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NPDES Permit Conditions / Clean Water Act: Town of Bridgewater, Massachusetts, United States Environmental Appeals Board Petition for Review

Arkansas Environmental, Energy, and Water Law Blog

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The town of Bridgewater, Massachusetts, ("Bridgewater") filed a November 4th Petition for Review ("Petition") before the United States Environmental Protection Agency ("EPA") Environmental Appeals Board ("EAB").

The Petition requests that the EAB reconsider certain conditions EPA placed in Bridgewater's Clean Water Act National Pollution Discharge Elimination System ("NPDES") permit.

Bridgewater is located in Plymouth County, Massachusetts. The Town operates a wastewater treatment facility that discharges into the Taunton River Basin.

Bridgewater states that:

... the conditions in the Final Permit would result in an unbearable cost to the Town of Bridgewater and the recent NPDES Permit would require the Town to undertake a large expenditure. The Town requests that new conditions be stated in the Final Permit to grant the Town leniency to provide the Town with additional time to comply with the proposed conditions.

The Permit specifically requests:

1. Time to conduct an affordability analysis in order for the Town to determine a proposal for the request of an extended Compliance Schedule and the possibility for a phased construction approach.
2. Additional time and an extended Compliance Schedule to allow the Town to prepare for the large expenditure that will result from the conditions in the new NPDS Permit.
3. Relief to the work/conditions for the Town in Section D – Operation & Maintenance of the Sewer System with additional time to comply.
4. Additional permitted flows recommended in the draft CWNP submitted.
5. More reasonable nitrogen and pH limits.
6. More reasonable pH limits to eliminate the possibility of nuisance permit violations.

7. Relief for river monitoring requirements.

[A copy of the Petition \(excluding the exhibits\) can be downloaded here.](#)