



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION



PAUL R. LEPAGE
GOVERNOR

AVERY T. DAY
ACTING COMMISSIONER

September 22, 2015

Mr. Shawn Marsh
1796 Main Street
Sanford, Maine 04073
ErikEastman276@Roadrunner.com

RE: Maine Pollutant Discharge Elimination System (MEPDES) Permit #ME002267
Maine Waste Discharge License (WDL) Application # W001914-5R-F-R
Proposed Draft Permit

Dear Mr. Marsh:

Enclosed is a **proposed draft** MEPDES permit and Maine WDL (permit hereinafter) which the Department proposes to issue as a final document after opportunity for your review and comment. By transmittal of this letter you are provided with an opportunity to comment on the proposed draft permit and its conditions (special conditions specific to this permit are enclosed; standard conditions applicable to all permits are available upon request). If it contains errors or does not accurately reflect present or proposed conditions, please respond to this Department so that changes can be considered.

By copy of this letter, the Department is requesting comments on the proposed draft permit from various state and federal agencies, as required by our new regulations, and from any other parties who have notified the Department of their interest in this matter.

All comments must be received in the Department of Environmental Protection office on or before the close of business **Thursday, October 22, 2015**. Failure to submit comments in a timely fashion will result in the final document being issued as drafted. Comments in writing should be submitted to my attention at the following address:

Maine Department of Environmental Protection
Bureau of Water Quality
Division of Water Quality Management
17 State House Station
Augusta, ME 04333

AUGUSTA
17 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0017
(207) 287-7688 FAX: (207) 287-7826

BANGOR
106 HOGAN ROAD, SUITE 6
BANGOR, MAINE 04401
(207) 941-4570 FAX: (207) 941-4584

PORTLAND
312 CANCO ROAD
PORTLAND, MAINE 04103
(207) 822-6300 FAX: (207) 822-6303

PRESQUE ISLE
1235 CENTRAL DRIVE, SKYWAY PARK
PRESQUE ISLE, MAINE 04769
(207) 764-0477 FAX: (207) 760-3143

If you have any questions regarding the matter, please feel free to call me at 446-1875.

Sincerely,



Rodney Robert
Bureau of Water Quality
Division of Water Quality Management

Enc.

cc: Matt Hight, DEP/SMRO
Lori Mitchell, DEP/CMRO
Oliver Cox, DMR
Environmental Review, DMR
Environmental Review, DIFW
Kathleen Leyden, DACF
David Webster, USEPA
David Pincumbe, USEPA
Alex Rosenberg, USEPA
Olga Vergara, USEPA
Marelynn Vega, USEPA
Richard Carvalho, USEPA
Ivy Frignoca, CLF



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION
17 STATE HOUSE STATION
AUGUSTA, ME 04333

DEPARTMENT ORDER

IN THE MATTER OF

EVONIK CYRO LLC)	MAINE POLLUTANT DISCHARGE
SANFORD, YORK COUNTY, MAINE)	ELIMINATION SYSTEM PERMIT
NON-CONTACT COOLING WATERS)	AND
ME0022667)	WASTE DISCHARGE LISENCE
#W001914-5R-F-R)	RENEWAL
APPROVAL)	

In compliance with the provisions of the *Federal Water Pollution Control Act*, Title 33 U.S.C. § 1251, *Conditions of licenses*, 38 M.R.S.A. § 414-A, and applicable regulations, the Department of Environmental Protection (Department) has considered the application of Evonik Cyro, LLC with its supportive data, agency review comments, and other related materials on file and FINDS THE FOLLOWING FACTS:

APPLICATION SUMMARY

On August 24, 2015, the Department accepted as complete for processing an application from Evonik Cyro, LLC for the renewal of combination Maine Pollutant Discharge Elimination System (MEPDES) permit ME0022667/Waste Discharge License #W001914-5R-E-R which was issued by the Department on November 1, 2010, for a five-year term. The 11/1/10 permit authorized the discharge of a weekly average of 0.300 MGD (million gallons per day) of non-contact cooling waters from an industrial manufacturing facility to the Mousam River, Class C, in Sanford, Maine.

PERMIT SUMMARY

This permitting action is carrying forward the terms and conditions of the previous permitting action.

CONCLUSIONS

BASED on the findings in the attached DRAFT Fact Sheet dated September 22, 2015, and subject to the Conditions listed below, the Department makes the following CONCLUSIONS:

1. The discharge, either by itself or in combination with other discharges, will not lower the quality of any classified body of water below such classification.
2. The discharge, either by itself or in combination with other discharges, will not lower the quality of any unclassified body of water below the classification which the Department expects to adopt in accordance with state law.
3. The provisions of the State's antidegradation policy, 38 MRSA Section 464(4)(F), will be met, in that:
 - a. Existing in-stream water uses and the level of water quality necessary to protect and maintain those existing uses will be maintained and protected;
 - b. Where high quality waters of the State constitute an outstanding national resource, that water quality will be maintained and protected;
 - c. Where the standards of classification of the receiving water body are not met, the discharge will not cause or contribute to the failure of the water body to meet the standards of classification;
 - d. Where the actual quality of any classified receiving water body exceeds the minimum standards of the next highest classification, that higher water quality will be maintained and protected; and
 - e. Where a discharge will result in lowering the existing quality of any water body, the Department has made the finding, following opportunity for public participation, that this action is necessary to achieve important economic or social benefits to the State.
4. The discharges will be subject to effluent limitations that require application of best practicable treatment.

ACTION

THEREFORE, the Department APPROVES the application of EVONIK CYRO LLC. to discharge a weekly average of 0.300 MGD of non-contact cooling waters from an industrial manufacturing facility to the Mousam River, Class C, in Sanford, Maine. The waste waters discharged from the facility will be SUBJECT TO ALL APPLICABLE STANDARDS AND REGULATIONS AND THE FOLLOWING CONDITIONS:

1. *“Maine Pollutant Discharge Elimination System Permit Standard Conditions Applicable to All Permits,”* revised July 1, 2002, copy attached.
2. The attached Special Conditions, including any effluent limitations and monitoring requirements.
3. This permit becomes effective upon the date of signature below and expires at midnight five (5) years after that date. If a renewal application is timely submitted and accepted as complete for processing prior to the expiration of this permit, the terms and conditions of this permit and all subsequent modifications and minor revisions thereto remain in effect until a final Department decision on the renewal application becomes effective. [Maine Administrative Procedure Act, 5 M.R.S.A. §10002 and Rules Concerning the Processing of Applications and Other Administrative Matters, 06-096 CMR 2(21)(A) (amended August 25, 2013)]

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

DONE AND DATED AT AUGUSTA, MAINE, THIS ____ DAY OF _____ 2015.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: _____
AVERY T. DAY, Acting Commissioner

Date of initial receipt of application 08/21/15

Date of application acceptance 08/24/15

Date filed with Board of Environmental Protection _____

This Order prepared by Rodney Robert, Bureau of Water Quality

SPECIAL CONDITIONS

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. The permittee is authorized to discharge non-contact cooling waters to the Mousam River, Class C in Sanford, Maine from **OUTFALL #001** ⁽¹⁾. Such discharges shall be limited and monitored by the permittee as specified below:

Effluent Characteristic	Discharge Limitations			Minimum Monitoring Frequency	
	<u>Monthly Average</u> as specified	<u>Weekly Average</u> as specified	<u>Daily Maximum</u> as specified	Measurement Frequency	Sample Type
Flow ⁽²⁾ <i>[50050]</i>	---	0.300 MGD <i>[03]</i>	---	1/Week ⁽¹⁾ <i>[01/07]</i>	Totalizer <i>[TL]</i>
Temperature <i>[00011]</i>	---	22°C (72°F) <i>[04]</i>	---	1/Week ⁽¹⁾ <i>[01/07]</i>	Grab <i>[GR]</i>
pH <i>[00400]</i>	---	---	6.0-8.5 S.U. <i>[12]</i>	1/Week ⁽¹⁾ <i>[01/07]</i>	Grab <i>[GR]</i>

The italicized numeric values bracketed in the table and in subsequent text are code numbers that Department personnel utilize to code the monthly Discharge Monitoring Reports.

FOOTNOTES: See Page 5 of this permit for applicable footnotes.

SPECIAL CONDITIONS

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (cont'd)

Footnotes:

Sampling – Sampling and analysis must be conducted in accordance with; a) methods approved in 40 Code of Federal Regulations (CFR) Part 136, b) alternative methods approved by the Department in accordance with the procedures in 40 CFR Part 136, or c) as otherwise specified by the Department. Samples that are sent out for analysis shall be analyzed by a laboratory certified by the State of Maine’s Department of Health and Human Services. Samples that are analyzed in-house or sent to another POTW licensed pursuant to *Waste discharge licenses*, 38 M.R.S.A. § 413 are subject to the provisions and restrictions of *Maine Comprehensive and Limited Environmental Laboratory Certification Rules*, 10-144 CMR 263 (effective April 1, 2010). If the permittee monitors any pollutant more frequently than required by the permit using test procedures approved under 40 CFR Part 136 or as specified in this permit, the results of this monitoring must be included in the calculation and reporting of the data submitted in the Discharge Monitoring Report.

1. All limitations are in effect on a year-round basis but monitoring and reporting is only required between June 1 and September 30 of each year.
2. **Flow**– Flow data shall be recorded in the permittee’s onsite log book which shall be available for inspection by Department or Environmental Protection Agency personnel upon request.

B. NARRATIVE EFFLUENT LIMITATIONS

1. The effluent shall not contain a visible oil sheen, foam or floating solids at any time which would impair the uses designated by the classification of the receiving waters.
2. The effluent shall not contain materials in concentrations or combinations which are hazardous or toxic to aquatic life, or which would impair the uses designated by the classification of the receiving waters.
3. The discharges shall not cause visible discoloration or turbidity in the receiving waters which would impair the uses designated by the classification of the receiving waters.
4. Notwithstanding specific conditions of this permit the effluent must not lower the quality of any classified body of water below such classification, or lower the existing quality of any body of water if the existing quality is higher than the classification.

SPECIAL CONDITIONS

C. AUTHORIZED DISCHARGES

The permittee is authorized to discharge only in accordance with: 1) the permittee's General Application for Waste Discharge Permit, accepted for processing on July 13, 2015; 2) the terms and conditions of this permit; and 3) only from Outfall #001A. Discharges of wastewater from any other point source are not authorized under this permit, and must be reported in accordance with Standard Condition B(5)(*Bypass*) of this permit.

D. NOTIFICATION REQUIREMENT

In accordance with Standard Condition D, the permittee shall notify the Department of the following.

1. Any substantial change in the volume or character of pollutants being introduced into the wastewater collection and treatment system by a source introducing pollutants into the system at the time of permit issuance. For the purposes of this section, notice regarding substantial change shall include information on:
 - (a) the quality and quantity of wastewater introduced to the waste water collection and treatment system; and
 - (b) any anticipated impact caused by the change in the quantity or quality of the wastewater to be discharged from the treatment system.

E. REOPENING OF PERMIT FOR MODIFICATIONS

Upon evaluation of the test results or monitoring requirements specified in Special Conditions of this permitting action, new site specific information, or any other pertinent test results or information obtained during the term of this permit, the Department may, at any time and with notice to the permittee, modify this permit to; 1) include effluent limits necessary to control specific pollutants or whole effluent toxicity where there is a reasonable potential that the effluent may cause water quality criteria to be exceeded, (2) require additional effluent and or ambient water quality monitoring if results on file are inconclusive; or (3) change monitoring requirements or limitations based on new information.

SPECIAL CONDITIONS

F. MONITORING AND REPORTING

1. Monitoring results obtained during the previous month shall be summarized for each month and reported on separate Discharge Monitoring Report (DMR) forms provided by the Department and **postmarked on or before the thirteenth (13th) day of the month or hand-delivered to a Department Regional Office such that the DMRs are received by the Department on or before the fifteenth (15th) day of the month** following the completed reporting period.
2. A signed copy of the DMR and all other reports required herein shall be submitted to the following address:

Department of Environmental Protection
Southern Maine Regional Office
Bureau of Water Quality
Division of Water Quality Management
312 Canco Road
Portland, Maine 04103

Alternatively, if you are submitting an electronic DMR (eDMR), the completed eDMR must be electronically submitted to the Department by a facility authorized DMR Signatory **not later than close of business on the 15th day of the month** following the completed reporting period. **Hard Copy documentation** submitted in support of the eDMR must be **postmarked on or before the thirteenth (13th) day of the month or hand-delivered to the Department's Regional Office such that it is received by the Department on or before the fifteenth (15th) day of the month** following the completed reporting period. **Electronic documentation** in support of the eDMR must be submitted **not later than close of business on the 15th day of the month** following the completed reporting period.

G. SEVERABILITY

In the event that any provision(s), or part thereof, of this permit is declared to be unlawful by a reviewing court, the remainder of the permit shall remain in full force and effect, and shall be construed and enforced in all aspects as if such unlawful provision, or part thereof, had been omitted, unless otherwise ordered by the court.

**MAINE POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT
AND
MAINE WASTE DISCHARGE LICENSE**

FACT SHEET

September 22, 2015

PERMIT NUMBER: ME0022667

LICENSE NUMBER: W001914-5R-F-R

NAME AND ADDRESS OF APPLICANT:

**Evonik Cyro, LLC
1796 Main Street
Sanford, Maine 04073**

NAME AND ADDRESS WHERE DISCHARGE OCCURS:

**Evonik Cyro, LLC
1796 Main Street
Sanford, Maine 04073**

**RECEIVING WATER/CLASSIFICATION: Mousam River/Class C
COUNTY: York**

**COGNIZANT OFFICIAL AND TELEPHONE NUMBER: Mr. Shawn Marsh
(207) 490-4330
Shawn.marsh@evonik.com**

**TREATMENT FACILITY OPERATOR: Steve Jocher, Grade PC-1
(207) 490-4293 steven.jocher@evonik.com**

1. APPLICATION SUMMARY

Application: On August 24, 2015, the Department accepted as complete for processing an application from Evonik Cyro, LLC for the renewal of combination Maine Pollutant Discharge Elimination System (MEPDES) permit ME0022667/Waste Discharge License #W001914-5R-E-R which was issued by the Department on November 1, 2010, for a five-year term. The 11/1/10 permit authorized the discharge of a weekly average of 0.300 MGD of non-contact cooling waters from an industrial manufacturing facility to the Mousam River, Class C, in Sanford, Maine.

2. PERMIT SUMMARY

- a. Terms and Conditions: This permitting action is carrying forward the terms and conditions of the previous permitting action.
- b. History: See **Attachment B** of this Fact Sheet for the most recent relevant licensing/permitting actions.
- c. Wastewater Source Description: The manufacturing process for polymerizing raw materials into an acrylic plastic requires the heating of chemicals until a reaction begins which thereafter generates its own heat. The heat generated is dissipated carefully to create a uniform, high quality solid. Cooling is currently achieved with either electrically operated chillers or fan coolers. “Contact” cooling waters where water comes into contact with the product is discharged to the Sanford Sewer District’s waste water treatment facility.

“Non-contact” cooling waters are circulated through a heat exchanger without ever touching the product or any process chemicals. The permittee maintains several distinct non-contact cooling water systems that are identified on the following page. A site location map is included as **Attachment A** of this Fact Sheet.

<u>SYSTEM</u>	<u>VOLUME (gpm)</u>	<u>DISCHARGE</u>	<u>DESCRIPTION</u>
Plant #1	85	Mousam River	Vessel cooling
Waste Treatment	10	Mousam River	Evaporative recovery
Plant #2 – Air Compressor	100	Sub-Surface ⁽¹⁾	Recycled monomer and compressor cooling

Footnotes:

(1) Prior to December 9, 1998, cooling waters from Plant #2 were conveyed to the Sanford Sewer District’s wastewater treatment facility. On December 9, 1998, the Department issued a modification of Cyro Industries Site Location of Development Order to permit the disposal of these non-contact cooling waters via a sub-surface infiltration system.

2. PERMIT SUMMARY (cont'd)

- d. Wastewater Treatment: Non-contact cooling water discharged to the Mousam River via outfall #001 does not receive any formal treatment. It is noted that historical data compiled by the Bureau of Water Quality's Division of Environmental Assessment demonstrated that since the discharge is piped underground approximately 1500 feet, the thermal load is dissipated before reaching the river and, during the summer months, enters the river at a temperature lower than the river's average temperature, thereby providing benefit to indigenous species.

3. CONDITIONS OF PERMITS

Conditions of licenses, 38 M.R.S.A. § 414-A, requires that the effluent limitations prescribed for discharges, including, but not limited to, effluent toxicity, require application of best practicable treatment (BPT), be consistent with the U.S. Clean Water Act, and ensure that the receiving waters attain the State water quality standards as described in Maine's Surface Water Classification System.

In addition, *Certain deposits and discharges prohibited*, 38 M.R.S.A., § 420 and 06-096 CMR 530 require the regulation of toxic substances not to exceed levels set forth in *Surface Water Quality Criteria for Toxic Pollutants*, 06-096 CMR 584 (effective October 9, 2005), and that ensure safe levels for the discharge of toxic pollutants such that existing and designated uses of surface waters are maintained and protected.

4. RECEIVING WATER QUALITY STANDARDS

Classification of major river basins, 38 M.R.S.A., §467(6)(A)(2) states that Mousam River is classified as a Class C waterway. *Standards for classification of fresh surface waters*, 38 M.R.S.A., §465(4) describes the classification standards for Class C waters.

5. RECEIVING WATER QUALITY CONDITIONS

The State of Maine 2012 Integrated Water Quality Monitoring and Assessment Report (Report), prepared by the Department pursuant to Sections 303(d) and 305(b) of the Federal Water Pollution Control Act, lists the Mousam River at Sanford as, "Category 4-A: Rivers and Streams with Impaired Use other than Mercury, TMDL Completed." On March 8, 2001, the USEPA approved the Department's Mousam River Total Maximum Daily Load (TMDL), dated February 1, 2001.

The TMDL report for the Mousam River indicated that a 3.7 mile segment of the Mousam River from the Route #4 bridge in Sanford to Estes Lake was not attaining the standards of its assigned classification for dissolved oxygen and certain toxic substances based on two ambient water quality sampling events conducted by the Department in the summer of 1999. The report states that the major impact to the 3.7 mile segment of river is from nutrients (respiration of bottom attached algae) and nitrogenous BOD (ammonia), which represent 50% and 25%, respectively, of the total dissolved oxygen depletion.

5. RECEIVING WATER QUALITY CONDITIONS (cont'd)

The Report lists all of Maine's fresh waters as, "Category 4-A: Waters Impaired by Atmospheric Deposition of Mercury." Impairment in this context refers to a statewide fish consumption advisory due to elevated levels of mercury in some fish tissues. The Report states, "All freshwaters are listed in Category 4A (TMDL Completed) due to USEPA approval of a Regional Mercury TMDL. Maine has a fish consumption advisory for fish taken from all freshwaters due to mercury. Many waters, and many fish from any given water, do not exceed the action level for mercury. However, because it is impossible for someone consuming a fish to know whether the mercury level exceeds the action level, the Maine Department of Human Services decided to establish a statewide advisory for all freshwater fish that recommends limits on consumption. Maine has already instituted statewide programs for removal and reduction of mercury sources."

6. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

- a. Flow: – This permitting action is carrying forward the previously established weekly average flow limitation of 0.300 MGD.
- b. Temperature: - Regulations Relating To Temperature, 06-096 CMR 582 (effective date November 29, 1973) states that no discharge shall cause the ambient temperature of any freshwater body such as a stream or river, as measured outside a mixing zone, to be raised more than 5°F. The regulation also limits a discharger to an in-stream temperature increase (*T) of 0.5° F above the ambient receiving water temperature when the weekly average temperature of the receiving water is greater than or equal to 66° F or when the daily maximum temperature is greater than or equal to 73° F. The temperature thresholds are based on EPA water quality criterion for the protection of brook trout and Atlantic salmon (both species indigenous to the Mousam River). The weekly average temperature of 66° F was derived to ensure normal growth of the brook trout and the daily maximum threshold temperature of 73° F protects for the survival of juveniles and adult Atlantic salmon during the summer months. As a point of clarification, the Department interprets the term "weekly average temperature" to mean a seven (7) day rolling average. To promote consistency, the Department also interprets the *T of 0.5° F as a weekly rolling average limit when the receiving water temperature is >66° F and <73° F and a daily limitation when the temperature is >73° F. All calculations are based on 7Q10 low flow conditions in the receiving waters.

6. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (cont'd)

To comply with 06-096 CMR 582, the flow and temperature of the discharge must be regulated such that during the summer period June 1 – September 30, it does not change the receiving water temperature by more than 0.5°F as a weekly rolling average. The mass balance thermal calculations below indicate that if the Mousam River was at 7Q10 low flow conditions (5.0 cfs) and at a critical temperature of 66°F (19°C) and the plant was operating at a weekly average temperature of 22°C (72°F) and a weekly average flow of 0.3 MGD, the ΔT in the receiving water would be approximately 0.5°F:

$$(\text{Plant flow})(\text{Discharge Temp}) + (7\text{Q10 flow})(\text{RW Temp}) = (\text{Total flow})(\text{RW Temp})$$

$$(0.3 \text{ MGD})(72^\circ\text{F}) + (3.23 \text{ MGD})(66^\circ\text{F}) = (3.53 \text{ MGD})(X^\circ\text{F})$$

$$X = 66.51^\circ\text{F}$$

The previously established weekly average temperature limitation of 72° F (22°C) is being carried forward in this permitting action.

- c. pH: This permitting action is carrying forward the pH daily range limit of 6.0 –8.5 standard units pursuant to a Department rule, Chapter 525(3)(III)(c). The limits are considered BPT and are standard in similar permitting actions.
- d. Monitoring and Reporting: Based on the insignificance of the potential thermal impact on the receiving water during the winter months (October 1 – May 31), this permitting action, as with previous permitting actions, is not requiring monitoring and reporting between said months for parameters limited in the permit. Monitoring and reporting are only required in the months of June through September, inclusively. The limitations will remain in effect on a year-round basis and remain enforceable year-round.

7. DISCHARGE IMPACT ON RECEIVING WATER QUALITY

As permitted, the Department has determined the existing water uses will be maintained and protected and the discharge will not cause or contribute to the failure of the Mousam River to meet standards for Class C waters.

8. PUBLIC COMMENTS

Public notice of this application was made in the *The Sanford News* newspaper on or about August 13, 2015. The Department receives public comments on an application until the date a final agency action is taken on the application. Those persons receiving copies of draft permits shall have at least 30 days in which to submit comments on the draft or to request a public hearing, pursuant to *Application Processing Procedures for Waste Discharge Licenses*, 06-096 CMR 522 §8.

9. DEPARTMENT CONTACTS

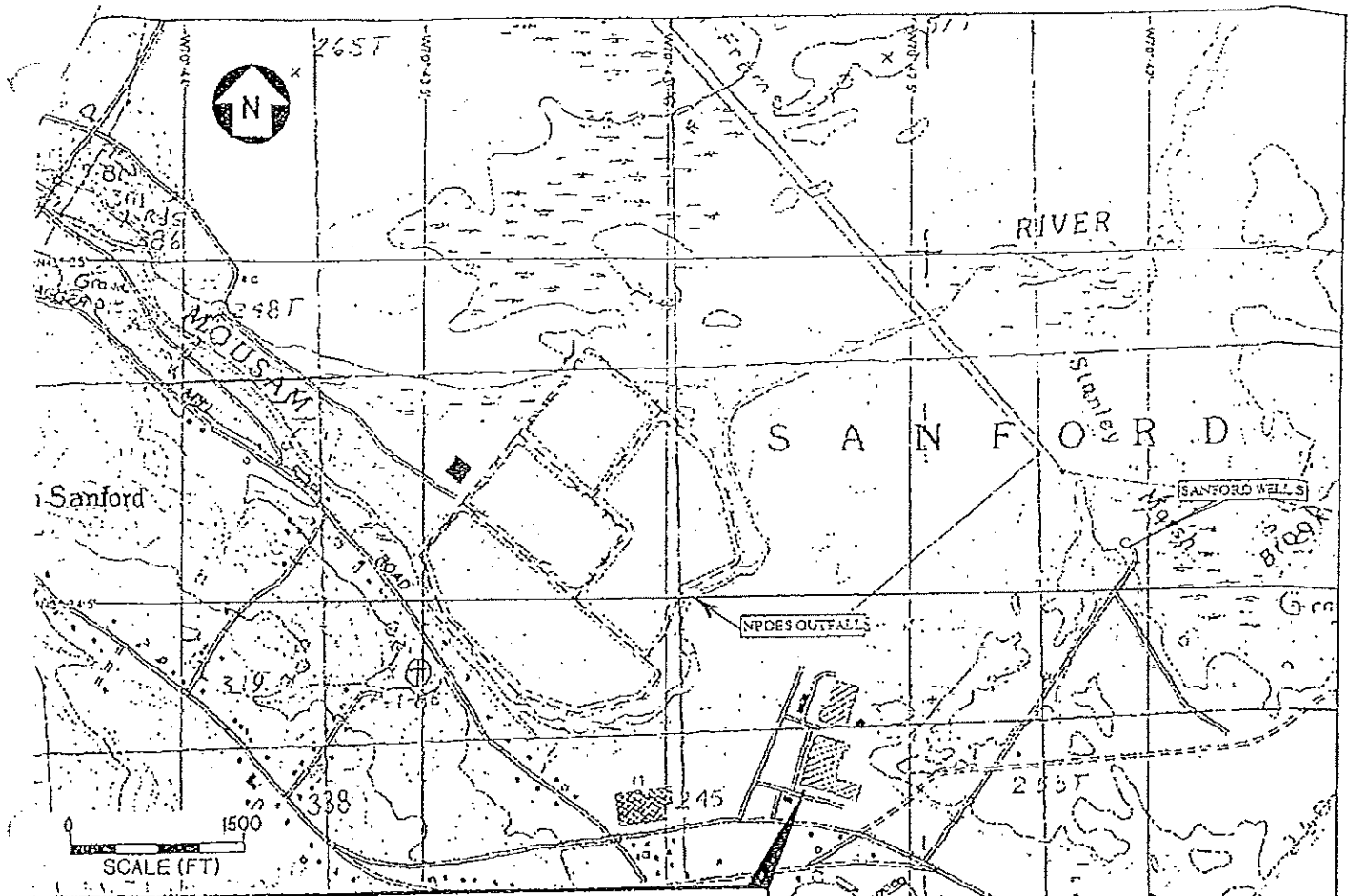
Additional information concerning this permitting action may be obtained from, and written comments sent to:

Rodney Robert
Division of Water Quality Management
Bureau of Water Quality
Department of Environmental Protection
17 State House Station
Augusta, Maine 04333-0017 Telephone: (207) 446-1875
e-mail: rodney.robert@maine.gov

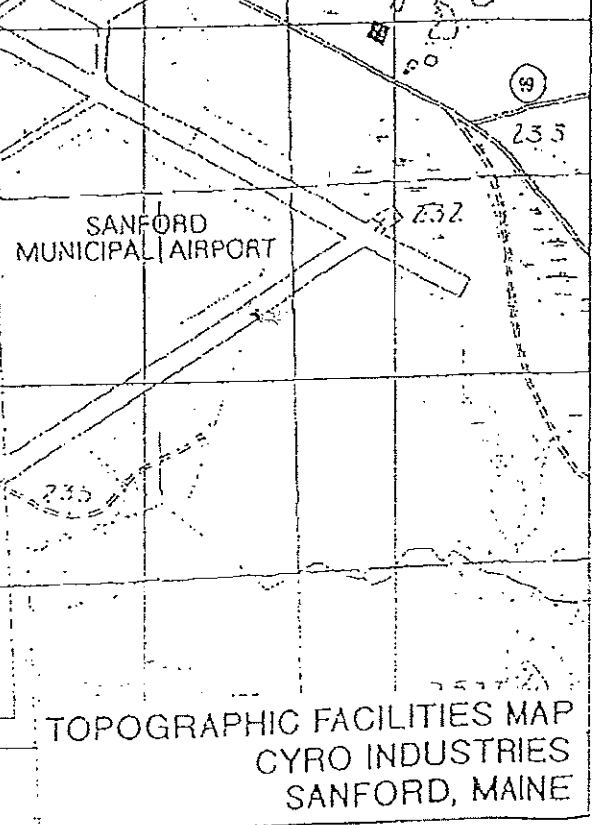
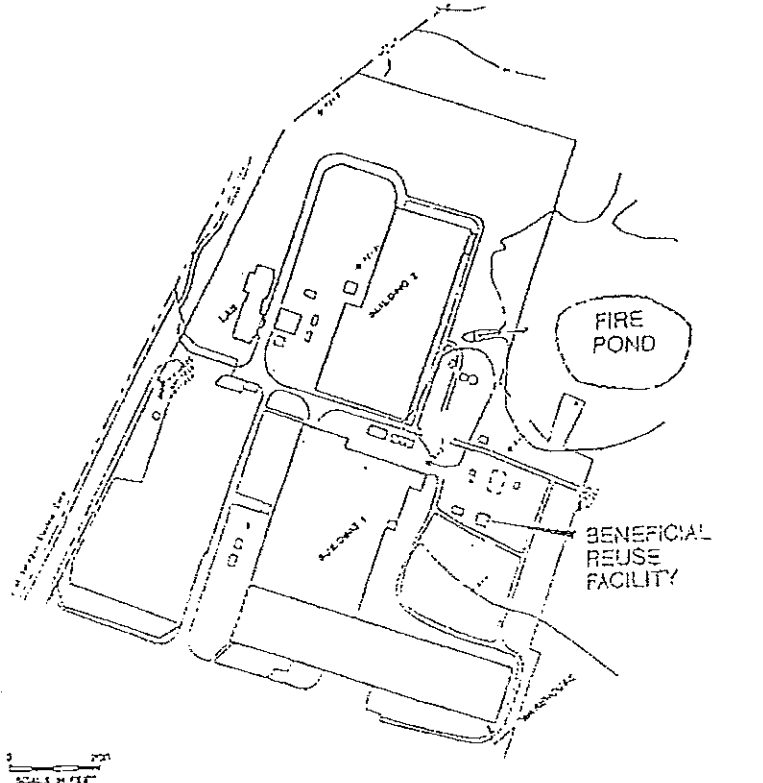
10. RESPONSE TO COMMENTS

Reserved until the end of the thirty (30) day formal comment period.

ATTACHMENT A



INSET



TOPOGRAPHIC FACILITIES MAP
CYRO INDUSTRIES
SANFORD, MAINE

History of Permitting Actions

January 11, 1978 – The Department issued WDL#1914 that authorized the discharge of non-contact cooling water to the Mousam River. The license limited the discharge to 0.5 MGD at 28°C (82°F). The WDL indicated the non-contact cooling water discharge was approved in an effort to remove the waste stream from the municipal collection and treatment systems.

February 14, 1978 – The U.S. Environmental Protection Agency (EPA) issued National Pollutant Discharge Elimination System (NPDES) permit #ME0022667. The permit authorized the discharge of up to a daily maximum of 0.5 MGD of non-contact cooling waters with a daily maximum temperature limit of 82°F. Compliance with the permit limits was determined at the outlet from the plant. It is noted, the non-contact cooling waters were, and still are, conveyed to the Mousam River via a buried 1,500 feet long pipe ten inches (10”) in diameter.

July 2, 1982 – CYRO Industries submitted an application to the EPA to renew NPDES permit #ME0022667.

January 7, 1983 – The EPA issued a letter to CYRO Industries indicating that the 7/2/82 application to renew the NPDES permit was deemed complete for processing.

February 23, 1983 – The Department renewed the non-contact cooling water WDL for the CYRO Industries facility and carried forward all limitations and monitoring requirements established in the 1/11/78 WDL.

May 10 1988 – The Department renewed the non-contact cooling water WDL for the CYRO Industries facility by issuing Department WDL#W001914-57-A-R. The WDL modified the limitations from the 2/23/83 WDL by establishing the 0.5 MGD as a monthly average limit rather than a daily maximum limit, reduced the daily maximum temperature to 20°C (68°F) and required monitoring the ambient receiving water temperature in July, August, September and October of each year.

April 6, 1993 – CYRO Industries submitted a *License By Rule Notification Form* with the Department to renew #W001914-57-A-R.

May 10, 1993 – The *License By Rule* was effective for a term of five years, consistent with the term for an individual WDL. The *License By Rule* was assigned a license number of #W001914-57-B-R.

October 1, 1999 – The EPA issued a letter to CYRO Industries informing the company that NPDES #ME0022667 issued on 2/14/78 was being administratively continued since a re-application was filed with the EPA back in 1982.

History of Permitting Actions (cont'd)

February 29, 2000 – CYRO Industries filed an application with the Department to renew *License By Rule* #W001914-57-B-R as an individual license.

June 29, 2000 – The EPA issued a NPDES General Permit (MEG250279) for the non-cooling water discharge from the CYRO Industries facility and formerly retire individual NPDES permit #ME0022667.

October 2, 2000 – The Department issued a renewal of WDL#W001914-57-A-R.

January 12, 2001 – The Department received authorization from EPA to administer the NPDES program in Maine. From that point forward, the program has been referred to as the Maine Pollutant Discharge Elimination System (MEPDES) permit program.

July 18, 2001 – The Department issued combination MEPDES permit #ME0022667/WDL modification W001914-5R-C-M.

November 21, 2005 – The Department issued combination MEPDES permit #ME0022667/WDL #W001914-5R-D-R to Cyro Industries for a five-year term.

July 16, 2008 – CYRO Industries filed a name change notification with the Maine Secretary of State, changing their name from CYRO Industries to Evonik Cyro, LLC (Charter #20090024FC).

June 1, 2010 – The Department received a timely and complete application for renewal of the combination MEPDES permit/WDL for Evonik Cyro, LLC. The WDL was assigned #W001914-5R-E-R.

November 1, 2010 – The Department issued combination MEPDES permit #ME0022667/WDL #W001914-5R-E-R to Cyro Industries for a five-year term.

August 24, 2015 – The Department received a timely and complete application for renewal of the combination MEPDES permit/WDL for Evonik Cyro, LLC. The WDL was assigned #W001914-5R-F-R.