STATE OF MAINE
DEPARTMENT OF
ENVIRONMENTAL PROTECTION

PAUL R. LEPAGE
GOVERNOR

PAUL MERCER
COMMISSIONER

December 6, 2017

Dana McLaughlin, Superintendent
Veazie Sewer District
34 Hobson Avenue
Veazie, ME. 04401
dmclaughlin@veaziesdistrict.com

Sent via electronic mail
Delivery confirmation requested

RE: *Maine Pollutant Discharge Elimination System (MEPDES) Permit #ME0100706*
Maine Waste Discharge License (WDL) Application #W002754-6C-K-R
Proposed Draft MEPDES Permit - Renewal

Dear Dana:

Attached is a proposed draft MEPDES permit and Maine WDL which the Department proposes to issue for your facility 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 special and standard conditions. 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 and from any other parties who have notified the Department of their interest in this matter.

The comment period begins on December 6, 2017 and ends on January 8, 2018. All comments on the proposed draft permit must be received in the Department of Environmental Protection office on or before the close of business Monday, January 8, 2018. Failure to submit comments in a timely fashion will result in the proposed draft/license permit 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 04333-0017
Cindy.L.Dionne@maine.gov

If you have any questions regarding the matter, please feel free to contact me.

Sincerely,

Cindy L. Dionne
Division of Water Quality Management
Bureau of Water Quality
ph: 207-557-5950

Enc.

ec: Barry Mower, DEP
Pamela Parker, DEP
Mike Loughlin, DEP
Lori Mitchell, DEP
Sean Mahoney, CLF
Environmental Review, DMR
Dave Webster, USEPA
Ellen Weitzler, USEPA
Olga Vergara, USEPA
Solanch Pastrana-Del Valle, USEPA
Marelyn Vega, USEPA
Richard Carvalho, USEPA
Environmental Review, IFW

STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION
17 STATE HOUSE STATION AUGUSTA, MAINE 04333-0017

DEPARTMENT ORDER

IN THE MATTER OF

VEAZIE SEWER DISTRICT	)	MAINE POLLUTANT DISCHARGE
VEAZIE, PENOBSCOT COUNTY, MAINE	)	ELIMINATION SYSTEM PERMIT
PUBLICLY OWNED TREATMENT WORKS	)	AND
ME0100706	)	WASTE DISCHARGE LICENSE
W002754-6C-K-R **APPROVAL**	)	**RENEWAL**

In compliance with the applicable provisions of *Pollution Control*, 38 M.R.S. §§ 411 – 424-B, *Water Classification Program*, 38 M.R.S. §§ 464 – 470 and *Federal Water Pollution Control Act*, Title 33 U.S.C. § 1251, *et seq.*, and applicable rules of the Department of Environmental Protection (Department), the Department has considered the application of the VEAZIE SEWER DISTRICT (District/permittee), with its supportive data, agency review comments, and other related materials on file and FINDS THE FOLLOWING FACTS:

APPLICATION SUMMARY

On August 18, 2017, the Department accepted as complete for processing an application from the permittee for the renewal of combination Maine Pollutant Discharge Elimination System (MEPDES) permit #ME0100706 / Maine Waste Discharge License (WDL) #W002754-6C-H-R, which was issued by the Department on November 2, 2012 for a five-year term. The 11/2/12 permit authorized the monthly average discharge of 0.35 million gallons per day (MGD) of secondary treated wastewater from a publicly owned treatment works (POTW) to the Penobscot River, Class B, in Veazie, Maine.

PERMIT SUMMARY

This permitting action is different from the November 2, 2012 permit in that it:

1. Eliminates the waiver for percent removal requirements for carbonaceous biochemical oxygen demand ($CBOD_5$) and total suspended solids (TSS) when influent strength is less than 200 milligrams per liter (mg/L); and

2. Amends the monitoring and reporting frequencies for $CBOD_5$ and TSS to 2/Month.

CONCLUSIONS

BASED on the findings in the attached and incorporated Fact Sheet dated December 6, 2017, 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, *Classification of Maine waters,* 38 M.R.S. §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 water 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 discharge will be subject to effluent limitations that require application of best practicable treatment as defined in *Conditions of licenses,* 38 M.R.S. § 414-A(1)(D).

ACTION

THEREFORE, the Department APPROVES the above noted application of the VEAZIE SEWER DISTRICT to discharge a monthly average flow of 0.35 million gallons per day of secondary treated wastewater to the Penobscot River, Class B, in Veazie, Maine, 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. § 10002 and *Rules Concerning the Processing of Applications and Other Administrative Matter*s, 06-096 C.M.R. 2(21)(A) (amended October 19, 2015).

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

DONE AND DATED AT AUGUSTA, MAINE, THIS ____ DAY OF _____2017.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY:_____
PAUL MERCER, Commissioner

Date of initial receipt of application: August 17, 2017
Date of application acceptance: August 18, 2017

Date filed with Board of Environmental Protection _____

This Order prepared by Cindy L. Dionne, Bureau of Water Quality

SPECIAL CONDITIONS

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. The permittee is authorized to discharge secondary treated municipal wastewater via **Outfall #001A** to the Penobscot River. Such discharges must be limited and monitored by the permittee as specified below[(1)]:

Effluent Characteristics	Discharge Limitations			Minimum Monitoring Requirements				
	Monthly Average	Weekly Average	Daily Maximum	Monthly Average	Weekly Average	Daily Maximum	Measurement Frequency	Sample Type
Flow *[50050]*	0.35 MGD *[03]*	---	Report MGD *[03]*	---	---	---	Continuous *[99/99]*	Recorder *[RC]*
Carbonaceous Biochemical Oxygen Demand ($CBOD_5$) *[80082]*	73 lbs./day *[26]*	117 lbs./day *[26]*	131 lbs./day *[26]*	25 mg/L *[19]*	40 mg/L *[19]*	45 mg/L *[19]*	2/Month *[02/30]*	24-Hr. Composite *[24]*
$CBOD_5$ % Removal[(2)] *[80358]*	---	---	---	65% *[23]*	---	---	1/Month *[01/30]*	Calculate *[CA]*
TSS *[00530]*	88 lbs./day *[26]*	131 lbs./day *[26]*	146 lbs./day *[26]*	30 mg/L *[19]*	45 mg/L *[19]*	50 mg/L *[19]*	2/Month *[02/30]*	24-Hour Composite *[24]*
TSS % Removal[(2)] *[81011]*	---	---	---	85% *[23]*	---	---	1/Month *[01/30]*	Calculate *[CA]*
Settleable Solids *[00545]*	---	---	---	---	---	0.3 ml/L *[25]*	3/Week *[03/07]*	Grab *[GR]*
E. coli* Bacteria[(3)] *(May 15 – Sept. 30) *[31633]*	---	---	---	64/100 ml [(4)] *[13]*	---	427/100 ml *[13]*	1/Week *[01/07]*	Grab *[GR]*
Total Residual Chlorine[(5)] *[50060]*	---	---	---	---	---	1.0 mg/L *[19]*	5/Week *[05/07]*	Grab *[GR]*
pH [(6)] *[00400]*	---	---	---	---	---	6.0 – 9.0 SU *[12]*	3/Week *[03/07]*	Grab *[GR]*
Mercury [(7)] *[71900]*	---	---	---	6.3 ng/L *[3M]*	---	9.4 ng/L *[3M]*	1/Year *[01/YR]*	Grab *[GR]*

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 (DMRs).

Footnotes: See Pages 5 through 6 of this permit for applicable footnotes.

SPECIAL CONDITIONS

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

Footnotes:

1. **Sampling** – The permittee must conduct sampling and analysis in accordance with; a) methods approved by 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 must be analyzed by a laboratory certified by the State of Maine's Department of Health and Human Services for wastewater. Samples that are analyzed by laboratories operated by waste discharge facilities licensed pursuant to *Waste discharge licenses,* 38 M.R.S. § 413 are subject to the provisions and restrictions of *Maine Comprehensive and Limited Environmental Laboratory Certification Rules,* 10-144 C.M.R. 263 (effective April 1, 2010). Laboratory facilities that analyze compliance samples in-house are subject to the provisions and restrictions of 10-144 CMR 263. 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 DMR.

   Any change in sampling location(s) must be reviewed and approved by the Department in writing.

   Influent sampling for $CBOD_5$ and TSS must be collected after the grit removal / screening processes at the headworks of the facility.

   Effluent sampling for all parameters must be collected after the chlorine contact chamber, the last treatment process prior to discharge to the receiving water.

2. **Percent Removal –** The treatment facility must maintain a minimum of 65% removal for $CBOD_5$ and an 85% removal for TSS for all flows receiving secondary treatment during all months that the facility discharges. Compliance with the limitations will be based on a twelve-month rolling average. Calendar monthly average percent removal values must be calculated based on influent and effluent concentrations. For the purposes of this permitting action, the twelve-month rolling average calculation is based on the most recent twelve-month period.

3. ***E. coli* bacteria** - *E. coli* bacteria limits and monitoring requirements are seasonal and apply between May 15th and September 30th of each year. In accordance with 38 M.R.S. § 414-A(5), the Department may, at any time and with notice to the permittee, modify this permit to establish bacteria limitations on a year-round basis to protect the health and welfare of the public.

SPECIAL CONDITIONS

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

Footnotes:

4. **Bacteria Reporting** – The monthly average *E. coli* bacteria limitation is a geometric mean value and sample results must be reported as such.

5. **Total residual chlorine (TRC)** – Limitations and monitoring requirements are applicable whenever elemental chlorine or chlorine based compounds are being used to disinfect the discharge. The permittee must utilize approved test methods that are capable of bracketing the limitations in this permit.

6. **pH -** The pH value of the effluent must not be lower than 6.0 SU nor higher than 9.0 SU at any time unless due to natural causes.

7. **Mercury** – The permittee must conduct all mercury monitoring required by this permit or required to determine compliance with interim limitations established pursuant to 06-096 CMR 519 in accordance with the U.S. Environmental Protection Agency's (USEPA) "clean sampling techniques" found in USEPA Method 1669, *Sampling Ambient Water For Trace Metals At EPA Water Quality Criteria Levels*. All mercury analysis must be conducted in accordance with USEPA Method 1631, *Determination of Mercury in Water by Oxidation, Purge and Trap, and Cold Vapor Fluorescence Spectrometry*. See **Attachment A** of this permit for a Department report form for mercury test results. Compliance with the monthly average limitation established in Special Condition A of this permit will be based on the cumulative arithmetic mean of all mercury tests results that were conducted utilizing sampling Method 1669 and analysis Method 1631E on file with the Department for this facility.

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SPECIAL CONDITIONS

B. NARRATIVE EFFLUENT LIMITATIONS

1. The permittee must not discharge effluent that contains a visible oil sheen, foam or floating solids at any time which would impair the uses designated for the classification of the receiving waters.

2. The permittee must not discharge effluent that contains materials in concentrations or combinations which are hazardous or toxic to aquatic life, or which would impair the uses designated for the classification of the receiving waters.

3. The permittee must not discharge effluent that causes visible discoloration or turbidity in the receiving waters or otherwise impairs the uses designated for the classification of the receiving waters.

4. The permittee must not discharge effluent that lowers the quality of any classified body of water below such classification, or lowers the existing quality of any body of water if the existing quality is higher than the classification.

C. TREATMENT PLANT OPERATOR

The person who has management responsibility over the treatment facility must hold a Maine **Grade II**, Biological Treatment certificate (or higher) or must be a Maine Registered Professional Engineer pursuant to *Sewage Treatment Operators*, 32 M.R.S. § 4171-4182 and *Regulations for Wastewater Operator Certification*, 06-096 CMR 531 (effective May 8, 2006). All proposed contracts for facility operation by any person must be approved by the Department before the permittee may engage the services of the contract operator.

D. LIMITATIONS FOR INDUSTRIAL USERS

Pollutants introduced into the wastewater collection and treatment system by a non-domestic source (user) must not pass through or interfere with the operation of the treatment system. The permittee must conduct an IWS any time a new industrial user proposes to discharge within its jurisdiction; an existing user proposes to make a significant change in its discharge; or at an alternative minimum, once every permit cycle, and submit the results to the Department. See **Attachment D** of the Fact Sheet for Department Guidance on conducting an IWS. The IWS must identify, in terms of character and volume of pollutants, any Significant Industrial Users discharging into the publicly-owned treatment works (POTW) subject to Pretreatment Standards under section 307(b) of the federal Clean Water Act, 40 CFR Part 403 (general pretreatment regulations) or *Pretreatment Program*, 06-096 CMR 528 (last amended March 17, 2008).

SPECIAL CONDITIONS

E. NOTIFICATION REQUIREMENTS

In accordance with Standard Condition D, the permittee must notify the Department of the following:

1. Any introduction of pollutants into the wastewater collection and treatment system from an indirect discharger in a primary industrial category discharging process wastewater; and;

2. Any substantial change (increase or decrease) 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.

3. For the purposes of this section, adequate notice must include information on:

   (a) The quality and quantity of wastewater introduced to the wastewater collection and treatment system; and

   (b) Any anticipated impact of the change in the quantity or quality of the wastewater to be discharged from the treatment system.

F. 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 August 18, 2017; 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 D(1)(f), *Twenty-four hour reporting* of this permit.

G. WET WEATHER MANAGEMENT PLAN

The treatment facility staff must have a current written Wet Weather Management Plan to direct the staff on how to operate the facility effectively during periods of high flow. The Department acknowledges that the existing collection system may deliver flows in excess of the monthly average design capacity of the treatment plant during periods of high infiltration and rainfall.

The plan must conform to Department guidelines for such plans and must include operating procedures for a range of intensities, address solids handling procedures (including septic waste and other high strength wastes if applicable) and provide written operating and maintenance procedures during the events.

SPECIAL CONDITIONS

G. WET WEATHER MANAGEMENT PLAN (cont'd)

The permittee must review their plan at least annually and record any necessary changes to keep the plan up to date. The Department may require review and update of the plan as it is determined to be necessary.

H. OPERATION & MAINTENANCE (O&M) PLAN

The permittee must maintain a current written comprehensive Operation & Maintenance (O&M) Plan for the facility. The plan must provide a systematic approach by which the permittee must at all times, properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit.

By December 31 of each year, **or within 90 days of any process changes or minor equipment upgrades,** the permittee must evaluate and modify the O&M Plan including site plan(s) and schematic(s) for the wastewater treatment facility to ensure that it is up-to-date. The O&M Plan must be kept on-site at all times and made available to Department and USEPA personnel upon request.

Within 90 days of completion of new and or substantial upgrades of the wastewater treatment facility, the permittee must submit the updated O&M Plan to their Department inspector for review and comment.

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SPECIAL CONDITIONS

I. 06-096 CMR 530(2)(D)(4) STATEMENT FOR REDUCED/WAIVED TOXICS TESTING

By December 31 of each calendar year, the permittee must provide the Department with a certification describing any of the following that have occurred since the effective date of this permit ***[ICIS Code 75305]***. See **Attachment C** of the Fact Sheet for an acceptable certification form to satisfy this Special Condition.

(a) Changes in the number or types of non-domestic wastes contributed directly or indirectly to the wastewater treatment works that may increase the toxicity of the discharge;

(b) Changes in the operation of the treatment works that may increase the toxicity of the discharge;

(c) Changes in industrial manufacturing processes contributing wastewater to the treatment works that may increase the toxicity of the discharge;

In addition, in the comments section of the certification form, the permittee must provide the Department with statements describing;

(d) Changes in stormwater collection or inflow/infiltration affecting the facility that may increase the toxicity of the discharge; and

(e) Increases in the type or volume of transported (hauled) wastes accepted by the facility.

The Department may require that annual testing be re-instated if it determines that there have been changes in the character of the discharge or if annual certifications described above are not submitted.

J. MONITORING AND REPORTING

Electronic Reporting

NPDES Electronic Reporting, 40 C.F.R. 127, requires MEPDES permit holders to submit monitoring results obtained during the previous month on an electronic discharge monitoring report to the regulatory agency utilizing the USEPA electronic system.

Electronic DMRs submitted using the USEPA NetDMR system, must be:

1. Submitted by a facility authorized signatory; and
2. Submitted no later than **midnight on the 15th day of the month** following the completed reporting period.

SPECIAL CONDITIONS

J. MONITORING AND REPORTING (cont'd)

Documentation submitted in support of the electronic DMR may be attached to the electronic DMR. Toxics reporting must be done using the Department toxsheet reporting form. An electronic copy of the Toxsheet reporting document must be submitted to your Department compliance inspector as an attachment to an email. In addition, a hardcopy form of this sheet must be signed and submitted to your compliance inspector, or a copy attached to your NetDMR submittal will suffice.

Documentation submitted electronically to the Department in support of the electronic DMR must be submitted no later than midnight on the 15th day of the month following the completed reporting period.

Non-electronic Reporting

If you have received a waiver from the Department concerning the USEPA electronic reporting rule, or are permitted to submit hardcopy DMR's to the Department, then your monitoring results obtained during the previous month must 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 DMR's are received by the Department on or before the fifteenth (15th) day of the month** following the completed reporting period.

Toxsheet reporting forms must be submitted electronically as an attachment to an email sent to your Department compliance inspector. In addition, a signed hardcopy of your toxsheet must also be submitted.

A signed copy of the DMR and all other reports required herein must be submitted to the Department assigned compliance inspector (unless otherwise specified) following address:

Department of Environmental Protection
Eastern Maine Regional Office
Bureau of Water Quality
Division of Water Quality Management
106 Hogan Road
Bangor, Maine 04401

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SPECIAL CONDITIONS

K. REOPENING OF PERMIT FOR MODIFICATION

In accordance with 38 M.R.S. § 414-A(5) and upon evaluation of the test results required by the 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 limitations 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 monitoring if results on file are inconclusive; or (3) change monitoring requirements or limitations based on new information.

L. SEVERABILITY

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

CONTENTS

A. GENERAL PROVISIONS

1. **General compliance**. All discharges shall be consistent with the terms and conditions of this permit; any changes in production capacity or process modifications which result in changes in the quantity or the characteristics of the discharge must be authorized by an additional license or by modifications of this permit; it shall be a violation of the terms and conditions of this permit to discharge any pollutant not identified and authorized herein or to discharge in excess of the rates or quantities authorized herein or to violate any other conditions of this permit.

2. Other materials. Other materials ordinarily produced or used in the operation of this facility, which have been specifically identified in the application, may be discharged at the maximum frequency and maximum level identified in the application, provided:

(a) They are not

(i) Designated as toxic or hazardous under the provisions of Sections 307 and 311, respectively, of the Federal Water Pollution Control Act; Title 38, Section 420, Maine Revised Statutes; or other applicable State Law; or
(ii) Known to be hazardous or toxic by the licensee.

(b) The discharge of such materials will not violate applicable water quality standards.

3. Duty to comply. The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of State law and the Clean Water Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application.

(a) The permittee shall comply with effluent standards or prohibitions established under section 307(a) of the Clean Water Act, and 38 MRSA, §420 or Chapter 530.5 for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement.
(b) Any person who violates any provision of the laws administered by the Department, including without limitation, a violation of the terms of any order, rule license, permit, approval or decision of the Board or Commissioner is subject to the penalties set forth in 38 MRSA, §349.

4. Duty to provide information. The permittee shall furnish to the Department, within a reasonable time, any information which the Department may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The permittee shall also furnish to the Department upon request, copies of records required to be kept by this permit.

5. Permit actions. This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

6. Reopener clause. The Department reserves the right to make appropriate revisions to this permit in order to establish any appropriate effluent limitations, schedule of compliance or other provisions which may be authorized under 38 MRSA, §414-A(5).

7. Oil and hazardous substances. Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities or penalties to which the permittee is or may be subject under section 311 of the Federal Clean Water Act; section 106 of the Federal Comprehensive Environmental Response, Compensation and Liability Act of 1980; or 38 MRSA §§ 1301, et. seq.

8. Property rights. This permit does not convey any property rights of any sort, or any exclusive privilege.

9. Confidentiality of records. 38 MRSA §414(6) reads as follows. "Any records, reports or information obtained under this subchapter is available to the public, except that upon a showing satisfactory to the department by any person that any records, reports or information, or particular part or any record, report or information, other than the names and addresses of applicants, license applications, licenses, and effluent data, to which the department has access under this subchapter would, if made public, divulge methods or processes that are entitled to protection as trade secrets, these records, reports or information must be confidential and not available for public inspection or examination. Any records, reports or information may be disclosed to employees or authorized representatives of the State or the United States concerned with carrying out this subchapter or any applicable federal law, and to any party to a hearing held under this section on terms the commissioner may prescribe in order to protect these confidential records, reports and information, as long as this disclosure is material and relevant to any issue under consideration by the department."

10. Duty to reapply. If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit.

11. Other laws. The issuance of this permit does not authorize any injury to persons or property or invasion of other property rights, nor does it relieve the permittee if its obligation to comply with other applicable Federal, State or local laws and regulations.

12. Inspection and entry. The permittee shall allow the Department, or an authorized representative (including an authorized contractor acting as a representative of the EPA Administrator), upon presentation of credentials and other documents as may be required by law, to:

(a) Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
(b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
(c) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
(d) Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act, any substances or parameters at any location.

B. OPERATION AND MAINTENACE OF FACILITIES

1. General facility requirements.

(a) The permittee shall collect all waste flows designated by the Department as requiring treatment and discharge them into an approved waste treatment facility in such a manner as to

maximize removal of pollutants unless authorization to the contrary is obtained from the Department.

(b) The permittee shall at all times maintain in good working order and operate at maximum efficiency all waste water collection, treatment and/or control facilities.

(c) All necessary waste treatment facilities will be installed and operational prior to the discharge of any wastewaters.

(d) Final plans and specifications must be submitted to the Department for review prior to the construction or modification of any treatment facilities.

(e) The permittee shall install flow measuring facilities of a design approved by the Department.

(f) The permittee must provide an outfall of a design approved by the Department which is placed in the receiving waters in such a manner that the maximum mixing and dispersion of the wastewaters will be achieved as rapidly as possible.

2. Proper operation and maintenance. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit.

3. Need to halt or reduce activity not a defense. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

4. Duty to mitigate. The permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

5. Bypasses.

(a) Definitions.

(i) Bypass means the intentional diversion of waste streams from any portion of a treatment facility.

(ii) Severe property damage means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

(b) Bypass not exceeding limitations. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of paragraphs (c) and (d) of this section.

(c) Notice.

(i) Anticipated bypass. If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least ten days before the date of the bypass.

(ii) Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in paragraph D(1)(f), below. (24-hour notice).

(d) Prohibition of bypass.

(i) Bypass is prohibited, and the Department may take enforcement action against a permittee for bypass, unless:

(A) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
(B) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
(C) The permittee submitted notices as required under paragraph (c) of this section.

(ii) The Department may approve an anticipated bypass, after considering its adverse effects, if the Department determines that it will meet the three conditions listed above in paragraph (d)(i) of this section.

6. Upsets.

(a) Definition. Upset means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

(b) Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based permit effluent limitations if the requirements of paragraph (c) of this section are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.

(c) Conditions necessary for a demonstration of upset. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

(i) An upset occurred and that the permittee can identify the cause(s) of the upset;
(ii) The permitted facility was at the time being properly operated; and
(iii) The permittee submitted notice of the upset as required in paragraph D(1)(f) , below. (24 hour notice).
(iv) The permittee complied with any remedial measures required under paragraph B(4).

(d) Burden of proof. In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof.

C. MONITORING AND RECORDS

1. General Requirements. This permit shall be subject to such monitoring requirements as may be reasonably required by the Department including the installation, use and maintenance of monitoring equipment or methods (including, where appropriate, biological monitoring methods). The permittee shall provide the Department with periodic reports on the proper Department reporting form of monitoring results obtained pursuant to the monitoring requirements contained herein.

2. Representative sampling. Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge. If effluent limitations are based wholly or partially on quantities of a product processed, the permittee shall ensure samples are representative of times when production is taking place. Where discharge monitoring is required when production is less than 50%, the resulting data shall be reported as a daily measurement but not included in computation of averages, unless specifically authorized by the Department.

3. Monitoring and records.

(a) Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.

(b) Except for records of monitoring information required by this permit related to the permittee's sewage sludge use and disposal activities, which shall be retained for a period of at least five years, the permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the sample, measurement, report or application. This period may be extended by request of the Department at any time.

(c) Records of monitoring information shall include:

(i) The date, exact place, and time of sampling or measurements;
(ii) The individual(s) who performed the sampling or measurements;
(iii) The date(s) analyses were performed;
(iv) The individual(s) who performed the analyses;
(v) The analytical techniques or methods used; and
(vi) The results of such analyses.

(d) Monitoring results must be conducted according to test procedures approved under 40 CFR part 136, unless other test procedures have been specified in the permit.

(e) State law provides that any person who tampers with or renders inaccurate any monitoring devices or method required by any provision of law, or any order, rule license, permit approval or decision is subject to the penalties set forth in 38 MRSA, §349.

D. REPORTING REQUIREMENTS

1. Reporting requirements.

(a) Planned changes. The permittee shall give notice to the Department as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:

(i) The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR 122.29(b); or

(ii) The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements under Section D(4).

(iii) The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan;

(b) Anticipated noncompliance. The permittee shall give advance notice to the Department of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

(c) Transfers. This permit is not transferable to any person except upon application to and approval of the Department pursuant to 38 MRSA, § 344 and Chapters 2 and 522.

(d) Monitoring reports. Monitoring results shall be reported at the intervals specified elsewhere in this permit.

(i) Monitoring results must be reported on a Discharge Monitoring Report (DMR) or forms provided or specified by the Department for reporting results of monitoring of sludge use or disposal practices.

(ii) 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 the permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR or sludge reporting form specified by the Department.

(iii) Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified by the Department in the permit.

(e) Compliance schedules. Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.

(f) Twenty-four hour reporting.

(i) The permittee shall report any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within 5 days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance

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 noncompliance.

(ii) The following shall be included as information which must be reported within 24 hours under this paragraph.

(A) Any unanticipated bypass which exceeds any effluent limitation in the permit.
(B) Any upset which exceeds any effluent limitation in the permit.
(C) Violation of a maximum daily discharge limitation for any of the pollutants listed by the Department in the permit to be reported within 24 hours.

(iii) The Department may waive the written report on a case-by-case basis for reports under paragraph (f)(ii) of this section if the oral report has been received within 24 hours.

(g) Other noncompliance. The permittee shall report all instances of noncompliance not reported under paragraphs (d), (e), and (f) of this section, at the time monitoring reports are submitted. The reports shall contain the information listed in paragraph (f) of this section.

(h) Other information. Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Department, it shall promptly submit such facts or information.

2. Signatory requirement. All applications, reports, or information submitted to the Department shall be signed and certified as required by Chapter 521, Section 5 of the Department's rules. State law provides that any person who knowingly makes any false statement, representation or certification in any application, record, report, plan or other document filed or required to be maintained by any order, rule, permit, approval or decision of the Board or Commissioner is subject to the penalties set forth in 38 MRSA, §349.

3. Availability of reports. Except for data determined to be confidential under A(9), above, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the Department. As required by State law, effluent data shall not be considered confidential. Knowingly making any false statement on any such report may result in the imposition of criminal sanctions as provided by law.

4. Existing manufacturing, commercial, mining, and silvicultural dischargers. In addition to the reporting requirements under this Section, all existing manufacturing, commercial, mining, and silvicultural dischargers must notify the Department as soon as they know or have reason to believe:

(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 which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":

(i) One hundred micrograms per liter (100 ug/l);
(ii) 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;
(iii) Five (5) times the maximum concentration value reported for that pollutant in the permit application in accordance with Chapter 521 Section 4(g)(7); or
(iv) The level established by the Department in accordance with Chapter 523 Section 5(f).

(b) That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following ``notification levels'':

(i) Five hundred micrograms per liter (500 ug/l);
(ii) One milligram per liter (1 mg/l) for antimony;
(iii) Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with Chapter 521 Section 4(g)(7); or
(iv) The level established by the Department in accordance with Chapter 523 Section 5(f).

5. Publicly owned treatment works.

(a) All POTWs must provide adequate notice to the Department of the following:

(i) Any new introduction of pollutants into the POTW from an indirect discharger which would be subject to section 301 or 306 of CWA or Chapter 528 if it were directly discharging those pollutants.
(ii) Any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of issuance of the permit.
(iii) For purposes of this paragraph, adequate notice shall include information on (A) the quality and quantity of effluent introduced into the POTW, and (B) any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW.

(b) When the effluent discharged by a POTW for a period of three consecutive months exceeds 80 percent of the permitted flow, the permittee shall submit to the Department a projection of loadings up to the time when the design capacity of the treatment facility will be reached, and a program for maintaining satisfactory treatment levels consistent with approved water quality management plans.

E. OTHER REQUIREMENTS

1. Emergency action - power failure. Within thirty days after the effective date of this permit, the permittee shall notify the Department of facilities and plans to be used in the event the primary source of power to its wastewater pumping and treatment facilities fails as follows.

(a) For municipal sources. During power failure, all wastewaters which are normally treated shall receive a minimum of primary treatment and disinfection. Unless otherwise approved, alternate power supplies shall be provided for pumping stations and treatment facilities. Alternate power supplies shall be on-site generating units or an outside power source which is separate and independent from sources used for normal operation of the wastewater facilities.

(b) For industrial and commercial sources. The permittee shall either maintain an alternative power source sufficient to operate the wastewater pumping and treatment facilities or halt, reduce or otherwise control production and or all discharges upon reduction or loss of power to the wastewater pumping or treatment facilities.

2. Spill prevention. (applicable only to industrial sources) Within six months of the effective date of this permit, the permittee shall submit to the Department for review and approval, with or without conditions, a spill prevention plan. The plan shall delineate methods and measures to be taken to prevent and or contain any spills of pulp, chemicals, oils or other contaminates and shall specify means of disposal and or treatment to be used.

3. **Removed substances.** Solids, sludges trash rack cleanings, filter backwash, or other pollutants removed from or resulting from the treatment or control of waste waters shall be disposed of in a manner approved by the Department.

4. **Connection to municipal sewer.** (applicable only to industrial and commercial sources) All wastewaters designated by the Department as treatable in a municipal treatment system will be cosigned to that system when it is available. This permit will expire 90 days after the municipal treatment facility becomes available, unless this time is extended by the Department in writing.

F. DEFINITIONS. For the purposes of this permit, the following definitions shall apply. Other definitions applicable to this permit may be found in Chapters 520 through 529 of the Department's rules

Average means the arithmetic mean of values taken at the frequency required for each parameter over the specified period. For bacteria, the average shall be the geometric mean.

Average monthly discharge limitation means the highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month. Except, however, bacteriological tests may be calculated as a geometric mean.

Average weekly discharge limitation means the highest allowable average of daily discharges over a calendar week, calculated as the sum of all daily discharges measured during a calendar week divided by the number of daily discharges measured during that week.

Best management practices ("BMPs") means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the State. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

Composite sample means a sample consisting of a minimum of eight grab samples collected at equal intervals during a 24 hour period (or a lesser period as specified in the section on monitoring and reporting) and combined proportional to the flow over that same time period.

Continuous discharge means a discharge which occurs without interruption throughout the operating hours of the facility, except for infrequent shutdowns for maintenance, process changes, or other similar activities.

Daily discharge means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the daily discharge is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the daily discharge is calculated as the average measurement of the pollutant over the day.

Discharge Monitoring Report ("DMR") means the EPA uniform national form, including any subsequent additions, revisions, or modifications for the reporting of self-monitoring results by permittees. DMRs must be used by approved States as well as by EPA. EPA will supply DMRs to any approved State upon request. The EPA national forms may be modified to substitute the State Agency name, address, logo, and other similar information, as appropriate, in place of EPA's.

Flow weighted composite sample means a composite sample consisting of a mixture of aliquots collected at a constant time interval, where the volume of each aliquot is proportional to the flow rate of the discharge.

Grab sample means an individual sample collected in a period of less than 15 minutes.

Interference means a Discharge which, alone or in conjunction with a discharge or discharges from other sources, both:

(1) Inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use or disposal; and
(2) Therefore is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued thereunder (or more stringent State or local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), and including State regulations contained in any State sludge management plan prepared pursuant to subtitle D of the SWDA), the Clean Air Act, the Toxic Substances Control Act, and the Marine Protection, Research and Sanctuaries Act.

Maximum daily discharge limitation means the highest allowable daily discharge.

New source means any building, structure, facility, or installation from which there is or may be a discharge of pollutants, the construction of which commenced:

(a) After promulgation of standards of performance under section 306 of CWA which are applicable to such source, or
(b) After proposal of standards of performance in accordance with section 306 of CWA which are applicable to such source, but only if the standards are promulgated in accordance with section 306 within 120 days of their proposal.

Pass through means a discharge which exits the POTW into waters of the State in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation).

Permit means an authorization, license, or equivalent control document issued by EPA or an approved State to implement the requirements of 40 CFR parts 122, 123 and 124. Permit includes an NPDES general permit (Chapter 529). Permit does not include any permit which has not yet been the subject of final agency action, such as a draft permit or a proposed permit.

Person means an individual, firm, corporation, municipality, quasi-municipal corporation, state agency, federal agency or other legal entity.

Point source means any discernible, confined and discrete conveyance, including, but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation or vessel or other floating craft, from which pollutants are or may be discharged.

Pollutant means dredged spoil, solid waste, junk, incinerator residue, sewage, refuse, effluent, garbage, sewage sludge, munitions, chemicals, biological or radiological materials, oil, petroleum products or byproducts, heat, wrecked or discarded equipment, rock, sand, dirt and industrial, municipal, domestic, commercial or agricultural wastes of any kind.

Process wastewater means any water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct, or waste product.

Publicly owned treatment works ("POTW") means any facility for the treatment of pollutants owned by the State or any political subdivision thereof, any municipality, district, quasi-municipal corporation or other public entity.

Septage means, for the purposes of this permit, any waste, refuse, effluent sludge or other material removed from a septic tank, cesspool, vault privy or similar source which concentrates wastes or to which chemicals have been added. Septage does not include wastes from a holding tank.

Time weighted composite means a composite sample consisting of a mixture of equal volume aliquots collected over a constant time interval.

Toxic pollutant includes any pollutant listed as toxic under section 307(a)(1) or, in the case of sludge use or disposal practices, any pollutant identified in regulations implementing section 405(d) of the CWA. Toxic pollutant also includes those substances or combination of substances, including disease causing agents, which after discharge or upon exposure, ingestion, inhalation or assimilation into any organism, including humans either directly through the environment or indirectly through ingestion through food chains, will, on the basis of information available to the board either alone or in combination with other substances already in the receiving waters or the discharge, cause death, disease, abnormalities, cancer, genetic mutations, physiological malfunctions, including malfunctions in reproduction, or physical deformations in such organism or their offspring.

Wetlands means those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

Whole effluent toxicity means the aggregate toxic effect of an effluent measured directly by a toxicity test.

ATTACHMENT A

MERCURY REPORT - Clean Test Only

Data Date Range: 09/18/1990-09/18/2017

Inspector Name: MICHAEL LOUGHLIN

Facility: VEAZIE SEWER DISTRICT **Permit Number:** ME0100706

Max (ng/l): 8.6000 **Average (ng/l):** 3.8148

Sample Date	Result (ng/l)	Lsthan	Clean
05/14/2002	4.60	N	T
09/26/2002	4.00	N	T
05/13/2003	4.20	N	T
12/09/2003	3.80	N	T
06/23/2004	3.40	N	T
10/28/2004	4.40	N	T
08/26/2005	3.00	N	T
12/16/2005	5.50	N	T
06/28/2006	8.60	N	T
11/07/2006	2.90	N	T
06/29/2007	4.30	N	T
11/29/2007	4.40	N	T
05/28/2008	2.70	N	T
11/04/2008	3.40	N	T
03/26/2009	3.20	N	T
10/23/2009	3.10	N	T
03/22/2010	2.70	N	T
09/23/2010	5.30	N	T
05/03/2011	2.20	N	T
11/08/2011	3.60	N	T
11/07/2012	4.80	N	T
10/31/2013	4.10	N	T
11/13/2014	3.80	N	T
05/01/2015	1.75	N	T
07/22/2016	1.62	N	T

Maine Department of Environmental Protection

Effluent Mercury Test Report

Name of Facility: _____ Federal Permit # ME _____

Purpose of this test:
- ☐ Initial limit determination
- ☐ Compliance monitoring for: year _____ calendar quarter _____
- ☐ Supplemental or extra test

SAMPLE COLLECTION INFORMATION

Sampling Date: ___ ___ _____ (mm dd yy) Sampling time: _____ AM/PM

Sampling Location:

Weather Conditions: _____

Please describe any unusual conditions with the influent or at the facility during or preceding the time of sample collection:

Optional test - not required but recommended where possible to allow for the most meaningful evaluation of mercury results:

Suspended Solids _____ mg/L Sample type: _____ Grab (recommended) or _____ Composite

ANALYTICAL RESULT FOR EFFLUENT MERCURY

Name of Laboratory: _____

Date of analysis: _____ **Result:** _____ **ng/L (PPT)**

Please Enter Effluent Limits for your facility

Effluent Limits: **Average =** _____ ng/L **Maximum =** _____ ng/L

Please attach any remarks or comments from the laboratory that may have a bearing on the results or their interpretation. If duplicate samples were taken at the same time please report the average.

CERTIFICATION

I certifiy that to the best of my knowledge the foregoing information is correct and representative of conditions at the time of sample collection. The sample for mercury was collected and analyzed using EPA Methods 1669 (clean sampling) and 1631 (trace level analysis) in accordance with instructions from the DEP.

By: _____ Date: _____

Title: _____

PLEASE MAIL THIS FORM TO YOUR ASSIGNED INSPECTOR

MAINE POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT
MAINE WASTE DISCHARGE LICENSE

Proposed Draft FACT SHEET

DATE: **DECEMBER 6, 2017**

PERMIT NUMBER: **ME0100706**

WASTE DISCHARGE LICENSE: **W002754-6C-K-R**

NAME AND ADDRESS OF APPLICANT:

VEAZIE SEWER DISTRICT
34 HOBSON AVENUE
VEAZIE, MAINE 04401

COUNTY: **PENOBSCOT**

NAME AND ADDRESS WHERE DISCHARGE(S) OCCUR(S):

34 HOBSON AVENUE
VEAZIE, MAINE 04401

RECEIVING WATER/CLASSIFICATION: **PENOBSCOT RIVER/CLASS B**

COGNIZANT OFFICIAL AND TELEPHONE NUMBER:

DANA McLAUGHLIN, SUPERINTENDENT
(207) 942-1536
dmclaughlin@veaziedistrict.com

1. APPLICATION SUMMARY

a. Application: On August 18, 2017, the Department of Environmental Protection (Department) accepted as complete for processing an application from the Veazie Sewer District (District/permittee) for the renewal of combination Maine Pollutant Discharge Elimination System (MEPDES) permit #ME0100706 / Maine Waste Discharge License (WDL) #W002754-6C-H-R, which was issued by the Department on November 2, 2012 for a five-year term. The 11/2/12 permit authorized the monthly average discharge of 0.35 million gallons per day (MGD) of secondary treated wastewater from a publicly owned treatment works (POTW) to the Penobscot River, Class B, in Veazie, Maine.

2. PERMIT SUMMARY

a. Terms and conditions: This permitting action is different from the October 6, 2011 permit in that it:

1. Eliminates the waiver for percent removal requirements for carbonaceous biochemical oxygen demand ($CBOD_5$) and total suspended solids (TSS) when influent strength is less than 200 milligrams per liter (mg/L); and

2. Amends the monitoring and reporting frequencies for $CBOD_5$ and TSS to 2/Month.

b. History: This section provides a summary of significant licensing/permitting actions and milestones that have been completed for the permittee's facility.

March 31, 1986 – The USEPA issued NPDES permit #ME0100706 with secondary treatment limitations. Being that the construction of the treatment facility was not scheduled for completion until July 1, 1988, the permit authorized the discharge of untreated wastewaters until the treatment facility was constructed and operational.

May 23, 1991 – The USEPA issued a letter to the District accepting its application for renewal of NPDES #ME0100706 as complete for processing. Department records contain no evidence of further action on the application by the USEPA.

March 29, 1993 – The Department issued WDL #W002754-59-C-R to the permittee for the discharge of up to 0.19 MGD of secondary treated sanitary wastewater to the Penobscot River for a five-year term, superseding WDL #W002754-58-B-R issued on October 10, 1989 and all prior actions dating back to the original WDL of April 13, 1983.

February 15, 1995 – The Department issued a letter to the permittee indicating that the discharge from the wastewater treatment facility was exempt from toxics testing specified by *Surface Water Toxics Control Program*, 06-096 CMR 530.5 (effective October 9, 2005).

May 25, 2000 – Pursuant to *Certain deposits and discharges prohibited*, 38 M.R.S. § 420 and *Waste discharge licenses*, 38 M.R.S. § 413 and *Interim Effluent Limitations and Controls for the Discharge of Mercury*, 06-096 CMR 519 (last amended October 6, 2001), the Department issued a *Notice of Interim Limits for the Discharge of Mercury* to the permittee thereby administratively modifying WDL #W002754-59-C-R by establishing interim monthly average and daily maximum effluent concentration, and a minimum monitoring frequency requirement of 2 tests per year for mercury.

Calendar year 2000 – The permittee completed a $1.65 million upgrade of its facility and processes.

2. PERMIT SUMMARY (cont'd)

December 8, 2000 – The Department issued combination WDL #W002754-5L-D-R to the permittee for the discharge of up to 0.2 MGD of secondary treated sanitary wastewater to the Penobscot River, for a five-year term.

January 12, 2001 - The Department received authorization from USEPA to administer the NPDES program in Maine. From that point forward, the program has been referred to as the MEPDES Program and MEPDES permit number ME0100706 was established as the primary reference number for the facility.

October 24, 2002 – The Department issued combination WDL #W002754-5L-E-M / MEPDES Permit #ME0100706 to the permittee for the discharge of up to a monthly average of 0.35 MGD of secondary treated sanitary wastewater to the Penobscot River.

April 10, 2006 – The Department issued a Modification of WDL #W002754-5L-E-M / MEPDES Permit #ME0100706 waiving the permittee from requirements to conduct surveillance or screening level toxicity testing pursuant to *Surface Water Toxics Control Program*, 06-096 CMR 530, and *Surface Water Quality Criteria for Toxic Pollutants*, 06-096 CMR 584.

November 30, 2007 – The Department issued combination WDL #W002754-5L-F-R / MEPDES Permit #ME0100706 for a five-year term.

January 2, 2008 – The Department issued a Minor Revision of WDL #W002754-5L-F-R / MEPDES Permit #ME0100706 revising the requirement that the person who has the management responsibility over the treatment facility must hold a minimum of a Maine Grade III wastewater operator certification.

June 12, 2008 – The Department issued a Minor Revision of WDL #W002754-5L-F-R / MEPDES Permit #ME0100706 to clarify Footnote #1 of page 6, "Percent Removal."

January 3, 2011 – The Department issued Permit Modification WDL# W002754-6C-G-M eliminating BOD_5 monitoring requirements and limitations and re-establishing Carbonaceous BOD_5 monitoring requirements and limitations.

February 6, 2012 – The Department revised WDL #W002754-5L-F-R / MEPDES Permit #ME0100706 to reduce the mercury minimum monitoring frequency requirement from 2/Year to 1/Year based on *Certain deposits and discharges prohibited*, 38 M.R.S. §420, sub-§ 1-B(F).

September 18, 2012 – The permittee submitted a timely application for renewal. The Department accepted the application as complete on September 18, 2012 and was assigned WDL W002754-6C-H-R / MEPDES #ME0100706.

2. PERMIT SUMMARY (cont'd)

November 2, 2012 – The Department issued MEPDES permit #ME0100706/WDL #W002754-6C-H-R for a five-year term.

February 4, 2013 – The Department issued Minor Revision #W002754-6C-J-M/ #ME0100706 to amend Special Condition C, *Treatment Plant Operator* from the 11/2/12 permit to allow for a Grade II operator to have management responsibility over the treatment facility.

August 17, 2017 – The permittee submitted a timely and complete General Application to the Department for renewal of the 11/2/12 permit (including subsequent minor permit revisions and permit modifications). The application was accepted for processing on August 18, 2017 and was assigned WDL #W002754-6C-K-R / MEPDES #ME0100706.

c. Source Description: The permittee receives sanitary wastewater flows from approximately 2,000 commercial and residential sources within the Veazie Sewer District's boundaries. The permittee does not receive industrial flows and is not authorized to receive transported wastes. The wastewater collection system is a separated system of approximately ten miles in length, with two pump stations and no combined sewer overflow outfalls.

A map showing the location of the facility and the receiving water is included as Fact Sheet **Attachment A.**

d. Wastewater Treatment: The permittee provides a secondary level of treatment of sanitary wastewater via a complete and partially mixed 3-pond aerated lagoon system operated in series. The facility consists of a headworks building with grit removal / screening processes, a sampling unit and instrumentation. The first two (2) lagoons in series are lined. Lagoon #1 (2.5 million gallons) has two (2) partitions or baffles to divide the lagoon into three (3) cells. The first cell is a complete-mix cell with fixed diffusers. Lagoon #1's remaining two cells and lagoon #2 (1.0 million gallons) are partial-mixed with diffused air. Each partition in lagoon #1 has a 3-square foot exit hole for the water to pass through. The exit holes are located near the water surface at opposite ends, thus making the water go through the cell in a serpentine manner to eliminate short-circuiting of wastewater treatment. Lagoon #3 (1.0 million gallons) has a floating cover with two (2) open areas for aspirating aerators. From lagoon #3, the wastewater flows to a chlorine contact tank where it is disinfected with sodium hypochlorite, then discharged to the Penobscot River through Outfall #001A, an 8-inch diameter ductile iron pipe that outlets approximately 300 feet into the river at a depth of approximately 6-feet during mean low water conditions. The end of the discharge pipe is fitted with a two-port diffuser.

2. PERMIT SUMMARY (cont'd)

The permittee indicates that the lagoon system provides 30 days of detention time.

A process flow diagram of the facility and the receiving water is included as Fact Sheet **Attachment B.**

3. CONDITIONS OF PERMIT

Conditions of licenses, 38 M.R.S. § 414-A, requires that the effluent limitations prescribed for discharges, including, but not limited to, effluent toxicity, require the 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. § 420 and Department rule *Surface Water Toxics Control Program,* 06-096 C.M.R. 530 (effective March 21, 2012), require the regulation of toxic substances so as not to exceed levels set forth in *Surface Water Quality Criteria for Toxic Pollutants,* 06-096 C.M.R. 584 (effective July 29, 2012), and 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. § 467(7)(A)(6) classifies the Penobscot River at the point of discharge "From the Veazie Dam, but not including the Veazie Dam, to the Maine Central railroad bridge in Bangor-Brewer" as Class B waters. The Legislature finds that the free-flowing habitat of this river segment provides irreplaceable social and economic benefits and that this use must be maintained. *Standards for Classification of Fresh Surface Waters,* 38 M.R.S. § 465(3) describes standards for classification of Class B waters.

5. RECEIVING WATER QUALITY CONDITIONS

The State of Maine 2014 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 Penobscot River, main stem from the Veazie Dam to Reeds Brook, (Assessment Unit ID ME0102000513_234R02), which includes the area of the discharge, as "Category 4-B: Rivers and Streams Impaired by Pollutants – Pollution Control Requirements Reasonably Expected to Result in Attainment" for nutrient/eutrophication biological indicators dissolved oxygen (DO), and dioxin (including 2,3,7,8-TCDD). The comment for nutrient/eutrophication biological indicators and DO states, "3/4/2015: No recent monitoring but upstream results suggest criteria attainment. 10/23/12: 2011 permits (Millinocket to Veazie) providing nutrient limits are expected to correct existing aquatic life use impairments. Expected to attain in 2016. Preliminary data from 2011 looks promising. Also in Category 5-D for legacy polychlorinated biphenyls (PCBs)."

5. RECEIVING WATER QUALITY CONDITIONS

The comment for dioxin states, "4-B Dioxin license limits in 38 MRS Section 420. Compliance is measured by (1) no detection of dioxin in any internal waste stream (at 10 pg/L detection limits), (2) no detection in fish tissue sampled below a mill's outfall greater than upstream reference. Also in Category 5-D for legacy PCBs."

The report also lists this segment under "Category 5-D: Rivers and Streams Impaired by Legacy Pollutants" for PCBs.

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 fish from any given waters 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 Health and Human Services decided to establish a statewide advisory for all freshwater fish that recommends limits on consumption.

The Department has no information that the discharge from the permittee, as conditioned, causes or contributes to non-attainment of applicable Class B water quality standards.

6. EFFLUENT LIMITATIONS & MONITORING REQUIREMENTS

a. Flow: The previous permitting action established, and this permit is carrying forward, a monthly average flow limitation of 0.35 MGD which is considered representative of the volume of discharge necessary to comply with the annual discharge restrictions in this permitting action. This permitting action is also carrying forward the previously established weekly average and daily maximum discharge flow monitoring and reporting requirements to assist in compliance evaluations.

A summary of the discharge flow data as reported on the monthly Discharge Monitoring Reports (DMRs) for the period of December 1, 2012 – September 1, 2017 is as follows:

Flow (DMRs = 56)

Value	Limit (MGD)	Range (MGD)	Mean (MGD)
Monthly Average	0.35	0.07 – 0.39	0.2
Daily Maximum	Report	0.10 – 0.73	0.4

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

b. Dilution Factors: The Department has made the determination that the dilution factors associated with the discharge must be calculated in accordance with freshwater protocols established in 06-096 CMR 530.With a permit flow limit of 0.35 MGD and the 7Q10 and 1Q10 low flow values for the Penobscot River, the dilution factors are calculated as follows:

Acute ¼ of 1Q10 = 717.8 cfs ⇒ $\frac{(717.8 \text{ cfs})(0.6464) + 0.35 \text{ MGD}}{0.35 \text{ MGD}} = 1{,}327{:}1$

Acute: 1Q10 = 2,871.0 cfs ⇒ $\frac{(2{,}871.0 \text{ cfs})(0.6464) + 0.35 \text{ MGD}}{0.35 \text{ MGD}} = 5{,}303{:}1$

Chronic: 7Q10 = 3,183.0 cfs ⇒ $\frac{(3{,}183.0 \text{ cfs})(0.6464) + 0.35 \text{ MGD}}{0.35 \text{ MGD}} = 5{,}880{:}1$

Harmonic Mean = 8,810 cfs ⇒ $\frac{(8{,}810 \text{ cfs})(0.6464) + 0.35 \text{ MGD}}{0.35 \text{ MGD}} = 16{,}272{:}1$

06-096 CMR 530 § B(1) states that analyses using numeric acute criteria for aquatic life must be based on ¼ of the 1Q10 stream design flow to prevent substantial acute toxicity within any mixing zone. The regulation goes on to say that where it can be demonstrated that a discharge achieves rapid and complete mixing with the receiving water by way of an efficient diffuser or other effective method, analyses may use a greater proportion of the stream design, up to including all of it. The permittee's outfall is reported to have a two-port diffuser structure, however the Department's records indicate that the likelihood of rapid and complete mixing of effluent with the receiving water has not been determined. Therefore, the Department is utilizing the default stream flow of ¼ of the 1Q10 pursuant to 06-096 CMR 530 in acute evaluations.

c. Carbonaceous Biochemical Oxygen Demand ($CBOD_5$) and Total Suspended Solids (TSS): This permitting action is carrying forward the $CBOD_5$ monitoring requirements and effluent limitations re-established in the permit modification dated January 3, 2011. This permitting action is carrying forward the TSS monitoring requirements and effluent limitations from the previous permitting action.

The following technology based $CBOD_5$ concentration limits in the 1/03/11 permit modification are being carried forward in this permitting action:

	Monthly Average	Weekly Average	Daily Maximum
$CBOD_5$	25 mg/L	40 mg/L	45 mg/L

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

The following technology based TSS concentration limits from the previous permitting action are being carried forward in this permitting action:

	Monthly Average	Weekly Average	Daily Maximum
TSS	30 mg/L	45 mg/L	50 mg/L

As for mass limitations, technology based mass limitations are calculated utilized the aforementioned technology based concentration limits and a permitted flow of 0.35 MGD. The mass limits are calculated as follows;

$CBOD_5$, Monthly average: (0.35 MGD)(8.34 lbs./gallon)(25 mg/L) = 73 lbs./day
$CBOD_5$, Weekly average: (0.35 MGD)(8.34 lbs./gallon)(40 mg/L) = 117 lbs./day
$CBOD_5$, Daily maximum: (0.35 MGD)(8.34 lbs./gallon)(45 mg/L) = 131 lbs./day

TSS, Monthly average: (0.35 MGD)(8.34 lbs./gallon)(30 mg/L) = 88 lbs./day
TSS, Weekly average: (0.35 MGD)(8.34 lbs./gallon)(45 mg/L) = 131 lbs./day
TSS, Daily maximum: (0.35 MGD)(8.34 lbs./gallon)(50 mg/L) = 146 lbs./day

A review of the DMR data for the period December 1, 2012 – September 1, 2017 indicates the following:

$CBOD_5$ Mass (DMRs=55)

Value	Limit (lbs./day)	Range (lbs./day)	Average (lbs./day)
Monthly Average	73	2.1 – 40.0	14
Weekly Average	117	2.9 – 79.0	21
Daily Maximum	131	3.0 – 79.0	22

$CBOD_5$ Concentration

Value	Limit (mg/L)	Range (mg/L)	Average (mg/L)
Monthly Average	25	3.3 – 25.0	10
Weekly Average	40	3.5 – 42.0	13
Daily Maximum	45	4.0 – 42.0	13

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

TSS Mass

Value	Limit (lbs./day)	Range (lbs./day)	Average (lbs./day)
Monthly Average	88	5.3 – 65.0	25
Weekly Average	131	6.7 – 117.0	41
Daily Maximum	146	6.7 – 117.0	42

TSS Concentration

Value	Limit (mg/L)	Range (mg/L)	Average (mg/L)
Monthly Average	30	6.8 – 40.0	21
Weekly Average	45	8.0 – 50.0	26
Daily Maximum	50	9.0 – 52.0	27

This permitting action carries forward the minimum technology-based "equivalent to secondary treatment" limitation of 65% removal for $CBOD_5$ based on Title 40 CFR Part 133 and the minimum technology-based limitation of 85% removal for TSS pursuant to 06-096 CMR 525 (3)(III)(a&b)(3).

Minimum monitoring frequency requirements in MEPDES permits are prescribed by 06-096 CMR Chapter 523§5(i). The USEPA has published guidance entitled, *Interim Guidance for Performance Based Reductions of NPDES Permit Monitoring Frequencies* (USEPA Guidance April 1996). In addition, the Department has supplemented the USEPA guidance with its own guidance entitled, *Performance Based Reduction of Monitoring Frequencies - Modification of EPA Guidance Released April 1996* (Maine DEP May 22, 2014). Both documents are being utilized to evaluate the compliance history for each parameter regulated by the previous permit to determine if a reduction in the monitoring frequencies is justified.

Although USEPA's 1996 Guidance recommends evaluation of the most current two years of effluent data for a parameter, the Department is considering 55 months of data (December 1, 2012 – September 1, 2017). A review of the mass monitoring data for $CBOD_5$ & TSS indicates the ratios (expressed in percent) of the long-term effluent average to the monthly average limits can be calculated as 19% for $CBOD_5$ and 29% for TSS. According to Table I of the USEPA Guidance and Department Guidance, the monitoring requirement can be reduced to once per two months for TSS and 2/Month for $CBOD_5$. However, taking into consideration both the USEPA and Department Guidance, this permitting action is reducing the monitoring frequency for $CBOD_5$ and TSS from 1/Week to 2/Month.

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

d. Settleable Solids: The previous permitting established, and this permitting action carrying forward, a daily maximum concentration limit of 0.3 ml/L, which is considered a best practicable treatment limitation (BPT) for secondary treated wastewater. This permitting action is carrying forward the 3/Week monitoring frequency from the previous permitting action.

A summary of effluent settleable solids data as reported on the monthly DMRs for the period of December 1, 2012 – September 1, 2017 (DMRs = 56) indicates the daily maximum settleable solids concentration discharge has been ≤0.1 ml/L 100% of the time.

e. *Escherichia coli* bacteria: The previous permitting action established, and this permitting action carrying forward, seasonal (May 15-September 30 of each year) monthly average and daily maximum *E. coli* bacteria concentration limits of 64 colonies/100 ml and 427 colonies/100 ml, respectively, based on the State's Water Classification Program criteria for Class B waters. The Department has determined that end-of-pipe limitations for the instantaneous concentration standard of 427 colonies/100 mL will be achieved through available dilution of the effluent with the receiving waters and need not be revised in MEPDES permits for facilities with adequate dilution as is the case with the permittee.

A summary of seasonal monthly DMR for the period of December 1, 2012 – September 1, 2017 (months when facility reported no discharge are not included) is as follows:

***E. coli* bacteria (23 DMRs)**

Value	Limit (col/100 ml)	Range (col/100 ml)	Mean (col/100 ml)
Monthly Average	64	1 - 61	20
Daily Maximum	427	7 – 268	69

This permitting action is carrying forward a minimum monitoring frequency requirement of once per week for *E. coli* bacteria based on best professional judgment.

f. Total Residual Chlorine (TRC): The previous permitting action established separate limitations for TRC based on the applicable dilution factors associated with the discharge. Limits on TRC are specified to ensure that ambient water quality standards are maintained and that BPT technology is being applied to the discharge. Permits issued by this Department impose the more stringent of the calculated water quality based or BPT based limits. End-of-pipe water quality-based concentration thresholds for TRC may be calculated as follows:

Criterion		Dilution Factors	Threshold
Acute	0.019 mg/L	1,327:1 (A)	25.2 mg/L
Chronic	0.011 mg/L	5,880:1 (C)	64.7 mg/L

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

The Department has established a daily maximum BPT limitation of 1.0 mg/L for facilities that disinfect their effluent with elemental chlorine or chlorine based compounds. Because the water quality threshold for TRC calculated above is greater than the Department's BPT limit, the previously established BPT limit of 1.0 mg/L is being carried forward in this permitting action.

A summary of DMR for the period of December 1, 2012 – September 1, 2017 is as follows:

Total residual chlorine (DMRs = 23)

Value	Limit (mg/L)	Range (mg/L)	Mean (mg/L)
Daily Maximum	1.0	0.14 – 0.50	0.3

This permitting action is carrying forward a minimum monitoring frequency requirement of five times per week for TRC based on best professional judgment.

g. pH: The previous permitting action established, and this permitting action is carrying forward, a technology-based pH limit of 6.0 – 9.0 standard units, which is based on 06-096 CMR 525(3)(III), and a minimum monitoring frequency requirement of three times per week for pH based on best professional judgment.

A summary of effluent pH data as reported on the monthly DMRs for the period of December 1, 2012 – September 1, 2017 (DMRs = 56) indicates the facility had two excursions below the 6.0 S.U. limit (one in May 2013 and another in June 2016).

h. Mercury: Pursuant to 38 M.R.S. § 420 and 38 M.R.S. § 413 and 06-096 CMR 519, the Department issued a *Notice of Interim Limits for the Discharge of Mercury* to the permittee thereby administratively modifying WDL #W002754-5L-D-R by establishing interim monthly average and daily maximum effluent concentration limits of 6.3 parts per trillion (ppt.) and 9.4 ppt., respectively, and a minimum monitoring frequency requirement of 2 tests per year for mercury.

38 M.R.S. § 420(1-B)(B)(1) provides that a facility is not in violation of the AWQC for mercury if the facility is in compliance with an interim discharge limit established by the Department. A review of the Department's database for the period May 2002 through July 2016 is as follows:

Mercury (n = 25)

Value	Limit (ng/L)	Range (ng/L)	Mean (ng/L)
Monthly Average	6.3	1.62 – 8.60	3.8
Daily Maximum	9.4		

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

On February 6, 2012, the Department issued a minor revision to the permit thereby revising the minimum monitoring frequency requirement from twice per year to once per year pursuant to 38 M.R.S. § 420(1-B)(F). This minimum monitoring frequency is being carried forward in this permitting action.

i. Whole Effluent Toxicity (WET) and Chemical Specific Testing: 38 M.R.S. § 414-A and 38 M.R.S. § 420 prohibit the discharge of effluents containing substances in amounts that would cause the surface waters of the State to contain toxic substances above levels set forth in Federal Water Quality Criteria as established by the USEPA. 06-096 CMR 530 sets forth effluent monitoring requirements and procedures to establish safe levels for the discharge of toxic pollutants such that existing and designated uses of surface waters are maintained and protected and narrative and numeric water quality criteria are met. 06-096 CMR 584 sets forth ambient water quality criteria (AWQC) for toxic pollutants and procedures necessary to control levels of toxic pollutants in surface waters.

WET, priority pollutant and supporting analytical chemistry testing as required by 06-096 CMR 530 are included in this permit to fully characterize the effluent. This permit also provides for reconsideration of effluent limits and monitoring schedules after the evaluation of toxicity testing results. The monitoring schedule includes consideration of results currently on file, the nature of the wastewater and existing treatment and receiving water characteristics.

WET monitoring is required to assess and protect against impacts upon water quality and designated uses caused by the aggregate effect of the discharge on specific aquatic organisms. Acute and chronic WET tests are performed on the brook trout (*Salvelinus fontinalis*) and the invertebrate water flea (*Ceriodaphnia dubia*). Chemical-specific monitoring is required to assess the levels of individual toxic pollutants in the discharge, comparing each pollutant to acute, chronic, and human health water quality criteria.

06-096 CMR 530(2)(A) specifies the dischargers subject to the rule as:

> All licensed dischargers of industrial process wastewater or domestic wastes discharging to surface waters of the State must meet the testing requirements of this section. Dischargers of other types of wastewater are subject to this subsection when and if the Department determines that toxicity of effluents may have reasonable potential to cause or contribute to exceedences of narrative or numerical water quality criteria.

The District discharges domestic (sanitary) wastewater to surface waters and is therefore subject to the testing requirements of the toxics rule.

06-096 CMR 530(2)(B) categorizes dischargers subject to the toxics rule into one of four levels (Levels I through IV).

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

The four categories for dischargers are as follows:

Level I	Chronic dilution factor of <20:1
Level II	Chronic dilution factor of ≥20:1 but <100:1.
Level III	Chronic dilution factor ≥100:1 but <500:1 or >500:1 and Q ≥1.0 MGD
Level IV	Chronic dilution factor >500:1 and Q ≤1.0 MGD

Based on the criteria, the permittee's facility is considered a Level IV discharger. Level IV dischargers as follows.

Surveillance level testing

Level	WET Testing	Priority pollutant testing	Analytical chemistry
IV	1 per year	None Required	1 per year

Screening level testing

Level	WET Testing	Priority pollutant testing	Analytical chemistry
IV	1 per year	1 per year	4 per year

Using the categorization criteria as stated above, and pursuant to 06-096 CMR 530 (2)(D)(1), dischargers are required to characterize their effluent via WET, priority pollutant and analytical chemistry testing. Although this facility has never conducted WET or chemical specific testing, the Department has made the determination that the permittee's facility is not a new discharge nor has it substantially changed since issuance of the previous permit/license. Therefore, the Department is waiving the Level IV routine testing requirements except that the Department is requiring the facility to conduct testing under the following conditions.

(a) The discharger's permit application or information available to the Department indicate that toxic compounds may be present in toxic amounts; or

(b) Previous testing conducted by the discharger or similar dischargers indicates that toxic compounds may be present in toxic amounts.

Special Condition I, *06-096 CMR 530(D)(2)(4) Statement For Reduced/Waived Toxics Testing,* of this permitting action requires the permittee to file an annual certification with the Department.

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

However, should there be a substantial change in the characteristics of the discharge in the future, the Department may reopen this permit pursuant to Special Condition K, *Reopening of Permit For Modification*, of this permit to incorporate the applicable WET, priority pollutant, or analytical testing requirements cited above.

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, contribute, or have a reasonable potential to cause or contribute to the failure of the water body to meet standards for Class B classification.

8. PUBLIC COMMENTS

Public notice of this application was made in the *Bangor Daily news* newspaper on or about September 1, 2017. 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 must 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 C.M.R. 522 (effective January 12, 2001).

9. DEPARTMENT CONTACTS

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

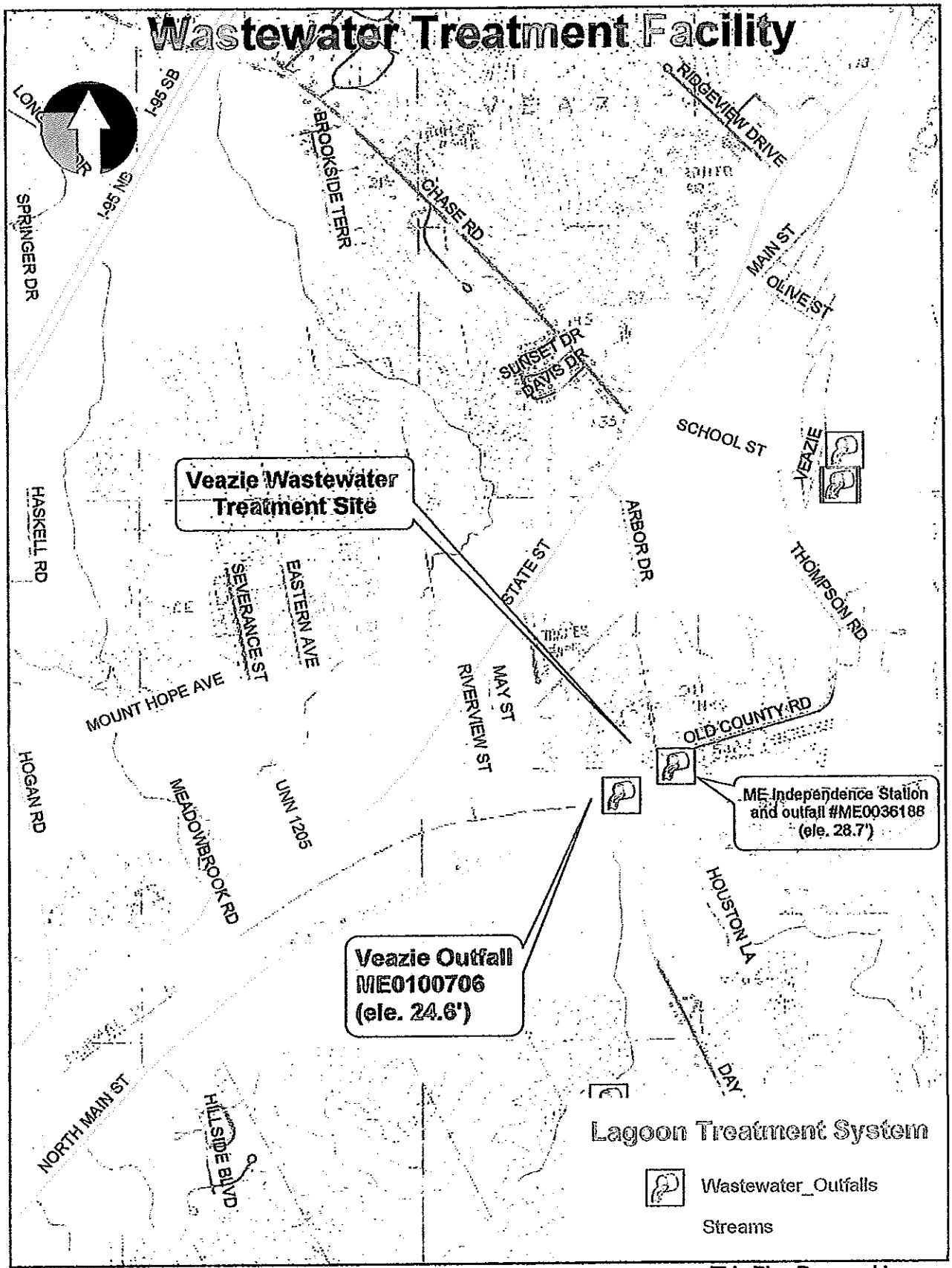
Cindy L. Dionne
Division of Water Quality Management - Bureau of Water Quality
Department of Environmental Protection
17 State House Station
Augusta, Maine 04333-0017 Telephone: (207) 557-5950
e-mail: Cindy.L.Dionne@maine.gov

10. RESPONSE TO COMMENTS

This section is reserved until the end of the public comment period.

ATTACHMENT A

Veazie Sewer District



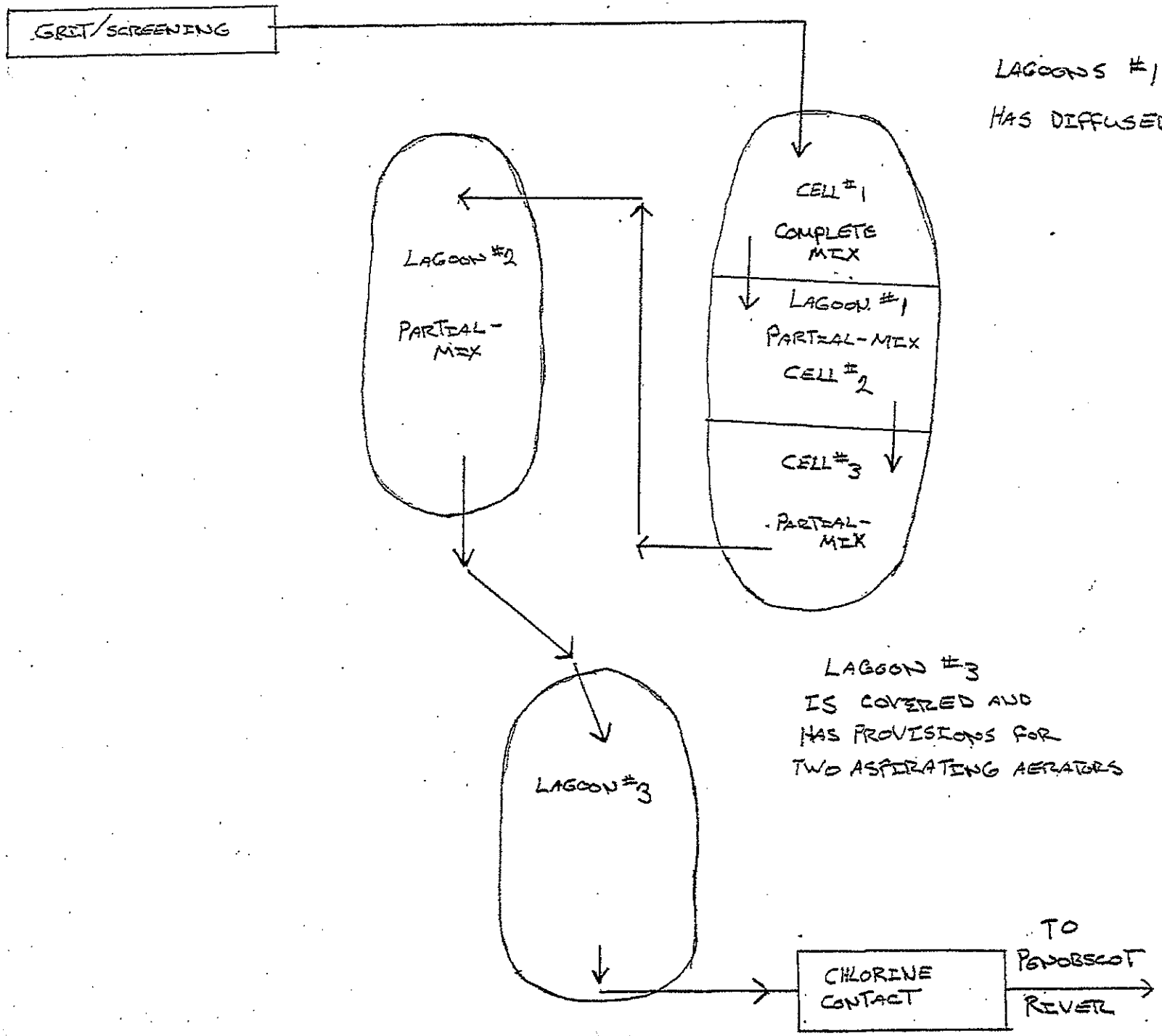
0 900 1,800 3,600 5,400 7,200 Feet

1 inch equals 1,693.859503 feet

This Plan Prepared by
Maine DEP September 2002
DS:o: Version 1.0

ATTACHMENT B

VEAZIE SEWER DISTRICT



ATTACHMENT C

STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

CHAPTER 530.2(D)(4) CERTIFICATION

MEPDES#_____Facility Name_____

Since the effective date of your permit, have there been;		NO	YES Describe in comments section
1	Increases in the number, types, and flows of industrial, commercial, or domestic discharges to the facility that in the judgment of the Department may cause the receiving water to become toxic?	☐	☐
2	Changes in the condition or operations of the facility that may increase the toxicity of the discharge?	☐	☐
3	Changes in storm water collection or inflow/infiltration affecting the facility that may increase the toxicity of the discharge?	☐	☐
4	Increases in the type or volume of hauled wastes accepted by the facility?	☐	☐

COMMENTS:

Name (printed): _____

Signature:_____Date: _____

This document must be signed by the permittee or their legal representative.

This form may be used to meet the requirements of Chapter 530.2(D)(4). This Chapter requires all dischargers having waived or reduced toxic testing to file a statement with the Department describing changes to the waste being contributed to their system as outlined above. As an alternative, the discharger may submit a signed letter containing the same information.

Scheduled Toxicity Testing for the next calendar year

Test Conducted	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
WET Testing	□	□	□	□
Priority Pollutant Testing	□	□	□	□
Analytical Chemistry	□	□	□	□
Other toxic parameters [1]	□	□	□	□

Please place an "X" in each of the boxes that apply to when you will be conducting any one of the three test types during the next calendar year.

[1] This only applies to parameters where testing is required at a rate less frequently than quarterly.

ATTACHMENT D

Limitations for Industrial Users – How to conduct an Industrial Waste Survey

The National Pretreatment Program is scaled to cities and towns that are generally more developed than those in Maine. Small towns around here tend to wonder what the fuss is about – we know (or at least are pretty sure we know) everything that's going on in our collection systems. A lot can happen, and a lot can change in areas like Portland, Bangor, Lewiston/Auburn, let alone bigger places like Boston or NY. Regardless of community size, or whether or not you have any new facilities (or existing facilities that have changed what they're doing), the Industrial Waste Survey (IWS) is a federal requirement that has been adopted into Maine's MEPDES wastewater licensing program.

Step 1: For a small community, the quickest, easiest thing to do is take a day when not much is going on at the plant, get in the vehicle, & drive the entire extent of your collection system. Take the attached logsheet with you & make a list of every industrial or significant commercial facility that discharges to your system. The IWS list is basically a summary of the dischargers in your system that may have wastewater with different characteristics than the wastewater discharge from the sinks, toilets, bathtub, dishwasher and washing machine at your typical home or commercial building.

(Note: Do not include homes, rentals, restaurants, delis & fast food joints. You may need a FOG/grease trap program for those kinds of places, but that's a different consideration than an IWS and most small-scale commercial activity. Even some larger-scale places, like schools, cafeterias, managed care homes, etc., generally have wastewater that is similar in characteristics to residential wastewater, just more of it.)

Step 2 – Take your logsheet and compare each facility to this set of conditions:

► Does the facility discharge a monthly average of >25,000 gallons a day of **process** wastewater?

► Does the facility's **process** wastewater discharge make up 5% or more of your daily influent flow?

► Does the facility's **process** wastewater discharge make up 5% or more of your daily influent BOD?

► Does the facility's **process** wastewater discharge make up 5% or more of your daily influent TSS?

► Does the facility's **process** wastewater have a reasonable potential to adversely affect your POTW operations, cause a problem with your discharge, or cause a problem with your sludge disposal?

If "yes" to any of the above, then the facility is a potential **Significant Industrial User** of your system. Put a check in that column on the spreadsheet.

Step 3 - Indicate on the spreadsheet if any of the facilities fall under one of the National Categorical Standards, 40 CFR 405 through 471 (Use the attached list of Categorical Industrial Users to determine if any of the facilities on your list are included).

*If yes to this consideration, then the facility may be a **Categorical Industrial User** of your system. Put a check in that column also.*

See next page

Step 4 - If any of the facilities on your list meet one or more of those conditions, then you're going to want to go back and take a closer look at them; find out more detail on their process(es), wastewater characteristics, discharge pattern. You will likely find that most facilities are not a problem. Only a few will need closer scrutiny.

(Note – having industries within your collection system does not automatically require increased regulatory activity on your part; the only uniform requirement is that you know what you have.) The first time through the IWS process takes some time but after that it is relative easy to update it on an as-needed basis.

Though this requirement has only recently explicitly appeared in MEPDES permits, it has actually been a federal requirement all along. Again, the first time through will be a bit of a project, but from then on, it shouldn't be difficult.

If you have questions regarding whether a particular discharger is a **Significant Industrial User** or **Categorical Industrial User contact your assigned MeDEP wastewater treatment system inspector or the MEDEP Pretreatment coordinator.**

James R. Crowley
Compliance Supervisor, State Pretreatment Coordinator
Department of Environmental Protection
Division of Water Quality Management
207-287-8898
james.r.crowley@maine.gov

Industrial User Survey

Date:_____

Surveyor:_____

	Facility name/Address/ Contact	Type of business	Wastewater flow (GPD)	Wastewater characteristics, conc., constituents, etc	Comments	Onsite Pretreatment?	Significant Industrial User?	Categorical Industrial User?

Categorical Industrial Users (from 40 CFR Sections 403-471)

	5	Dairy Products		26	Glass Manu.		46	Paint formulating
	6	Grain Mill		27	Asbestos manu.		47	Ink formulating
	7	Canned/preserv fruits& vegs		28	Rubber manu.		49	Airport deicing
	8	Canned/preserved seafood		29	Timber products processing		50	Construction & Development
	9	Sugar processing		30	Pulp/paper/paperboard		51	Conc. aquatic animal prod.
	10	Textile mill		32	Meat & Poultry products		54	Gum & Wood chemicals
	11	Cement manufacturing		33	Metal Finishing		55	Pesticide Chemicals
	12	Conc. animal feeding ops.		34	Coal mining		57	Explosives
	13	Electroplating		35	Oil& Gas extraction		58	Carbon Black Manu.
	14	Organic chemicals, plastics & syn. fiber		36	Mineral mining/processing		59	Photographic
	15	Inorganic chemicals		37	Centralized waste treatment		60	Hospital
	17	Soap & Detergent Manu.		38	Metal products		61	Battery manufacturing
	18	Fertilizer manu.		39	Pharmaceutical Manu		63	Plastics molding/forming
	19	Petroleum refining		40	Ore mining/processing		64	Metal molding/casting
	20	Iron & Steel manu.		42	Transportation equip. cleaning		64	Coil coating
	21	Non-Ferrous metals		43	Paving & roofing materials		66	Porcelain
	22	Phosphate		44	Waste combustors		67	Aluminum forming
	23	Steam Electric power		45	Landfill		68	Copper forming
	24	Ferroalloy manu.					69	Electrical & electronic components
	25	Leather tanning/finishing					71	Nonferrous metals forming/Metals powders