



STATE OF MAINE
DEPARTMENT OF
ENVIRONMENTAL PROTECTION



PAUL R. LEPAGE
GOVERNOR

MELANIE LOYZIM
ACTING COMMISSIONER

November 26, 2018

Mr. Howard Carter
Director, Water Resource Recovery Department
City of Saco
300 Main Street
Saco, ME. 04072-1538
e-mail: hcarter@sacomaine.org

RE: Maine Pollutant Discharge Elimination System (MEPDES) Permit #ME0101117
Maine Waste Discharge License (WDL) #W002599-6D-M-M
Proposed Draft Permit Modification

Dear Mr. Carter:

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 permit from various state and federal agencies and from any other parties who have notified the Department of their interest in this matter.

Beginning today, Monday, November 26, 2018, the Department is making the draft permit available for a 30-day public comment period. All comments on the proposed draft permit must be received in the Department of Environmental Protection office on or before the close of business **Thursday, December 27, 2018**. Failure to submit comments in a timely fashion will result in the final permit document being issued as drafted.

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

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

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

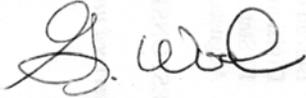
PRESQUE ISLE
1235 CENTRAL DRIVE, SKYWAY PARK
PRESQUE ISLE, MAINE 04769
(207) 764-0477 FAX: (207) 760-3143

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 written in a cursive style with a large initial "G" and a stylized "W".

Gregg Wood
Division of Water Quality Management
Bureau of Water Quality

Enc.

cc: Stuart Rose, MDEP/SMRO
Lori Mitchell, MDEP/CMRO
Michael Riley, MDE/CMRO
Ellen Weitzler, USEPA
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

CITY OF SACO)	MAINE POLLUTANT DISCHARGE
PUBLICLY OWNED TREATMENT WORKS)	ELIMINATION SYSTEM PERMIT
SACO, YORK COUNTY, MAINE)	AND
ME0101117)	WASTE DISCHARGE LICENSE
W002599-6D-M-M)	MODIFICATION
APPROVAL)	

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, and applicable rules of the Department of Environmental Protection (Department), the Department has considered a request by the City of Saco (Saco), to modify Maine Waste Discharge License (WDL) # W002599-6D-K-R/Maine Pollutant Discharge Elimination System (MEPDES) permit #ME0101117 (permit hereinafter) issued by the Department on September 20, 2016, for a five-year term. With its supportive data, agency review comments, and other related materials on file, the Department FINDS THE FOLLOWING FACTS:

MODIFICATION REQUESTED

The permittee has requested the Department modify the above referenced permit to revise the date by which to complete the Park Street and Industrial Park cross country sewer rehabilitation projects from December 31, 2018, to December 31, 2019. The permittee has indicated a reprioritization of project schedules in the CSO Master Plan since issuance of the 9/10/16 permit warrants a revision to the schedule for the Park Street and Industrial Park projects.

MODIFICATIONS GRANTED/DENIED

The permittee's request is acceptable to the Department.

CONCLUSIONS

BASED on the findings on Page 1 of this modification and subject to the terms and 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 waterbody are not met, the discharge will not cause or contribute to the failure of the waterbody to meet the standards of classification;
 - (d) Where the actual quality of any classified receiving waterbody 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 waterbody, 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 (including the four CSOs and the CSO related bypasses of secondary treatment) will be subject to effluent limitations that require application of best practicable treatment (BPT) as defined in *Conditions of licenses*, 38 M.R.S. § 414-A(1)(D).

ACTION

THEREFORE, the Department APPROVES the request by the City of Saco, to modify MEPDES permit ME0101117/WDL #W002599-6D-K-R, issued by the Department on September 20, 2016, for a five-year term. The permittee is SUBJECT TO THE ATTACHED CONDITIONS, AND ALL APPLICABLE STANDARDS AND REGULATIONS:

1. “*Maine Pollutant Discharge Elimination System Permit Standard Conditions Applicable to All Permits*,” revised July 1, 2002, copy attached to MEPDES permit ME0101117/WDL #W002599-6D-K-R, issued by the Department on September 20, 2016.
2. The attached Special Conditions, including any effluent limitations and monitoring requirements.
3. All terms and conditions of MEPDES permit ME0101117/WDL #W002599-6D-K-R, issued by the Department on September 20, 2016, not modified by this permitting action remain in effect and enforceable.
4. This minor revision becomes effective upon the date of signature below and expires at midnight on September 20, 2021. 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 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 9, 2018

Date of application acceptance November 14, 2018

Date filed with Board of Environmental Protection _____

This Order prepared by Gregg Wood, Bureau of Water Quality

SPECIAL CONDITIONS

K. COMBINED SEWER OVERFLOWS (CSO's)(cont'd)

- d) Notwithstanding specific conditions of this permit, the effluent by itself or in combination with other discharges may not lower the quality of any classified body of water below such classification, or lower the existing quality of any body of water if the existing quality is higher than the classification.

4. CSO Long Term Control Plan

The permittee must implement CSO control projects in accordance with an approved CSO Master Plan. The previous Master Plan entitled *Combined Sewer Overflow Master Abatement Plan* was submitted to the Department in October of 1995 and subsequently updated in April of 2001. The most recent Master Plan entitled *City of Saco CSO Abatement Master Plan Update* was received on May 31, 2016, modified on June 1, 2016 and approved by the Department on June 1, 2016. Key milestones approved in this most recent Master Plan with abatement schedule or agreed to by the permittee and Department that the permittee is required to comply with are:

On or before December 31, 2019 (ICIS Code 75305), the permittee must complete construction of the projects referred to as the Park Street and Industrial Park cross-country sewer rehabilitation projects.

On or before August 1, 2021, (ICIS Code 81699), the permittee must submit an updated CSO Master Plan which includes a flow study analysis and abatement schedule, unless all remaining CSO discharge points have been eliminated.

To modify the dates and or projects specified above, the permittee must file an application with the Department to formally modify this permit. The remaining work items identified in the abatement schedule may be amended from time to time based on mutual agreements between the permittee and the Department. The permittee must notify the Department in writing prior to any proposed changes to the implementation schedule.

5. Nine Minimum Controls (NMC) (see Section 5 Chapter 570 of Department Rules)
The permittee must implement and follow the Nine Minimum Control documentation as approved by EPA on May 29, 1997. Work performed on the Nine Minimum Controls during the year must be included in the annual CSO Progress Report (see below).