DISCLAIMER

The full text of certain NPDES permits and the associated fact sheets has been made available to provide online access to this public information. EPA is making permits and fact sheets available electronically to provide convenient access for interested public parties and as a reference for permit writers. The ownership of these documents lies with the permitting authority, typically a State with an authorized NPDES program.

While EPA makes every effort to ensure that this web site remains current and contains the final version of the active permit, we cannot guarantee it is so. For example, there may be some delay in posting modifications made after a permit is issued. Also note that not all active permits are currently available electronically. Only permits and fact sheets for which the full text has been provided to Headquarters by the permitting authority may be made available. Headquarters has requested the full text only for permits as they are issued or reissued, beginning November 1, 2002.

Please contact the appropriate permitting authority (either a State or EPA Regional office) prior to acting on this information to ensure you have the most up-to-date permit and/or fact sheet. EPA recognizes the official version of a permit or fact sheet to be the version designated as such and appropriately stored by the respective permitting authority.

The documents are gathered from all permitting authorities, and all documents thus obtained are made available electronically, with no screening for completeness or quality. Thus, availability on the website does not constitute endorsement by EPA.

Ted Lavery
EPA

STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

JOHN ELIAS BALDACCI
GOVERNOR

DAWN R. GALLAGHER
COMMISSIONER

Mr. Stephen Hofacker
Plant Leader
FPL Energy Wyman, LLC
677 Cousins Street
Yarmouth, Maine 04096

September 4, 2003

RE: Maine Pollutant Discharge Elimination System (MEPDES) Permit #ME0000272
Maine Waste Discharge License (WDL) Application #W000634-5R-H-R
Final Permit/License

Dear Mr. Hofacker:

Enclosed please find a copy of your **final** MEPDES permit and Maine WDL **renewal** which was approved by the Department of Environmental Protection. This permit/license replaces the National Pollutant Discharge Elimination System (NPDES) permit #ME0000272, last issued by the Environmental Protection Agency (EPA) on September 23, 1996. Please read the permit/license renewal and its attached conditions carefully. You must follow the conditions in the order to satisfy the requirements of law. Any discharge not receiving adequate treatment is in violation of State Law and is subject to enforcement action.

Any interested person aggrieved by a Department determination made pursuant to applicable regulations, may appeal the decision following the procedures described in the attached DEP FACT SHEET entitled "*Appealing a Commissioner's Licensing Decision.*"

We would like to make you aware of the fact that your monthly Discharge Monitoring Reports (DMR) may not reflect the revisions in this permitting action for several months. However, you are required to report applicable test results for parameters required by this permitting action that do not appear on the DMR. Please see the attached April 2003 O&M Newsletter article regarding this matter.

If you have any questions regarding the matter, please feel free to call me at 287-7693.

Sincerely,

Gregg Wood
Division of Water Resource Regulation
Bureau of Land and Water Quality

Enc.
cc: Stephen Arnold, DEP/SMRO
Ted Lavery, USEPA

AUGUSTA
17 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0017
(207) 287-7688
RAY BLDG., HOSPITAL ST.

BANGOR
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(207) 941-4570 FAX: (207) 941-4584

PORTLAND
312 CANCO ROAD
PORTLAND, MAINE 04103
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PRESQUE ISLE, MAINE 04769-2094
(207) 764-0477 FAX: (207) 764-1507

web site: www.state.me.us/dep

DMR Lag

When the Department renews discharge permits, the parameter limits may change or parameters may be added or deleted. In some cases, it is merely the replacement of the federally issued NPDES permit with a state-issued MEPDES permit that results in different limits. When the new permit is finalized, a copy of the permit is passed to our data entry staff for coding into EPA's Permits Compliance System (PCS) database. PCS was developed in the 1970's and is not user-friendly. Entering or changing parameters can take weeks or even months.

This can create a lag between the time your new permit becomes effective and the new permit limits appearing on your DMRs. If you are faced with this, it can create three different situations that have to be dealt with in different ways.

1. If the parameter was included on previous DMRs, but only the limit was changed, there will be a space for the data. Please go ahead and enter it. When the changes are made to PCS, the program will have the data and compare it to the new limit.

2. When a parameter is eliminated from monitoring in your new permit, but there is a delay in changing the DMR, you will have a space on the DMR that needs to be filled. For a parameter that has been eliminated, please enter the space on the DMR for that parameter only with "NODI-9" (No Discharge Indicator Code #9). This code means monitoring is conditional or not required this monitoring period.

3. When your new permit includes parameters for which monitoring was not previously required, and coding has not caught up on the DMRs, there will not be any space on the DMR identified for those parameters. In that case, please fill out an extra sheet of paper with the facility name and permit number, along with all of the information normally required for each parameter (parameter code, data, frequency of analysis, sample type, and number of exceedances). Each data point should be identified as monthly average, weekly average, daily max, etc. and the units of measurement such as mg/L or lb/day. Staple the extra sheet to the DMR so that the extra data stays with the DMR form. Our data entry staff cannot enter the data for the new parameters until the PCS coding catches up. When the PCS coding does catch up, our data entry staff will have the data right at hand to do the entry without having to take the extra time to seek it from your inspector or from you.

EPA is planning significant improvements for the PCS system that will be implemented in the next few years. These improvements should allow us to issue modified permits and DMRs concurrently. Until then we appreciate your assistance and patience in this effort.

Phil Garwood

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

DEPARTMENT ORDER

IN THE MATTER OF

FPL ENERGY WYMAN, LLC	)	MAINE POLLUTANT DISCHARGE
YARMOUTH, CUMBERLAND COUNTY, ME.	)	ELIMINATION SYSTEM PERMIT
INDUSTRIAL COOLING WATER	)	AND
ME0000272	)	WASTE DISCHARGE LICENSE
W000634-5R-H-R **APPROVAL**	)	**RENEWAL**

Pursuant to the provisions of the Federal Water Pollution Control Act, Title 33 USC, Section 1251, et. seq. and Maine Law 38 M.R.S.A., Section 414-A et seq., and applicable regulations, the Department of Environmental Protection (the Department) has considered the application of the FPL ENERGY WYMAN, LLC (FPL), with its supportive data, agency review comments, and other related material on file and finds the following facts:

APPLICATION SUMMARY

The applicant has applied to the Department for renewal of Department Waste Discharge License (WDL) #W000634-43-C-R which was issued on December 11, 1997 and expired on December 11, 2002. The 12/11/97 WDL authorized the discharge of up to a daily maximum flow of 530 million gallons per day (MGD) of cooling water and up to 7.4 MGD of treated miscellaneous process waste water from an oil-fired power plant to the Casco Bay, Class SB, in Yarmouth, Maine.

On January 12, 2001, the Department received authorization from the U.S. Environmental Protection Agency (EPA) to administer the National Pollutant Discharge Elimination System (NPDES) permit program in Maine. From this point forward, the program will be referenced as the Maine Pollutant Discharge Elimination System (MEPDES) permit program and permit #ME0000272 (same as NPDES permit number) will utilized as the primary reference number.

PERMIT SUMMARY

This permitting action is carrying forward all the terms and conditions of the 12/11/97 WDL action and subsequent modifications with the following exceptions:

<u>Outfall #001, #002, #003</u>

Eliminating the monthly average and daily maximum temperature differential limitations for the discharges as they are unnecessary.

<u>Outfall #002</u>

Increasing the monthly average flow limit from 0.42 MGD to 1.0 MGD.

PERMIT SUMMARY (cont'd)

Outfall #004

Establishing monthly average water quality based mass limits for arsenic and nickel.

CONCLUSIONS

BASED on the findings in the attached Fact Sheet dated June 20, 2003 and subject to the Conditions listed below, the Department makes the following CONCLUSIONS.

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

2. The discharges, either by themselves 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 MRSA 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. The standards of classification of the receiving water body are met or, 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 discharges will be subject to effluent limitations that require application of best practicable treatment.

ACTION

THEREFORE, the Department APPROVES the application of FPL ENERGY WYMAN, LLC, to discharge cooling waters and treated miscellaneous process waste waters to Casco Bay, Class SB, in Yarmouth, Maine. The discharges shall be subject to the attached conditions and all applicable standards and regulations including:

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

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

3. This permit expires five (5) years from the date of signature below.

DONE AND DATED AT AUGUSTA, MAINE, THIS 3rd DAY OF September 2003.

COMMISSIONER OF ENVIRONMENTAL PROTECTION

BY: Dawn H. Gallagher Jr.
Dawn Gallagher, COMMISSIONER

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application July 9, 2002.

Date of application acceptance July 9, 2002.

FILED
SEP - 4 2003
BOARD OF ENVIRONMENTAL PROT.
STATE OF MAINE

Date filed with Board of Environmental Protection _____

This Order prepared by GREGG WOOD, BUREAU OF LAND & WATER QUALITY

W06345rh 7/10/03

SPECIAL CONDITIONS

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. During the period beginning the effective date of the permit and lasting through permit expiration, the permittee is authorized to discharge steam generating Units #1 & #2 condenser cooling waters from **OUTFALL #001** to Casco Bay. Such discharges shall be limited and monitored by the permittee as specified below:

OUTFALL #001 – Condenser Cooling Waters (Unit #1 & Unit #2)

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 *[50050]*	---	---	90 MGD*[03]*	95 MGD*[03]*	Continuous*[99/99]*	Pump Logs*[PL]*
Daily Effluent Temperature(1) *(June 1 - August 31)* *[00011]*	---	---	100°F*[15]*	105°F*[15]*	Continuous*[99/99]*	Calculated*[CA]*
Daily Effluent Temperature(1) *(September 1 - May 31)* *[00011]*	---	---	85°F*[15]*	90°F*[15]*	Continuous*[99/99]*	Calculated*[CA]*
Total Residual Chlorine *[50060]* (When in use)	---	---	---	0.2 mg/L*[19]*	When Discharge *[WH/DS]*	Grab*[GR]*
pH*[00400]*	---	---	---	6.0-9.0 SU*[12]*	---	---

Footnotes:

(1) See Special Condition B, *Definitions* of this permit.

SPECIAL CONDITIONS

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

2. During the period beginning the effective date of the permit and lasting through permit expiration, the permittee is authorized to discharge intake screen backwash waters from **OUTFALL #002** to Casco Bay. Such discharges shall be limited and monitored by the permittee as specified below:

OUTFALL #002 – Intake Screen Backwash Waters

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 [50050]	---	---	1.0 MGD[03]	5.0 MGD[03]	1/Day[01/01]	Pump Logs[PL]
Daily Effluent Temperature(1) (Year-round) [00011]	---	---	---	123°F[15]	1/Discharge[01/DS]	Measure[MS]
pH[00400]	---	---	---	6.0-9.0 SU[12]	---	---

Footnotes:

(1) See Special Condition B, *Definitions* of this permit.

SPECIAL CONDITIONS

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

3. During the period beginning the effective date of the permit and lasting through permit expiration, the permittee is authorized to discharge steam generating Units #3 & #4 condenser cooling waters from **OUTFALL #003** to Casco Bay. Such discharges shall be limited and monitored by the permittee as specified below:

OUTFALL #003 – Condenser Cooling Waters (Unit #3 & Unit #4)

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 [50050]	---	---	300 MGD[03]	435 MGD[03]	Continuous[99/99]	Pump Logs[PL]
Daily Effluent Temperature(1) (June 1 - August 31) [00011]	---	---	105°F[15]	110°F[15]	Continuous[99/99]	Calculated[CA]
Daily Effluent Temperature(1) (September 1 - May 31) [00011]	---	---	85°F[15]	90°F[15]	Continuous[99/99]	Calculated[CA]
Total Residual Chlorine [50060] (When in use)	---	---	---	0.2 mg/L[19]	When Discharge [WH/DS]	Grab[GR]
pH[00400]	---	---	---	6.0-9.0 SU[12]	---	---

Footnotes:

(1) See Special Condition B, *Definitions* of this permit.

SPECIAL CONDITIONS
A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

4. During the period beginning the effective date of the permit and lasting through permit expiration, the permittee is authorized to discharge treated low volume waste waters from ash transport, boiler blowdown, ash hopper seals, floor drains regeneration waters and storm water from the oil tank farm waters from **OUTFALL #004** to Casco Bay. Such discharges shall be limited and monitored by the permittee as specified below: **OUTFALL #004 – Miscellaneous Process Waste Waters**

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 [50050]	---	---	1.0 MGD[03]	7.4 MGD[03]	Continuous[99/99]	Record[RC]
Total Suspended Solids [00530]	---	---	30 mg/L[19]	100 mg/L[19]	1/Month[01/30]	Composite[MS]
Oil & Grease [00552]	---	---	15 mg/L[19]	20 mg/L[19]	1/Month[01/30]	Grab[GR]
Daily Effluent Temperature(1) [00011]	---	---	---	105°F[15]	Continuous[99/99]	Calculated[CA]
Whole Effluent Toxicity (WET) (2)						
A-NOEL						
Mysidopsis bahia [TDM3E]	---	---	---	Report % [23]	1/Year [01/YR]	Composite [24]
Menidia beryllina [TDM6B]	---	---	---	2.1 % [23]	1/Year [01/YR]	Composite [24]
C-NOEL						
Menidia beryllina [TBP6B]	---	---	---	Report % [23]	1/Year [01/YR]	Composite [24]
Arbacia punctulata [TBH3A]	---	---	---	0.45 % [23]	1/Year [01/YR]	Composite [24]
Chemical Specific(3) [50008]	---	---	---	Report ug/L [28]	1/Year [01/YR]	Composite/ Grab[24/GR]
Arsenic (Total) [01002]	0.78 #/day[26]	---	---	---	1/Quarter[01/90]	Composite [24]
Nickel (Total) [01067]	15 #/day[26]	---	---	---	1/Quarter[01/90]	Composite [24]
pH[00400]	---	---	---	6.0-9.0 SU[12]	1/Week[01/07]	Grab[GR]

SPECIAL CONDITIONS

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

5. During the period beginning the effective date of the permit and lasting through permit expiration, the permittee is authorized to discharge treated waste waters associated with boiler chemical cleaning operations from **OUTFALL #005** to Casco Bay. Such discharges shall be limited and monitored by the permittee as specified below:

OUTFALL #005 – Boiler Chemical Cleaning Operations

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 [50050]	---	---	0.5 MGD[03]	1.0 MGD[03]	Continuous[99/99]	Record[RC]
Total Suspended Solids [00530]	---	---	30 mg/L[19]	100 mg/L[19]	1/Discharge Day[01/DD]	Composite[MS]
Oil & Grease [00552]	---	---	15 mg/L[19]	20 mg/L[19]	1/Discharge Day[01/DD]	Grab[GR]
Iron (Total) [01045]	---	---	1.0 mg/L[19]	1.0 mg/L[19]	1/Discharge Day[01/DD]	Grab[GR]
Copper (Total) [01042]	---	---	136 ug/L[28]	644 ug/L[28]	1/Discharge Day[01/DD]	Grab[GR]
Daily Effluent Temperature(1) [00011]	---	---	---	105°F[15]	Continuous[99/99]	Record[RC]
pH[00400]	---	---	---	6.0-9.0 SU[12]	1/Week[01/07]	Grab[GR]

Footnotes:

(1) See Special Condition B, *Definitions* of this permit.

SPECIAL CONDITIONS

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

6. During the period beginning the effective date of the permit and lasting through permit expiration, the permittee is authorized to discharge storm water runoff from **OUTFALLS #006, #007, #008, #009, #010, #011 and #012** to Casco Bay. See Attachment A of the Fact Sheet for a map indicating the locations of each storm water outfall.

   This permitting action does not establish limitations or monitoring requirements for these outfalls. However, **the permittee is required to maintain a storm water pollution prevention plan (SWPPP).** The permittee shall continue to implement the Storm Water Pollution Prevention Plan (SWPPP) that was required to be developed in its previous NPDES permit. As the site or any operations conducted on it have changed or are expected to change materially or substantially, the permittee shall modify its SWPPP as necessary to include such changes and notify the Department and the EPA within 90 days of such modifications to the plan. The permittee shall maintain a copy of the SWPPP and any subsequent revisions at the facility and shall make the plan available to any Department or EPA representative upon request.

   The SWPPP requirements are intended to facilitate a process whereby the permittee thoroughly evaluates potential pollution sources at the facility and selects and implements appropriate measures to prevent or control the discharge of pollutants in storm water runoff. The process involves the following four steps: (1) formation of a team of qualified facility personnel who will be responsible for preparing the SWPPP and assisting the plant manager in its implementation; (2) assessment of potential storm water pollution sources; (3) selection and implementation of appropriate management practices and controls; and (4) periodic evaluation of the effectiveness of the plan to prevent storm water contamination and comply with the terms and conditions of the permit.

SPECIAL CONDITIONS

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

Footnotes:

Sampling Locations:

Outfall #001 – At the end of the condenser outlets.

Outfall #002 – Pump logs.

Outfall #003 – At the end of the condenser outlets.

Outfall #004 – From the discharge pit.

Outfall #005 – From the discharge pit.

Any change in sampling locations must be approved by the Department in writing.

Sampling –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 shall be analyzed by a laboratory certified by the State of Maine's Department of Human Services.

(1) See Special Condition B, *Definitions* of this permit.

(2) **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 dilutions of 2.1 % and 0.45 % respectively), which provides a point estimate of toxicity in terms of No Observed Effect Level, commonly referred to as NOEL or NOEC. A-NOEL is defined as the acute no observed effect level with survival as the end point. C-NOEL is defined as the chronic no observed effect level with survival, reproduction and growth as the end points.

Beginning upon issuance of the permit and lasting through permit expiration, the permittee shall conduct surveillance level WET testing at a frequency of 1/Year. The permittee shall conduct a WET test in a different calendar quarter each year such that a test is conducted in each of the four calendar quarters during the term of the permit. Acute tests shall be conducted on the mysid shrimp (*Mysidopsis bahia*) and the inland silverside (*Menidia beryllina*). Chronic tests shall be conducted on the inland silverside (*Menidia berrylina*) and on the sea urchin (*Arbacia punctulata*). Results shall be reported to the Department within 30 days of the permittee receiving the test results from the laboratory conducting the testing.

SPECIAL CONDITIONS

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

Footnotes:

The permittee is also required to analyze the effluent for the parameters specified in the analytic chemistry on the form in Attachment A of this permit every time a WET test is performed.

Toxicity tests must be conducted by an experienced laboratory approved by the Department. The laboratory must follow procedures as described in the following U.S.E.P.A. methods manuals.

a. Short Term Methods for Estimating the Chronic Toxicity of Effluent and Receiving Water to Marine and Estuarine Organisms, Fifth Edition, October 2002, EPA-821-R-02-014.

b. Methods for Measuring the Acute Toxicity of Effluent and Receiving Waters to Freshwater and Marine Organisms, Third Edition, October 2002, EPA-821-R-02-012.

(3) **Priority pollutant** - (chemical specific testing pursuant to Department rule Chapter 530.5) testing are those parameters listed by the USEPA pursuant to Section 307(a) of the Clean Water Act and published a 40 CFR Part 122, Appendix D, Tables II and III.

Beginning upon issuance of the permit and lasting through permit expiration, surveillance level chemical specific testing shall be conducted at a frequency of once per year. Chemical specific testing shall be conducted on samples collected at the same time as those collected for whole effluent toxicity tests where applicable, such that a chemical specific test is conducted in a different calendar quarter each year such that a test is conducted in each of the four calendar quarters during the term of the permit.

Chemical specific testing shall 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. Results shall be submitted to the Department within thirty (30) days of the permittee receiving the data report from the laboratory conducting the testing. **For the purposes of Discharge Monitoring Report (DMR) reporting, enter a "1" for yes, testing done this monitoring period or "NODI-9," monitoring not required this period.**

SPECIAL CONDITIONS

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

Footnotes:

All mercury sampling shall be conducted in accordance with EPA's "clean sampling techniques" found in EPA Method 1669, Sampling Ambient Water For Trace Metals At EPA Water Quality Criteria Levels. All mercury analysis shall be conducted in accordance with EPA Method 1631, Determination of Mercury in Water by Oxidation, Purge and Trap, and Cold Vapor Fluorescence Spectrometry.

B. DEFINITIONS

1. **Daily Effluent Temperature** - Daily Effluent Temperature is defined as the integer (rounded whole number in degrees Fahrenheit) mean value of hourly instantaneous effluent temperatures recorded during an operating day.

2. **Daily Temperature Increase** - Daily Temperature Increase shall be the integer difference between the daily effluent daily temperature and the daily inlet temperature for the same operating day.

3. **Daily Inlet Temperature** - Daily Inlet Temperature is defined as the mean integer value of hourly instantaneous (condenser) inlet temperatures recorded during an operating day.

4. **Operating Day** - An Operating Day is defined as a 24-hour period.

5. **Monthly Average Daily Effluent Temperature** - Monthly Average Daily Effluent Temperature shall be the mean value of the individual effluent daily temperatures for a calendar month. During any month when a discharge occurs for two or less days, the monthly average limit shall not be in effect and the permittee shall report the monthly average effluent temperature as "Not Applicable" in the monthly Discharge Monitoring Report (DMR).

6. **Daily Maximum Daily Effluent Temperature** - Daily Maximum Daily Effluent Temperature shall be the highest individual value of the daily effluent temperatures for a calendar month.

7. **Monthly Average Daily Effluent Temperature** - Monthly Average Daily Effluent Temperature shall be the mean of the individual Daily Temperature Increases for a calendar month.

8. **Daily Maximum Daily Temperature Increase** - Daily Maximum Daily Temperature Increase shall be the highest individual value of the daily Temperature Increases for a calendar month.

SPECIAL CONDITIONS

C. NARRATIVE EFFLUENT LIMITATIONS

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

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

3. The discharge shall not cause visible discoloration or turbidity in the receiving waters which would impair the usages designated by 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.

D. UNAUTHORIZED DISCHARGES

The permittee is authorized to discharge only in accordance with the terms and conditions of this permit and only from Outfalls #001 through Outfall #012. Discharges of waste water from any other point source are not authorized under this permit, but shall be reported in accordance with Standard Condition B(5)(*Bypass*) of this permit.

E. NOTIFICATION REQUIREMENT

In accordance with Standard Condition D, the permittee shall notify the Department of the following of any substantial change in the volume or character of pollutants being discharged.

F. MONITORING AND REPORTING

Monitoring results shall be summarized for each month and reported on separate Discharge Monitoring Report (DMR) forms provide 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 shall be submitted to the following address:

Maine Department of Environmental Protection
Division of Engineering, Compliance & Technical Assistance
Southern Maine Regional Office
Bureau of Land & Water Quality
312 Canco Road
Portland, ME. 04103

SPECIAL CONDITIONS

G. OPERATION & MAINTENANCE (O&M) PLAN

The permittee shall have a current written comprehensive Operation & Maintenance (O&M) Plan for the waste water treatment system for Outfalls #004 and #005. The plan shall provide a systematic approach by which the permittee shall at all times, properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit.

By December 31 of each year, or within 90 days of any process changes or minor equipment upgrades, the permittee shall evaluate and modify the O&M Plan including site plan(s) and schematic(s) for the waste water treatment facility to ensure that it is up-to-date. The O&M Plan shall be kept on-site at all times and made available to Department and EPA personnel upon request.

Within 90 days of completion of new and or substantial upgrades of the waste water treatment facility, the permittee shall submit the updated O&M Plan to their Department inspector for review and comment.

H. 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 anytime 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.

ATTACHMENT A

MARINE WHOLE EFFLUENT TOXICITY (WET) TEST REPORT

Facility _____ DEP License No _____ NPDES permit No _____

Contact person _____ Telephone No _____

Date initially sampled _____ (mm/dd/yy) Date tested _____ (mm/dd/yy) Chlorinated? _____

Test type screening _____ surveillance _____ Dechlorinated? _____

Test required by: DEP/EPA _____

Results % effluent

	Mysid shrimp	sea urchin	silverside
LC50			
A-NOEL			
C-NOEL			

Receiving Water Concentration

A-NOEL	
C-NOEL	

Data summary

	Mysid shrimp	sea urchin	silver side		
	% survival	% fertilized	% survival		final wt (mg)
QC standard	A>90	>70	A>90	C>80	>0.50
lab control					
receiving water contrl					
conc. 1 (%)					
conc. 2 (%)					
conc. 3 (%)					
conc. 4 (%)					
conc. 5 (%)					
conc. 6 (%)					
stat test used					

place * next to values statistically different from controls

Reference toxicant

	Mysid shrimp	sea urchin	silver side	
	LC50/A-NOEL	C-NOEL	LC50/A-NOEL	C-NOEL
toxicant /date				
limits (mg/l)				
results (mg/l)				

Salinity Adjustment

brine	
sea salt	
other	

Comments _____

Laboratory Conducting Tests. To the best of my knowledge this information is true, accurate, and complete

signature _____ company _____

printed name _____ address _____

tel. no. _____

Report analytical chemistry on reverse side.

ANALYTICAL CHEMISTRY RESULTS
MARINE WATERS

Date collected _____ mm/dd/yy

Date analyzed _____ mm/dd/yy

Lab ID No. _____

Analyte	Report Units	Results receiving water	Results effluent	Detection level	Method
Ammonia nitrogen	µg/L			µg/L	
Salinity	ppt			ppt	
Total residual oxidants	mg/L			mg/L	
Total organic carbon	mg/L			mg/L	
Total solids	mg/L			mg/L	
Total suspended solids	mg/L			mg/L	
Total aluminum	µg/L			µg/L	
Total cadmium	µg/L			µg/L	
Total chromium	µg/L			µg/L	
Total copper	µg/L			µg/L	
Total lead	µg/L			µg/L	
Total nickel	µg/L			µg/L	
Total zinc	µg/L			µg/L	
other (pH)	S.U.			S.U.	
other ( )					

Comments

Laboratory conducting test. To the best of my knowledge this information is true, accurate, and complete

signature _____ lab name _____

printed name _____ address _____

tel. no. _____