



STATE OF MAINE
DEPARTMENT OF
ENVIRONMENTAL PROTECTION



PAUL R. LEPAGE
GOVERNOR

MELANIE LOYZIM
ACTING COMMISSIONER

November 21, 2018

Mr. Richard Knowlton
Maine Water Company
93 Industrial Park Road
Saco, ME. 04072

RE: Maine Pollutant Discharge Elimination System (MEPDES) Permit #ME0000035
Maine Waste Discharge License (WDL) #W002545-5S-F-M
Proposed Draft Permit Modification

Dear Mr. Knowlton:

Enclosed is a **proposed draft** MEPDES permit and Maine WDL **modification** 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 document 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 document from various state and federal agencies and from any other parties who have notified the Department of their interest in this matter.

Beginning today, Wednesday, November 21, 2018, the Department is making the draft permit available for a 30-day public comment period. All comments on the proposed draft document must be received in the Department of Environmental Protection office on or before the close of business **Friday, December 21, 2018**. Failure to submit comments in a timely fashion will result in the final permit document being issued as drafted.

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

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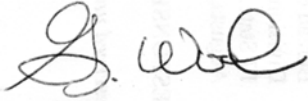
PRESQUE ISLE
1235 CENTRAL DRIVE, SKYWAY PARK
PRESQUE ISLE, MAINE 04769
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Comments in writing should be submitted to my attention at the following address:

Maine Department of Environmental Protection
Bureau of Water Quality
Division of Water Quality Management
17 State House Station
Augusta, ME 04333-0017
gregg.wood@maine.gov

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

Sincerely,

A handwritten signature in black ink, appearing to read "G. Wood". The signature is fluid and cursive, with the first letter of each name being capitalized and prominent.

Gregg Wood
Division of Water Quality Management
Bureau of Water Quality

Enc.

cc: Stuart Rose, MDEP/SMRO
Lori Mitchell, MDEP/CMRO
Shelley Puleo, USEPA
Marelyn Vega, USEPA
Maine Dept. Inland Fisheries and Wildlife Environmental Review
Maine Dept. Marine Resources Environmental Review



DEPARTMENT ORDER

IN THE MATTER OF

THE MAINE WATER COMPANY)	MAINE POLLUTANT DISCHARGE
BIDDEFORD, YORK COUNTY, MAINE)	ELIMINATION SYSTEM PERMIT
DRINKING WATER TREATMENT FACILITY)	AND
#ME0000035)	WASTE DISCHARGE LICENSE
#W002545-5S-F-M)	MODIFICATION
APPROVAL)	

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

APPLICATION SUMMARY

On November 1, 2018, the Department accepted as complete for processing an application from the MWC for a modification of combination Waste Discharge License (WDL) #W002545-5S-D-R/ Maine Pollutant Discharge Elimination System (MEPDES) permit #ME0000035, which was issued on October 5, 2015, for a five-year term. The 10/5/15 permit authorized the discharge of up to a monthly average flow of 0.150 million gallons per day (MGD) of filter cleaning (backwash) wastewater to the Saco River, Class A, in Biddeford, Maine.

MODIFICATION(S) REQUESTED

MWC is requesting the Department modify the permit to include a discharge of finished water from a leaking storage tank utilized to backwash filters at the treatment facility. The flow rate is estimated to be 20 gallons per minute (gpm) or 28,800 gallons per day (gpd). The MWC has indicated this discharge is a temporary situation as it is currently in the design phase of a new waste water treatment facility that will relocate the entire facility farther from the river.

PERMIT SUMMARY

The request by MWC is acceptable to the Department. This permit is designating the discharge from a four (4) inch diameter pipe as Outfall #002 and is establishing a reporting requirement for flow and a best practicable treatment (BPT) limitations of 1.0 mg/L for total residual chlorine (TRC) and 6.0 – 8.5 standard units (su) for pH.

CONCLUSIONS

Based on the findings summarized on page 1 of this modification, 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 natural 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 discharges will be subject to effluent limitations that require application of best practicable treatment as defined in 38 M.R.S. § 414-A(1)(D).
5. The applicant has objectively demonstrated to the Department's satisfaction that the discharge is necessary and that there are no other reasonable alternatives available, as required by *Standards for classification of fresh surface waters*, 38 M.R.S. § 465(2) for the discharge to Class A water.

ACTION

THEREFORE, the Department APPROVES the above noted application of THE MAINE WATER COMPANY to modify the October 5, 2015, MEPDES permit/WDL by incorporating the discharge of potable water from a leaking storage tank via Outfall #002, to the Saco River, Class A, in Biddeford, Maine, SUBJECT TO THE ATTACHED CONDITIONS, and all applicable standards and regulations including:

1. *Maine Pollutant Discharge Elimination System Permit Standard Conditions Applicable To All Permits*, revised July 1, 2002, copy attached to MEPDES permit #ME000035/WDLW002545-5S-D-R issued on October 5, 2015, for a five-year term.
2. The attached Special Conditions, including any effluent limitations and monitoring requirements.
3. All terms and conditions in combination WDL #W002545-5S-D-R / Maine Pollutant Discharge Elimination System permit #ME0000035, issued on October 5, 2015, for a five-year term, not modified by this permitting action remain in effect and enforceable.
4. This permit and the authorization to discharge become effective upon the date of signature below and expire at midnight on October 5, 2020. If a renewal application is timely submitted and accepted as complete for processing prior to the expiration of this permit, the authorization to discharge and the terms and conditions of this permit and all modifications and minor revisions thereto remain in effect until a final Department decision on the renewal application becomes effective. [*Maine Administrative Procedure Act*, 5 M.R.S.A. § 10002 and *Rules Concerning the Processing of Applications and Other Administrative Matters*, 06-096 CMR 2(21)(A) (amended June 9, 2018)].

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES.

DONE AND DATED AT AUGUSTA, MAINE, THIS _____ DAY OF _____ 2018.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: _____
Melanie Loyzim, Acting Commissioner

Date of initial receipt of application: November 1, 2018

Date of application acceptance: November 1, 2018

Date filed with Board of Environmental Protection _____

This Order by Gregg Wood, BUREAU OF WATER QUALITY

SPECIAL CONDITIONS

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

2. The permittee is authorized to discharge **potable water from Outfall #002** to the Saco River. Such discharges are limited and must be monitored by the permittee as specified below⁽¹⁾:

Effluent Characteristic	Discharge Limitations				Minimum Monitoring Requirements	
	Monthly Average	Daily Maximum	Monthly Average	Daily Maximum	Measurement Frequency	Sample Type
Flow <i>[50050]</i>	Report MGD <i>[03]</i>	---	---	---	1/Month <i>[01/30]</i>	Calculated <i>[CA]</i>
Total Residual Chlorine⁽²⁾ <i>[50060]</i>	---	---	---	1.0 mg/L <i>[19]</i>	1/Week <i>[01/07]</i>	Grab <i>[GR]</i>
pH <i>[00400]</i>	---	---	---	6.0 – 8.5 SU <i>[12]</i>	1/Week <i>[01/07]</i>	Grab <i>[GR]</i>

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

FOOTNOTES: See Page 5 of this permit for applicable footnotes

SPECIAL CONDITIONS

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

FOOTNOTES

1. **Sampling** – All effluent monitoring must be conducted at a location following the last treatment unit in the treatment process as to be representative of end-of-pipe effluent characteristics. Any change in sampling location must be approved by the Department in writing. 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 sent to a POTW licensed pursuant to *Waste discharge licenses*, 38 M.R.S.A. § 413 are subject to the provisions and restrictions of *Maine Comprehensive and Limited Environmental Laboratory Certification Rules*, 10-144 CMR 263 (effective April 1, 2010). If the permittee monitors any pollutant more frequently than required by the permit using test procedures approved under 40 CFR Part 136 or as specified in this permit, the results of this monitoring must be included in the calculation and reporting of the data submitted in the Discharge Monitoring Report.
2. **Total Residual Chlorine (TRC)**. The permittee must utilize a USEPA-approved test method capable of bracketing the TRC limitations specified in this permitting action.

J. OUTFALL #002 – PIPE EXTENSION

On or before June 1, 2019, the permit must extend the terminus of the Outfall #002 pipe to an elevation below the mean low water such that the discharge is submerged under all flow regimes in the river.