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

DEPARTMENT ORDER

IN THE MATTER OF

CITGO PETROLEUM CORPORATION	)	MAINE POLLUTANT DISCHARGE
S. PORTLAND, CUMBERLAND CTY., MAINE	)	ELIMINATION SYSTEM PERMIT
BULK FUEL STORAGE FACILITY	)	AND
#ME0002291	)	WASTE DISCHARGE LICENSE
#W000637-5S-I-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, and applicable rules of the Department of Environmental Protection (Department) has considered the application of CITGO PETROLEUM CORPORATION (Citgo/permittee) with its supportive data, agency review comments, and other related materials on file and FINDS THE FOLLOWING FACTS:

APPLICATION SUMMARY

On February 8, 2019, the Department accepted as complete for processing, a renewal application from Citgo for Waste Discharge License (WDL) #W000637-5S-H-R/ Maine Pollutant Discharge Elimination System (MEPDES) Permit #ME0002291 which was issued on August 18, 2014 for a five-year term. The 8/18/2014 permit authorized Citgo to discharge treated stormwater runoff at a daily maximum flow rate of 500 gallons per minute (GPM) and a maximum of 5.0 million gallons (MG) per discharge of hydrostatic test wastewaters and construction dewatering waters to the Fore River, Class SC, in South Portland, Maine. The previous permitting action included limitations and monitoring frequencies for several outfalls from which treated stormwater runoff was discharged. The Department has determined that outfalls carrying stormwater runoff are covered under the Multi Sector General Permit for Stormwater Associated with an Industrial Activity. Therefore, this permitting action only authorizes discharges of Hydrostatic Test Waters and construction dewatering waters. See **Attachment A** of this permit for a facility site map.

PERMIT SUMMARY

This permitting action is carrying forward all the terms and conditions of the previous permitting action except it is:

1. Removing Limitations and Monitoring frequencies and all references related to stormwater discharges which the Department deems covered under the Multi Sector General Permit for Stormwater Associated with an Industrial Activity.

CONCLUSIONS

BASED on the findings summarized in the attached Fact Sheet dated September 6, 2019 and subject to the special conditions that follow, the Department makes the following CONCLUSIONS:

1. The discharge, either by itself or in combination with other discharges, will not lower the quality of any classified body of water below such classification.

2. The discharge, either by itself or in combination with other discharges, will not lower the quality of any unclassified body of water below the classification which the Department expects to adopt in accordance with state law.

3. The provisions of the State's antidegradation policy, 38 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 38 M.R.S. § 414-A(1)(D).

ACTION

Therefore, the Department APPROVES the above noted application of CITGO PETROLEUM CORPORATION to discharge a daily maximum of a daily maximum of 5.0 MGD day of hydrostatic test wastewater from Outfall #002, and an unspecified amount of construction dewatering water from Outfall #003 from a bulk fuel storage and transfer facility to the Fore River, Class SC, in South Portland, 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.

2. The attached Special Conditions, including effluent limitations and monitoring requirements.

3. This permit and the authorization to discharge become effective upon the date of signature below and expire at midnight five (5) years from the effective date. 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. § 10002 and *Rules Concerning the Processing of Applications and Other Administrative Matters*, 06-096 CMR 2(21)(A) (June 9, 2018)]

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

DONE AND DATED AT AUGUSTA, MAINE, THIS _____ DAY OF_____ 2019.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: _____
Gerald D. Reid, Commissioner

Date filed with Board of Environmental Protection: _____

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application February 8, 2019.

Date of application acceptance February 8, 2019.

This Order prepared by Rod Robert Bureau of Water Quality

SPECIAL CONDITIONS

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. The permittee is authorized to discharge **hydrostatic test wastewater from Outfall #002 (when hydrostatic test wastewater is being discharged)** to the Fore River at South Portland. Such discharges are limited and must be monitored by the permittee as specified below:

OUTFALL #002 – Hydrostatic test wastewater[1]

Effluent Characteristic	Discharge Limitations		Minimum Monitoring Requirements	
	Monthly Average	Daily Maximum	Measurement Frequency	Sample Type
Flow[2] *[00164]*	---	5.0 MG *[5C]*	1/Discharge *[01/DS]*	Measure *[MS]*
Total Suspended Solids *[00530]*	---	50 mg/L *[19]*	1/Discharge *[01/DS]*	Grab[4] *[GR]*
Oil & Grease *[00552]*	---	15 mg/L *[19]*	1/Discharge *[01/DS]*	Grab[4] *[GR]*
Total Chlorine Residual[5] *[50060]*	---	13 ug/L *[28]*	1/Discharge *[01/DS]*	Grab[4] *[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.

FOOTNOTES: See Pages 7 through 9 of this permit for applicable footnotes.

SPECIAL CONDITIONS

B. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

2. The permittee is authorized to discharge construction dewatering water from Outfall #003 **(when hydrostatic test wastewater is not being discharged)** to the Fore River at South Portland. Such discharges are limited and must be monitored by the permittee as specified below:

OUTFALL #003 - Construction dewatering water[1]

Effluent Characteristic	Discharge Limitations		Minimum Monitoring Requirements	
	Monthly Average	Daily Maximum	Measurement Frequency	Sample Type
Flow[2] *[50050]*	---	500 gpm *[78]*	1/4 Weeks *[01/28]*	Measure *[MS]*
Total Suspended Solids *[00530]*	50 mg/L[3] *[19]*	100 mg/L *[19]*	1/4 Weeks *[01/28]*	Grab *[GR]*
Oil & Grease *[00552]*	---	15 mg/L *[19]*	1/4 Weeks *[01/28]*	Grab *[GR]*
Benzene[3] *[34030]*	---	Report mg/L *[19]*	1/4 Weeks *[01/28]*	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.

FOOTNOTES: See Pages 7 through 9 of this permit for applicable footnotes.

SPECIAL CONDITIONS

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

FOOTNOTES

Sampling Locations: Discharges from Outfall #002 and #003 must be sampled independently, prior to co-mingling with any other waste stream(s).

Outfall #002 (hydrostatic test wastewaters) samples for all parameters must be collected from the tank or piping prior to discharge directly to the receiving waters.

Outfall #003 (construction dewatering water) samples for all parameters must be collected after the final treatment process.

FOOTNOTES

1. **Sampling** - Samples for all parameters must be collected during the first hour of discharge. Sampling and analysis must be conducted in accordance with; a) methods approved in Title 40 *Code of Federal Regulations* (40 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 Human Services. Samples that are sent to another POTW licensed pursuant to *Waste discharge licenses*, 38 M.R.S. § 413 are subject to the provisions and restrictions of the *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. Laboratory facilities that analyze compliance samples in-house are subject to the provisions and restrictions of 10-144 CMR 263.

2. **Flow** – The flow through the oil/water separator must consist of hydrostatic test waters discharged through Outfall #002. The direct or indirect discharge of liquids from petroleum product pipelines, transport tanks, vessels or storage tanks through the oil/water separator is not authorized by this permit except as specified for Outfalls #002 and #003. No chemical treatment such as dispersants, emulsifiers or surfactants may be added to the oil/water separator or any wastewater discharge stream contributing flow to the separator.

SPECIAL CONDITIONS

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

At no time must the flow through the oil/water separator exceed the design flow of the separator (500 gpm).

Flow measurement devices or calculated flow estimates via pump curves or tank volumes or other methods must be approved by the Department. Measurement of flow may be suspended upon approval from the Department in the event the permittee limits flow to the separator by installing a permanent constriction to prevent flows from exceeding the design capacity of the separator. The installation, replacement or modification of any flow measurement or constriction device requires prior approval by the Department.

3. **Total Suspended Solids (TSS)** – Twelve-month rolling average. For the purposes of this permitting action, the twelve-month rolling average calculation is based on the test results for the most recent twelve-month period. Months when there is no discharge are not to be included in the calculations.

4. **Benzene** - The Department's reporting level (RL) of detection for benzene is 5 ug/L (0.005 mg/L).

5 **Total residual chlorine (TRC)** – The permittee must utilize a USEPA-approved test method capable of bracketing the TRC limitations specified in this permitting action. Compliance with the daily maximum limitation will be based on USEPA's current minimum level (ML) of detection of 50 µg/L (0.05 mg/L). All analytical test results must be reported to the Department including results which are detected below the ML

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 usages 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 usages designated for the classification of the receiving waters.

3. The permittee must not discharge wastewater that causes visible discoloration or turbidity in the receiving waters that causes those waters to be unsuitable for the designated uses and characteristics ascribed to their class.

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.

SPECIAL CONDITIONS

C. OIL/WATER SEPARATOR MAINTENANCE

The permittee must maintain an up-to-date operation and maintenance plan for the oil/water separator. The plan must include, but not be limited to, measures to ensure the separator performs within the designed performance standards of the system, is maintained on a routine basis to maximize the design capacity and efficiency of the system, and that adequate staffing and training of personnel is provided to ensure compliance with discharge limitations.

The operation and maintenance plan must remain on site at all times and be made available to Department and USEPA personnel upon request.

D. HYDROSTATIC TEST WASTEWATER

Tanks and pipes being hydrostatically tested must be clean of product and all construction debris, including sandblasting grit, prior to testing and discharge through Outfall #002. The discharge must be dechlorinated if test results indicate that discharged waters will violate permit limits. **The permittee must notify the Department of an intended discharge of hydrostatic test wastewater at least three business days prior to the discharge.**

E. CONSTRUCTION DEWATERING WATER

Construction dewatering water must be pretreated through the use of filters and activated carbon followed by flow equalization and solids removal through the use of hay bales prior to discharge. **The permittee must notify the Department of an intended discharge of construction dewatering water at least three business days prior to the discharge.**

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 February 8, 2019; 2) the terms and conditions of this permit; and 3) only from Outfalls #002 and #003. Discharges of wastewater from any other point source are not authorized under this permit and must be reported in accordance with Standard Condition D(f)(1), *Twenty-Four-Hour Reporting,* of this permit.

SPECIAL CONDITIONS

G. 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.

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 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.

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

SPECIAL CONDITIONS

H. NOTIFICATION REQUIREMENT

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 in the volume or character of pollutants being introduced into the wastewater collection and treatment system by a source introducing pollutants to the system at the time of permit issuance. For the purposes of this section, notice regarding substantial change must include information on:

   a. the quality and quantity of wastewater introduced to the wastewater collection and treatment system; and

   b. any anticipated impact caused by the change in the quantity or quality of the wastewater to be discharged from the treatment system.

I. REOPENING OF PERMIT FOR MODIFICATIONS

In accordance with 38 M.R.S. § 414-A(5) and upon evaluation of the tests results or monitoring requirements specified in Special Conditions of this permitting action, new site specific information, or any other pertinent test results or information obtained during the term of this permit, the Department may, at any time and with notice to the permittee, modify this permit to: 1) include effluent limits necessary to control specific pollutants or whole effluent toxicity where there is a reasonable potential that the effluent may cause water quality criteria to be exceeded, (2) require additional monitoring if results on file are inconclusive; or (3) change monitoring requirements or limitations based on new information.

J. SEVERABILITY

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

MAINE POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT
AND
MAINE WASTE DISCHARGE LICENSE

FACT SHEET

DATE: **SEPTEMBER 6, 2019**

PERMIT NUMBER: **#ME0002291**

WASTE DISCHARGE LICENSE: **#W000637-5S-I-R**

NAME AND ADDRESS OF APPLICANT:
CITGO PETROLEUM CORPORATION
120 MECHANIC STREET
SOUTH PORTLAND, ME 04106

NAME AND ADDRESS WHERE DISCHARGE(S) OCCUR(S):
CITGO PETROLEUM CORPORATION
120 MECHANIC STREET
SOUTH PORTLAND, ME 04106

COUNTY: **CUMBERLAND**

RECEIVING WATER CLASSIFICATION: **FORE RIVER, CLASS SC**

COGNIZANT OFFICIAL CONTACT INFORMATION:
DONALD LEE GRIFFIN, JR
(609) 841-0399
EMAIL: dgriffin@citgo.com

1. APPLICATION SUMMARY

Application: On February 8, 2019, the Department accepted as complete for processing, a renewal application from Citgo Petroleum Corporation for Waste Discharge License (WDL) #W000637-5S-H-R/ Maine Pollutant Discharge Elimination System (MEPDES) Permit #ME0002291 which was issued on August 18, 2014 for a five-year term. The 8/18/2014 permit authorized Citgo to discharge treated stormwater runoff at a daily maximum flow rate of 500 gallons per minute (GPM) and a maximum of 5.0 million gallons (MG) per discharge of hydrostatic test wastewater and construction dewatering water to the Fore River, Class SC, in South Portland, Maine. The previous permitting action included limitations and monitoring frequencies for several outfalls from which treated stormwater runoff was discharged. The Department has determined that outfalls carrying stormwater runoff are covered under the Multi Sector General Permit for Stormwater Associated with an Industrial Activity. Therefore, this permitting action only authorizes discharges of Hydrostatic Test Waters and Construction Dewatering Water.

2. PERMIT SUMMARY

a. Terms and Conditions: This permitting action is carrying forward all the terms and conditions of the previous permitting action except it is:

1. Removing Limitations and Monitoring frequencies and all references related to stormwater discharges which the Department deems covered under the Multi Sector General Permit for Stormwater Associated with an Industrial Activity.

2. PERMIT SUMMARY(cont'd)

b. History: The most current relevant regulatory actions and or significant events include the following:

December 13, 1991 – The United States Environmental Protection Agency (USEPA) issued National Pollution Discharge Elimination System (NPDES) permit #ME0002291 to Star Enterprise for a five-year term.

August 17, 1994 – The Department issued WDL #W000637-53-B-R to Star Enterprises.

August 8, 1999 - The USEPA issued NPDES permit #ME0002291 for a five-year term.

June 5, 2000 - The Department issued a permit renewal and transfer of MEPDES permit #ME0002291/Maine WDL #W000637-5S-D-R, from Star Enterprises to Motiva Enterprises LLC.

January 12, 2001 – The State of Maine received authorization from the USEPA to administer the NPDES permitting program in Maine. From this date forward, the program has been referred to as the MEPDES permit program, and MEPDES permit #ME0000485 has been utilized for this facility.

June 25, 2005 – The Department issued MEPDES permit/WDL #ME0002291/#W000637-5S-E-R to Motiva Enterprises LLC for a five-year term.

March 16, 2006 – The Department issued a transfer of MEPDES permit #ME0002291/Maine WDL #W000637-5S-F-T from Motiva Enterprises LLC to Citgo.

September 29, 2009 – The Department issued MEPDES permit/WDL ME0002291/W000637-5S-G-R for a five-year term.

March 26, 2014 – Citgo submitted a timely and complete General Application for the renewal of the September 29, 2009 MEPDES permit. The application was accepted for processing on April 1, 2014 and was assigned MEPDES #ME0002291/ WDL #W000637-5S-H-R.

2. PERMIT SUMMARY (cont'd)

August 18 2014 – The Department issued MEPDES permit ME0002291/W000637-5S-H-R for a five-year term.

c. Source Description: The permittee is engaged in the transfer (ship-to-shore), storage and distribution of refined petroleum products such as gasoline, diesel fuel, biodiesel, ethanol, fuel additives and home heating oil. The site encompasses approximately 16 acres of which approximately 4.2 acres are impervious area. The site has twelve (12) above-ground storage tanks having a gross capacity of approximately 831,000 barrels (34,902,000 gallons). In addition to tankage, there is an extensive above-ground and below-ground network of piping. There is a marine docking facility to transfer product from ships and or barges to the shore and a loading rack area where product from the storage tanks is transferred to tanker truckers to be distributed to local fuel oil dealers and gasoline stations for distribution to the general public.

Each of the storage tanks is enclosed in an unlined area of earthen dikes or concrete walls. The diked areas are designed to contain the contents of the enclosed tanks plus an additional volume to contain any extinguishment chemicals or water and precipitation. The dikes are required by the City of South Portland for safety to prevent product from spilling from one tank area to another or directly into a receiving waterbody, provide temporary containment in the event of a tank failure and isolate tanks in the event of a major fire in a tank. The remainder of the site consists of an office building, a warehouse complex and a truck loading rack area.

Occasionally Citgo replaces tank bottoms and install new tank foundations. In order to lift up the tank and make these improvements areas around the tanks must be dewatered. Construction dewatering typically occurs for approximately 16 weeks depending on the size of the tank. The volume of construction dewatering water will vary depending on weather events.

Hydrostatic test wastewater is municipal water used to test the integrity of the permittee's structural components (tanks, pipes). The tanks are washed and cleaned in preparation for repair and hydrostatic testing, this wash water is tank trucked to a Citgo-approved facility for product reclamation and wastewater treatment. The permittee's largest tank would discharge approximately 5.0 million gallons of test water over a period of several days. The new pipe assemblies are hydrostatically tested prior to connecting to the existing product piping; therefore, the pipes do not come into contact with product prior to hydrostatic testing. It is noted the hydrostatic test waters and construction dewatering waters are physically discharged via the Outfall pipe. The reporting of test results associated with the discharge of hydrostatic test waters and construction dewatering water, required by this permit must be reported under administrative Outfalls #002 and #003, respectively.

2. PERMIT SUMMARY (cont'd)

Sanitary wastewaters generated by employees at the facility are conveyed to the City of South Portland's wastewater treatment facility which is also regulated by this Department via a MEPDES permit.

d. Wastewater Treatment:

This permit does not require further treatment of the hydrostatic testing wastewater unless dechlorination is required to protect water quality.

During tank bottom replacement and new tank foundation installation a trench is excavated around the tank. The trench is lined with a filter fabric and ground water is collected through a perforated polyethylene pipe laid in the trench on top of the filter fabric. The pipe is then covered with crushed stone and the filter fabric is then folded over the stone, then the trench is backfilled with native soil. This permitted drain pipe is then connected to a series of sumps and pumped to a heated frack tank as this operation typically occurs in the fall and winter months. The frac tank(s) provide flow equalization and removal of some solids. The water is then treated through bag filters followed by granular activated carbon treatment. Treated water will initially be discharged into a clean frac tank until laboratory analysis of water samples confirm compliance with TSS and Oil & Grease limits. The construction dewatering water is then discharged directly to the receiving water.

The waste stream described above is discharged to the Fore River through a common outfall pipe measuring six (6) inches in diameter and is exposed at mean low water. See **Attachment A** of this Fact Sheet for a site plan of the facility.

3. CONDITIONS OF PERMITS

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 application of best practicable treatment, 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, 38 M.R.S. § 420 and *Surface Waters Toxics Control Program*, 06-096 CMR 530 (effective March 21, 2012), require the regulation of toxic substances not to exceed levels set forth in *Surface Water Quality Criteria for Toxic Pollutants*, 06-096 CMR 584 (effective July 29, 2012), and that ensure safe levels for the discharge of toxic pollutants such that existing and designated uses of surface waters are maintained and protected.

4. RECEIVING WATER QUALITY STANDARDS

Classification of estuarine and marine waters, 38 M.R.S. § 469(F) classifies the Fore River as a Class SC waterway. *Standards for classification of estuarine and marine waters*, 38 M.R.S. § 465-B(3) describes the classification standards for Class SC waters.

5. RECEIVING WATER CONDITIONS

The State of Maine 2016 Integrated Water Quality Monitoring and Assessment Report, prepared by the Department pursuant to Sections 303(d) and 305(b) of the Federal Water Pollution Control Act, lists the Fore River Estuary in South Portland as, "Category 4-A: Estuarine and Marine Waters with Impaired Use, TMDL Completed." Sampling conducted in calendar year 2001 indicates the 1.20 square miles of the Fore River Estuary in South Portland (waterbody ID #804-7) is impaired by bacteria. The Department completed the TMDL in 2009 and it was approved by USEPA on September 28, 2009.

The report lists the Fore River Estuary as "Category 5-A: Estuarine and Marine Waters Impaired by Pollutants Other Than Those Listed in 5-B Through 5-D (TMDL Required)." The Report states that aquatic life and toxics may impair "marine life use support." The report indicates the causes of the impairment are municipal point sources, combined sewer overflows, stormwater, hazardous waste sites and nonpoint spills of all sizes. The report indicates that a total maximum daily load (TMDL) has not been scheduled at this time and that the TMDL report is listed as a medium priority.

6. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

Discharges from activities associated with bulk petroleum stations and terminal operations must satisfy best conventional technology and best available technology requirements and must comply with more stringent water quality standards if best conventional technology and best available technology requirements are not adequate.

This permit authorizes the discharge of hydrostatic test wastewater with numeric effluent limitations which are within applicable water quality standards, and requires the continued implementation of a stormwater pollution prevention plan for additional protection of the environment. The effluent parameters for each waste stream are discussed in more detail below. The sections are arranged according to the effluent characteristic(s) being regulated:

a. Hydrostatic Test Wastewater - Outfall #002

1. Flow – For each discharge event, this permitting action is establishing a maximum limit of 5.0 million gallons which is the sum of the volume of the largest tank onsite and the maximum discharge volume from hydrostatic testing of the new piping system.

   This permitting action is carrying forward the daily maximum limitation of 5.0 MGD from the previous permitting action based on the maximum flow rate the permittee anticipates from this process.

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

2. Total Suspended Solids (TSS) – This permitting action is carrying forward the TSS daily maximum limit of 50 mg/L that is based on the Department's best professional judgment of limits that were achievable given the tanks and pipes that are hydrostatically tested have been washed and cleaned in preparation for repair and testing.

   A review of the DMRs submitted to the Department for the period September 2014 – March 2019 indicates that there were zero hydrostatic test wastewater discharge events during this period.

3. Oil & Grease – This permitting action is carrying forward a daily maximum oil and grease concentration limit of 15 mg/L that is the Department's best professional judgment of limits that are achievable given the fact that the piping is new and the tanks that are hydrostatically tested have been washed and cleaned in preparation for repair and testing.

4. Total residual chlorine (TRC) – This permitting action is carrying forward a daily maximum TRC limit of 13 ug/L. This limitation is based on USEPA's acute criteria maximum concentration (CMC) of 13 ug/L for marine waters. A chronic limit is not specified because the discharge is not continuous.

   Compliance with the daily maximum TRC limitation is based on USEPA's current minimum level (ML) of detection of 50 ug/L (0.05 mg/L).

   It is noted the quarterly Discharge Monitoring Reports (DMRs) are coded with the numeric value of 0.05 mg/L such that detectable results reported below the ML will not be considered a violation of the permit.

7. DISCHARGE IMPACT ON RECEIVING WATER QUALITY

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

8. PUBLIC COMMENTS

Public notice of this application was made in the Portland Press Herald on or about February 6, 2019. The Department receives public comments on an application until the date a final agency action is taken on that 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 CMR 522 (effective January 12, 2001).

9. DEPARTMENT CONTACTS

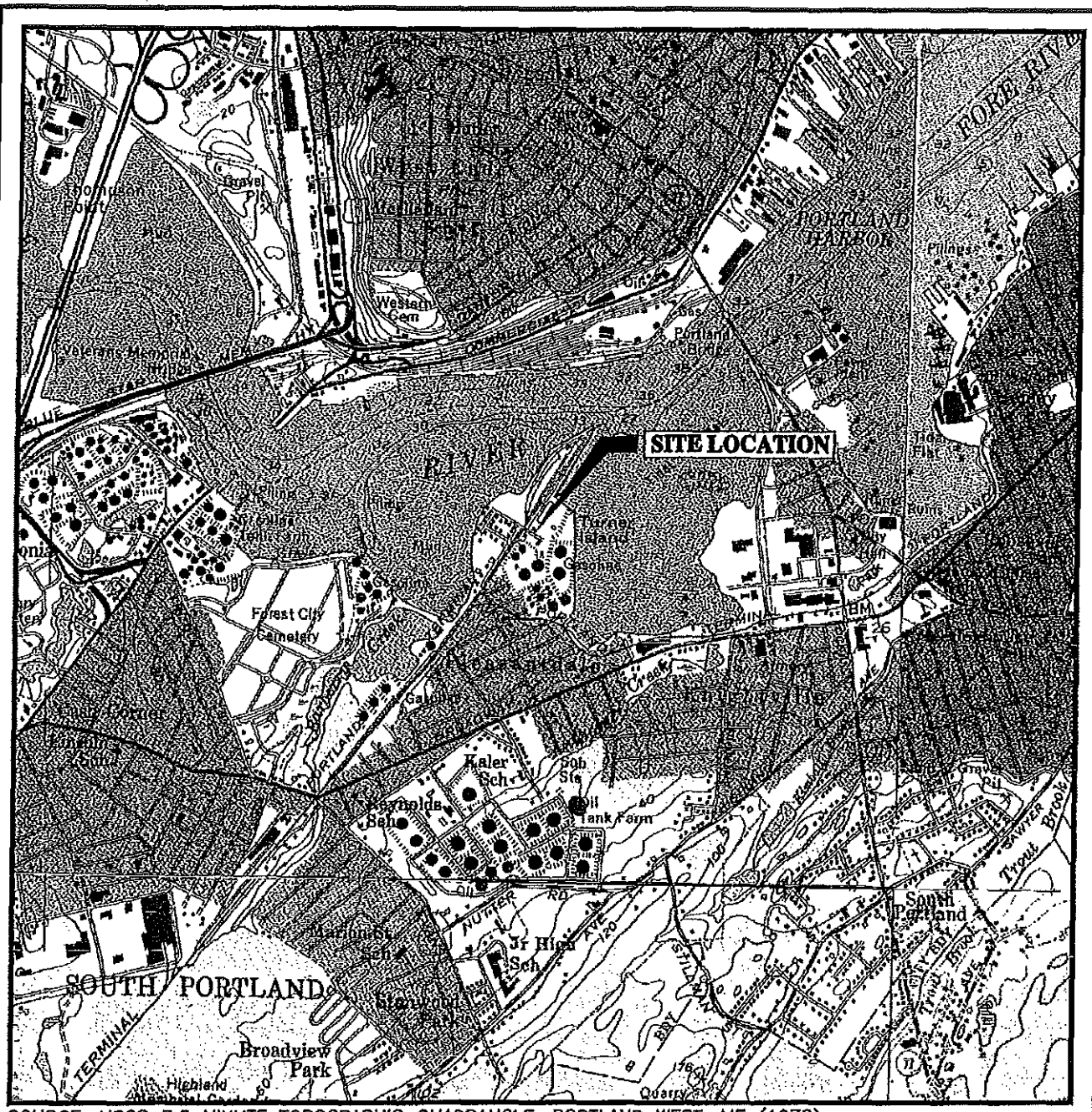
Additional information concerning this permitting action may be obtained from and written comments should be sent to:

Rodney Robert
Division of Water Quality Management
Bureau of Water Quality
Department of Environmental Protection
17 State House Station
Augusta, Maine 04333-0017 Telephone: (207) 446-1875 Fax: (207) 287-3435
e-mail: rodney.robert@maine.gov

10. RESPONSE TO COMMENTS

Reserved until the end of the formal thirty day comment period

ATTACHMENT A



SOURCE: USGS 7.5 MINUTE TOPOGRAPHIC QUADRANGLE: PORTLAND WEST, ME (1978)

SCALE 1:24000

1 1/2 0 1 MILE

1000 0 1000 2000 3000 4000 5000 6000 7000 FEET

CONTOUR INTERVAL 20 FEET

NATIONAL GEODETIC VERTICAL DATUM OF 1929

MAINE

QUADRANGLE LOCATION

N

70969 SITELOC.DWG 9/17/07 1=2000 DDP REV

Environmental Resources Management

ERM

SITE LOCATION MAP

SPCC PLAN

CITGO PETROLEUM CORPORATION

SOUTH PORTLAND, MAINE

FIGURE

1