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

DEPARTMENT ORDER

IN THE MATTER OF

IRVING OIL TERMINALS INC.	)	MAINE POLLUTANT DISCHARGE
SEARSPORT, WALDO COUNTY, MAINE	)	ELIMINATION SYSTEM PERMIT
BULK FUEL STORAGE FACILITY	)	AND
W001373-5S-G-R	)	WASTE DISCHARGE LICENSE
ME0002461 **APPROVAL**	)	**RENEWAL**

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

APPLICATION SUMMARY

The permittee has submitted a complete application to the Department for the renewal of combination Maine Waste Discharge License (WDL) # W001373-5S-F-R /Maine Pollutant Discharge Elimination System (MEPDES) Permit # ME0021181 (permit hereinafter), which was issued by the Department on April 7, 2015, for a five-year term. The 4/7/15 permit authorized the discharge of treated storm water runoff and vehicle wash water up to a daily maximum flow rate of 2,038 gallons per minute (gpm) and hydrostatic test water up to a daily maximum flow rate of 7.35 million gallons per day to Long Cove (Penobscot Bay), Class SC. The previous permitting action included limitations and monitoring frequencies for several outfalls from which treated stormwater runoff was discharged. The Department has determined that outfalls carrying stormwater runoff are covered under the Multi Sector General Permit for Stormwater Associated with an Industrial Activity. Therefore, this permitting action only authorizes discharges of Hydrostatic Test Waters. See **Attachment A** of the Fact Sheet for a site location map.

PERMIT SUMMARY

This permitting action is carrying forward all the terms and conditions of the previous permitting action, except that it is;

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

CONCLUSIONS

BASED on the findings in the attached Fact Sheet dated September 11, 2020, and subject to the Conditions listed below, the Department makes the following CONCLUSIONS:

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

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

3. The provisions of the State's antidegradation policy, 38 MRS Section 464(4)(F), will be met, in that:

   a. Existing in-stream water uses and the level of water quality necessary to protect and maintain those existing uses will be maintained and protected;

   b. Where high quality waters of the State constitute an outstanding national resource, that water quality will be maintained and protected;

   c. Where the standards of classification of the receiving water body are not met, the discharge will not cause or contribute to the failure of the water body to meet the standards of classification;

   d. Where the actual quality of any classified receiving water body exceeds the minimum standards of the next highest classification, that higher water quality will be maintained and protected; and

   e. Where a discharge will result in lowering the existing quality of any water body, the Department has made the finding, following opportunity for public participation, that this action is necessary to achieve important economic or social benefits to the State.

4. The discharge will be subject to effluent limitations that require application of best practicable treatment.

ACTION

THEREFORE, the Department APPROVES the application of IRVING OIL TERMINAL, INC., to discharge 7.35 MGD of hydrostatic test water from a bulk fuel storage and transfer facility to Long Cove (Penobscot Bay), Class SC, subject to the attached conditions and all applicable standards and regulations:

1. "*Maine Pollutant Discharge Elimination System Permit Standard Conditions Applicable To All Permits*," revised July 1, 2002, copy attached.

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) (June 9, 2018)]

DONE AND DATED AT AUGUSTA, MAINE, THIS ___DAY OF_____, 2020.

COMMISSIONER OF ENVIRONMENTAL PROTECTION

BY:_____
for Melanie Loyzim, Acting Commissioner

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application October 10, 2019.

Date of application acceptance October 16, 2019.

Date filed with Board of Environmental Protection _____

This Order prepared by Rod Robert , BUREAU OF WATER QUALITY

SPECIAL CONDITIONS

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. The permittee is authorized to discharge hydrostatic test water to Long Cove (Penobscot Bay). Such discharges must be limited and monitored by the permittee as specified below:

ADMINISTRATIVE OUTFALL #003 - Hydrostatic test water(1)

Effluent Characteristic	Discharge Limitations				Monitoring Requirements	
	Monthly Average as specified	Daily Maximum as specified	Monthly Average as specified	Daily Maximum As specified	Measurement Frequency As specified	Sample Type as specified
Flow (2,3) *[50050]*	---	---	---	7.35 MGD*[03]*	1/Discharge *[01/DS]*	Measure *[MS]*
Total Suspended Solids(4) *[00530]*	---	---	---	50 mg/L *[19]*	1/Discharge *[01/DS]*	Grab(5) *[GR]*
Oil & Grease(6) *[00552]*	---	---	---	15 mg/L *[19]*	1/Discharge *[01/DS]*	Grab(5) *[GR]*
Total Residual Chlorine(7) *[50060]*	---	---	---	13 ug/L *[28]*	1/Discharge *[01/DS]*	Grab(5) *[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 5-6 of this permit for applicable footnotes.

SPECIAL CONDITIONS

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

Footnotes:

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

Outfall #003 (hydrostatic test water) samples for all parameters must be collected from the tank or piping prior to discharge directly to the receiving waters. The permittee must designate the physical location of the discharge as "#001" or "#002" on Discharge Monitoring Reports when reporting results from Outfall #003.

Sampling and analysis must be conducted in accordance with; a) methods approved in 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 in-house or sent to another POTW 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

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

(2) **Flow** - At no time must the flow through the oil/water separator exceed the design flow of the separator (1,019 gpm).

SPECIAL CONDITIONS

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

Footnotes:

(3) Flow measurement devices or calculated flow estimates via pump curves or tank volumes or other methods must be approved by the Department. Measurement of flow may be suspended upon approval from the Department in the event the permittee limits flow to the separator by installing a permanent constriction to prevent flows from exceeding the design capacity of the separator. The installation, replacement or modification of any flow measurement or constriction device requires prior approval by the Department. For the purposes of this permitting action, utilizing the strapping chart (a chart showing amount of material stored versus depth of material in tank) for Outfall #003 for measuring flow are approved by the Department.

(4) **Total Suspended Solids (TSS)** – The monthly average concentration limitation of 50 mg/L for TSS is based on an average over the previous twelve-month period. For the purposes of this permitting action, the **twelve-month rolling average** calculation is based on the test results for the most recent twelve-month period. Months when there is no discharge are not to be included in the calculations

(5) One grab sample for TSS, benzene and oil & grease analyses for each sampling event must be taken during the first hour of discharge.

(6) Oil and grease monitoring is not required if the discharge of hydrostatic test water is from tanks and pipes that are gas-free as certified by a marine chemist. The test water is not required to be pretreated through the oil/water separator, provided the test water is municipal water or from some other source which does not contain oil and grease.

(7) **Total residual chlorine (TRC)** - When using chlorinated hydrostatic test water, the total residual chlorine must be measured and limited as specified in the effluent limitations for hydrostatic test water.

For the purposes of this permit, compliance with the daily maximum limitation in this permit will be based on EPA's current minimum level (ML) of detection of 20 ug/L (0.02 mg/L). The permittee must utilize approved test methods that are capable of producing analytical results down to or below 20 ug/L. All analytical test results must be reported to the Department including results which are detected below the ML. Results reported below the RL will be considered to be in compliance with the permit. The Discharge Monitoring Reports will be coded with the RL of 20 ug/L such that detectable results reported below 20 ug/L but greater than the daily maximum water quality based limit established in this permit will not be recorded as violations of the permit.

SPECIAL CONDITIONS

B. NARRATIVE EFFLUENT LIMITATIONS

1. The effluent must not contain a visible oil sheen, foam or floating solids at any time that would impair the uses designated for the classification of the receiving waters.

2. The effluent must not contain materials in concentrations or combinations which are hazardous or toxic to aquatic life, or which would impair the uses designated for the classification of the receiving waters.

3. The discharge must not cause visible discoloration or turbidity in the receiving waters which would impair the uses designated for the classification of the receiving waters.

4. Notwithstanding specific conditions of this license the effluent must not lower the quality of any classified body of water below such classification or lower the existing quality of any body of water if the existing quality is higher than the classification.

C. OIL/WATER SEPARATOR MAINTENANCE

The permittee must maintain up-to-date Operations and Maintenance Plans for the oil/water separators. The plans must include, but not be limited to, measures to ensure the separators perform within the designed performance standards of the system, are maintained on a routine basis to maximize the design capacity and efficiency of the systems and that adequate staffing and training of personnel are provided to ensure compliance with discharge limitations. The Operations and Maintenance Plans must remain on site at all times and will be subject to periodic inspection by Department personnel.

For the purposes of minimizing suspended solids in the storm water directed to the separator, the permittee must implement best management practices (BMP's) for erosion and sedimentation control. See Department publication entitled, Maine Erosion And Sedimentation Control BMP's for guidance. The permittee must periodically inspect, maintain and repair erosion and sedimentation control structures as necessary.

D. HYDROSTATIC TEST WATER

Tanks and pipes being hydrostatically tested must be clean of product and all construction debris, including sandblasting grit, prior to testing and discharge through Outfall #003. The discharge must be dechlorinated if test results indicate that discharged water will violate water quality standards. Oil and grease monitoring is not required if the discharge of hydrostatic test water is from tanks and pipes that are gas-free as certified by a marine chemist. The test water is not required to be pretreated through the oil/water separator, provided the test water is municipal water or from some other source which does not contain oil and grease. The permittee must notify the Department of an intended discharge of hydrostatic test water at least three days, excluding weekends, prior to the discharge.

SPECIAL CONDITIONS

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 October 16, 2019; 2) the terms and conditions of this permit; and 3) only from Outfalls #003. Discharges of wastewater from any other point source are not authorized under this permit and must be reported in accordance with Standard Condition D(f)(1), *Twenty-Four-Hour Reporting,* of this permit.

F. REOPENING OF PERMIT FOR MODIFICATIONS

Upon evaluation of the tests results in the 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 such as mixing zone information/characteristics.

G. MONITORING AND REPORTING

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

Electronic DMRs submitted using the USEPA NetDMR system, must be:

1. Submitted by a facility authorized signatory; and

2. Submitted no later than **midnight on the 15th day of the month** following the completed reporting period.

Documentation submitted in support of the electronic DMR may be attached to the electronic DMR. Toxics reporting must be done using the Department toxsheet reporting form. An electronic copy of the Toxsheet reporting document must be submitted to your Department compliance inspector as an attachment to an email. In addition, a hardcopy form of this sheet must be signed and submitted to your compliance inspector, or a copy attached to your NetDMR submittal will suffice. Documentation submitted electronically to the Department in support of the electronic DMR must be submitted no later than midnight on the 15th day of the month following the completed reporting period.

SPECIAL CONDITIONS

G. MONITORING AND REPORTING (cont'd)

Non-electronic Reporting

If you have received a waiver from the Department concerning the USEPA electronic reporting rule, or are permitted to submit hardcopy DMR's to the Department, then your monitoring results obtained during the previous month must be summarized for each month and reported on separate DMR forms provided by the Department and **postmarked on or before the thirteenth (13th) day of the month or hand-delivered to a Department Regional Office such that the DMR's are received by the Department on or before the fifteenth (15th) day of the month** following the completed reporting period.

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

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

H. 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
AND
MAINE WASTE DISCHARGE LICENSE

FACT SHEET

Date: **September 11, 2020**

PERMIT NUMBER: **ME0002461**
LICENSE NUMBER: **W001373-5S-G-R**

NAME AND ADDRESS OF APPLICANT:

IRVING OIL TERMINALS INC.
52 Station Avenue
Searsport, ME 04974

COUNTY WHERE DISCHARGE OCCURS: **Waldo**

NAME AND ADDRESS WHERE DISCHARGE OCCURS:

Mack Point
Searsport, ME 04974

RECEIVING WATER AND CLASSIFICATION: **Long Cove (Penobscot Bay), Class SC**

COGNIZANT OFFICIAL AND TELEPHONE NUMBER: **Mr. Drake Bell**
(207) 548-2541
Drake.Bell@irvingoil.com

1. APPLICATION SUMMARY

a. Application - The permittee has submitted a complete application to the Department for the renewal of combination Maine Waste Discharge License (WDL) # W001373-5S-F-R /Maine Pollutant Discharge Elimination System (MEPDES) Permit # ME0021181 (permit hereinafter), which was issued by the Department on April 7, 2015, for a five-year term. The 4/7/15 permit authorized the discharge of treated storm water runoff and vehicle wash water up to a daily maximum flow rate of 2,038 gallons per minute (gpm) and hydrostatic test water up to a daily maximum flow rate of 7.35 million gallons per day to Long Cove (Penobscot Bay), Class SC. The previous permitting action included limitations and monitoring frequencies for several outfalls from which treated stormwater runoff was discharged. The Department has determined that outfalls carrying stormwater runoff are covered under the Multi Sector General Permit for Stormwater Associated with an Industrial Activity. Therefore, this permitting action only authorizes discharges of Hydrostatic Test Waters. See Attachment A of the Fact Sheet for a site location map.

1. APPLICATION SUMMARY (cont'd)

b. Source Description: The permittee's facility is engaged in the transfer (ship to shore), storage and distribution of refined petroleum products such as gasoline and distillate oils. The site has thirteen (13) above-ground storage tanks having a gross capacity of approximately 1,078,000 barrels (45,316,000 gallons) for gasoline and distillate oils. The facility is broken up into two tank farms, Tank Farm #1 and Tank Farm #3.

Tank Farm #1 has six (6) storage tanks having a total capacity of 34,020,000 gallons with the largest tank having a volume of 7,350,000 gallons. Tank Farm #1 also has six loading bays that are covered by a canopy to minimize the quantity of precipitation coming into contact with minor quantities of product spilled during the loading of trucks. Hydrostatic test water generated in Tank Farm #1 is discharged to Long Cove via Administrative Outfall #003.

Tank Farm #3 has seven (7) storage tanks having a total capacity of 11,246,000 gallons with the largest tank having a volume of 4,620,000 gallons. Hydrostatic test water generated in Tank Farm #3 is discharged to Long Cove via Administrative Outfall #003.

In addition to tankage, there is an extensive above-ground and below-ground network of piping. It is noted Tank Farm #1 and Tank Farm #3 are associated with a much smaller bulk fuel storage and transfer facility referred to as, "Tank Farm #2" that is also owned and operated by Irving. Tank Farm #2 is located approximately 0.5 miles to the southwest of Tank Farms #1 and #3. Tank Farm #2 has two storage tanks with a total capacity of 5,670,000 gallons. A marine docking facility at Tank Farms #1 and #3 transfers product from ships and or barges to shore and a loading rack area. Product from the storage tanks is transferred to tanker trucks to be distributed to local fuel oil dealers and gasoline stations for distribution to the general public.

Each of the storage tanks is enclosed in an unlined area of earthen dikes composed of clay material with earthen walls. The diked areas are designed to contain the contents of the enclosed tanks plus an additional volume to contain any extinguishment chemicals or water and precipitation. The dikes are required by the Town of Searsport for safety to prevent product from spilling from one tank area to another or directly into a receiving waterbody, provide temporary containment in the event of a tank failure and isolate tanks in the event of a major fire in a tank. The total drainage area of the site contributing to the discharge from the facility is approximately 6.3 acres.

1. APPLICATION SUMMARY (cont'd)

Hydrostatic test water is used to test the structural integrity of the storage tanks. The test water is from tanks which have been washed and cleaned in preparation for repair and then cleaned before testing. The permittee has indicated that hydrostatic testing of its largest tank would discharge approximately 7.4 million gallons.

Outfalls #001 or #002 are designated as Administrative Outfall #003 when hydrostatic test water is discharged. As of this permitting cycle, Administrative Outfall #003 is now identified as the only outfall for hydrostatic test water. The discharge locations are shown in **Attachment A** of this Fact Sheet.

Sanitary wastewater generated by employees is conveyed to the Town of Searsport's wastewater treatment facility which is also regulated by the Department via a separate MEPDES permit/WDL.

c. Wastewater treatment: The majority of wastewater discharged through Outfall #001 and Outfall #002 is storm water that is collected in the diked areas around the various tanks. All storm water that accumulates in the diked areas is inspected by facility personnel for evidence of oil prior to being discharged from the dike. If personnel determine that the storm water is contaminated by petroleum, measures are taken to recover the oil prior to being discharged from the dike. The diked areas are either manually drained by gravity or pumped out and conveyed to an oil/water separator where it receives best practicable treatment prior to discharge. The drain valves are kept closed for safety and must be opened each time a diked area is drained. The oil/water separators are cleaned annually and any recovered oily waste is disposed offsite via a State of Maine licensed waste handler. The permittee has indicated in the application for permit renewal that the oil/water separators are rated for 1,019 gallons per minute. This permit does not require further treatment of the hydrostatic test water unless dechlorination is required to protect water quality.

All waste streams described in this section are discharged to Long Cove through an outfall pipe designated as. Outfall #003, which is an administrative outfall designation for hydrostatic test water discharges.

2. PERMIT SUMMARY

a. Terms & conditions: This permitting action is carrying forward all of the terms and conditions of the April 9, 2010.

b. History: The most current/relevant licensing/permitting actions include:

April 11, 1979 - The EPA issued NPDES permit #ME0002461 for a five-year term.

2. PERMIT SUMMARY (cont'd)

March 3, 2000 – The Department issued WDL #W001373-5S-C-R renewal for a five-year term.

March 9, 2005 – The Department issued WDL #W001373-5S-D-R/ MEPDES permit #ME0002461 renewal for a five-year term.

April 9, 2010 – The Department issued WDL #W001373-5S-E-R/ MEPDES permit #ME0002461 renewal for a five-year term.

September 3, 2014 – Irving Oil Terminals Inc. submitted a timely and complete application to renew the April 9, 2010, MEPDES permit/WDL.

April 7, 2015 – The Department issued WDL #W001373-5S-F-R/ MEPDES permit #ME0002461 renewal for a five-year term.

3. CONDITIONS OF PERMITS

Conditions of licenses, 38 M.R.S. § 414-A, requires that the effluent limitations prescribed for discharges, including, but not limited to, effluent toxicity, require application of best practicable treatment (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 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 (effective February 16, 2020), 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 (C)(1) classifies Long Cove at the point of discharge as a Class SC waterway. 38 M.R.S.A §465 (B)(3) describes the classification standards for Class SC as waters that must be suitable for the designated uses of recreation in and on the water, fishing, aquaculture, propagation and restricted harvesting of shellfish, industrial process and cooling water supply, hydroelectric power generation and navigation and as habitat for fish and other estuarine and marine life. Discharges to Class SC waters may cause some changes to estuarine and marine life provided that the receiving waters are of sufficient quality to support all species of fish indigenous to the receiving waters and maintain the structure and function of the resident biological community.

5. RECEIVING WATER CONDITIONS

The State of Maine 2018 Integrated Water Quality Monitoring and Assessment Report, published by the Department lists Long Cove as a portion of Waterbody #722-24/Department of Marine Resources Area #33 in a tabled entitled *"Category 4-A: Estuarine and Marine Waters with Impaired Use, TMDL Completed."* Current sampling of the 4.36 square mile area, indicated the presence of elevated fecal levels. The Department completed the TMDL in 2009 and it was approved by USEPA on September 28, 2009.

The report also lists the tidewaters of Searsport as "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 for shellfish consumption due to elevated levels of PCBs and other persistent, bioaccumulating substances in tomalley.

6. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

Discharges from activities associated with bulk petroleum stations and terminal operations must satisfy best conventional technology (BCT) and best available technology (BAT) requirements and must comply with more stringent water quality standards if BCT and BAT requirements are not adequate. This permitting action is carrying forward numeric effluent limitations and/or monitoring requirements for petroleum constituents from the previous permitting action to ensure the discharges do not contribute to violations of the State's water quality standards.

This permit authorizes the discharge of hydrostatic test water by applying numeric effluent limitations which are within applicable water quality standards. The effluent parameters are discussed in more detail below.

a. Hydrostatic test waters – Outfall #003

1. Flow – This permitting action carries forward a previously established flow limitation of 7.35 MGD which was based on the largest tank volume on the site.

2. Total Suspended Solids – The March 2005 permit established a daily maximum limit of 50 mg/L based on a Department BPJ of limits that are achievable given the tanks that are hydrostatically tested have been washed and cleaned in preparation for repair and testing. The only discharge that occurred during the previous five-year period was in June 2014 with a TSS value of <2.5 mg/L.

3. Oil & Grease: The March 2005 permitting action established a daily maximum concentration limit of 15 mg/L that is a Department BPJ of limits that are achievable given the tanks that are hydrostatically tested have been washed and cleaned in preparation for repair and testing.

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

4. Total residual chlorine (TRC): The March 2005 permit established a daily maximum TRC limit of 0.013 mg/L. The limitation is water quality based limitation that is equivalent to the acute ambient water quality criteria (AWQC) for marine waters given the lack of dilution (1:1) associated with the discharge as the pipe is exposed at mean low tide. . The only discharge that occurred during the previous five-year period was in June 2014 with a TRC value of <1.1 mg/L.

   Should the permittee utilize non-chlorinated water for hydrostatic testing purposes, TRC monitoring is not required when discharging.

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 waterbody to meet standards for Class SC classification.

8. PUBLIC COMMENTS

Public notice of this application was made in the *Bangor Daily News* on September 18, 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).

9. DEPARTMENT CONTACTS

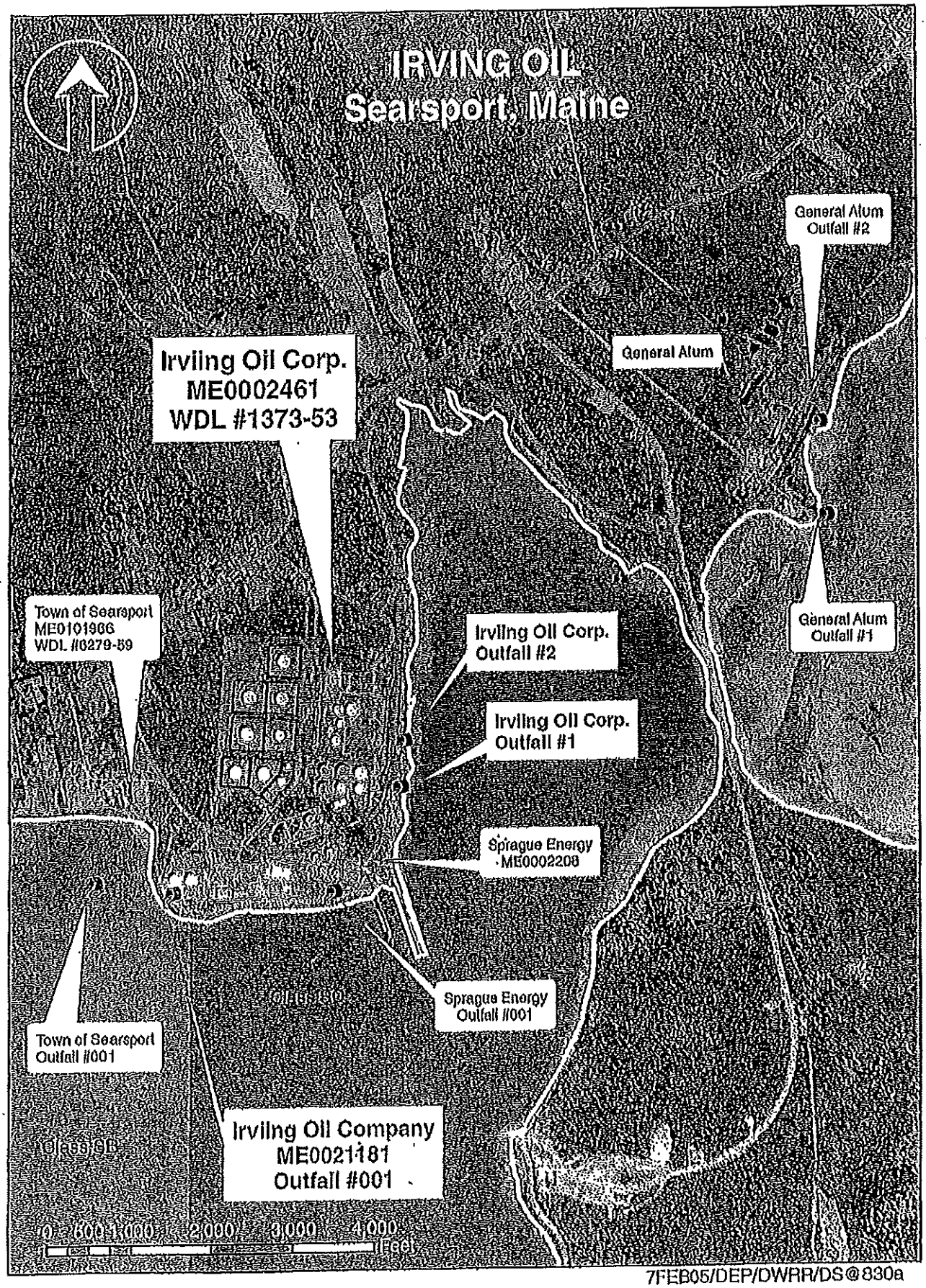
Additional information concerning this permitting action may be obtained from and written comments should be sent to:

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

10. RESPONSE TO COMMENTS

Reserved until the end of the formal thirty day comment period.

ATTACHMENT A



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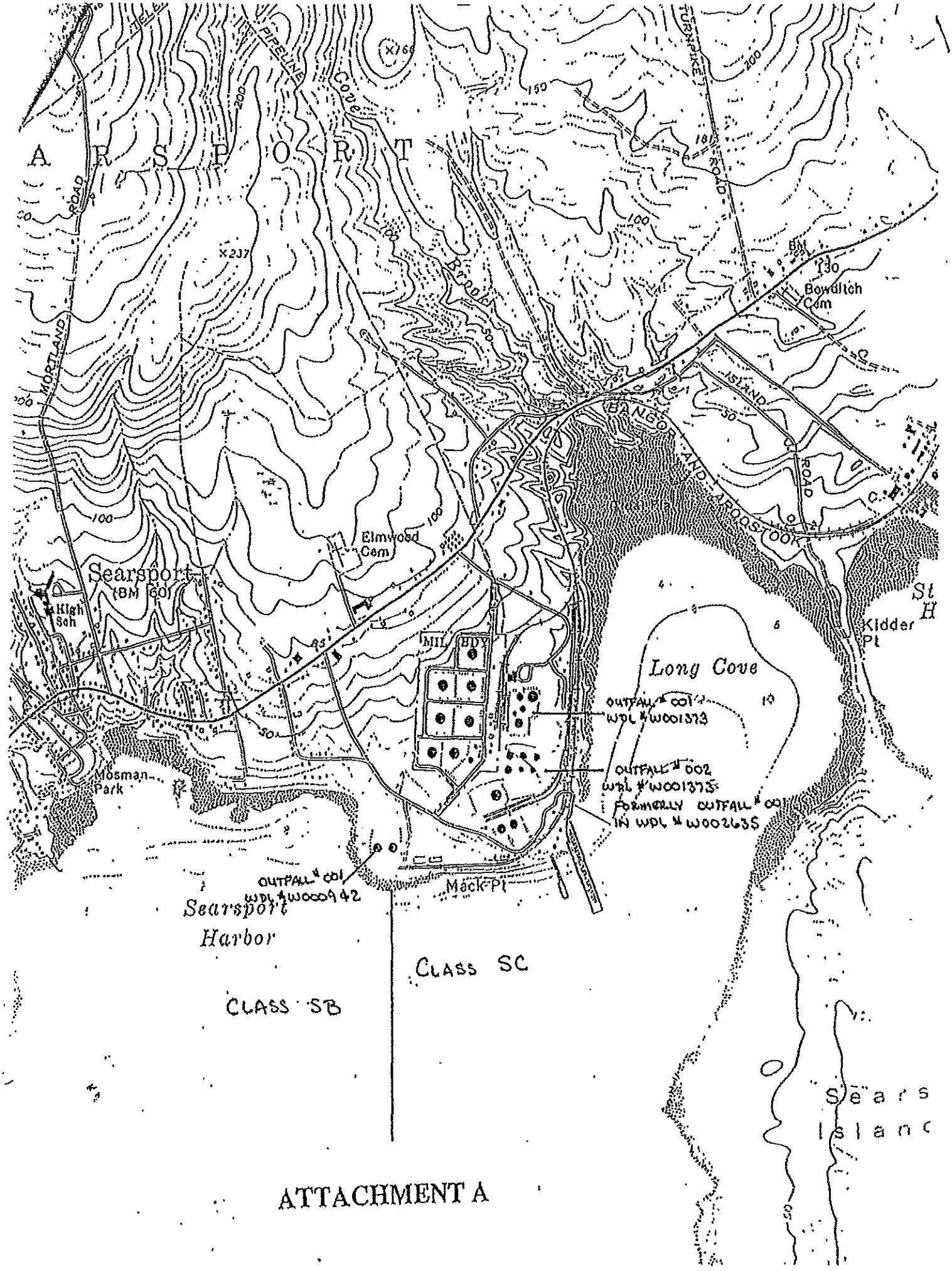

ATTACHMENT A