



JANET T. MILLS  
GOVERNOR

STATE OF MAINE  
DEPARTMENT OF ENVIRONMENTAL PROTECTION



GERALD D. REID  
COMMISSIONER

February 10, 2020

Mr. Edward. Montague  
Town of Mt. Desert  
P.O. Box 248  
Northeast Harbor, ME 04459-0260  
suptwwtp@mtdesert.org

*Sent via electronic mail  
Delivery confirmation requested*

**RE:** *Maine Pollutant Discharge Elimination System (MEPDES) Permit #ME0101346  
Maine Waste Discharge License (WDL) Application #W002659-6C-G-R  
Proposed Draft MEPDES Permit – Renewal*

Dear Mr. Montague:

Attached is a proposed draft MEPDES permit and Maine WDL which the Department proposes to issue for your facility as a final document after opportunity for your review and comment. By transmittal of this letter, you are provided with an opportunity to comment on the proposed draft permit and its special and standard conditions. If it contains errors or does not accurately reflect present or proposed conditions, please respond to this Department so that changes can be considered.

By copy of this letter, the Department is requesting comments on the proposed draft permit from various state and federal agencies and from any other parties who have notified the Department of their interest in this matter.

The comment period begins on **February 10, 2020** and ends on **March 10, 2020**. All comments on the proposed draft permit must be received in the Department of Environmental Protection office on or before the close of business on **March 10, 2020**. Failure to submit comments in a timely fashion will result in the proposed draft/license permit document being issued as drafted.

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

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

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

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

Edward Montague  
NE Harbor  
February 10, 2020  
Page 2 of 2

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  
[Aaron.A.Dumont@maine.gov](mailto:Aaron.A.Dumont@maine.gov)

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

Sincerely,

A handwritten signature in blue ink, appearing to read "Aaron Dumont", with a stylized flourish at the end.

Aaron Dumont  
Division of Water Quality Management  
Bureau of Water Quality  
ph: 207-287-1939  
Enc.

ec:

Gary Brooks, MEDEP  
Pamela Parker, MEDEP  
Lori Mitchell, MEDEP  
Ellen Weitzler, USEPA  
Alex Rosenberg, USEPA  
Solanch Pastrana-Del Valle, USEPA  
Marelyn Vega, USEPA  
Richard Carvalho, USEPA  
Shelley Puleo, USEPA



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

DEPARTMENT ORDER

IN THE MATTER OF

TOWN OF MT. DESERT (NE HARBOR)	)	MAINE POLLUTANT DISCHARGE
MOUNT DESERT, HANCOCK COUNTY, MAINE)		ELIMINATION SYSTEM PERMIT
PUBLICLY OWNED TREATMENT WORKS	)	AND
ME0101346	)	WASTE DISCHARGE LICENSE
W002659-6C-G-R	)	<b>RENEWAL</b>
<b>APPROVAL</b>		

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

**APPLICATION SUMMARY**

On July 2, 2018, the Department accepted as complete for processing, a renewal application from the Town for the renewal of Waste Discharge License (WDL) W002659-6C-F-R /Maine Pollutant Discharge Elimination System (MEPDES) permit ME0101346, which was issued on February 3, 2014, for a five-year term. The 2/3/14 MEPDES permit authorized the Town to discharge a monthly average flow of 0.33 million gallons per day (MGD) of secondary treated municipal wastewater from a publicly owned treatment works (POTW) facility to the Atlantic Ocean, Class SB, in Mount Desert, (Northeast Harbor), Maine.

**PERMIT SUMMARY**

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

1. Eliminating the daily maximum concentration limit for copper based on a statistical evaluation for the most current 60 months of analytical chemistry and priority pollutant test results;
2. Increasing the monitoring frequency of Fecal coliform from seasonal to year-round starting on December 31<sup>st</sup>, 2020, and amending the monthly average and daily maximum limits to 14 CFU/100 mL 31 CFU/100, respectively;
3. Establishing a seasonal monitoring requirement for Enterococci bacteria from April 15<sup>th</sup> – October 31<sup>st</sup> starting on April 15<sup>th</sup>, 2022. As well as establishing monthly average and daily maximum limits of 8 CFU/100 mL and 54 CFU/100 mL, respectively; and
4. Amending Condition C. Treatment Plant Operator Requiring the person who has management responsibility over the treatment facility must hold a minimum of a Maine Grade III biological certificate or be a Registered Maine Professional Engineer.

## CONCLUSIONS

Based on the findings summarized in the attached and incorporated Fact Sheet dated February 10, 2020, 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 waterbody are not met, the discharge will not cause or contribute to the failure of the waterbody to meet the standards of classification;
  - d. Where the actual quality of any classified receiving waterbody exceeds the minimum standards of the next highest classification that higher water quality will be maintained and protected; and
  - e. Where a discharge will result in lowering the existing water quality of any waterbody, the Department has made the finding, following opportunity for public participation, that this action is necessary to achieve important economic or social benefits to the State.
4. The discharges will be subject to effluent limitations that require application of best practicable treatment as defined in *Conditions of licenses*, 38 M.R.S. § 414-A(1)(D).

**ACTION**

THEREFORE, the Department APPROVES the above noted application of the TOWN OF MOUNT DESERT to discharge a monthly average flow of 0.33 million gallons per day (MGD) of per day of secondary treated sanitary wastewater to the Atlantic Ocean, Class SB, in Mount Desert, Maine, SUBJECT TO THE FOLLOWING 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 become effective upon the date of signature below and expire at midnight five (5) years from the effective date. If a renewal application is timely submitted and accepted as complete for processing prior to the expiration of this permit, the authorization to discharge and the terms and conditions of this permit and all modifications and minor revisions thereto remain in effect until a final Department decision on the renewal application becomes effective. [*Maine Administrative Procedure Act*, 5 M.R.S. § 10002 and *Rules Concerning the Processing of Applications and Other Administrative Matters*, 06-096 CMR 2(21)(A) (amended June 9, 2018)]

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

DONE AND DATED AT AUGUSTA, MAINE, THIS \_\_\_\_ DAY OF \_\_\_\_\_ 2020.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: \_\_\_\_\_  
GERALD D. REID, Commissioner

Date filed with Board of Environmental Protection \_\_\_\_\_

Date of initial receipt of application: July 2, 2018

Date of application acceptance: July 2, 2018

This Order prepared by Aaron Dumont, BUREAU OF WATER QUALITY

## SPECIAL CONDITIONS

### A.1. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

Beginning upon issuance of this permit, the permittee is authorized to discharge secondary treated municipal wastewater from a publicly owned treatment works via **OUTFALL #001A** to the Atlantic Ocean. Such discharges are limited and must be monitored by the permittee as specified below<sup>(1)</sup>.

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]	0.33 MGD [03]	---	Report MGD [03]	---	---	---	Continuous [99/99]	Recorder [RC]
Biochemical Oxygen Demand BOD <sup>(2)</sup> [00310]	83 lbs./day [26]	124 lbs./day [26]	138 lbs./day [26]	30 mg/L [19]	45 mg/L [19]	50 mg/L [19]	2/Month [02/30]	Composite [24]
BOD <sub>5</sub> Percent Removal <sup>(3)</sup> [81010]	---	---	---	85% [23]	---	---	1/Month [01/30]	Calculate [CA]
Total Suspended Solids <sup>(2)</sup> [00530]	83 lbs./day [26]	124 lbs./day [26]	138 lbs./day [26]	30 mg/L [19]	45 mg/L [19]	50 mg/L [19]	2/Month [02/30]	Composite [24]
TSS Percent Removal <sup>(3)</sup> [81011]	---	---	---	85% [23]	---	---	1/Month [01/30]	Calculate [CA]
Settleable Solids [00545]	---	---	---	---	---	0.3 ml/L [25]	1/Week [01/07]	Grab [GR]
Total Residual Chlorine <sup>(6)</sup> [50060]	---	---	---	0.1 mg/L [19]	---	0.15 mg/L [19]	1/Day [01/01]	Grab [GR]
Mercury (Total) <sup>(7)</sup> [71900]	---	---	---	9.1 ng/L [3M]	---	13.7 ng/L [3M]	1/Year [01/YR]	Grab [GR]
pH [00400]	---	---	---	---	---	6.0-9.0 [12]	3/Week [03/07]	Grab [GR]

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

**FOOTNOTES:** See Pages 8 – 11 of this permit for applicable footnotes

## SPECIAL CONDITIONS

### A.2 EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

Beginning upon issuance of this permit, the permittee is authorized to discharge secondary treated municipal wastewater from a publicly owned treatment works via **OUTFALL #001A** to the Atlantic Ocean. Such discharges are limited and must be monitored by the permittee as specified below<sup>(1)</sup>.

Effluent Characteristic	Discharge Limitations						Minimum Monitoring Requirements	
	Monthly Average	Weekly Average	Daily Maximum	Monthly Average	Weekly Average	Daily Maximum	Measurement Frequency	Sample Type
Fecal Coliform Bacteria <sup>(2)(4)</sup> (Upon issuance through May 14 <sup>th</sup> 2020) [74055]	---	---	---	Report [13]	---	Report [13]	2/Month [02/30]	Grab [GR]
Fecal Coliform Bacteria <sup>(2)(4)</sup> May 15 <sup>th</sup> , through September 30 <sup>st</sup> 2020) [74055]	---	---	---	15 cfu/100 ml [13]	---	50 cfu/100 ml [13]	2/Month [02/30]	Grab [GR]
Fecal Coliform Bacteria <sup>(2)(4)</sup> October 1 <sup>st</sup> , through December 30 <sup>st</sup> 2020) [74055]	---	---	---	Report [13]	---	Report [13]	2/Month [02/30]	Grab [GR]
Fecal Coliform Bacteria <sup>(2)(4)</sup> (Year-round beginning December 31 <sup>st</sup> 2020) [74055]	--	---	---	14 cfu/100 ml [13]	---	31 cfu/100 ml [13]	2/Month [02/30]	Grab [GR]
Enterococci Bacteria <sup>(5)</sup> (Seasonally April 15 <sup>th</sup> -October 31 <sup>st</sup> Beginning 2022) [61211]	---	---	---	8 cfu/100 ml [13]	---	54 cfu/100 ml [13]	1/Week [1/07]	Grab [GR]

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

**FOOTNOTES:** See Pages 8 – 11 of this permit for applicable footnotes

## SPECIAL CONDITIONS

### A.3. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (cont'd)

#### ***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	
	Monthly <u>Average</u>	Daily <u>Maximum</u>	Measurement <u>Frequency</u>	<u>Sample</u> <u>Type</u>
Whole Effluent Toxicity <sup>(8)</sup> <b><u>Acute – NOEL</u></b> <i>Americamysis bahia</i> (Mysid shrimp) [TDM3E]	---	Report% [23]	2/Year [02/YR]	Composite [24]
<b><u>Chronic – NOEL</u></b> <i>Arbacia punctulata</i> (Sea urchin) [TBH3A]	---	Report% [23]	2/Year [02/YR]	Composite [24]
Analytical Chemistry <sup>(9,11)</sup> [51477]	---	Report ug/L [28]	1/Quarter [01/90]	Composite / Grab [24/GR]
Priority Pollutant <sup>(10,11)</sup> [50008]	---	Report ug/L [28]	1/Year [01/YR]	Composite / Grab [24/GR]

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

**FOOTNOTES:** See Pages 8 – 11 of this permit for applicable footnotes



**A.4. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS – OUTFALL #001 (cont'd)**

***SURVEILLANCE LEVEL TESTING***

Beginning upon permit issuance and lasting through 24 months prior to permit expiration (Years 1, 2 & 3 of the term of the permit) and commencing again 12 months prior to permit expiration (Year 5 of the term of the permit).

Effluent Characteristic	Discharge Limitations		Minimum Monitoring Requirements	
	Monthly Average	Daily Maximum	Measurement Frequency	Sample Type
<b><u>Whole Effluent Toxicity</u></b> <sup>(8)</sup>				
<b><u>Acute No Observed Effect Level (A-NOEL)</u></b> <i>Americamysis bahia</i> (Mysid shrimp) [TDA3E]	---	Report [23]	1/2 Year [01/2YR]	Composite [24]
<b><u>Chronic No Observed Effect Level (C-NOEL)</u></b> <u>Chronic – NOEL</u> <i>Arbacia punctulata</i> (Sea urchin) [TBH3A]	---	Report% [23]	1/2 Year [01/2YR]	Composite [24]
Analytical chemistry <sup>(9,11)</sup> [51477]	---	Report ug/L [28]	1/2 Year [01/2YR]	Composite/Grab [24/GR]

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

**FOOTNOTES:** See Pages 8 – 11 of this permit for applicable footnotes

## SPECIAL CONDITIONS

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

#### FOOTNOTES:

1. **Sampling** – Any change in sampling location must be approved by the Department in writing. The licensee must conduct sampling and analysis in accordance with; a) methods approved by 40 Code of Federal Regulations (CFR) Part 136, b) alternative methods approved by the Department in accordance with the procedures in 40 CFR Part 136, or c) as otherwise specified by the Department. Samples that are sent out for analysis must be analyzed by a laboratory certified by the State of Maine's Department of Health and Human Services for wastewater. Samples that are sent to a publicly owned treatment works (POTW) 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 (effective 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 licensee monitors any pollutant more frequently than required by the license using test procedures approved under 40 CFR Part 136 or as specified in this license, the results of this monitoring must be included in the calculation and reporting of the data submitted in the discharge monitoring report (DMR).
2. **Twice per Month Monitoring:** Monitoring required at a minimum frequency of 2/month must be collected no less than 14 days between sampling events, unless specifically authorized by the Department's compliance inspector.
3. **Percent Removal** – The treatment facility must maintain a minimum of 85 percent removal of both total suspended solids and biochemical oxygen demand for all flows receiving secondary treatment. The percent removal must be based on monthly average influent and effluent concentration values.
4. **Fecal coliform bacteria** – The monthly fecal coliform average limitation is a **geometric mean** limitation and results must be calculated and reported as such.
5. **Enterococcus Bacteria Reporting** – Enterococcus bacteria limits and monitoring requirements are seasonal running from April 15<sup>th</sup> – October 31<sup>st</sup>. These monitoring and reporting requirement must commence on April 15<sup>th</sup>, 2022.
6. **Total Residual Chlorine (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" on the electronic DMR.

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## SPECIAL CONDITIONS

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

#### **FOOTNOTES:**

7. **Mercury** – The permittee must conduct all mercury monitoring required by this permit or required to determine compliance with interim limitations established pursuant to 06-096 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](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.
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 8.5% and 1.4% respectively), which provides a point estimate of toxicity in terms of No Observed Effect Level, commonly referred to as NOEL or NOELC. A-NOEL is defined as the acute no observed effect level with survival as the endpoint. C-NOEL is defined as the chronic no observed effect level with fertilization for the sea urchin as the endpoint. The critical acute and chronic thresholds were derived as the mathematical inverse of the applicable acute and chronic dilution factors of 11.7:1 and 72.5:1, respectively.
  - a. **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 WET testing at a minimum frequency of twice per year (2/Year). Acute tests must be conducted on the mysid shrimp (*Americamysis bahia*); chronic tests must be conducted on the sea urchin (*Arbacia punctulata*).
  - b. **Surveillance-level testing** – Beginning upon permit issuance and lasting through 24 months prior to permit expiration (Years 1, 2 & 3 of the term of the permit) and commencing again 12 months prior to permit expiration (Year 5 of the term of the permit), the permittee must conduct surveillance level WET testing at a minimum frequency of once every two years (1/2 Years). Acute tests must be conducted on the mysid shrimp (*Americamysis bahia*). Chronic tests must be conducted on the sea urchin (*Arbacia punctulata*). Testing must be conducted in a different calendar quarter each sampling event.

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

**FOOTNOTES:**

WET test results must be submitted to the Department no later than the next DMR required by the permit, provided, however, the permittee may review the toxicity reports for up to 10 business days after receiving the test results from the laboratory conducting the testing before submitting them. The permittee must evaluate test results being submitted and identify to the Department possible exceedences of the critical acute and chronic water quality thresholds of 8.5% and 1.4%, 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. *Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms*, 5th ed. USEPA 821-R-02-012. U.S. Environmental Protection Agency, Office of Water, Washington, D.C., October 2002 (the acute method manual);
- b. U.S. Environmental Protection Agency. 2002. *Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Marine and Estuarine Organisms*, 3rd ed. EPA 821-R-02-014. U.S. Environmental Protection Agency, Office of Water, Washington, D.C., October 2002 (the marine chronic method manual).

Results of WET tests must be reported on the “Whole Effluent Toxicity Report Marine Waters” form found at: [https://www.maine.gov/dep/water/wd/municipal\\_industrial/index.html](https://www.maine.gov/dep/water/wd/municipal_industrial/index.html) permit each time a WET test is performed. Each time a WET test is performed, the permittee must sample and analyze for the parameters in the WET Chemistry and the Analytical Chemistry sections of the Department form entitled, *Maine Department of Environmental Protection, Chemical Specific Data Report Form* form found at: [https://www.maine.gov/dep/water/wd/municipal\\_industrial/index.html](https://www.maine.gov/dep/water/wd/municipal_industrial/index.html)

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](https://www.maine.gov/dep/water/wd/municipal_industrial/index.html)
  - a. **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 analytical chemistry testing at a minimum frequency of once per calendar quarter (1/Quarter) for four consecutive calendar quarters.
  - b. **Surveillance-level testing** – Beginning upon permit issuance and lasting through 24 months prior to permit expiration (Years 1, 2 & 3 of the term of the permit) and commencing again 12 months prior to permit expiration (Year 5 of the term of the permit), the permittee must conduct analytical chemistry testing at a minimum frequency of once every two years (reduced testing), except for those analytical chemistry parameter(s) otherwise regulated in this permit. Tests must be conducted in different calendar quarters.

## **SPECIAL CONDITIONS**

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

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](https://www.maine.gov/dep/water/wd/municipal_industrial/index.html)
- a. **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 priority pollutant testing at a minimum frequency of 1/Year calendar.
- b. **Surveillance-level testing** – Pursuant to 06-096 CMR 530(2)(D)(1) priority pollutant surveillance testing is not required for Level II facilities.
11. **Analytical chemistry and priority pollutant** – Testing must be conducted on samples collected at the same time as those collected for whole effluent toxicity tests. 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 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 Ambient Water Quality Criteria (AWQC) as established in *Surface Water Quality Criteria for Toxic Pollutants*, 06-096 CMR 584 (effective October 9, 2005). For the purposes of DMR reporting, enter a “1” for yes, testing done this monitoring period or “N9” 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 uses designated by the classification of the receiving waters.
2. The permittee must not discharge effluent that contains materials in concentrations or combinations which are hazardous or toxic to aquatic life, or which would impair the uses designated by the classification of the receiving waters.
3. The permittee must not discharge effluent that imparts color, taste, turbidity, toxicity, radioactivity or other properties which cause those waters to be unsafe for the designated uses and characteristics ascribed to their classification.
4. The permittee must not discharge effluent that lowers the quality of any classified body of water below such classification, or lower the existing quality of any body of water if the existing quality is higher than the classification.

## **SPECIAL CONDITIONS**

### **C. TREATMENT PLANT OPERATOR**

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

### **D. LIMITATIONS FOR INDUSTRIAL USERS**

Pollutants introduced into the wastewater collection and treatment system by a non-domestic source (user) must not pass through or interfere with the operation of the treatment system. The permittee must conduct an 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 July 2, 2018; 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.
3. 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 treatment facility staff must have a current written Wet Weather Flow Management Plan to direct the staff on how to operate the facility effectively during periods of high flow. The Department acknowledges that the existing collection system may deliver flows in excess of the monthly average design capacity of the treatment plant during periods of high infiltration and rainfall.

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

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

### **H. OPERATIONS AND MAINTENANCE 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.

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

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

- a. Changes in the number or types of non-domestic wastes contributed directly or indirectly to the wastewater treatment works that may increase the toxicity of the discharge;
- b. Changes in the operation of the treatment works that may increase the toxicity of the discharge;
- c. Changes in industrial manufacturing processes contributing wastewater to the treatment works that may increase the toxicity of the discharge;

## **SPECIAL CONDITIONS**

### **I. 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.

### **J. MONITORING AND REPORTING**

#### Electronic Reporting

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

Electronic Discharge Monitoring Reports (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 15<sup>th</sup> day of the month** following the completed reporting period.

Documentation submitted electronically to the Department in support of the electronic DMR must be submitted no later than midnight on the 15<sup>th</sup> day of the month following the completed reporting period. Toxsheet reporting forms must be submitted electronically as an attachment to an email sent to your Department compliance inspector. In addition, a signed hardcopy of your toxsheet must also be submitted.

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

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



## **SPECIAL CONDITIONS**

### **J. MONITORING AND REPORTING (cont'd)**

Alternatively, if you are submitting an electronic DMR, the completed DMR must be electronically submitted to the Department by a facility authorized DMR Signatory not later than close of business on the **15<sup>th</sup> day of the month** following the completed reporting period. Hard Copy documentation submitted in support of the eDMR must be postmarked on or before the **thirteenth (13<sup>th</sup>) day of the month or hand-delivered to the Department's Regional Office such that it is received by the Department on or before the fifteenth (15<sup>th</sup>)** day of the month following the completed reporting period. Electronic documentation in support of the DMR must be submitted not later than close of business on the 15<sup>th</sup> day of the month following the completed reporting period.

### **K. SCHEDULE OF COMPLIANCE – YEAR-ROUND FEACAL COLIFORM LIMITATIONS**

This permit is establishing a schedule of compliance for the permittee to come into compliance with the National Shellfish Sanitations Program (NSSP), *Guide for the Control of Molluscan Shellfish 2017 Revision*, year-round monthly average and daily maximum Fecal Coliform bacteria limitations of 14 cfu/100 ml and 31 cfu/100 ml respectively.

***On or before March 15, 2020 [ICIS Code CS010]*** the permittee must submit a progress report to the Department for review that outlines the progress made to date to come into compliance with year-round monthly average and daily maximum Fecal Coliform bacteria limitations of 14 cfu/100 ml and 31 cfu/100 ml respectively.

***On or before December 31<sup>st</sup>, 2020***, the permit must be in compliance with year-round monthly average and daily maximum Fecal Coliform bacteria limitations of 14 cfu/100 ml and 31 cfu/100 ml respectively.

### **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.

### **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.

**MAINE POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT  
MAINE WASTE DISCHARGE LICENSE**

**FACT SHEET**

DATE: **FEBRUARY 10, 2020**

PERMIT NUMBER: **ME0101346**

WASTE DISCHARGE LICENSE: **W002659-6C-G-R**

NAME AND ADDRESS OF APPLICANT: **TOWN OF MOUNT DESERT  
P.O. BOX 248  
NORTHEAST HARBOR, MAINE 04662**

COUNTY: **HANCOCK**

NAME AND ADDRESS WHERE DISCHARGE(S) OCCUR(S):  
**NORTHEAST WASTEWATER TREATMENT FACILITY  
PARKER FARM ROAD  
SOMESVILLE, MAINE 04662**

RECEIVING WATER CLASSIFICATION: **ATLANTIC OCEAN / CLASS SB**

COGNIZANT OFFICIAL CONTACT INFORMATION:  
**Mr. Edward Montague  
(207)-276-5531  
[suptwwtp@mtdesert.org](mailto:suptwwtp@mtdesert.org)**

**1. APPLICATION SUMMARY**

On July 2, 2018, the Department accepted as complete for processing, a renewal application from the Town for the renewal of Waste Discharge License (WDL) W002659-6C-F-R /Maine Pollutant Discharge Elimination System (MEPDES) permit ME0101346, which was issued on February 3, 2014, for a five-year term. The 2/3/14 MEPDES permit authorized the Town to discharge of a monthly average flow of 0.33 million gallons per day (MGD) of secondary treated municipal wastewater from a publicly owned treatment works (POTW) facility to the Atlantic Ocean, Class SB, in Mount Desert, (Northeast Harbor), Maine.

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## 2. PERMIT SUMMARY

- a. This permitting action is carrying forward all the terms and conditions of the previous permitting action except that this permitting action is:
  1. Eliminating the daily maximum concentration limit for copper based on a statistical evaluation for the most current 60 months of analytical chemistry and priority pollutant test results;
  2. Increasing the monitoring frequency of Fecal coliform from seasonal to year-round starting on December 31<sup>st</sup>, 2020, and amending the monthly average and daily maximum limits to 14 CFU/100 mL 31 CFU/100, respectively;
  3. Establishing a seasonal monitoring requirement for Enterococci bacteria from April 15<sup>th</sup> – October 31<sup>st</sup> starting on April 15<sup>th</sup>, 2022. As well as establishing monthly average and daily maximum limits of 8 CFU/100 mL and 54 CFU/100 mL, respectively; and
  4. Amending Condition C. Treatment Plant Operator Requiring the person who has management responsibility over the treatment facility must hold a minimum of a Maine Grade III biological certificate or be a Registered Maine Professional Engineer.
- b. History: This section provides a summary of significant licensing actions and milestones that have been completed for the Town of Mount Desert Water Northeast Harbor Pollution Control Facility.

*August 22, 1991* – The U.S. Environmental Protection Agency (USEPA) issued National Pollutant Discharge Elimination System (NPDES) permit #ME0101346 superseding previous NPDES permits issued for this facility on 3/28/85 and on 5/2/74. This permitting action administratively consolidated the discharges from Town's Northeast Harbor facility and three other POTWs located in and operated by the Town (Somesville previously #ME0101362, Seal Harbor previously #ME0101354, and Otter Creek previously #ME0101338). Previously, the Northeast Harbor WWTF was permitted to discharge 0.33 MGD of secondary treated sanitary wastewater to the Atlantic Ocean. This permitting action, however, did not include numerical discharge flow limitations for any of the facilities; reporting of the monthly average and daily maximum discharge flow values was required.

*August 27, 1997* – The USEPA issued NPDES permit #ME0101346 for the four facilities covered in the 8/22/91 NPDES permit #ME0101346: Northeast Harbor Treatment Facility (Outfall 001-A); Somesville Sewage Treatment Plant (Outfall 002-A); Seal Harbor Sewage Treatment Plant also known as Seal Harbor I (Outfall 003-A); Otter Creek Sewage Treatment Plant (Outfall 004-A); and, for the first time, the Seal Harbor II WWTF also known as the Seal Harbor Village Sewage Treatment Plant (Outfall 005-A), a 3,600 GPD sand filter overboard discharge system with no previous NPDES permit number. This permit did not include numerical discharge flow limitations for any of the facilities, and it expired on March 3, 2002. Subsequent permits issued by the Department separated the outfalls by issuing individual MEDPES permits: Northeast Harbor-ME0101346; Somesville-ME0102547; Seal Harbor I- ME0102555. The Otter Creek facility was consolidated with the Seal Harbor I facility as a result of a 2003 consent agreement. The Seal Harbor II facility flows are conveyed to the Seal Harbor I facility following a determination in 2003 by the TOWN that the facility's flows were discharging into a small stream instead of into the Atlantic Ocean. The Seal Harbor II permit was retired in December 2004.

## 2. PERMIT SUMMARY (cont'd)

*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 #ME010136 has been utilized for this facility. On March 26, 2011, the USEPA authorized the Department to administer the MEPDES program in Indian territories of the Penobscot Nation and Passamaquoddy Tribe.

*May 25, 2000* – The Department administratively modified WDL #W002659-5L-C-R by establishing interim average and maximum concentration limits for the discharge of mercury.

*November 6, 2003* – The Department's Bureau of Land and Water Quality, Division of Engineering, Compliance and Technical Assistance offered the Town an Administrative Consent Agreement and Enforcement Order for violations of numeric discharge limitations that have occurred at the Northeast Harbor WWTF. The Administrative Consent Agreement and Enforcement Order was posted for a 30-day public hearing on December 4, 2003, and presented to the Board of Environmental Protection on January 15, 2004 for final approval.

*April 10, 2006* – The Department issued a permit modification for Whole Effluent Toxicity testing requirements under the Surface Water Toxics Control Program.

*December 29, 2008* – The Department issued MEPDES #ME0101346 / WDL #W002659-5L-D-R for a five-year term. The December 29, 2008 permit superseded previous WDLs issued on December 13, 2003, August 27, 1997, August 22, 1991, March 28, 1985 and May 2, 1974.

*October 10, 2013* – Town submitted a timely and complete General Application to the Department for renewal of the December 29, 2008 MEPDES permit. The application was accepted for processing on October 10, 2013, and was assigned WDL.

*February 3, 2014* – The Department issued MEPDES permit #ME0101346/WDL #W002656-6C-F-R for a five-year term.

*June 2, 2018* – The Town submitted a timely and complete application to the Department for the renewal of combination MEPDES permit #ME0101346/WDL #W002659-6B-F-R issued on 2/3/2014.

- c. Source Description: The Town operates the Northeast Harbor WWTF, which has been operational since 1971, to provide secondary treatment of sanitary wastewater generated by approximately 2,700 summer and 900 winter residential and commercial customers in the Northeast Harbor Village area of Mount Desert, Maine. There are no significant industrial users within the collection system, no combined sewer overflows and the facility is not authorized to receive any septage from outside sources.

## 2. PERMIT SUMMARY (cont'd)

The Northeast Harbor WWTF sewer collection system is approximately 7.25 miles in length, has five (5) pump stations, and is 100% separated (sanitary and storm water). The Sea Street Pump Station is equipped with a bypass that discharges through a tidal flex valve to the inner harbor section of Northeast harbor. The bypass is exposed at mean low tide. This bypass is last known to have been active prior to a 2006 upgrade. Bypass activity is visually monitored. A wood "telltale" has been placed in the pump station end of the bypass pipe. Periodic checks are made to ensure that the telltale has not moved. The Town reported that sewer pipe materials consist primarily of PVC, vitrified clay, and asbestos cement with ductile and cast iron comprising only a small percentage of the total.

A map of the Mount Desert area showing the general location of the Northeast Harbor WWTF and the associated outfall location is included as Fact Sheet **Attachment A**.

- d. Wastewater Treatment: The wastewater treatment facility was upgraded in 1998 to accommodate increased flows which exceeded the original design. An additional upgrade is now underway to provide redundancy with the secondary clarifier, and improve other various plant process equipment.

Raw wastewater is conveyed to the facility via a 24-inch diameter ductile iron gravity sewer. The influent is conveyed through a manual bar rack and/or mechanical grinder for influent screening before continuing to a wet well consisting of two basins with a combined working volume of 2,900 gallons. From there, the wastewater is pumped to one of two available 166,000-gallon aeration basins for extended diffused aeration. Only one aeration basin is online at any given time so that the other can be used for high flow management and/or aerobic treatment of sludge during winter months. Wastewater is then conveyed to a 45-foot diameter circular secondary clarifier with a volume of approximately 162,000-gallons. The 2014 upgrade gave the facility a second 45' 0" final clarifier. Clarifier effluent then flows to a 13,500-gallon baffled chlorine contact chamber for disinfection using sodium hypochlorite, which is followed by sodium bisulfite for dechlorination. The contact chamber provides approximately 15 minutes of detention at the peak flow rate. Effluent flow is measured by a V-notch weir installed in the chlorine contact tank. Treated effluent is conveyed to the Atlantic Ocean for discharge via a 16-inch diameter outfall pipe that extends 540 beyond the low tide mark. The outfall depth is approximately 5.6' during mean low tide. The end of the pipe is fitted with a diffuser consisting of seven 2-inch ports and one 6-inch outlet port to enhance mixing of the effluent with the receiving waters.

Sludge handling equipment at the facility includes a 5,200-gallon scum tank, a 44,000-gallon sludge thickener and a 100,000-gallon sludge digester and two 15-horsepower return sludge pumps. Scum from the secondary clarifier is skimmed to the scum tank. Settled material from the clarifier and scum are subsequently pumped to the aerobic digester for settling and decanting. Return activated sludge is also pumped directly back to the aeration basins. The digester supernatant is sent to the aeration basins. Sludge from the digester is hauled to the Ellsworth Wastewater Treatment Facility for dewatering. A schematic of the wastewater treatment process is included as Fact Sheet **Attachment B**.

### 3. CONDITIONS OF PERMIT

*Conditions of licenses*, 38 M.R.S. § 414-A, requires that the effluent limitations prescribed for discharges, including, but not limited to, effluent toxicity, require application of best practicable treatment (BPT), be consistent with the U.S. Clean Water Act, and ensure that the receiving waters attain the State water quality standards as described in Maine's Surface Water Classification System. In addition, *Certain deposits and discharges prohibited*, 38 M.R.S. § 420 and *Surface Water Toxic Control Program*, require the regulation of toxic substances not to exceed levels set forth in *Surface Water Quality Criteria for Toxic Pollutants*, 06-096 CMR 584 (effective July 29, 2012), and that ensure safe levels for the discharge of toxic pollutants such that existing and designated uses of surface waters are maintained and protected.

### 4. RECEIVING WATER QUALITY STANDARDS

*Classifications of estuarine and marine waters*, 38 M.R.S. § 469(2)(1) classifies Atlantic Ocean 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 for Class SB waters.

### 5. RECEIVING WATER QUALITY CONDITIONS

*The State of Maine 2016 Integrated Water Quality Monitoring and Assessment Report*, prepared pursuant to Sections 303(d) and 305(b) of the Federal Water Pollution Control Act, lists the marine waters at the permittee's outfall as, *Category 5-B-1(a), Estuarine and Marine Waters Impaired for Bacteria Only - TMDL Required*. The impairment may be either recreational uses (swimming) or shellfish consumption or both. Shellfish consumption impairments only apply to waters naturally capable of supporting the shellfish harvesting use (i.e. waters of high enough salinity for propagation of shellfish).

The Maine Department of Marine Resources (MEDMR) closes shellfish harvesting areas if there are known sources of discharges with unacceptable bacteria levels (thresholds established in the National Shellfish Sanitation Program) or maintains shellfish harvesting closure areas due to lack of updated information regarding ambient water quality conditions and current shoreline surveys. In addition, the MEDMR prohibits shellfish harvesting in the immediate vicinity of all wastewater treatment outfall pipes as a precautionary measure in the event of a failure in the treatment plant's disinfection system. Thus, shellfish harvesting area #44 is closed to the harvesting of shellfish. The shellfish closure area can be found at <http://www.maine.gov/dmr/shellfish-sanitation-management/closures/pollution.html>.

Category 5-D: *Estuarine and Marine Waters Impaired by Legacy Pollutants*. All estuarine and marine waters capable of supporting American lobster are listed in Category 5-D, partially supporting fishing ("shellfish" consumption) due to elevated levels of polychlorinated biphenyls (PCBs) and other persistent, bioaccumulating substances in lobster tomalley. The permittee will not cause or contribute to the failure of the receiving waters to meet the standards of its designated classification.

## 6. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

- a. **Flow:** The previous permitting action established, and this permitting action is carrying forward, a monthly average discharge flow limit of 0.33 MGD based on the design capacity for the treatment facility, and a daily maximum discharge flow reporting requirement. The facility was upgraded in 1998 to accommodate a maximum sustained daily flow of 0.65 MGD and a peak hourly flow of 1.30 MGD, although the Town has not requested an increase in the discharge flow limit.

The Department reviewed 57 Discharge Monitoring Reports (DMRs) that were submitted for the period February, 2014 – January, 2019. A review of the data indicates the following:

### Flow (DMRs=57)

Value	Limit MGD	Range MGD	Mean MGD
Monthly Average	0.33	0.01 – 0.50	0.22
Daily Maximum	Report	0.02 – 0.10	0.05

- 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.” With a permitted flow of 0.0330 MGD and based on the location and configuration of the outfall structure, the Department has established dilution factors as follows:

Acute = 11.7:1

Chronic = 72.5:1

Harmonic Mean<sup>(1)</sup> = 217.5:1

### Notes:

<sup>1</sup>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; USEPA/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.

- c. **Biochemical Oxygen Demand (BOD<sub>5</sub>) & Total Suspended Solids (TSS):** The previous permitting action established, and this permitting action is carrying forward, monthly and weekly average technology-based concentration limits of 30 mg/L and 45 mg/L, respectively, for BOD<sub>5</sub> 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 (BPJ) of best practicable treatment (BPT) for secondary treated wastewater. The technology-based monthly, weekly, and daily average mass limits of 83 lbs./day, 124 lbs./day and 138 lbs./day, established in the previous permitting action for BOD<sub>5</sub> and TSS are based on the monthly average flow design criterion of 0.33 MGD. The applicable concentration limits are also being carried forward in this permitting action. This permitting action is carrying forward a requirement for a minimum of 85% removal of BOD<sub>5</sub> & TSS pursuant to 06-096 CMR 525(3)(III)(a&b)(3) along with a 1/Month monitoring frequency.

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

The Department reviewed 57 DMRs that were submitted for the period February 2014 – January 2019. A review of the data indicates the following:

### BOD<sub>5</sub> Mass (DMRs=57)

Value	Limit (lbs./day)	Range (lbs./day)	Average (lbs./day)
Monthly Average	83	2-18	7.0
Weekly Average	124	2-27	8.0
Daily Maximum	138	2-27	8.0

### BOD<sub>5</sub> Concentration (DMRs=57)

Value	Limit (mg/L)	Range (mg/L)	Average (mg/L)
Monthly Average	30	2-12	4.3
Weekly Average	45	2-15	4.7
Daily Maximum	50	2-15	4.7

### TSS mass (DMRs=57)

Value	Limit (lbs./day)	Range (lbs./day)	Average (lbs./day)
Monthly Average	83	1-36	8.0
Weekly Average	124	1-62	10.4
Daily Maximum	138	1-62	10.4

### TSS concentration (DMRs=57)

Value	Limit (mg/L)	Range (mg/L)	Average (mg/L)
Monthly Average	30	1-20	4.9
Weekly Average	45	1-30	6.1
Daily Maximum	50	1-35	6.3

- d. Settleable Solids: 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 best practicable treatment limitation (BPT) for secondary treated wastewater.

The Department reviewed 57 DMRs that were submitted for the period February 2014 – January 2018. A review of data indicates the following:

### Settleable solids concentration (DMRs=57)

Value	Limit (ml/L)	Range (ml/L)	Average (ml/L)
Daily Maximum	0.3	0.1 – 0.3	0.10



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

- e. Fecal Coliform Bacteria – The previous permitting action established, a seasonal (May 15 – September 30) monthly average and daily maximum limits of 15 colonies/100 mL and 50 colonies/100 mL. This permitting action is establishing year-round starting on December 31<sup>st</sup>, 2020, monthly average and daily maximum limits of 14 colonies/100 mL and 31 colonies/100 mL for fecal coliform bacteria, which are consistent with the National Shellfish Sanitation Program.

The Department reviewed 24 DMRs that were submitted for the period February 2014 – January 2019. A review of data indicates the following:

### Fecal coliform bacteria (DMRs=24)

Value	Limit (col/100 ml)	Range (col/100 ml)	Mean (col/100 ml)
Monthly Average	15	1–1.4	1.0
Daily Maximum	50	1–2.0	1.1

In a letter dated September 6, 2019, the permittee requested a compliance schedule for year-round limitations of Fecal Coliform bacteria until May 15, 2020. In supplemental correspondence to the Department the permittee requested an implementation timeline extending to December 21, 2020 for the Somesville, Seal Harbor, and Northeast Harbor treatment facilities.

The permittee has indicated it needs until December 31, 2020 to adequately weatherize the disinfection systems for the winter months. The year timeframe will provide the permittee with sufficient time to secure funds and perform weatherization modifications to the Somesville, Seal Harbor, and Northeast Harbor treatment facilities. By March 15, 2020, the permittee must provide the Department with a written assessment of progress made in order to come into compliance with year-round Fecal Coliform monthly limitation of 14 CFU/100 ml and daily limitations maximum limitations of 31 CFU/100 ml.

The Department finds the permittee's request for a year schedule of compliance to comply with year-round Fecal Coliform bacteria limitations to be acceptable and consistent with the requirement established in 38 M.R.S. §414(2) and *Effluent Guidelines and Standards* 06-096 CMR 523(7). See Special Condition A.2, *Effluent Limitations and Monitoring Requirements*, and Special Condition K, *Schedule of Compliance-Year Round Fecal Coliform Limitation* of the permit.

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

- f. Total Residual Chlorine (TRC) – The previous permitting action established technology-based monthly average and water quality-based daily maximum concentration limits of 0.1 mg/L and 0.3 mg/L, respectively, 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 must be calculated as follows:

Acute (A) Criterion	Chronic (C) Criterion	A & C Dilution Factors	Acute Threshold	Chronic Threshold
0.013 mg/L	0.0075 mg/L	11.7:1 (A) 72.5:1 (C)	0.15 mg/L	0.54 mg/L

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. For facilities that need to dechlorinate the discharge to meet water quality-based thresholds, the Department has established daily maximum and monthly average BPT limits of 0.3 mg/L and 0.1 mg/L, respectively. The facility dechlorinates the effluent prior to discharge to achieve compliance with the water quality-based thresholds. The calculated acute water quality-based threshold of 0.15 mg/L is more stringent than the daily maximum technology-based standard of 0.3 mg/L and is therefore being carried forward in this permitting action. The monthly average technology-based standard of 0.1 mg/L is more stringent than the calculated chronic water quality-based threshold of 0.54 mg/L and is therefore being carried forward in this permitting action.

**Total residual chlorine (DMRs=25)**

Value	Limit (mg/L)	Range (mg/L)	Mean (mg/L)
Daily Maximum	0.15	0.04–0.12	0.07
Monthly Average	0.1	0.02–0.06	0.04

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

The Department reviewed 57 DMRs that were submitted for the period February 2014 – January 2019. A review of data indicates the following:

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

### pH (DMRs=57)

Value	Limit (SU)	Minimum (SU)	Maximum (SU)
Range	6.0 – 9.0	6.1	7.30

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

WET, priority pollutant and analytical chemistry testing, as required by 06-096 CMR 530, is included in this permit to characterize the effluent. 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 (*Americamysis bahia*) and the sea urchin (*Arbacia punctulata*). 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. Priority pollutant testing refers to the analysis for levels of priority pollutants listed under “Priority Pollutants” on the form entitled, *Maine Department of Environmental Protection, Chemical Specific Data Report Form* found at: [https://www.maine.gov/dep/water/wd/municipal\\_industrial/index.html](https://www.maine.gov/dep/water/wd/municipal_industrial/index.html).

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 Town of Mount Desert’s Northeast Harbor Wastewater Treatment facility discharges treated domestic (sanitary) wastewater to surface waters and is therefore subject to the testing requirements of the toxics rule.

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

06-096 CMR 530(2)(B) categorizes discharges subject to the toxics rule into one of four levels (Level I through IV). The four categories for dischargers are as follows:

Level I	Chronic dilution factor of <20:1
Level II	Chronic dilution factor of $\geq 20:1$ but <100:1.
Level III	Chronic dilution factor $\geq 100:1$ but <500:1 or >500:1 and $Q \geq 1.0$ MGD
Level IV	Chronic dilution factor >500:1 and $Q \leq 1.0$ MGD

Based on the Chapter 530 criteria, the permittee's facility falls into the Level II frequency category as the facility has a chronic dilution factor of at least 100 but less than 500 to 1, or dischargers having a chronic dilution factor of more than 500 to 1 and a permitted flow of 1 million gallons per day or greater. 06-096 530(2)(D)(1) specifies that routine screening and surveillance level testing requirements are as follows:

**Screening level testing**

Level	WET Testing	Priority pollutant testing	Analytical chemistry
II	2 per year	1 per year	4 per year

**Surveillance level testing**

Level	WET Testing	Priority pollutant testing	Analytical chemistry
II	1 per year	None required	2 per year

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.

i. Whole Effluent Toxicity (WET) Evaluation: 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, EPA, 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.

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

On September 17, 2018, the Department conducted a statistical evaluation on the most recent 57 months of WET test results on file with the Department for the Town in accordance with the statistical approach outlined above. The 9/17/18 statistical evaluation indicates that indicates that none of the results had a reasonable potential to exceed the chronic or acute ambient water quality threshold. See **Attachment C** of this Fact Sheet for a summary of the WET test results.

### 1. Analytical Chemistry & Priority Pollutant Testing Evaluation:

06-096 CMR 530(4)(C) states:

The background concentration of specific chemicals must be included in all calculations using the following procedures. The Department may publish and periodically update a list of default background concentrations for specific pollutants on a regional, watershed or statewide basis. In doing so, the Department must use data collected from reference sites that are measured at points not significantly affected by point and non-point discharges and best calculated to accurately represent ambient water quality conditions. The Department must use the same general methods as those in section 4(D) to determine background concentrations.

For pollutants not listed by the Department, an assumed concentration of 10% of the applicable water quality criteria must be used in calculations.

06-096 CMR 530(3)(E) states, “Where it is determined through [the statistical approach referred to in USEPA’s Technical Support Document for Water Quality-Based Toxics Control] 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.”

06-096 CMR 530(3)(D) states, “Where the need for effluent limits has been determined, limits derived from acute water quality criteria must be expressed as daily maximum values. Limits derived from chronic or human health criteria must be expressed as monthly average values.”

### Total Copper

The previous permitting action established a daily maximum concentration reporting requirement for copper of 0.14 lbs./day. Federal regulation 40 CFR, §122(l) contains the criteria for what is often referred to as the anti-backsliding provisions of the Federal Water Pollution Control Act (Clean Water Act). In general, the regulation states that except for provisions specified in the regulation, effluent limitations, standards or conditions must be at least as stringent as the final effluent limitations, standards or conditions in the previous permit. Applicable exceptions include (1) material and substantial alterations or additions to the permitted facility occurred after permit issuance which justify the application of a less stringent effluent limitation and (2) information is available which was not available at the time of the permit issuance (other than revised regulations, guidance or test methods) and which would justify the application of less stringent effluent limitations at the time of permit issuance.

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

This permitting action is removing the previously established water quality based a daily maximum concentration reporting requirement for copper given the most current 57 months of data indicates there are no test results that exceed or have a reasonable potential to exceed applicable AWQC. Consistent with 06-096 CMR Chapter 530, limitations are no longer necessary. The Department has made the determination that removing the limitation is based on new information that was not available at the time of the previous permitting action.

Chemical specific evaluation

As with WET test results, the Department conducted a statistical evaluation on September 9, 2018, for the most current 57 months of analytical chemistry and priority pollutant test results on file. The evaluation indicates the discharge did not exceeded any of the applicable acute AWQC thresholds. See **Attachment D** of this Fact Sheet for the individual test results.

- j. 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 an interim average and daily maximum effluent concentration limits of 9.1 parts per trillion (ppt) and 13.7 ppt, respectively, and a minimum monitoring frequency requirement of two (2) tests per year for mercury. 38 M.R.S. § 420(1-B)(B)(1) provides that a facility is not in violation of the Ambient Water Quality Criteria (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 September 1999 – March 2018 indicates the permittee has been in compliance with the interim limits for mercury as results have been reported as follows:

**Mercury (DMRs=34)**

Value	Limit (ng/L)	Range (ng/L)	Mean (ng/L)
Average	9.1	0.71 – 13.0	4.2
Daily Maximum	13.7		

The Department issued a minor revision on February 6, 2012, to the October 12, 2011, permit thereby revising the minimum monitoring frequency requirement from twice per year to once per year given the permittee has maintained at least 5 years of mercury testing data. 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, permit modification.

- k. 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. To date, the permittee has not conducted total nitrogen testing on its discharge. As of December 2018, the Department has 151 total nitrogen effluent values with an arithmetic mean of 19.1 mg/L collected from various municipally-owned treatment works that discharge to marine waters of the State. None of the facilities whose effluent data were used are specifically designed to remove total nitrogen. For the MEPDES permitting program, the Department considers 19.1 mg/L to be representative of total nitrogen discharge levels for all facilities providing secondary treatment that discharge to marine waters in the absence of facility specific data, and therefore 19.1 mg/L is being used as the total nitrogen discharge concentration from the Town of Mt. Desert's Northeast Harbor facility.

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

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 Northeast Harbor shoreline to document presence/absence of eelgrass. The 1970's Timson (Maine Geological Survey) Coastal Marine Geological Environments information referenced in other Maine marine discharge permits is not being utilized for this permit due to deficiencies in the aerial imagery and ground truthing methods used for eelgrass delineation. The eelgrass surveys considered in this permit were conducted in 1996 and 2008 by the Maine Department of Marine Resources, and documented eelgrass presence immediately surrounding the wastewater outfall in both years. The 1.4-ha (3.5 ac) eelgrass bed mapped in 1996 ranged from low (>10-40%) to high (>70-100%) percent cover. In 2008, the bed had expanded to 3.3 ha (8.1 ac) and was classified as having percent cover from >10-70%. Eelgrass of variable percent covers was additionally documented in both survey years along the shallow subtidal shoreline at the mouth of Somes Sound approximately 1.5 km to the north of the wastewater outfall, as well as 1-1.5 km away from the outfall across the Sound along Southwest Harbor and Greening Island. Based on this mapping history of eelgrass resource in the vicinity of the Northeast Harbor outfall, the use of 0.32 mg/L as a total nitrogen threshold value for protection of eelgrass is appropriate for this receiving water.

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 72.5:1. Far field dilutions are generally significantly higher than the near-field dilution, depending on the location of the outfall pipe and nature of the receiving waterbody. The Northeast Harbor outfall is located in an area adjacent to a channel that empties and fills Somes Sound. This channel exchanges approximately 10,000,000,000 gallons of water daily. Based on the relative size of the discharge in comparison to the tidal exchange, the farfield dilution is expected to be well in excess of 1,000:1.

Conservatively using a far-field dilution factor of 1,000:1, the estimated increase in total nitrogen concentration in the Northeast Harbor discharge vicinity is estimated to be 0.019 mg/L.

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

The Department and external partners have been collecting ambient total nitrogen data along Maine's coast. No total nitrogen data are known to exist close to the shallow subtidal shoreline in the vicinity of Northeast Harbor. In general, few data points exist along the exposed rocky coastline of outer Penobscot Bay east to Cobscook Bay where eelgrass is present in nearby shallow areas, upland development could contribute seasonally to stormwater nutrients, and only minor point sources are present. For a calculation of a background total nitrogen value, the Department has selected seven sites from the exposed shoreline of outer Penobscot Bay and islands east to Narraguagus Bay, sampled in 2003, 2009 and 2010. The use of these seven sites for the background total nitrogen calculation best approximates the ambient conditions likely to occur in Northeast Harbor in the absence of the municipal wastewater discharge. From these sites, the Department has calculated a mean background concentration of  $0.20 \pm 0.05$  mg/L (n=9).

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  $0.20 \text{ mg/L} + 0.019 \text{ mg/L} = 0.219 \text{ mg/L}$ . The in-stream concentration value of 0.219 mg/L is significantly 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 Town of Mt. Desert's Northeast Harbor facility does not exhibit a reasonable potential to exceed applicable water quality standards for Class SB waters. This permitting action is not establishing limitations or monitoring requirements for total nitrogen.

## **7. DISCHARGE IMPACT ON RECEIVING WATER QUALITY**

As permitted, the Department has determined the existing water uses will be maintained and protected and the discharge will not cause or contribute to the failure of the Atlantic Ocean (Somes Sound) to meet standards for Class SB classification.

## **8. PUBLIC COMMENTS**

Public notice of this application was made in The Mount Desert Islander newspaper on or about June 21, 2018. 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).



## **9. DEPARTMENT CONTACTS**

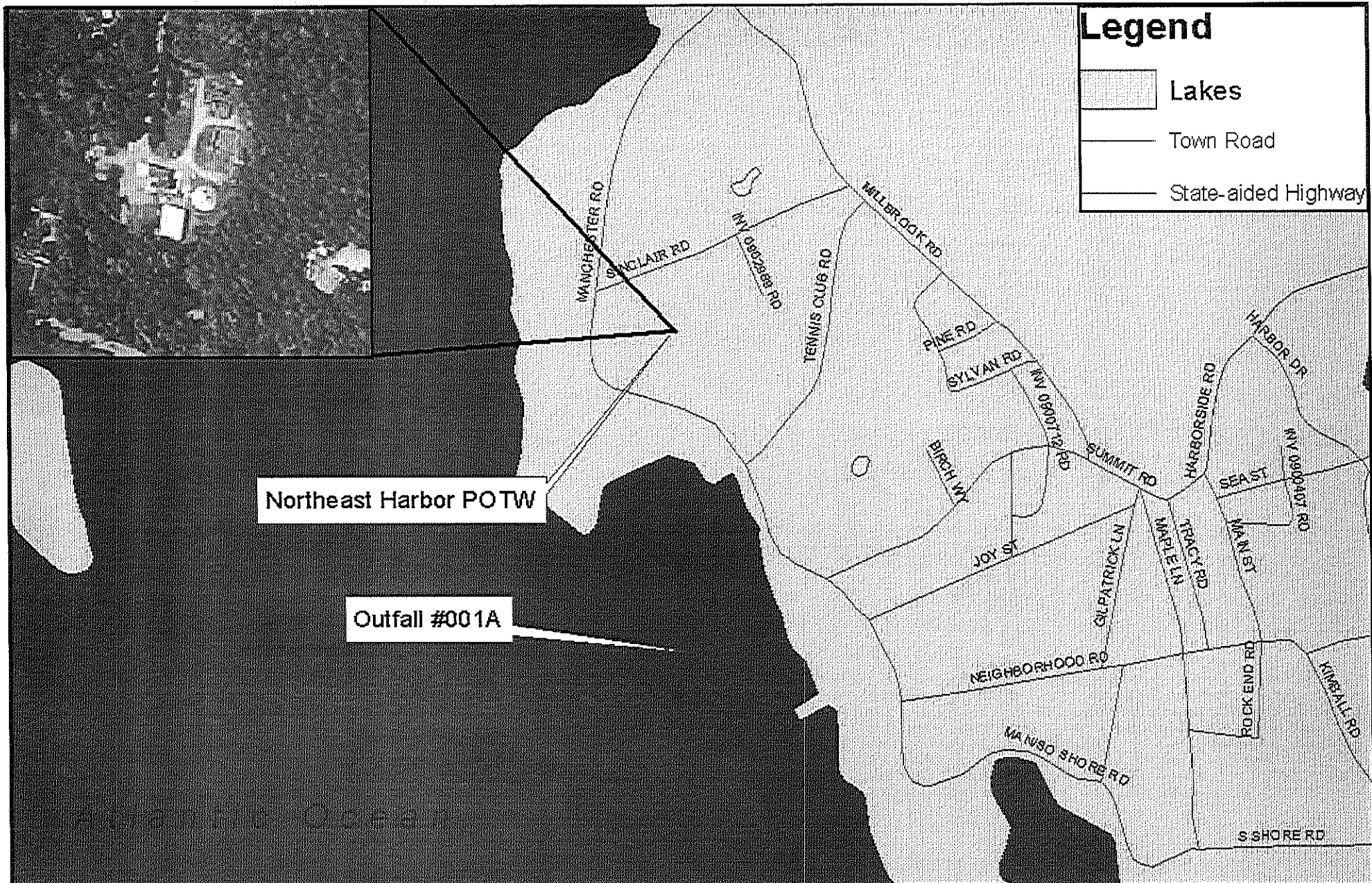
Additional information concerning this permitting action may be obtained from, and written comments sent to:

Aaron Dumont  
Bureau of Water Quality  
Department of Environmental Protection  
17 State House Station  
Augusta, Maine 04333-0017 Telephone: (207) 287-1939  
e-mail: [Aaron.A.Dumont@maine.gov](mailto:Aaron.A.Dumont@maine.gov)

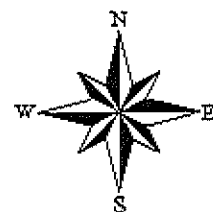
## **10. RESPONSE TO COMMENTS**

*Reserved until end of the comment period.*

# **ATTACHMENT A**



0 0.05 0.1 0.2 0.3 Miles

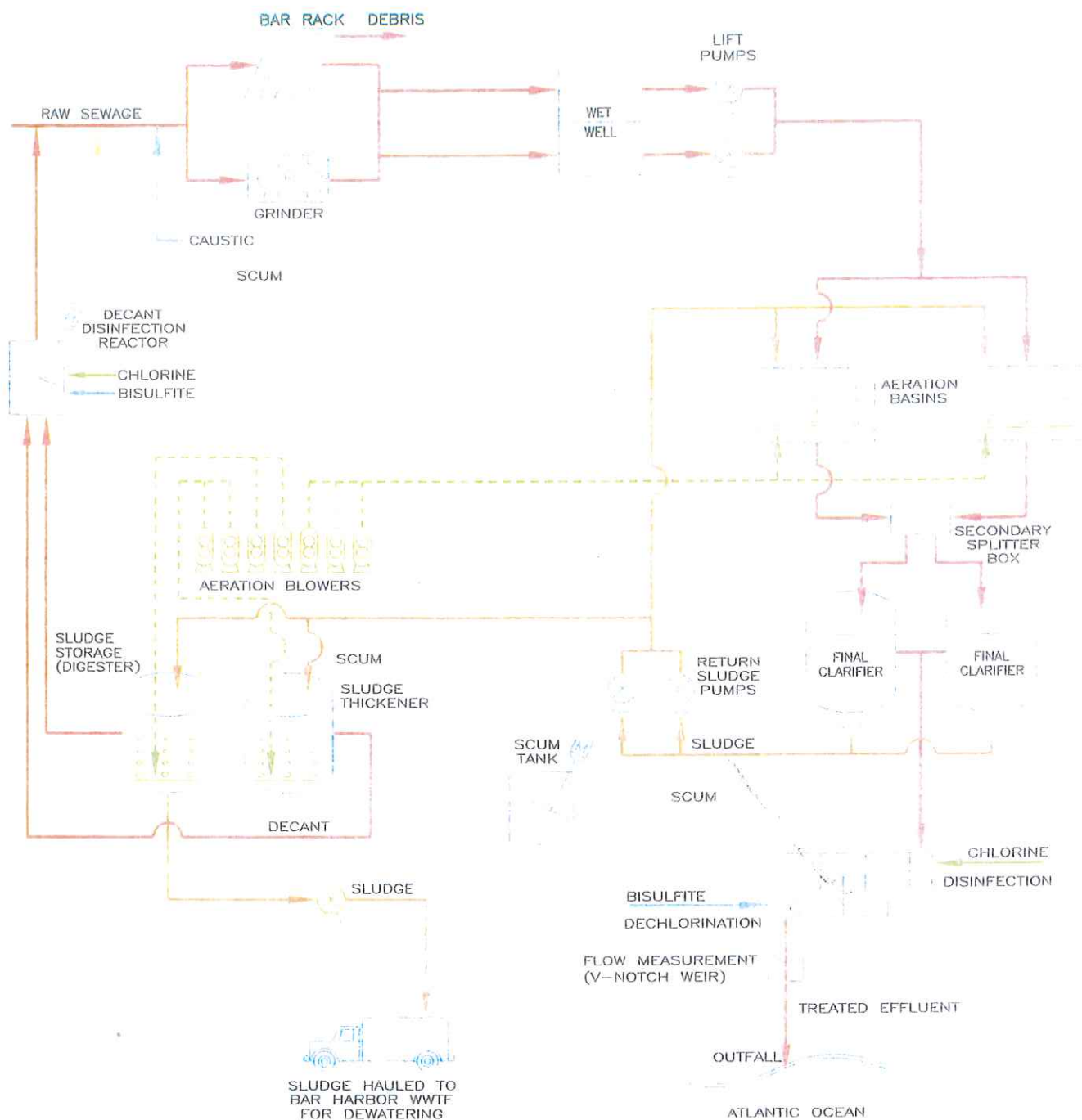


Map Created by Maine DEP  
July 23, 2013



**Mount Desert, Northeast Harbor POTW**

## **ATTACHMENT B**



# NORTHEAST HARBOR WASTEWATER TREATMENT PLANT

## PROCESS FLOW SCHEMATIC

FIGURE 2

## **ATTACHMENT C**



## FACILITY WET EVALUATION REPORT

**Facility:** MOUNT DESERT ISLAND (NORTHEAST HBR)

**Permit Number:** ME0101346

**Report Date:** 7/9/2019

**Receiving Water:** ATLANTIC OCEAN

**Rapidmix:** Y

**Dilution Factors:** 1/4 Acute: N/A

Acute: 11.700

Chronic: 72.50

**Effluent Limits:** Acute (%): 8.547

Chronic (%): 1.379

**Date range for Evaluation:** From 09/Jul/2014 To: 09/Jul/2019

**Test Type:** A\_NOEL

**Test Species:** MYSID SHRIMP

**Test Date**

**Result (%)**

**Status**

09/06/2016

100.000

OK

09/18/2017

100.000

OK

12/05/2018

100.000

OK

**Species Summary:**

**Test Number:** 3

**RP:** 3.000

**Min Result (%):** 100.000

**RP factor (%):** 33.333

**Status:** OK

**Test Type:** C\_NOEL

**Test Species:** SEA URCHIN

**Test Date**

**Result (%)**

**Status**

09/06/2016

50.000

OK

09/18/2017

50.000

OK

**Species Summary:**

**Test Number:** 2

**RP:** 3.800

**Min Result (%):** 50.000

**RP factor (%):** 13.158

**Status:** OK

## **ATTACHMENT D**



## PRIORITY POLLUTANT DATA SUMMARY



Date Range: 09/Jul/2014-09/Jul/2019

Facility Name: MOUNT DESERT ISLAND (NORTHEAST I

NPDES: ME0101346

Test Date	Monthly (Flow MGD)	Daily	Total Test Number	Test # By Group						Clean	Hg
				M	V	BN	P	O	A		
09/01/2014	0.16	0.17	1	1	0	0	0	0	0	F	0
05/06/2015	0.17	0.18	1	1	0	0	0	0	0	F	0
11/15/2015	0.09	0.05	15	10	0	0	0	5	0	F	0
03/14/2016	0.02	0.02	1	1	0	0	0	0	0	F	0
09/06/2016	0.12	0.12	13	9	0	0	0	4	0	F	0
03/20/2017	0.21	0.14	126	13	28	46	25	3	11	F	0
06/13/2017	0.18	0.15	12	9	0	0	0	3	0	F	0
09/05/2017	0.14	0.17	13	9	0	0	0	4	0	F	0
12/10/2017	0.19	0.15	13	9	0	0	0	4	0	F	0
12/05/2018	0.28	0.34	14	9	0	0	0	5	0	F	0

## Key:

A = Acid                      O = Others                      P = Pesticides  
 BN = Base Neutral      M = Metals                      V = Volatiles

# **ATTACHMENT E**

7/22/2019

MERCURY REPORT - Clean Test Only



Data Date Range: 07/22/1991 - 07/22/2019

Inspector Name: GARY BROOKS

Facility: MOUNT DESERT ISLAND (NORTHEAST HBR)

Permit Number: ME0101346

Max (ng/l): 13.0000

Average (ng/l): 4.2641

Sample Date	Result (ng/l)	Lsthan	Clean
09/27/1999	5.42	N	T
11/01/1999	8.28	N	T
03/06/2000	5.80	N	T
06/27/2000	5.30	N	T
09/26/2000	5.00	N	T
03/14/2001	4.80	N	T
06/25/2001	7.30	N	T
10/30/2002	8.90	N	T
12/30/2002	13.00	N	T
06/30/2003	3.80	N	T
03/09/2004	9.00	N	T
11/27/2006	4.10	N	T
01/29/2007	4.30	N	T
06/11/2007	1.40	N	T
09/11/2007	2.60	N	T
10/16/2007	2.80	N	T
12/18/2007	13.00	N	T
06/23/2008	3.10	N	T
10/28/2008	3.00	N	T
01/05/2009	3.40	N	T
04/14/2009	2.80	N	T
09/08/2009	3.50	N	T
12/01/2009	3.20	N	T
02/10/2010	2.40	N	T
07/19/2010	1.20	N	T
05/09/2011	1.40	N	T
11/15/2011	1.80	N	T
05/14/2012	1.90	N	T
10/07/2013	1.40	N	T
10/06/2014	0.59	N	T
09/09/2015	1.64	N	T
05/10/2016	0.71	N	T
12/11/2017	5.80	N	T
03/05/2018	2.34	N	T

# **ATTACHMENT F**

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?	<input type="checkbox"/>	<input type="checkbox"/>
2	Changes in the condition or operations of the facility that may increase the toxicity of the discharge?	<input type="checkbox"/>	<input type="checkbox"/>
3	Changes in storm water collection or inflow/infiltration affecting the facility that may increase the toxicity of the discharge?	<input type="checkbox"/>	<input type="checkbox"/>
4	Increases in the type or volume of hauled wastes accepted by the facility?	<input type="checkbox"/>	<input type="checkbox"/>

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	1 <sup>st</sup> Quarter	2 <sup>nd</sup> Quarter	3 <sup>rd</sup> Quarter	4 <sup>th</sup> Quarter
WET Testing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Priority Pollutant Testing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Analytical Chemistry	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other toxic parameters <sup>1</sup>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

*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.*

<sup>1</sup> This only applies to parameters where testing is required at a rate less frequently than quarterly.