STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

JANET T. MILLS
GOVERNOR

GERALD D. REID
COMMISSIONER

September 17, 2019

Mr. David Hughes
Superintendent, Scarborough Sanitary District
414 Black Point Road
Scarborough, ME. 04075
e-mail: dhughes@scarsd.org

RE: Maine Pollutant Discharge Elimination System (MEPDES) Permit #ME0102059
Maine Waste Discharge License (WDL) #W002669-6D-K-R
Proposed Draft Permit

Dear Mr. Hughes:

Enclosed 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 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.

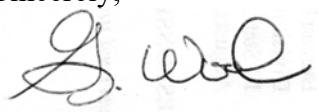
Beginning today, Wednesday, September 18, 2019, the Department is making the draft permit available for a 30-day public comment period. All comments on the proposed draft permit must be received in the Department of Environmental Protection office on or before the close of business **Thursday, October 17, 2019**. Failure to submit comments in a timely fashion will result in the final 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
gregg.wood@maine.gov

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

Sincerely,



Gregg Wood
Division of Water Quality Management
Bureau of Water Quality

Enc.

cc: Matt Hight, MDEP/SMRO
Lori Mitchell, MDEP/CMRO
Ellen Weitzler, USEPA
Shelley Puleo, USEPA
Marelyn Vega, USEPA
Solanch Pastrana-Del Valle, USEPA
Maine Dept. Inland Fisheries and Wildlife Environmental Review
Maine Dept. Marine Resources Environmental Review

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

DEPARTMENT ORDER

IN THE MATTER OF

SCARBOROUGH SANITARY DISTRICT	)	MAINE POLLUTANT DISCHARGE
SCARBOROUGH, CUMBERLAND COUNTY, MAINE	)	ELIMINATION SYSTEM PERMIT
PUBLICLY OWNED TREATMENT WORKS	)	AND
ME0102059	)	WASTE DISCHARGE LICENSE
W002668-6D-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, and applicable rules of the Department of Environmental Protection (Department hereinafter), the Department has considered the application of the SCARBOROUGH SANITARY DISTRICT (District/permittee hereinafter), with its supportive data, agency review comments, and other related materials on file and FINDS THE FOLLOWING FACTS:

APPLICATION SUMMARY

On August 20, 2019, the District submitted a timely and complete application to the Department for the renewal of Maine Pollutant Discharge Elimination System (MEPDES) permit #ME0102059 /Maine Waste Discharge License (WDL) #W002668-6D-J-R (permit hereinafter), which was issued by the Department on December 17, 2014, for a five-year term. The 12/17/14 MEPDES permit authorized the monthly average discharge of 2.5 million gallons per day (MGD) of secondary treated sanitary wastewater from a municipal treatment facility to the Atlantic Ocean, Class SB, in Scarborough, Maine.

PERMIT SUMMARY

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

1. Establishing seasonal (April 15th – October 31st) monthly average and daily maximum water quality-based limitations and monitoring requirements for enterococcus bacteria along with a compliance schedule to come into compliance with said limitations. The limitations are being established to seasonally protect for the designated use of recreation in and on the water.

2. Establishing more stringent limitations for fecal coliform bacteria based on comments received from the USEPA and the most current revisions to the National Shellfish Sanitation Program.

3. Reducing the monitoring frequency for total residual chlorine from 1/Day to 3/Week given the permittee's excellent compliance history and to be consistent with the monitoring frequencies for fecal coliform and enterococcus bacteria.

4. Establishing a seasonal (May – October) monitoring requirement for total nitrogen for calendar year 2020 only to better characterize the total nitrogen being discharged from the facility.

CONCLUSIONS

Based on the findings summarized in the attached **PROPOSED DRAFT** Fact Sheet dated September 17, 2019, and subject to the special and standard 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, *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 *Conditions of licenses*, 38 M.R.S. § 414-A(1)(D).

ACTION

Based on the findings and conclusions as stated above, the Department APPROVES the above noted application of the SCARBOROUGH SANITARY DISTRICT to discharge a monthly average of 2.5 million gallons per day (MGD) of secondary treated sanitary wastewater to the Atlantic Ocean, Class SB, in Scarborough, 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 any effluent limitations and monitoring requirements.

3. This permit and the authorization to discharge becomes effective upon the date of signature below and expires 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) (amended 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 of initial receipt of application August 20, 2019

Date of application acceptance August 29, 2019

Date filed with Board of Environmental Protection _____

This Order prepared by Gregg Wood, Bureau of Water Quality

SPECIAL CONDITIONS
A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. The permittee is authorized to discharge **secondary treated municipal sanitary wastewater from Outfall #001A** to the Atlantic Ocean at Scarborough. Such discharges are limited and must be monitored by the permittee as specified below[(1)]:

Effluent Characteristic	Discharge Limitations						Minimum Monitoring Requirements	
	Monthly Average	Weekly Average	Daily Maximum	Monthly Average	Weekly Average	Daily Maximum	Measurement Frequency	Sample Type
Flow *[50050]*	2.5 MGD *[03]*	---	---	---	---	---	Continuous *[99/99]*	Recorder *[RC]*
Biochemical Oxygen Demand (BOD_5) *[00310]*	625 lbs/day *[26]*	938 lbs/day *[26]*	1,042 lbs/day *[26]*	30 mg/L *[19]*	45 mg/L *[19]*	50 mg/L *[19]*	3/Week *[03/07]*	24-Hour Composite *[24]*
BOD_5 % Removal[(2)] *[81010]*	---	---	---	85% *[23]*	---	---	1/Month *[01/30]*	Calculate *[CA]*
Total Suspended Solids (TSS) *[00530]*	625 lbs/day *[26]*	938 lbs/day *[26]*	1,042 lbs/day *[26]*	30 mg/L *[19]*	45 mg/L *[19]*	50 mg/L *[19]*	3/Week *[03/07]*	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]*
Fecal Coliform Bacteria (*Year Round*) *[74055]*	---	---	---	14 cfu/100 ml[(3)] *[13]*	---	31 cfu/100 ml *[13]*	3/Week *[03/07]*	Grab *[GR]*
Enterococcus Bacteria (*April 15 – October 31 beginning 2021*) *[31639]*	---	---	---	8 cfu/100 ml[(3)] *[13]*	---	54 cfu/100 ml *[13]*	3/Week *[03/07]*	Grab *[GR]*
Total Residual Chlorine[(4)] *[50060]*	---	---	---	---	---	1.0 mg/L *[19]*	3/Week *[03/07]*	Grab *[GR]*
pH (Std. Units) *[00400]*	---	---	---	---	---	6.0 – 9.0 SU *[12]*	1/Day *[01/01]*	Grab *[GR]*
Mercury (Total)[(5)] *[71900]*	---	---	---	82.5 ng/L *[3M]*	---	123.8 ng/L *[3M]*	1/Year *[01/YR]*	Grab *[GR]*

SPECIAL CONDITIONS

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

OUTFALL #001A

Effluent Characteristic	Discharge Limitations		Minimum Monitoring Requirements			
	Monthly Average	**Daily Maximum**	**Monthly Average**	**Daily Maximum**	**Measurement Frequency**	**Sample Type**
Total Kjeldahl Nitrogen (as N) *[00625]* ***(May – Oct) Calendar year 2020***	Report lbs/day *[26]*	Report lbs/day *[26]*	Report mg/L *[19]*	Report mg/L *[19]*	1/2 Weeks *[01/14]*	Composite *[24]*
Nitrate + Nitrite Nitrogen (as N) *[00630]* ***(May – Oct) Calendar year 2020***	Report lbs/day *[26]*	Report lbs/day *[26]*	Report mg/L *[19]*	Report mg/L *[19]*	1/2 Weeks *[01/14]*	Composite *[24]*
Total Nitrogen (as N) **(6)** *[00600]* ***(May – Oct) Calendar year 2020***	Report lbs/day *[26]*	Report lbs/day *[26]*	Report mg/L *[19]*	Report mg/L *[19]*	1/2 Weeks *[01/14]*	Composite *[24]*
Total Nitrogen (as N) **(7)** *[00600]* ***DMR for the month of October 2020***	Report lbs/day *[26]*	---	---	---	1/Season *[01/SN]*	Calculate *[CA]*

FOOTNOTES: See Pages 7 through 10 of this permit for applicable footnotes.

SPECIAL CONDITIONS

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

2. ***SCREENING LEVEL TESTING -*** Beginning 24 months prior to permit expiration and lasting through 12 months prior to permit expiration (Year 4 of the term of the permit) and every five years thereafter if a timely request for renewal has been made and the permit continues in force, or is replaced by a permit renewal containing this requirement.

Effluent Characteristic	**Discharge Limitations**		**Minimum Monitoring Requirements**
	Daily Maximum	**Measurement Frequency**	**Sample Type**
Whole Effluent Toxicity[8] **Acute – NOEL** *Mysidopsis bahia* (Mysid shrimp) *[TDM3E]*	Report % *[23]*	1/Year *[01/YR]*	Composite *[24]*
Chronic – NOEL *Arbacia punctulata* (Sea Urchin) *[TBH3A]*	Report % *[23]*	1/Year *[01/YR]*	Composite *[24]*
Analytical Chemistry[9,11] *[51477]*	Report µg/L *[28]*	1/Quarter *[01/90]*	Composite/Grab *[24]*
Priority pollutant [10,11] *[50008]*	Report µg/L *[28]*	1/ Year *[01/YR]*	Composite/Grab *[24]*

FOOTNOTES: See Pages 7 through 10 of this permit for applicable footnotes.

SPECIAL CONDITIONS

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

FOOTNOTES

1. **Sampling** – Influent sampling must be conducted upstream of screenings grit removal. All effluent monitoring must be conducted at a location following the last treatment unit in the treatment process, including dechlorination, 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 all effluent 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. 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 CMR 263 (last amended December 19, 2018). 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.

2. **Percent Removal** - The permittee must achieve a minimum of 85 percent removal of both total suspended solids and biochemical oxygen demand for all flows receiving secondary treatment. The percent removal is calculated based on influent and effluent concentration values.

3. **Bacteria Reporting** – The monthly average fecal coliform and enterococcus bacteria limitations are geometric mean limitations and sample results must be reported as such.

4. **TRC Monitoring** – Limitations and monitoring requirements are in effect any time elemental chlorine or chlorine-based compounds are utilized to disinfect the discharge(s). The permittee must utilize a USEPA-approved test method capable of bracketing the TRC limitations specified in this permitting action. Monitoring for TRC is only required when elemental chlorine or chlorine-based compounds are in use for effluent disinfection. For instances when a facility has not disinfected with chlorine-based compounds for an entire reporting period, the facility must report "N9" for this parameter on the monthly DMR if the submittal is an electronic DMR.

SPECIAL CONDITIONS

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

5. **Mercury** – The permittee must conduct all mercury monitoring required by this permit to determine compliance with interim limitations established pursuant to 06-096 C.M.R. 519 in accordance with the USEPA's "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*. Go to https://www.maine.gov/dep/water/wd/municipal_industrial/index.html and click on "Whole Effluent Toxicity, Chemistry, and Mercury Reporting Forms" for a reporting 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.

6. **Total nitrogen (as N) – Monthly** – The permittee is required to report the monthly average, weekly average and daily maximum mass and concentrations for each month (May – October) by adding the total kjeldahl nitrogen values to the nitrate + nitrite nitrogen values.

7. **Total Nitrogen (as N) – Seasonal daily average -** The permittee is required to report the seasonal daily average mass of total nitrogen discharged from the facility on the October DMR for each year. The seasonal daily average mass must be calculated by summing the mass results for each sampling event and dividing by the total number of samples. See **Attachment A** of this permit for the Department's protocol entitled, *Protocol For Nitrogen Sample Collection and Analysis For Waste Water Effluent*.

8. **Whole effluent toxicity (WET) testing** – Definitive WET testing is a multi-concentration testing event (a minimum of five dilutions bracketing the critical acute and chronic thresholds of 0.83% and 0.16% respectively), which provides an estimate of toxicity in terms of No Observed Effect Level, commonly referred to as NOEL or NOEC. A-NOEL is defined as the acute no observed effect level with survival as the end point. C-NOEL is defined as the chronic no observed effect level with survival, reproduction and growth as the end points. The critical acute and chronic thresholds were derived as the mathematical inverse of the applicable acute and chronic dilution factors of 120:1 and 630:1, respectively.

   a. **Surveillance level testing** – Waived pursuant to 06-096 CMR Chapter 530 §2(D)(3).

   b. **Screening level testing -** Beginning 24 months prior to permit expiration and lasting through 12 months prior to permit expiration (Year 4 of the term of the permit) and every five years thereafter if a timely request for renewal has been made and the permit continues in force, or is replaced by a permit renewal containing this requirement, the permittee must conduct screening level acute and chronic WET testing at a minimum frequency of 1/Year for both species. Acute tests must be conducted on the mysid shrimp (*Mysidopsis bahia*) and chronic tests must be conducted on the sea urchin (*Arbacia punctulata*).

SPECIAL CONDITIONS

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

WET test results must be submitted to the Department not later than the next Discharge Monitoring Report (DMR) required by the permit, provided, however, that the permittee may review the toxicity reports for up to 10 business days of their availability before submitting them. The permittee must evaluate test results being submitted and identify to the Department possible exceedances of the critical acute and chronic water quality thresholds of 0.83% and 0.16%, respectively.

Toxicity tests must be conducted by an experienced laboratory approved by the Department. The laboratory must follow procedures as described in the following USEPA methods manuals.

a. U.S. Environmental Protection Agency, 2002. Short-term Methods for Estimating the chronic Toxicity of Effluents and Receiving Waters to Marine and Estuarine Organisms, Third edition, October 2002, EPA 821-R002-014.

b. U.S. Environmental Protection Agency, 2002. Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms, Fifth edition, October 2002, EPA 821-R-02-012.

9. **Analytical Chemistry** – Refers to those pollutants listed under "Analytical Chemistry" on the form found at: https://www.maine.gov/dep/water/wd/municipal_industrial/index.html

   a. **Surveillance level testing** - Waived pursuant to 06-096 CMR Chapter 530 §2(D)(3).

   b. **Screening level testing** - Beginning 24 months prior to permit expiration and lasting through 12 months prior to permit expiration (Year 4 of the term of the permit) and every five years thereafter if a timely request for renewal has been made and the permit continues in force, or is replaced by a permit renewal containing this requirement, the permittee must conduct screening level analytical chemistry testing at a minimum frequency of four times per year (4/Year) in successive calendar quarters.

10. **Priority Pollutant Testing -** Refers to those pollutants listed under "Priority Pollutants" on the form found at: https://www.maine.gov/dep/water/wd/municipal_industrial/index.html

    a. **Surveillance level testing** – No required by to 06-096 CMR Chapter 530.

    b. **Screening level testing** - Beginning 24 months prior to permit expiration and lasting through 12 months prior to permit expiration (Year 4 of the term of the permit) and every five years thereafter if a timely request for renewal has been made and the permit continues in force, or is replaced by a permit renewal containing this requirement, the permittee must conduct screening level priority pollutant testing at a minimum frequency of once per year (1/Year) in any calendar quarter provided the sample is representative of the discharge and any seasonal or other variations in effluent quality.

SPECIAL CONDITIONS

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

11. **Priority Pollutant and Analytical Chemistry Testing** – This testing must be conducted on samples collected at the same time as those collected for whole effluent toxicity tests when applicable. Priority pollutant and analytical chemistry testing must be conducted using methods that permit detection of a pollutant at existing levels in the effluent or that achieve minimum reporting levels of detection as specified by the Department.

    Test results must be submitted to the Department not later than the next Discharge Monitoring Report (DMR) required by the permit, provided, however, that the permittee may review the toxicity reports for up to 10 business days of their availability before submitting them. The permittee must evaluate test results being submitted and identify to the Department, possible exceedances of the acute, chronic or human health AWQC as established in *Surface Water Quality Criteria for Toxic Pollutants*, 06-096 CMR 584 (last amended July 29, 2012). For the purposes of DMR reporting, enter a "1" for yes, testing done this monitoring period or "NODI-9" monitoring not required this period.

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 discharge must not impart visible discoloration, taste, turbidity, toxicity, radioactivity or other properties in the receiving waters which would impair the usages 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 treatment facility must be operated by a person holding a minimum of a **Grade IV** certificate (or Registered Maine Professional Engineer) pursuant to *Sewerage 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.

SPECIAL CONDITIONS

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 Industrial Waste Survey (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. The IWS must identify, in terms of character and volume of pollutants, any Significant Industrial Users discharging into the 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).

E. 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 28, 2019; 2) the terms and conditions of this permit; and 3) only from Outfall #001A. Discharges of wastewater from any other point source(s) 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.

F. 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.

SPECIAL CONDITIONS

G. WET WEATHER MANAGEMENT PLAN

The permittee must maintain 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. A specific objective of the plan must be to maximize the volume of wastewater receiving secondary treatment under all operating conditions. The revised plan 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.

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.

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.

H. OPERATIONS AND 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.

SPECIAL CONDITIONS

I. DISPOSAL OF TRANSPORTED WASTES IN WASTEWATER TREATMENT FACILITY

Pursuant to this permit and *Standards for the Addition of Transported Wastes to Wastewater Treatment Facilities,* 06-096 CMR 555 (effective March 9, 2009), during the effective period of this permit, the permittee is authorized to **receive** into the solids handling stream up to **a daily maximum of 23,000 gallons per day (gpd)** of transported wastes. Of the 23,000 gpd of transported wastes authorized by this permit, the permittee may only **introduce a daily maximum of 9,000 gpd** of the transported wastes into the treatment plant processes. Receipt of transported wastes and introduction into the facility's treatment plant processes are subject to the following terms and conditions.

1. **"**Transported wastes" means any liquid non-hazardous waste delivered to a wastewater treatment facility by a truck or other similar conveyance that has different chemical constituents or a greater strength than the influent described on the facility's application for a waste discharge license. Such wastes may include, but are not limited to septage, industrial wastes or other wastes to which chemicals in quantities potentially harmful to the treatment facility or receiving water have been added.

2. The character and handling of all transported wastes received must be consistent with the information and management plans provided in application materials submitted to the Department.

3. At no time must the addition of transported wastes cause or contribute to effluent quality violations. Transported wastes may not cause an upset of or pass through the treatment process or have any adverse impact on the sludge disposal practices of the wastewater treatment facility. Wastes that contain heavy metals, toxic chemicals, extreme pH, flammable or corrosive materials in concentrations harmful to the treatment operation must be refused. Odors and traffic from the handling of transported wastes may not result in adverse impacts to the surrounding community. If any adverse effects exist, the receipt or introduction of transported wastes into the treatment process or solids handling stream must be suspended until there is no further risk of adverse effects.

4. The permittee must maintain records for each load of transported wastes in a daily log which must include at a minimum the following.
   (a) The date;
   (b) The volume of transported wastes received;
   (c) The source of the transported wastes;
   (d) The person transporting the transported wastes;
   (e) The results of inspections or testing conducted;
   (f) The volumes of transported wastes added to each treatment stream; and
   (g) The information in (a) through (d) for any transported wastes refused for acceptance.
   These records must be maintained at the treatment facility for a minimum of five years.

SPECIAL CONDITIONS

I. DISPOSAL OF TRANSPORTED WASTES IN WASTEWATER TREATMENT FACILITY

5. The addition of transported wastes into the treatment process or solids handling stream must not cause the treatment facilities design capacity to be exceeded. If, for any reason, the treatment process or solids handling facilities become overloaded, introduction of transported wastes into the treatment process or solids handling stream must be reduced or terminated in order to eliminate the overload condition.

6. Holding tank wastewater from domestic sources to which no chemicals in quantities potentially harmful to the treatment process have been added must not be recorded as transported wastes but should be reported in the treatment facility's influent flow.

7. During wet weather events, transported wastes may be added to the treatment process or solids handling facilities only in accordance with a current high flow management plan approved by the Department that provides for full treatment of transported wastes without adverse impacts.

8. In consultation with the Department, chemical analysis is required prior to receiving transported wastes from new sources that are not of the same nature as wastes previously received. The analysis must be specific to the type of source and designed to identify concentrations of pollutants that may pass through, upset or otherwise interfere with the facility's operation.

9. Access to transported waste receiving facilities may be permitted only during the times specified in the application materials and under the control and supervision of the person responsible for the wastewater treatment facility or his/her designated representative.

10. The authorization in the Special Condition is subject to annual review and, with notice to the permittee and other interested parties of record, may be suspended or reduced by the Department as necessary to ensure full compliance with 06-096 CMR 555 and the terms and conditions of this permit.

J. 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 96299]***. See **Attachment E** of the permit 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;

SPECIAL CONDITIONS

J. 06-096 CMR 530(2)(D)(4) STATEMENT FOR REDUCED/WAIVED TOXICS TESTING (cont'd)

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.

K. MONITORING AND REPORTING

Electronic Reporting

NPDES Electronic Reporting, 40 CFR 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 DEP 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.

L. REOPENING OF PERMIT FOR MODIFICATION

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.

SPECIAL CONDITIONS

M. 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 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.

ATTACHMENT A

Protocol for Nitrogen Sample Collection and Analysis for Waste Water Effluent

Approved Analytical Methods (from Table 1 B of Part 136 per the 2012 Method Update Rule): (laboratory must be certified for any method performed)

Total Kjeldahl Nitrogen (TKN):

Manual digestion and distillation or gas diffusion followed by any of the following	SM4500-Norg B-97 or C-97 and SM4500-NH3 B-97.		ASTM D3590-02 (06) (A)	I-4515-9145
Titration	SM4500-NH3 C-97		ASTM D3590-89, 02 (A)	973.48.3
Nesslerization			ASTM D1426-08 (A)	
Electrode	SM4500-NH3 D-97 or E-97		ASTM D1426-08 (B)	
Semi-automated phenate	EPA 350.1 Rev. 2.0 (1993)		SM4500-NH3 G-97 or H-97	
Manual phenate, salicylate, or other substituted phenols in Berthelot reaction based methods	SM4500-NH3 F-1997			
Automated methods for TKN that do not require manual digestion				
Automated phenate, salicylate, or other substituted phenols in Berthelot reaction based methods colorimetric (auto digestion and distillation)	EPA 351.1 (1978)			I-4551-788
Semi-automated block digestor colorimetric (distillation not required)	EPA 351.2, Rev. 2.0 (1993)	SM4500-Norg D-97	ASTM D3590-02 (06) (B)	I-4515-9145

Nitrate + Nitrite (NO3 + NO2):

Cadmium reduction, Manual		SM4500-NO3 E-00e	ASTM D3867-04 (B)	
Cadmium reduction, Automated, or	EPA 353.2, Rev. 2.0 (1993)	SM4500-NO3 F-00	ASTM D3867-04(A)	I-4545-852e
Automated hydrazine		SM4500-NO3 H-00		
Ion chromatography	EPA 300.0, Rev. 2.1 (1993) and EPA 300.1, rev. 1.0 (1997)	SM4110 B-00 or C-00	ASTM D4327-03	993.303
CIE/UV		SM4140 B-97	ASTM D6508-00 (05)	ASTM D6508, Rev. 2

Sample Collection: The Maine DEP is requesting that nitrogen analysis be conducted on composite effluent samples, unless a facility's Permit specifically designates grab sampling for this parameter. Facilities can use individual collection bottles or a single jug made out of glass or polyethylene. Bottles and/or jugs should be cleaned prior to each use with dilute H_2SO_4. This cleaning should be followed by several rinses with distilled water. Commercially purchased, pre-cleaned sample containers are an acceptable alternative. The sampler hoses should be cleaned, as needed.

Sample Preservation: During compositing the sample must be at 0-6 degrees C (without freezing). If the sample is being sent to a commercial laboratory or analysis cannot be performed the day of collection then the sample must be preserved using H_2SO_4 to obtain a sample pH of <2 su and refrigerated at 0-6 degrees C (without freezing). The holding time for a preserved sample is 28 days.

Laboratory QA/QC: Laboratories must follow the appropriate QA/QC procedures that are described in each of the approved methods.

Sampling QA/QC: If a composite sample is being collected using an automated sampler, then once per month run a blank on the composite sampler. Automatically, draw distilled water into the sample jug using the sample collection line. Let this water set in the jug for 24 hours and then analyze for total nitrogen. Preserve this sample as described above.

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.

MAINE POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT
MAINE WASTE DISCHARGE LICENSE

FACT SHEET

DATE: **September 17, 2019**

PERMIT NUMBER: **ME0102059**

WASTE DISCHARGE LICENSE: **W002668-6D-K-R**

NAME AND ADDRESS OF APPLICANT:

SCARBOROUGH SANITARY DISTRICT
415 Black Point Road
Scarborough, Maine 04074

COUNTY: **CUMBERLAND**

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

SCARBOROUGH SANITARY DISTRICT
Prouts Neck
Scarborough, Maine 04530

RECEIVING WATER CLASSIFICATION: **Atlantic Ocean/Class SB**

COGNIZANT OFFICIAL CONTACT INFORMATION:

Mr. David Hughes, Superintendent
(207) 883-4663
e-mail: dhughes@scarsd.org

1. APPLICATION SUMMARY

a. Application: On August 21, 2019, the Scarborough Sanitary District (District/permittee hereinafter) submitted a timely and complete application to the Department for the renewal of Maine Pollutant Discharge Elimination System (MEPDES) permit #ME0102059 /Maine Waste Discharge License (WDL) #W002668-6D-J-R (permit hereinafter), which was issued by the Department on December 17, 2014, for a five-year term. The 12/17/14 MEPDES permit authorized the monthly average discharge of 2.5 million gallons per day (MGD) of secondary treated sanitary wastewater from a municipal treatment facility to the Atlantic Ocean, Class SB, in Scarborough, Maine. See **Attachment A** for a location map.

1. APPLICATION SUMMARY (cont'd)

b. Source Description: The permittee receives residential, commercial, and industrial sanitary wastewater from the Town of Scarborough. There are no industrial users within the collection system that meet the definition of a "significant industrial user" and there are no combined sewer overflows. The permittee is authorized to receive up to 23,000 gpd and introduce into the treatment process up to 9,000 gallons per day of transported wastes in. The permittee submitted a Septage Management Plan in their 2019 permit renewal application that is in compliance with 06-096 CMR 555.

c. Wastewater Treatment: The permittee completed a significant upgrading of its facility in 2005. The wastewater treatment facility consists of the following major components: A headworks building which includes septage receiving, coarse screening and grit removal. The headworks building houses sludge pumps, septage pumps, grit and septage aeration blowers. There are two 50-ft diameter primary clarifiers and nine aeration tanks with fine bubble diffusers that hold a total volume of 0.938 MGD. It is noted that the aeration basins are set up so that an anoxic zone with internal recycle can be operated for biological nitrogen removal through the modified Ludzack-Ettinger process. From the aeration tanks, treated flows are conveyed to three 55-ft diameter secondary clarifiers. The final effluent is discharged to the Atlantic Ocean from the south end of Prouts Neck via a 21-inch, 9,400 ft long outfall pipe extending 800 ft offshore, at 40 ft below mean low water. Sodium hypochlorite is mixed with the effluent in the outfall pipe for disinfection.

Sludge is currently contracted to be hauled off-site for disposal. The District does maintain their sludge composting license as an alternative disposal option.

A process flow diagram submitted by the permittee is included as Fact Sheet **Attachment B**.

2. PERMIT SUMMARY

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

1. Establishing seasonal (April 15th – October 31st) monthly average and daily maximum water quality-based limitations and monitoring requirements for enterococcus bacteria along with a compliance schedule to come into compliance with said limitations. The limitations are being established to seasonally protect for the designated use of recreation in and on the water.

2. Establishing more stringent limitations for fecal coliform bacteria based on comments received from the USEPA and the most current revisions to the National Shellfish Sanitation Program.

3. Reducing the monitoring frequency for total residual chlorine from 1/Day to 3/Week given the permittee's excellent compliance history and to be consistent with the monitoring frequencies for fecal coliform and enterococcus bacteria.

4. Establishing a seasonal (May – October) monitoring requirement for total nitrogen for calendar year 2020 only to better characterize the total nitrogen being discharged from the facility.

2. PERMIT SUMMARY (cont'd)

b. History: The most current relevant regulatory actions include:

November 17, 1995 - The Department issued WDL renewal #W002668-46-E-R for a five-year term. This WDL superseded a previous WDL renewal issued on November 2, 1992, and all prior licensing actions to the earliest recorded action on March 26, 1984.

March 1, 1996 – The Department notified Scarborough that the facility was subject to year-round effluent disinfection because of shellfish areas in proximity of the outfall. The notification served to formally modify WDL #W-002668-46-E-R.

November 3, 1997 – The Department administratively modified WDL #W-002668-46-E-R to incorporate a daily maximum fecal coliform bacteria limit of 50 colonies per 100 milliliters (ml) and a monthly average limitation of 15 colonies per 100 ml. The revisions were enacted to ensure consistency with the National Shellfish Sanitation Program standards.

September 25, 2000 – The U.S. Environmental Protection Area (USEPA) issued National Pollution Discharge Elimination System (NPDES) permit #ME0102059 for a 5-year term. This permit superseded a previous NPDES permit issued on September 19, 1995.

January 10, 2001 – The Department issued WDL #W002668-5L-F-R for a 5-year term.

January 12, 2001 – The Department received authorization from the USEPA to administer the NPDES permitting program in Maine, excluding areas of special interest to Maine Indian Tribes. From this point forward, the program has been referred to as the Maine Pollutant Discharge Elimination System (MEPDES) program, and MEPDES permit #ME0102059 has been utilized for this facility.

September 3, 2004 – The Department issued WDL/MEPDES permit #W002668-5L-G-R/ME0102059 for a 5-year term.

April 10, 2006 – The Department issued a modification of the 9/3/04 combination MEPDES Permit/WDL by incorporating the testing requirements of Department rules Chapter 530 and Chapter 584.

September 29, 2006 – The Department approved a minor revision of permit #W002668-5L-G-R/ME0102059 to reflect an increase in the maximum amount of septage stored onsite from 11,100 gallons per day to 23,000 gallons per day.

October 16, 2009 – The Department issued WDL #W002668-6D-H-R for a 5-year term.

February 6, 2012 – The Department issued permit modification #ME0102059/WDL#W002668-5M-I-M to incorporate the average and maximum concentration limits for total mercury.

September 2, 2014 – The District submitted a timely and complete General Application to the Department for renewal of the October 16, 2009, MEPDES permit. The application was accepted for processing on September 4, 2014, and was assigned WDL #W002668-6D-J-R / MEPDES #ME0102059.

2. PERMIT SUMMARY (cont'd)

December 17, 2014 – The Department issued WDL #W002668-6D-J-R for a 5-year term.

August 20, 2019 – The District submitted a timely and complete General Application to the Department for renewal of the October 16, 2009 MEPDES permit. The application was accepted for processing on August 29, 2019, and was assigned WDL #W002668-6D-J-R / MEPDES #ME0102059.

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 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, 38 M.R.S. § 420 and 06-096 CMR 530 require the regulation of toxic substances not to exceed levels set forth in *Surface Water Quality Criteria for Toxic Pollutants*, 06-096 CMR 584 (last amended 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(1) classifies the marine waters off the southern end of Prouts Neck at the point of discharge as a Class SB waterway. *Standards for classification of estuarine and marine waters,* 38 M.R.S. § 465-B(2) describes the standards for classification of Class SB waterways are as follows:

Class SB waters must be of such quality that they are suitable for the designated uses of recreation in and on the water, fishing, aquaculture, propagation and harvesting of shellfish, industrial process and cooling water supply, hydroelectric power generation, navigation and as habitat for fish and other estuarine and marine life. The habitat must be characterized as unimpaired.

The dissolved oxygen content of Class SB waters may not be less than 85% of saturation. Between April 15th and October 31st, the number of enterococcus bacteria in these waters may not exceed a geometric mean of 8 CFU per 100 milliliters in any 90-day interval or 54 CFU per 100 milliliters in more than 10% of the samples in any 90-day interval. The number of total coliform bacteria or other specified indicator organisms in samples representative of the waters in shellfish harvesting areas may not exceed the criteria recommended under the National Shellfish Sanitation Program, United States Food and Drug Administration.

Discharges to Class SB waters may not cause adverse impact to estuarine and marine life in that the receiving waters must be of sufficient quality to support all estuarine and marine species indigenous to the receiving water without detrimental changes in the resident biological community. There may be no new discharge to Class SB waters that would cause closure of open shellfish areas by the Department of Marine Resources. For the purpose of allowing the discharge of aquatic pesticides approved by the department for the control of mosquito-borne diseases in

4. RECEIVING WATER QUALITY STANDARDS 9cont'd)

the interest of public health and safety, the department may find that the discharged effluent will not cause adverse impact to estuarine and marine life as long as the materials and methods used provide protection for nontarget species. When the department issues a license for the discharge of aquatic pesticides authorized under this paragraph, the department shall notify the municipality in which the application is licensed to occur and post the notice on the department's publicly accessible website.

5. RECEIVING WATER QUALITY CONDITIONS

The State of Maine 2016 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 1,005 acres associated with Prouts Neck, Scarborough, (Waterbody ID #811-3) as "*Category 5B-1(b): Estuarine and Marine Waters Impaired for Bacteria Only – TMDL Required*." Attainment in this context is in regard to the designated use of harvesting of shellfish. Currently, the Maine Department of Marine Resources (MeDMR) lists Area #12 (Prouts Neck, Scarborough) of the receiving water as prohibited and closed seasonally to harvesting of shellfish due the presence of point and non-point source pollution.

Compliance with the fecal coliform and enterococcus bacteria limits in this permitting action minimizes the risk that the discharge from the Scarborough wastewater treatment facility will cause or contribute to the shellfish harvesting closure or the closure of beaches and shores for recreational use. See https://www.maine.gov/dmr/shellfish-sanitation-management/closures/pollution.html for a map of the MeDMR closure area. In addition, all estuarine and marine waters are listed in Category 5-D, "Estuarine and Marine Waters Impaired by Legacy Pollutants." The Category 5-D waters partially support fishing ("shellfish consumption") due to elevated levels of PCBs and other persistent, bioaccumulating substances in lobster tomalley. The Department has no information the SSD is causing or contributing to this impairment.

6. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

a. Flow: The previous permitting action established, and this permitting action is carrying forward, a monthly average flow limitation of 2.5 MGD.

The Department reviewed 54 Discharge Monitoring Reports (DMRs) that were submitted for the period January 2015 – June 2019. A review of data indicates the following:

Flow

Value	Limit (MGD)	Range (MGD)	Mean (MGD)
Monthly Average	2.5	1.02 – 1.90	1.33

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

b. Dilution Factors: 06-096 CMR 530(4)(A)(2)(a) states that, *"For discharges to the ocean, dilution must be calculated as near-field or initial dilution, or that dilution available as the effluent plume rises from the point of discharge to its trapping level, at mean low water level and slack tide for the acute exposure analysis, and at mean tide for the chronic exposure analysis using appropriate models determined by the Department such as MERGE, CORMIX or another predictive model."* Based on plan and profile information submitted by the permittee, and calculations based on interpretation of the CORMIX model, the Department has determined that the dilution factors associated with the discharge from the District are as follows:

Acute = 120:1 Chronic = 630:1 Harmonic mean[1] = 1,890:1

c. Biochemical Oxygen Demand (BOD_5) and Total Suspended Solids (TSS): The previous permitting action established, and this permitting action is carrying forward, monthly average and weekly average technology-based concentration limits of 30 mg/L and 45 mg/L, respectively, for BOD_5 and TSS based on the secondary treatment requirements specified at *Effluent Guidelines and Standards*, 06-096 CMR 525(3)(III) (effective January 12, 2001), and a daily maximum concentration limit of 50 mg/L, which is based on a Department best professional judgment of best practicable treatment (BPT) for secondary treated wastewater. The previous permitting action established, and this permitting action is carrying forward, technology-based monthly average, weekly average and daily maximum mass limits for BOD_5 and TSS are based on the daily maximum flow limitation of 2.5 MGD. The mass limitations were calculated as follows:

Monthly average: (2.5 MGD)(8.34)(30 mg/L) = 625 lbs./day
Weekly average: (2.5 MGD)(8.34)(45 mg/L) = 938 lbs./day
Daily Maximum: (2.5 MGD)(8.34)(50 mg/L) = 1,042 lbs./day

This permitting action is carrying forward a requirement for a minimum of 85% removal of BOD_5 & TSS pursuant to 06-096 CMR 525(3)(III)(a&b)(3).

The Department reviewed 54 DMRs that were submitted for the period January 2015 – June 2019. A review of data indicates the following:

BOD_5 mass

Value	Limit (lbs./day)	Range (lbs./day)	Mean (lbs./day)
Monthly Average	625	40 - 276	142
Weekly Average	938	64 - 453	194
Daily Maximum	1,042	73 - 543	267

[1] The harmonic mean dilution factor is approximated by multiplying the chronic dilution factor by three (3). This multiplying factor is based on guidelines for estimation of human health dilution presented in the U.S. EPA publication, "*Technical Support Document for Water Quality-Based Toxics Control"* (Office of Water; EPA/505/2-90-001, page 88), and represents an estimation of harmonic mean flow on which human health dilutions are based in a riverine 7Q10 flow situation.

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

BOD_5 concentration

Value	Limit (mg/L)	Range (mg/L)	Mean (mg/L)
Monthly Average	30	4 - 21	13
Weekly Average	45	6 - 36	17
Daily Maximum	50	7 - 48	22

BOD_5 % removal

Value	Limit (%)	Range (%)	Mean (%)
Monthly Average	85	90 - 99	95

TSS mass

Value	Limit (lbs./day)	Range (lbs./day)	Mean (lbs./day)
Monthly Average	625	23 - 199	92
Weekly Average	938	27 - 328	143
Daily Maximum	1,042	36 - 420	207

TSS concentration

Value	Limit (mg/L)	Range (mg/L)	Mean (mg/L)
Monthly Average	30	2 - 21	9
Weekly Average	45	3 - 34	13
Daily Maximum	50	4 - 42	19

TSS % removal

Value	Limit (%)	Range (%)	Mean (%)
Monthly Average	85	93 - 99	97

d. Settleable Solids (SS): The previous permitting action established, and this permitting action is carrying forward, a technology-based daily maximum concentration limit of 0.3 ml/L for settleable solids, which is considered a BPT limitation for secondary treated wastewater.

The Department reviewed 54 DMRs that were submitted for the period January 2015 – June 2019. A review of data indicates the following:

Settleable solids concentration

Value	Limit (ml/L)	Range (ml/L)	Average (ml/L)
Daily Maximum	0.3	<0.1 – 0.1	<0.1

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

e. Fecal coliform bacteria: The previous permitting action established year-round water quality based monthly average concentration limits for fecal coliform bacteria of 15 colony form units (CFU)/100 ml (geometric mean) and a daily maximum of 50 CFU/100mL (instantaneous level) along with a 3/Week monitoring frequency. The water quality based limits were consistent with the limits associated with the 2003 National Shellfish Sanitation Program (NSSP). This permitting action is reducing the limits to 14 CFU/100 ml as a monthly and 34 CFU/100ml as a daily maximum to be consistent with the 2017 revisions to the NSSP. Fecal coliform limitations need to be imposed on a year-round basis to protect the designated use of shellfish harvesting, a year-round use.

The Department reviewed 54 DMRs that were submitted for the period January 2015 – June 2019. A review of data indicates the following:

Fecal coliform bacteria

Value	Limit (col/100 ml)	Range (col/100 ml)	Mean (col/100ml)
Monthly Average	15	1 - 6	2
Daily Maximum	50	3 - 40	8

f. Enterococcus bacteria – The previous permit did not establish limitations or monitoring requirements for enterococcus bacteria. Based on comments received from the USEPA, enterococcus bacteria limitations are necessary to protect the designated use of recreation in and on the water, a seasonal use. Pursuant to Maine law 38 M.R.S. §465(3)(B) effective August 2, 2018, monthly and daily maximum water quality-based limits of 8 CFU/100 ml and 54 CFU/100ml, respectively, are being established. The limitations are seasonal and apply from April 15th – October 31st of each year and the monitoring frequency is being established at 3/Week to be consistent with the monitoring frequency for fecal coliform bacteria. The Department is granting the permittee a schedule of compliance until April 15, 2021, given the limited number of laboratories certified to conduct the enterococcus bacteria test.

g. Total Residual Chlorine (TRC): The previous permitting action established a technology based BPT daily maximum concentration limit of 1.0 mg/L for TRC. Limitations on TRC are specified to ensure that ambient water quality standards are maintained and that BPT technology is being applied to the discharge. Department permitting actions impose the more stringent of either a water quality-based or BPT-based limit. With dilution factors as determined above, end-of-pipe (EOP) water quality-based concentration thresholds for TRC may be calculated as follows:

Acute (A) Criterion	Chronic (C) Criterion	A & C Dilution Factors	Calculated Acute Threshold	Chronic Threshold
13 µg/L	7.5 µg/L	120:1 (A) 630:1 (C)	1.56 mg/L	4.72 mg/L

Example calculations: Acute Limit ⇒ 0.013 mg/L (120) = 1.56 mg/L
Chronic Limit ⇒ 0.0075 mg/L (630) = 4.72 mg/L

6. EFFLUENT LIMITATIONS AND 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. The BPT standard of 1.0 mg/L is more stringent than the calculated acute water quality-based threshold of 1.56 mg/L and is therefore being carried forward in this permitting action along with a 1/Day monitoring requirement.

The Department reviewed 54 DMRs that were submitted for the period January 2015 – June 2019. A review of data indicates the following:

Total residual chlorine

Value	Limit (mg/L)	Range (mg/L)	Mean (mg/L)
Daily Maximum	1.0	0.3 - 0.9	0.5

h. 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 (SU), which is based on 06-096 CMR 525(3)(III), and a minimum monitoring frequency requirement of once per day (1/Day) based on Department guidance for POTWs permitted to discharge between 1.5 and 5.0 MGD.

The Department reviewed 54 DMRs that were submitted for the period January 2015 – June 2019. A review of data indicates the following:

pH

Value	Limit (SU)	Minimum (SU)	Maximum (SU)
Range	6.0 – 9.0	6.2	7.6

i. Mercury: 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 W002668 by establishing interim monthly average and daily maximum effluent concentration limits of 82.5 parts per trillion (ppt) and 123.8 ppt, respectively, and a minimum monitoring frequency requirement of four (4) tests per year for mercury. It is noted the limitations have been incorporated into Special Condition A, *Effluent Limitations And Monitoring Requirements*, of the previous permit.

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 data base for the period November 1999 through February 2019 indicates the permittee has been in compliance with the interim limits for mercury as results have been reported as follows:

Mercury

Value	Limit (ng/L)	Range (ng/L)	Mean (ng/L)
Average	82.5	1.3 - 101	14
Daily Maximum	123.8		

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

Pursuant to 38 M.R.S. §420(1-B)(F), on February 6, 2012, the Department issued a minor revision to the October 16, 2009, permit thereby revising the minimum monitoring frequency requirement from four times per year to once per year given the permittee has maintained at least 5 years of mercury testing data. In fact, the permittee has been monitoring mercury since 1999 with a data set of 63 data points.

Pursuant to 38 M.R.S. §420(1-B)(F), this permitting action is carrying forward the 1/Year monitoring frequency established in the February 6, 2012, minor revision.

j. Nitrogen: The USEPA requested the Department evaluate the reasonable potential for the discharge of total nitrogen to cause or contribute to non-attainment of applicable water quality standards in marine waters, namely dissolved oxygen (DO) and marine life support. The permittee voluntarily participated in a Department-coordinated project using a Maine certified analytical lab to determine typical effluent nitrogen concentrations, and submitted monthly composite samples from June-October, 2015 (n = 5). The monthly total nitrogen values ranged considerably based on monthly differences in Total Kjehldahl Nitrogen (TKN) (1.4-33.0 mg/L). The mean value of the permittee's 2015 June-October samples (n=5) was 18.2 mg/L. For this reasonable potential evaluation and until more effluent nitrogen data can be generated to better characterize typical discharge concentrations, the Department considers 18.2 mg/L to be representative of total nitrogen discharge levels from the Scarborough facility.

As of the date of this permitting action, the State of Maine has not promulgated numeric ambient water quality criteria for total nitrogen. According to several studies in USEPA's Region 1, numeric total nitrogen criteria have been established for relatively few estuaries, but the criteria that have been set typically fall between 0.35 mg/L and 0.50 mg/L to protect marine life using dissolved oxygen as the indicator. While the thresholds are site-specific, nitrogen thresholds set for the protection of eelgrass habitat range from 0.30 mg/L to 0.39 mg/L. Based on studies in USEPA's Region 1 and the Department's best professional judgment of thresholds that are protective of Maine water quality standards, the Department is utilizing a threshold of 0.45 mg/L for the protection of aquatic life in marine waters using dissolved oxygen as the indicator, and 0.32 mg/L for the protection of aquatic life using eelgrass as the indicator.

Two known surveys have been completed along the Scarborough shoreline that specifically documented presence/absence of eelgrass. The surveys were conducted by the ME DMR in 1993 and 2001, and both delineated the nearest eelgrass bed (0.11 ha (0.28 ac)) approximately 0.2 km to the east around the exposed perimeter of Prouts Neck. More distant and larger beds were mapped during 1993 and 2001 surveys to the west, on the leeward side of Prouts Neck, and were located as close as 1.2 km from the outfall. The beds to the west (3.26 ha (8.06 ac) in 1993, and 2.52 ha (6.23 ac) in 2001) were documented as being composed mostly of dense eelgrass. Based on the presence of historically identified eelgrass in the vicinity of the Scarborough wastewater discharge, the use of 0.32 mg/L as a threshold value for protection of eelgrass is appropriate for this receiving water.

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

With the exception of ammonia, nitrogen is not acutely toxic; thus, the Department is considering a far-field dilution to be more appropriate when evaluating impacts of total nitrogen to the marine environment. The permittee's facility has a chronic near-field dilution of 120:1. Far-field dilutions are significantly higher than the near-field dilutions, typically ranging from 10 – 100 times higher, depending on the location of the outfall pipe and nature of the receiving waterbody. The permittee's facility discharges into the open ocean, approximately 250 meters offshore. Situationally, this would imply a far field multiplication factor on the higher end of the range but the Department is erring on the conservative side of this range to the relative close proximity of the nearest eel grass bed. A multiplying factor of 100 was chosen for this on the basis of trying to be conservative, which results in a far field dilution factor of 1,200 (120 x 10 = 1,200).

Using this far-field dilution factor, the increase in total nitrogen concentration in the relative vicinity of the Scarborough discharge is estimated to be approximately 0.015 mg/L.

Total nitrogen concentrations in effluent = 18.2 mg/L
Far-field dilution factor = 1,200:1

$$\text{In-stream concentration after dilution: } \frac{18.2 \text{ mg/L}}{1{,}200} = 0.015 \text{ mg/L}$$

The Department and external partners have been collecting ambient total nitrogen data along Maine's coast. For the 2014 permit revision, the Department selected eight sites from the exposed southern Maine shoreline that exhibited moderate upland development and marked seasonal tourism. The sites selected included data collected from July and August, 2009-2011, and best represented the ambient conditions likely to occur in this nearshore marine environment during the summer months. Due to the absence of known data collected since the 2014 permit revision, the calculated mean background surface water total nitrogen concentration of 0.20 ± 0.03 mg/L (n=21) used for the 2014 revision will be carried forward in this permit. Accompanying these total nitrogen values were dissolved oxygen profiles and transparency and chlorophyll *a* data, none of which indicated water quality degradation illustrative of eutrophication. More specifically, dissolved oxygen concentrations ranged from 7.0-10.1 mg/L, transparency values ranged from 4.0-8.0 m depth, and all chlorophyll *a* values were less than 3.4 µg/L.

Based on the calculated ambient value for this receiving water, the estimated increase in ambient total nitrogen after reasonable opportunity for mixing in the far-field is 0.20 mg/L + 0.015 mg/L = 0.22 mg/L. The in-stream concentration value of 0.20 mg/L is less than the Department and USEPA's best professional judgment based total nitrogen threshold of 0.32 mg/L for the protection of aquatic life using eelgrass as an indicator. Using the reasonable potential calculations above and in the absence of any information that the receiving water is not attaining standards, the Department is making a best professional judgment determination that the discharge of total nitrogen from the Scarborough SD does not exhibit a reasonable potential to exceed applicable water quality standards for Class SB waters. This permitting action is not establishing limitations for total nitrogen.

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

k. Whole Effluent Toxicity (WET), Priority Pollutant, and Analytical Chemistry 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(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 exceedances of narrative or numerical water quality criteria.

The Department has determined that the applicant's discharge is subject to the testing requirements of the toxics rule.

06-096 CMR 530(3)(E) states:

For effluent monitoring data and the variability of the pollutant in the effluent, the Department must apply the statistical approach in Section 3.3.2 and Table 3-2 of USEPA's "Technical Support Document for Water Quality-Based Toxics Control" (USEPA Publication 505/2-90-001, March, 1991, USEPA, Office of Water, Washington, D.C.) to data to determine whether water-quality based effluent limits must be included in a waste discharge license. Where it is determined through this approach that a discharge contains pollutants or WET at levels that have a reasonable potential to cause or contribute to an exceedance of water quality criteria, appropriate water quality-based limits must be established in any licensing action.

WET, priority pollutant and analytical chemistry testing, as required by 06-096 CMR 530, are included in this permit in order to characterize the effluent.

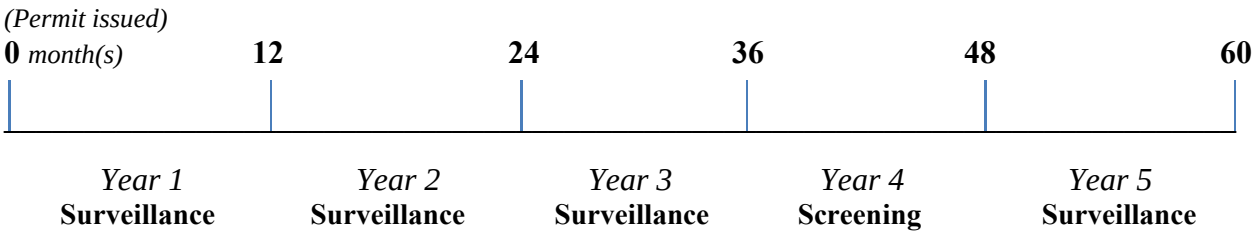
WET, Analytical Chemistry and Priority Pollutant Test Schedules

06-096 CMR 530(2)(D)(1) specifies WET, priority pollutant, and analytical chemistry test schedules for dischargers based on their level[1] as defined by 06-096 CMR 530(2)(B). Please see 06-096 CMR 530(2)(D)(1) for a listing of routine test schedules.

Each year of the five-year permit cycle is categorized as either a screening or a surveillance testing year. Surveillance testing years begin upon issuance of the permit and last through 24 months prior to permit expiration (years 1-3 of the permit) and commencing again 12 months prior to permit expiration (year 5 of the permit). Screening level testing begins 24 months prior to permit expiration and lasts through 12 months prior to permit expiration (year 4 of the term of the permit) and every five years thereafter if a timely request for renewal has been made and the permit continues in force, or is replaced by a permit renewal containing this requirement.

[1] A facility falls into an applicable level based on their chronic dilution factor. The chronic dilution factor associated with the discharge from the permittee is 630:1; therefore, pursuant to 06-096 CMR 530(2)(B), this facility is considered a Level III facility for purposes of toxics testing.

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



06-096 CMR 530(2)(D)(3)(b) states in part that for Level IV facilities "… *may be waived from conducting surveillance testing for individual WET species or chemicals provided that testing in the preceding 60 months does not indicate any reasonable potential for exceedance as calculated pursuant to section 3(E)".*

An annual certification statement pursuant to 06-096 CMR 530(2)(D)(4), is established in Special Condition J, *06-096 CMR 530(2)(D)(4) Statement For Reduced/Waived Toxics Testing* of the permit. The annual certification statement requirement is being carried forward in this permitting action.

WET Evaluation

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 mysid shrimp (*Mysidopsis bahia*) and sea urchin *(Arbacia punctulata).*

Based on the results of the previous statistical evaluation conducted in calendar year 2014, the previous permitting action did not establish any ambient water quality limits as none of the WET results in the previous 60 months exceeded or had a reasonable potential to exceed the applicable acute or chronic water quality-based thresholds of 0.83% and 0.16% respectively.

On August 9, 2019, the Department conducted a statistical evaluation in accordance with the statistical approach outlined above on the most recent 60 months of WET test results on file with the Department for the District. See **Attachment C** of this Fact Sheet. The 8/9/19 statistical evaluation indicates the discharge from District's facility did not demonstrate a reasonable potential to exceed either the acute or chronic ambient water quality thresholds of 0.83% and 0.16%, respectively, for any of the WET species tested to date. Therefore, no WET limitations are being established in this permitting action.

Based on the results of facility testing and pursuant to 06-096 CMR 530 (2)(D)(3), this permitting action is carrying forward the previously established screening level testing of once per year (1/Year). Surveillance level testing is being waived pursuant to 06-096 CMR 530 (2)(D)(3)(b). An annual certification statement pursuant to 06-096 CMR 530(2)(D)(4), is established in Special Condition J, *06-096 CMR 530(2)(D)(4) Statement For Reduced/Waived Toxics Testing* of the permit. The annual certification statement requirement is being carried forward in this permitting action.

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

Analytical Chemistry & Priority Pollutant Evaluation

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. This permit provides for reconsideration of effluent limits and monitoring schedules after evaluation of toxicity testing results. The monitoring schedule includes consideration of results currently on file, the nature of the wastewater, existing treatment, and receiving water characteristics. 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. The Department's DeTox system evaluates the chemical results from your facility as well as other dischargers within the watershed.

Priority pollutants refers to those pollutants listed under "Priority Pollutants" on the form found at https://www.maine.gov/dep/water/wd/municipal_industrial/index.html. Analytical chemistry refers to those pollutants listed under "Analytical Chemistry" on the form found at https://www.maine.gov/dep/water/wd/municipal_industrial/index.html.

On August 9, 2019, the Department conducted a statistical evaluation of the most recent 60 months of chemical-specific test results on file with the Department. See **Attachment D** of this Fact Sheet for the dates chemical specific tests were conduct. The evaluation indicates that the discharge does not exceed or demonstrate a reasonable potential to exceed ambient water quality criterion (AWQC) threshold for any parameters tested. Therefore, no water quality-based limitations for any parameter in the analytical chemistry or priority pollutant list are being established.

Priority Pollutants

Based on the results of the August 9, 2019, statistical evaluation, this permitting action maintains the established screening level testing for priority pollutants of once per year (1/Year) in a screening year and does not establish water quality-based effluent limitations for any of the priority pollutant parameters. Surveillance level priority pollutant monitoring is not required for Level III facilities per 06-096 CMR 530(2)(D)(3)(b).

Analytical Chemistry

Based on the results of the August 9, 2019, statistical evaluation, this permitting action maintains the established screening level testing of once per calendar quarter (1/Quarter) and does not establish water quality-based effluent limitations for any of the analytical chemistry parameters. Surveillance level analytical chemistry is being waived pursuant 06-096 CMR 530(2)(D)(3)(b).

As with WET testing, an annual certification statement pursuant to 06-096 CMR 530(2)(D)(4), is established in Special Condition J, *06-096 CMR 530(2)(D)(4) Statement For Reduced/Waived Toxics Testing* of the permit. The annual certification statement requirement is being carried forward in this permitting action.

7. DISPOSAL OF SEPTAGE WASTE IN WASTEWATER TREATMENT FACILITY

The District has applied for, and pursuant to *Standards for the Addition of Transported Wastes to Waste Water Treatment Facilities,* 06-096 CMR 555 (last amended February 5, 2009), and the District's written septage management plan a copy of which was provided in the 2019 permit renewal application submitted to the Department on August 20, 2019, this permitting action authorizes the District to receive up to 23,000 gallons per day (gpd) but only introduce into the treatment process or solids handling stream up to a daily maximum of 9,000 GPD of transported wastes (septage wastes). See Special Condition I of the permit.

8. 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 SB classification.

9. PUBLIC COMMENTS

Public notice of this application was made in the *Portland Press Herald* newspaper on or about August 16, 2019. 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 CMR 522 (effective January 12, 2001).

10. DEPARTMENT CONTACTS

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

Gregg Wood
Division of Water Quality Management
Bureau of Water Quality
Department of Environmental Protection
17 State House Station
Augusta, Maine 04333-0017 Telephone: (207) 287-7693
e-mail: gregg.wood@maine.gov

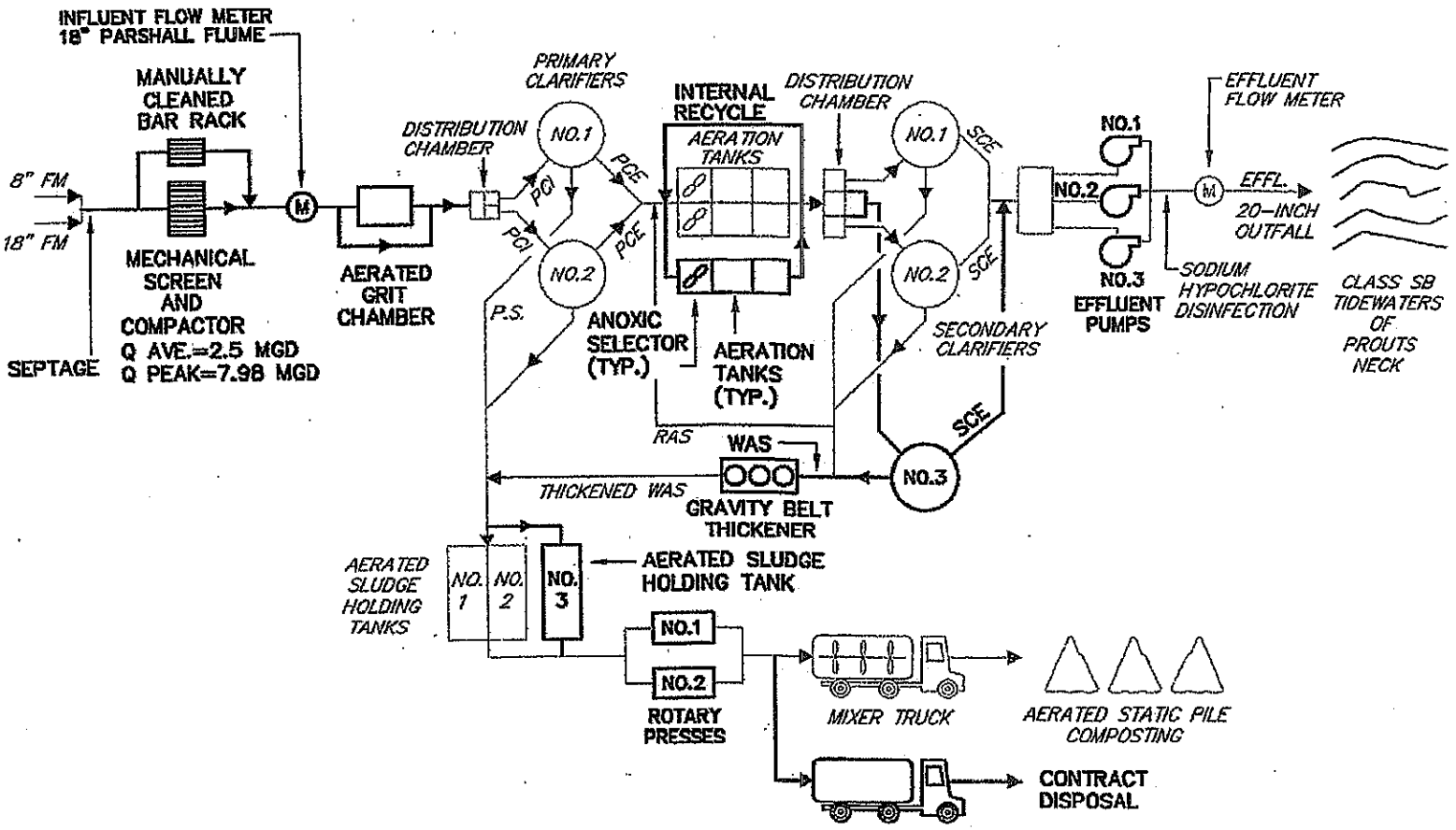
11. RESPONSE TO COMMENTS

Reserved until the close of the formal 30-day public comment period.

ATTACHMENT A


Location Map
Write a description for your map.
Kirkwood Rd
Kirkwood Cir
Atlantic Dr
415 Black Point Rd
Massacre Pond
Google Earth
© 2018 Google
N
2000 ft

ATTACHMENT B



PROCESS FLOW SCHEMATIC

NOT TO SCALE

SCARBOROUGH SANITARY DISTRICT

ATTACHMENT C

WET TEST REPORT

Data for tests conducted for the period

30/Aug/2014 -30/Aug/2019

SCARBOROUGH SANITARY DISTRICT NPDES= ME010205 Effluent Limit: Acute (%) = 0.833 Chronic (%) = 0.159

Species	Test	Percent	Sample date	Critical %	Exception	RP
MYSID SHRIMP	A_NOEL	100	04/25/2018	0.833		
SEA URCHIN	C_NOEL	50	04/25/2018	0.159		

ATTACHMENT D

PRIORITY POLLUTANT DATA SUMMARY

Date Range: 30/Aug/2014-30/Aug/2019

Facility Name: **SCARBOROUGH SANITARY DISTRICT** NPDES: **ME0102059**

Test Date	Monthly (Flow MGD)	Daily (Flow MGD)	Total Test Number	Test # By Group M	V	BN	P	O	A	Clean	Hg
07/12/2017	1.21	1.22	10	9	0	0	0	1	0	F	0
10/04/2017	1.12	1.10	10	9	0	0	0	1	0	F	0
01/09/2018	1.34	1.14	10	9	0	0	0	1	0	F	0
04/25/2018	1.63	1.77	124	13	28	46	25	1	11	F	0

Key:

A = Acid O = Others P = Pesticides

BN = Base Neutral M = Metals V = Volatiles

ATTACHMENT E

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.