



MASSACHUSETTS WATER RESOURCES AUTHORITY

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Frederick A. Laskey
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RE: Proposed amendments to MWRA's Regulations for Sewer Use (360 CMR 10.000)

DATE: March 15, 2024

Overview of Regulations and Proposed Amendments:

MWRA is proposing to amend the following regulations: Sewer Use (360 CMR 10.000). On February 21, 2024, the MWRA Board of Directors authorized MWRA staff to publish notice of the proposed amendments for public comment.

MWRA's Sewer Use Regulations are required by EPA for its Industrial Pretreatment Program, which is administered by MWRA's Toxic Reduction and Control (TRAC) department. The Sewer Use Regulations are derived from EPA's federal pretreatment regulations found at 40 CFR Part 403, *et seq.*, and set conditions for use of MWRA and municipal sewers, including charges for obtaining and holding a permit. They also provide for enforcement for noncompliance with MWRA regulations and permits.

The proposed revisions focus on the updates to MWRA's Incentive Program Charges; and other revisions to ensure that these regulations reflect current program policies and practices as derived from federal regulations.

Proposed Amendments

In order to reflect increases in the TRAC department's operating expenditures to implement its Industrial Pretreatment Program, MWRA's Advisory Board requested and MWRA is proposing to update the Incentive Program Charges; increasing fees in fiscal year (FY) 25 through FY29 by 3% annually.

In addition to the changes outlined above, other proposed revisions to the regulations are intended to clarify the intent of the existing regulations and/or align them with MWRA practices derived from EPA regulations. The adoption of these changes will not result in any substantial changes to the implementation of the MWRA's Industrial Pretreatment Program, since they are intended to reflect current practices and procedures.

Attachment 1 presents a summary table of the proposed amendments. The table identifies the section of the regulations to be amended, the source of the proposed change, a description of the

amendment, and an explanation for the amendment. Attachment 2 presents the specific charges for the various permit types as they stand now in FY24 and 3% increases in each of the following five FYs. A complete red-line/strike-out version of the amended regulations will be available in the Board lounge.

ATTACHMENTS:

1. Summary of Proposed Regulations Amendments
2. Chart of Charges by Permit Type

Attachment 1

EXPLANATION OF PROPOSED AMENDMENTS

The following table outlines the substantive changes made to the three regulations.

REGULATION CITATION	AMENDMENT DESCRIPTION
360 CMR 10.007 (7)	Clarifies language to ensure that permits cannot be extended beyond five years.
360 CMR 10.015 (1) (a)	Strikes existing per hourly rate to respond to a request for a one-time only discharge and inserts new hourly rate.
360 CMR 10.015 (1) (b)	Strikes existing per hourly rate to respond to a spill or other release of materials and inserts new hourly rate.
360 CMR 10.024 (2) (a)	Strikes the material Vinylidene Chloride from the list of Materials with a Daily Maximum Limit and replaces it with the synonym 1,1 Dichloroethylene.
360 CMR 10.091	Adds missing language that was omitted during the posting of the previous regulation amendment.
360 CMR 10.101 (1) (a), (b), (c), (d), (e), and (f)	Strikes existing list of Permit charges and inserts new ones.
360 CMR 10.101 (5) (a), (b), (c), (d), (e), and (f)	Strikes existing list of Temporary Construction Dewatering Permit charges and inserts new ones.
360 CMR 10.102 (1) (a), (b), (c), (d), (e), and (f)	Strikes existing list of monitoring charges and inserts new ones.
360 CMR 10.102 (7) (a), (b), (c), (d), (e), and (f)	Strikes existing list of monitoring charges and inserts new ones.

Attachment 2

CHARGE AMOUNTS FOR FISCAL YEARS 2025 – 2029

PERMIT CATEGORIES	CHARGE COMPONENTS	CURRENT CHARGE AMOUNTS FY 2024	PROPOSED CHARGE AMOUNTS FY 2025	PROPOSED CHARGE AMOUNTS FY 2026	PROPOSED CHARGE AMOUNTS FY 2027	PROPOSED CHARGE AMOUNTS FY 2028	PROPOSED CHARGE AMOUNTS FY 2029
1 SIU	Permitting Monitoring	\$2,998	\$3,088	\$3,181	\$3,276	\$3,374	\$3,476
	Low Score	\$3,474	\$3,578	\$3,686	\$3,796	\$3,910	\$4,027
	Medium Score	\$6,944	\$7,152	\$7,367	\$7,588	\$7,816	\$8,050
	High Score	\$10,410	\$10,722	\$11,044	\$11,375	\$11,717	\$12,068
	More than 3 Sample Locations	\$3,474	\$3,578	\$3,686	\$3,796	\$3,910	\$4,027
1 non-SIU	Permitting Monitoring	\$1,978	\$2,037	\$2,098	\$2,161	\$2,226	\$2,293
	More than 3 Sample Locations	\$1,138	\$1,172	\$1,207	\$1,244	\$1,281	\$1,319
		\$1,138	\$1,172	\$1,207	\$1,244	\$1,281	\$1,319
2 SIU	Permitting Monitoring	\$1,930	\$1,988	\$2,048	\$2,109	\$2,172	\$2,238
	Low Score	\$3,474	\$3,578	\$3,686	\$3,796	\$3,910	\$4,027
	Medium Score	\$6,944	\$7,152	\$7,367	\$7,588	\$7,816	\$8,050
	High Score	\$10,410	\$10,722	\$11,044	\$11,375	\$11,717	\$12,068
	More than 3 Sample Locations	\$3,474	\$3,578	\$3,686	\$3,796	\$3,910	\$4,027
2 non-SIU	Permitting Monitoring	\$1,642	\$1,691	\$1,742	\$1,794	\$1,848	\$1,903
	More than 3 Sample Locations	\$1,138	\$1,172	\$1,207	\$1,244	\$1,281	\$1,319
		\$1,138	\$1,172	\$1,207	\$1,244	\$1,281	\$1,319
3 SIU	Permitting Monitoring	\$1,642	\$1,691	\$1,742	\$1,794	\$1,848	\$1,903
	Low Score	\$3,474	\$3,578	\$3,686	\$3,796	\$3,910	\$4,027
	Medium Score	\$6,944	\$7,152	\$7,367	\$7,588	\$7,816	\$8,050
	High Score	\$10,410	\$10,722	\$11,044	\$11,375	\$11,717	\$12,068
	More than 3 Sample Locations	\$3,474	\$3,578	\$3,686	\$3,796	\$3,910	\$4,027
3 non-SIU	Permitting Monitoring	\$1,240	\$1,277	\$1,315	\$1,355	\$1,395	\$1,437
	More than 3 Sample Locations	\$858	\$884	\$910	\$938	\$966	\$995
		\$858	\$884	\$910	\$938	\$966	\$995
4 SIU	Permitting	\$1,120	\$1,154	\$1,189	\$1,224	\$1,261	\$1,299
6 (Septage Hauler)	Permitting	\$1,120	\$1,154	\$1,189	\$1,224	\$1,261	\$1,299
10 (General Permit for Low Flow/Low Pollutant)	Permitting	\$112	\$115	\$118	\$122	\$126	\$129
12 (Construction Dewatering)	Permitting Monitoring	\$4,342	\$4,472	\$4,606	\$4,744	\$4,887	\$5,033
	More than 3 Sample Locations	\$3,474	\$3,578	\$3,686	\$3,796	\$3,910	\$4,027
		\$3,474	\$3,578	\$3,686	\$3,796	\$3,910	\$4,027
G1 (Group Permit for Photo Processing and Printing)	Permitting NOI	\$260	\$268	\$276	\$284	\$293	\$302
		\$102	\$106	\$109	\$112	\$116	\$119
G2 (Group Permit for Food Processing)	Permitting NOI	\$220	\$228	\$235	\$242	\$249	\$257
		\$102	\$106	\$109	\$112	\$116	\$119

PERMIT CATEGORIES	CHARGE COMPONENTS	CURRENT CHARGE AMOUNTS FY 2024	PROPOSED CHARGE AMOUNTS FY 2025	PROPOSED CHARGE AMOUNTS FY 2026	PROPOSED CHARGE AMOUNTS FY 2027	PROPOSED CHARGE AMOUNTS FY 2028	PROPOSED CHARGE AMOUNTS FY 2029
C1 (Combined Permit)	Permitting	\$318	\$328	\$337	\$348	\$358	\$369
D1 (Group Permit for Dental Discharges)	Permitting NOI	\$220 \$102	\$228 \$106	\$235 \$109	\$242 \$112	\$249 \$116	\$257 \$119
ALL	Late/No Discharge Report	\$192	\$198	\$204	\$210	\$216	\$223

Notes:

1. All charge amounts are assessed annually.
2. SIUs receive a low, medium, or high monitoring score charge each year, based on their pollutant loadings and violations status.
3. There is an extra charge for facilities with more than three sampling locations. For each three additional sampling locations (e.g., 4-6, 7-9 locations), the monitoring charge is increased by the amount indicated on the applicable line on the chart.
4. Each Group Permit holder submits a Notice of Intent (NOI) to apply for the permit and pays a one-time charge for the NOI.