)(7); or
    - (4) Any other notification level established by the Director in accordance with 40 CFR §122.44(f).
  - b. That any activity has occurred or will occur which would result in the discharge, on a non-routine or infrequent basis, of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":
    - (1) Five hundred micrograms per liter (500 ug/L);
    - (2) One milligram per liter (1 mg/L) for antimony;
    - (3) Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with 40 CFR §122.21(g)(7); or
    - (4) Any other notification level established by the Director in accordance with 40 CFR §122.44(f).
  - c. 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.
5. **DES or EPA ORDERED REPORTS.** Administrative Orders or Consent Decrees may require submission of information in addition to the permit requirements.
6. **REPORTS TO NHDES OPERATIONS SECTION.** This is usually done by telephone to obtain assistance with correcting the reasons for non-compliance.
7. **SEACOAST FACILITIES ADDITIONAL REPORTING.** Facilities in the Seacoast must immediately (day or night) report the discharge of raw or undisinfected sewage anywhere in their collection system, including CSO discharges, to the DES Shellfish Program. The person to contact is Chris Nash at pager number 603-771-9826.

**THIS TYPE OF NOTIFICATION HAS THE UTMOST PRIORITY!!!**

## WHAT INFORMATION SHOULD EVERY REPORT ON NON-COMPLIANCE CONTAIN?

The following information is required by Part II, Section D.1.e. of the permit.

- A description of the non-compliance, including the amount discharged.
- The cause of the non-compliance.
- The period including the exact dates and times when it happened.
- How you corrected the non-compliance. 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.

For violations that are reported monthly with the DMR, attaching a cover letter is one of the most efficient methods to relay this information.

**Reminder: the NPDES permit number must be listed on all letters and reports.**

**Explanations should be complete! Stating that a pump failed is not sufficient.**

Transmittal:

### To US EPA

U.S. Environmental Protection Agency  
Region 1- New England  
5 Post Office Square, Suite 100  
Mail Code: OES04-3  
Boston, MA 02109-3912  
Attn: Joy Hilton  
[Hilton.Joy@epa.gov](mailto:Hilton.Joy@epa.gov)  
Fax: 617-918-0877

### To NH DES

NH Department of Environmental Services  
Water Division/Wastewater Engineering Bureau  
Permits and Compliance Section  
P.O. Box 95  
Concord, NH 03302-0095  
Attn: Inspector for your facility  
[Nancy.Lesieur@des.nh.gov](mailto:Nancy.Lesieur@des.nh.gov)  
[Stephanie.Larson@des.nh.gov](mailto:Stephanie.Larson@des.nh.gov)  
[Jocelyn.Henry@des.nh.gov](mailto:Jocelyn.Henry@des.nh.gov)  
Fax: 603-271-4128