

BRIEFING SHEET

January 14, 2020

DRAFT GREAT BAY TOTAL NITROGEN GENERAL PERMIT FOR WASTEWATER TREATMENT FACILITIES

From: Suzanne Woodland, Deputy City Attorney, Terry Desmarais, City Engineer

On January 7, 2020, the U.S. Environmental Protection Agency (EPA) published for public comment a draft Clean Water Act permit which proposes to regulate the discharge of nitrogen from 13 New Hampshire wastewater treatment facilities within the Great Bay Estuary including the City's two wastewater treatment facilities at Peirce Island and Pease. In addition to regulating the discharge of nitrogen, the draft permit appears to require the municipalities to undertake a significant water quality monitoring obligation for the whole Estuary. The draft permit includes an optional component to undertake stormwater non-point source controls of nitrogen.

The 12 communities that would be covered by the general permit are: Portsmouth (two facilities), Newington, Durham, Newmarket, Epping, Exeter, Newfields, Dover, Rochester, Rollinsford, Somersworth, and Milton. The draft permit, issued under the Clean Water Act's National Pollutant Discharge Elimination System (NPDES), is open for a 60-day public comment period. Maine communities that discharge to the Estuary are not covered by this draft permit.

EPA has scheduled a public hearing for this Draft NPDES Great Bay Total Nitrogen General Permit for February 19, 2020 at 6 PM at the address below. Any interested persons may submit oral comments at this time. In case of inclement weather, the date may be changed to February 20, 2020 at 6 PM at the same address.

NHDES Portsmouth Regional Office
Pease International Tradeport
222 International Drive, Suite 175
Portsmouth, NH 03801

The draft permit, fact sheet and instructions on how to submit comments can be found on EPA's website at: <https://www.epa.gov/npdes-permits/draft-great-bay-total-nitrogen-general-permit>

City staff is reviewing the draft permit closely in anticipation of briefing the City Council on the impacts of the proposed permit and options within the permit structure for achieving compliance. The impacts of the proposed permit are not only financial and operational, but include potential long-term land use implications that need to be examined.