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.

STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

JOHN ELIAS BALDACCI
GOVERNOR

DAWN R. GALLAGHER
COMMISSIONER

Mr. Michael Crosby
Superintendent, Yarmouth WPCF
P.O. Box 907
Yarmouth, Maine 04096

December 23, 2003

RE: Maine Waste Discharge License (WDL) Application #W002644-5L-E-R
Maine Pollutant Discharge Elimination System (MEPDES) Permit #ME0100765
Final Permit/License

Dear Mr. Crosby:

Enclosed please find a copy of your **final** MEPDES permit/WDL which was approved by the Department of Environmental Protection. You must follow the conditions in the permit/license 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: Matthew Hight, DEP/SMRO
Ted Lavery, USEPA

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

BANGOR
106 HOGAN ROAD
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 04769-2094
(207) 764-0477 FAX: (207) 764-1507

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

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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

TOWN OF YARMOUTH YARMOUTH, CUMBERLAND COUNTY, ME. PUBLICLY OWNED TREATMENT WORKS ME0100765 W002644-5L-E-R **APPROVAL**	)))))	MAINE POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT AND WASTE DISCHARGE LICENSE **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 all applicable regulations, the Department of Environmental Protection (Department) has considered the application of the TOWN OF YARMOUTH (Town hereinafter), with its supportive data, agency review comments, and other related materials on file and FINDS THE FOLLOWING FACTS:

APPLICATION SUMMARY

The Town of Yarmouth has filed an application with the Department for a renewal of Waste Discharge License #W002644-5L-C-R that issued by the Department on June 9, 1999 and expired on June 9, 2002. The WDL authorized the discharge of up to a monthly average flow of 1.31 MGD of secondary treated waste waters to the Royal River estuary, Class SB, in Yarmouth, Maine.

On January 12, 2001, the State of Maine received authorization from the U.S. Environmental Protection Agency (EPA) to administer the National Pollutant Discharge Elimination System (NPDES) permitting program in Maine. As a result, the Department is hereby issuing a combination Maine Pollutant Discharge Elimination System (MEPDES) permit #ME0100765/Maine Waste Discharge License (WDL) #W002644-5L-E-R for the discharge from the Town's waste water treatment facility. The NPDES permit last issued by the EPA on June 30, 1989 will be superseded by the MEPDES permit/WDL upon issuance. Once superseded all terms and conditions of the NPDES permit are null and void.

PERMIT SUMMARY

This permitting action is **similar** to the 6/9/99 WDL in that is carrying forward:

1. The monthly average flow limitation of 1.31 MGD.

2. The monthly average, weekly average and daily maximum technology based mass and concentration limits for biochemical oxygen demand (BOD_5) and total suspended solids (TSS).

PERMIT SUMMARY (cont'd)

3. The daily maximum technology based concentration limit for settleable solids.

4. The monthly average and daily maximum water quality based concentration limits for fecal coliform bacteria.

5. The daily maximum water quality based concentration limit for total residual chlorine.

6. The surveillance and screening level whole effluent toxicity (WET) and chemical specific (priority pollutant) testing.

7. The water quality based chronic- no observed effect level (C-NOEL) limit for the sea urchin.

8. The daily maximum water quality based mass and concentration limits for copper and silver.

9. Authorization to introduce up to 6,000 gpd of septage into the waste water treatment process.

10. The requirement to continue implementing the toxicity reduction evaluation (TRE) for copper.

This permitting action is **different** than the 6/9/99 WDL action in that it is;

11. Revising the daily maximum BPT pH range limit from 6.0 – 8.5 standard units to 6.0 – 9.0 standard units based on a new Department regulation.

12. Establishing a technology based minimum requirement of 85% removal for BOD5 and TSS.

13. Establishing a daily maximum mass and concentration limits for total cyanide.

14. Establishing a schedule to come into compliance with more stringent daily maximum water quality based mass and concentration limitations for copper.

15. Eliminating the monthly average and daily maximum water quality mass and concentration limits for ammonia.

16. Establishing acute no observed effect level (A-NOEL) and/or C-NOEL limits for the mysid shrimp and inland silverside.

17. Requiring the permittee to periodically update and maintain a Wet Weather Flow Management Plan and Operation and Maintenance (O&M) Plan.

18. Eliminating the Town of Yarmouth from the Department's list of communities with Combined Sewer Overflows (CSOs) as the last CSO (at the Harbor pump station) has been eliminated as a result of a 1999 upgrade at the pump station.

CONCLUSIONS

BASED on the findings in the attached Fact Sheet dated November 19, 2003 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 M.R.S.A., 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 discharge will be subject to effluent limitations that require application of best practicable treatment.

ACTION

THEREFORE, the Department APPROVES the above noted application of the TOWN OF YARMOUTH to discharge up to a monthly average flow of 1.31 MGD of secondary treated waste waters to the Royal River estuary, Class SB, in Yarmouth, Maine. The waste waters discharged from the facility will 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 effluent limitations and monitoring requirements.

3. The term of this permit is five (5) years from the date of signature.

DONE AND DATED AT AUGUSTA, MAINE, THIS 22nd DAY OF December, 2003.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: _____ for
Dawn Gallagher, Commissioner

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application July 1, 2002.

Date of application acceptance July 2, 2002.

FILED
DEC 22 2003
BOARD OF ENVIRONMENTAL PROT.
STATE OF MAINE

Date filed with Board of Environmental Protection _____

This order prepared by GREGG WOOD, BUREAU OF LAND AND WATER QUALITY

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 secondary treated sanitary waste waters from **OUTFALL #001** to the Royal River estuary. Such discharges shall be limited and monitored by the permittee as specified below:

Effluent Characteristic	Discharge Limitations						Monitoring Requirements	
	Monthly Average lb/day	Weekly Average Lb/day	Daily Maximum lb/day	Monthly Average as specified	Weekly Average as specified	Daily Maximum as specified	Measurement Frequency as specified	Sample Type as specified
Flow [50050]	---	---	---	1.31 MGD [03]	---	Report MGD [03]	Continuous [99/99]	Recorder [RC]
Biochemical Oxygen Demand (BOD) [00310]	210 #/day [26]	315 #/day [26]	350 #/day [26]	30 mg/L [19]	45 mg/L [19]	50 mg/L [19]	2/Week [02/07]	Composite [24]
BOD % Removal(1) [81010]	---	---	---	≥85%	---	---	1/Month [01/30]	Calculate [CA]
Total Suspended Solids (TSS) [00530]	210 #/day [26]	315 #/day [26]	350 #/day [26]	30 mg/L [19]	45 mg/L [19]	50 mg/L [19]	2/Week [02/07]	Composite [24]
TSS % Removal(1) [81011]	---	---	---	≥85%	---	---	1/Month [01/30]	Calculate [CA]
Settleable Solids [00545]	---	---	---	---	---	0.3 ml/L [25]	1/Day [01/01]	Grab [GR]
Fecal Coliform Bacteria(2) [31616]	---	---	---	15/100 ml(3) [13]	---	50/100 ml [13]	2/Week [02/07]	Grab [GR]
Total Residual Chlorine(2,4) [50060]	---	---	---	---	---	0.039 mg/L [19]	1/Day [01/01]	Grab [GR]
pH (Std. Unit) [00400]	---	---	---	---	---	6.0 – 9.0 SU [12]	1/Day [01/01]	Grab [GR]

SPECIAL CONDITIONS

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

Effluent Characteristic	Discharge Limitations						Monitoring Requirements	
	Monthly Average lb/day	Weekly Average lb/day	Daily Maximum lb/day	Monthly Average as specified	Weekly Average as specified	Daily Maximum as specified	Measurement Frequency as specified	Sample Type as specified
Copper (Total) (5) ***Thru December 31, 2006*** *[01042]*	---	---	0.19 lbs/day *[26]*	---	---	26.1 ug/L *[28]*	1/Month *[01/30]*	Composite *[24]*
Copper (Total) (5) ***Beginning January 1, 2007*** *[01042]*	---	---	0.095 lbs/day *[26]*	---	---	13 ug/L *[28]*	1/Month *[01/30]*	Composite *[24]*
Cyanide (Total) *[00720]*	---	---	0.033 lbs/day *[26]*	---	---	4.5 ug/L *[28]*	1/Year *[01/YR]*	Composite *[24]*
Silver (Total) *[01077]*	---	---	0.072 lbs/day *[26]*	---	---	9.9 ug/L *[28]*	1/Year *[01/YR]*	Composite *[24]*

SPECIAL CONDITIONS

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

SURVEILLANCE LEVEL - **Beginning upon issuance of the permit and lasting through twelve months prior to permit expiration.**

Effluent Characteristic	Discharge Limitations				Monitoring Requirements	
	Monthly Average	Daily Maximum	Monthly Average	Daily Maximum	Measurement Frequency	Sample Type
Whole Effluent Toxicity(6)						
Acute – NOEL						
Mysidopsis bahia [TDM3E] (Mysid Shrimp)	---	---	---	33 % [23]	1/Year [01/YR]	Composite [24]
Menidia beryllina [TDM6B] (Inland Silverside)	---	---	---	33 % [23]	1/Year [01/YR]	Composite [24]
Chronic – NOEL						
Menidia beryllina [TBP6B] (Inland Silverside)	---	---	---	12.5 % [23]	1/Year [01/YR]	Composite [24]
Arbacia punctulata [TBH3A] (Sea urchin)	---	---	---	12.5 % [23]	1/Year [01/YR]	Composite [24]
Chemical Specific (7) [50008]	---	---	---	Report ug/L [29]	1/Year [01/YR]	Composite/Grab [24]

SPECIAL CONDITIONS

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

SCREENING LEVEL **- Beginning twelve months prior to permit expiration.**

Effluent Characteristic	Discharge Limitations				Monitoring Requirements	
	Monthly Average	Daily Maximum	Monthly Average	Daily Maximum	Measurement Frequency	Sample Type
Whole Effluent Toxicity(6)						
Acute – NOEL						
Mysidopsis bahia [TDM3E] *(Mysid Shrimp)*	---	---	---	33 % [23]	1/Quarter[01/90]	Composite [24]
Menidia beryllina [TDM6B] *(Inland Silverside)*	---	---	---	33 % [23]	1/Quarter [01/90]	Composite [24]
Chronic – NOEL						
Menidia beryllina [TBP6B] *(Inland Silverside)*	---	---	---	12.5 % [23]	1/Quarter [01/90]	Composite [24]
Arbacia punctulata [TBH3A] *(Sea urchin)*	---	---	---	12.5 % [23]	1/Quarter [01/90]	Composite [24]
Chemical Specific (7) [50008]	---	---	---	Report ug/L [28]	1/Quarter [01/90]	Composite/Grab [24]

SPECIAL CONDITIONS

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

Footnotes:

Sampling – Composite and grab sampling of the treatment plant effluent for compliance with this permit shall be conducted at the end of the chlorine contact chamber and dechlorination on a year-round basis. Any change in sampling location must be approved by the Department in writing. Sampling and analysis must be conducted 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 shall be analyzed by a laboratory certified by the State of Maine's Department of Human Services.

1. **Percent Removal** - The treatment facility shall 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 shall be calculated based on influent and effluent concentration values. The percent removal shall be waived when the monthly average influent concentration is less than 200 mg/L. For instances when this occurs, the facility shall report "NODI-9" on the monthly Discharge Monitoring Report.

2. **Fecal coliform bacteria and total residual chlorine (TRC)** - Limits apply on a year-round basis.

3. **Fecal coliform bacteria** - This is a geometric mean limitation and results shall be reported as such.

4. **Total Residual Chlorine (TRC)** - Shall be tested using Amperometric Titration or the DPD Spectrophotometric Method. The EPA approved methods are found in Standard Methods for the Examination of Water and WasteWater, (Most current edition), Method 4500-CL-E and Method 4500-CL-G or U.S.E.P.A. Manual of Methods of Analysis of Water and Wastes.

   The limit at which compliance/non-compliance determinations will be based is the Minimum Level (ML) of detection. EPA Region I's Quality Assurance Office established a ML of 0.05 mg/L for TRC in April of 1992. All analytical test results shall be reported to the Department including results which are detected below the ML of 0.05 mg/L.

5. **Copper** - This permitting action is establishing a schedule of compliance for the more stringent limits for total copper. **Beginning upon issuance of the permit and lasting through December 31, 2006,** the daily maximum mass and concentration limits of 0.19 lbs/day and 26.1 ug/L respectively are applicable. **Beginning January 1, 2007**, the daily maximum mass and concentration limits of 0.095 lbs/day and 13 ug/L respectively, become effective.

SPECIAL CONDITIONS

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

Footnotes:

6. **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 33% and 12.5% 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 twelve months prior to the expiration date of the permit, 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 first four years of 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.

   Beginning twelve months prior to the expiration date of the permit, the permittee shall conduct screening level WET testing at a frequency of 1/Quarter for four consecutive calendar quarters. Acute tests shall be conducted on the mysid shrimp (*Mysidopsis bahia*) and the inland silverside (*Menidia berrylina*). 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.

   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.

SPECIAL CONDITIONS

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

Footnotes:

7. **Chemical specific** testing pursuant to Department rule Chapter 530.5 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 twelve months prior to the expiration date of the permit 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 first four years of the term of the permit. **Beginning twelve months prior to the expiration date of the permit,** screening level chemical specific testing shall be conducted at a frequency of four per year (four consecutive calendar quarters).

   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. Results shall be reported to the Department within 30 days of receiving the results from the contract laboratory. **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.**

   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.

SPECIAL CONDITIONS

B. NARRATIVE EFFLUENT LIMITATIONS

1. The effluent shall not contain a visible oil sheen, foam or floating solids at any time which 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 discharges 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 permit 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. DISINFECTION

If chlorination is used as a means of disinfection, an approved chlorine contact tank providing the proper detention time consistent with good engineering practice must be utilized, followed by a dechlorination system if the Total Residual Chlorine (TRC) cannot be met by dissipation in the detention tank. The total residual chlorine in the effluent shall at no time cause any demonstrable harm to aquatic life in the receiving waters. The dose of chlorine applied shall be sufficient to leave a TRC concentration that will effectively reduce bacteria to levels below those specified in Special Condition A, *"Effluent Limitations and Monitoring Requirements"*, above.

D. TREATMENT PLANT OPERATOR

The treatment facility must be operated by a person holding at a minimum of a **Grade III**, certificate pursuant to Title 32 M.R.S.A., Section 4171 et seq. 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.

E. LIMITATIONS FOR INDUSTRIAL USERS

Pollutants introduced into the waste water collection and treatment system by a non-domestic source (user) shall not pass through or interfere with the operation of the treatment system.

SPECIAL CONDITIONS

F. UNAUTHORIZED DISCHARGES

The permittee is authorized to discharge only in accordance with the terms and conditions of this permit and only from Outfall 001. 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.

G. MONITORING AND REPORTING

Monitoring results obtained during the previous month shall be summarized for each month and reported on separate Discharge Monitoring Report (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 shall be submitted to the following address:

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

H. NOTIFICATION REQUIREMENT

In accordance with Standard Condition D, the permittee shall notify the Department of the following.

1. Any introduction of pollutants into the waste water collection and treatment system from an indirect discharger in a primary industrial category discharging process waste water; and

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

   (a) the quality and quantity of waste water introduced to the waste water collection and treatment system; and

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

SPECIAL CONDITIONS

I. DISPOSAL OF SEPTAGE WASTE IN WASTE WATER TREATMENT FACILITY

During the effective period of this permit, the permittee is authorized to receive up to and introduce into the waste water treatment facility or solids handling system up to **6,000 gallons per day** of septage subject to the following terms and conditions:

1. This approval is limited to methods and plans described in the application and supporting documents. Any variations are subject to review and approval prior to implementation.

2. At no time shall the addition of septage cause or contribute to effluent quality violations. If such conditions do exist, the introduction of septage into the treatment process or solids handling stream shall be suspended until effluent quality can be maintained.

3. The permittee shall maintain records which shall include, as a minimum, the following by date: volume of septage received, source of the septage (name of municipality), the hauler transporting the septage, the dates and volume of septage added to the waste water treatment influent and test results.

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

5. Septage known to be harmful to the treatment processes shall not be accepted. Wastes which contain heavy metals, toxic chemicals, extreme pH, flammable or corrosive materials in concentrations harmful to the treatment operation shall be refused.

6. Holding tank waste water shall not be recorded as septage but should be reported in the treatment facility's influent flow.

J. TOXICITY REDUCTION EVALUATION (TRE)

The permittee shall continue to implement the TRE for copper that was originally submitted to the Department in calendar year 1999. The permittee shall submit semi-annual reports to the Department on January 1st and July 1st of each year (beginning January 1, 2004) outlining the efforts and progress for the previous six month period and the scope of work for the next six month period.

Once the most current sixty (60) months of copper test results no longer indicates the discharge exceeds applicable ambient water quality criteria, the permit requirement for continuing to implement the TRE shall become null and void upon written authorization from the Department.

SPECIAL CONDITIONS

K. WET WEATHER FLOW MANAGEMENT PLAN

The treatment facility staff shall have a current written Wet Weather Management Plan to direct the staff on how to operate the facility effectively during periods of high flow. The Department acknowledges that the existing collection system may deliver flows in excess of the monthly average design capacity of the treatment plant during periods of high infiltration and rainfall.

The plan shall 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 shall review their plan annually and record any necessary changes to keep the plan up to date.

L. OPERATION & MAINTENANCE (O&M) PLAN

This facility shall have a current written comprehensive Operation & Maintenance (O&M) Plan. 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.

M. PUMP STATION EMERGENCY BYPASSES

Discharges from emergency bypass structures in pump stations is not authorized by this permit. The permittee shall maintain an electronic system to record frequency, duration and estimation of flow discharged.

Outfall Number	Outfall Location	Receiving Water and Class
002	Harbor Pump Station	Royal River, SB

Discharges from pump stations shall be reported in accordance with Standard Condition B(5) (Bypass) of this permit.

SPECIAL CONDITIONS

N. REOPENING OF PERMIT FOR MODIFICATIONS

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 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 effluent and or ambient water quality 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? _____

Results % effluent

Test required by DEP/EPA _____

	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		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.

WETRPFMM

Mar 98

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. _____