



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION



PAUL R. LEPAGE
GOVERNOR

AVERY T. DAY
ACTING COMMISSIONER

September 21, 2015

Mr. Erik Eastman
P. O. Box 603
Fryeburg, Maine 04037
ErikEastman276@Roadrunner.com

RE: Maine Pollutant Discharge Elimination System (MEPDES) Permit #MEU508254
Maine Waste Discharge License (WDL) Application # W008254-5S-B-R
Proposed Draft Permit

Dear Mr. Eastman:

Enclosed is a **proposed draft** MEPDES permit and Maine WDL (permit hereinafter) which the Department proposes to issue as a final document after opportunity for your review and comment. By transmittal of this letter you are provided with an opportunity to comment on the proposed draft permit and its conditions (special conditions specific to this permit are enclosed; standard conditions applicable to all permits are available upon request). If it contains errors or does not accurately reflect present or proposed conditions, please respond to this Department so that changes can be considered.

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

All comments must be received in the Department of Environmental Protection office on or before the close of business **Wednesday, October 21, 2015**. Failure to submit comments in a timely fashion will result in the final document being issued as drafted. Comments in writing should be submitted to my attention at the following address:

Maine Department of Environmental Protection
Bureau of Water Quality
Division of Water Quality Management
17 State House Station
Augusta, ME 04333

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

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

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

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

If you have any questions regarding the matter, please feel free to call me at 446-1875.

Sincerely,



Rodney Robert
Bureau of Water Quality
Division of Water Quality Management

Enc.

cc: Stuart Rose, DEP/SMRO
Lori Mitchell, DEP/CMRO
Oliver Cox, DMR
Environmental Review, DMR
Environmental Review, DIFW
Kathleen Leyden, DACF
David Webster, USEPA
David Pincumbe, USEPA
Alex Rosenberg, USEPA
Olga Vergara, USEPA
Marelynn Vega, USEPA
Richard Carvalho, USEPA
Ivy Frignoca, CLF



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

DEPARTMENT ORDER

IN THE MATTER OF

MAINE PURE)	PROTECTION AND IMPROVEMENT
FRYEBURG, OXFORD COUNTY, ME.)	OF WATERS
SUB-SURFACE WASTE WATER)	
DISPOSAL SYSTEM)	
MEU508254)	WASTE DISCHARGE LICENSE
W008254-5S-B-N)	RENEWAL
		APPROVAL

Pursuant to the provisions of 38 M.R.S.A., Section 414-A et seq., and applicable regulations, the Department of Environmental Protection (Department hereinafter) has considered the application of MAINE PURE with its supportive data, agency review comments, and other related materials on file and FINDS THE FOLLOWING FACTS:

APPLICATION SUMMARY

Maine Pure has submitted an application to the Department for the renewal of Waste Discharge License (WDL), W008254-5S-A-N / ICIS # MEU508254 which was issued by the Department on August 19, 2010 for a five year term. The 8/19/10 license allowed for the discharge of a daily maximum of 1,500 gallons per day (gpd) of treated bottle wash waters into a dedicated sub-surface waste water disposal system in Fryeburg, Maine. The sub-surface waste water disposal system measures 4,000 square feet and is on a 32-acre site owned by Western Maine Nurseries off of the Porter Road in Fryeburg, Maine.

LICENSE SUMMARY

This licensing action is carrying forward all the terms and conditions of the previous licensing action.

CONCLUSIONS

BASED on the findings in the attached Fact Sheet dated September 21, 2015, 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. §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 water quality of any water body, the Department has made the finding, following opportunity for public participation, that this action is necessary to achieve important economic or social benefits to the State.
4. The discharges will be subject to effluent limitations that require application of best practicable treatment as defined in Conditions of licenses, 38 M.R.S.A. § 414-A(1)(D) and 414-A(1-B).

THEREFORE, the Department APPROVES the application of MAINE PURE to treat and dispose of up to 1,500 gpd of bottle washing waters associated with a drinking water bottling facility into a sub-surface waste water disposal system, SUBJECT TO ALL APPLICABLE STANDARDS AND REGULATIONS AND THE FOLLOWING CONDITIONS:

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 becomes effective upon the date of signature below and expires at midnight five (5) years after that date. If a renewal application is timely submitted and accepted as complete for processing prior to the expiration of this permit, the terms and conditions of this permit and all subsequent modifications and minor revisions thereto remain in effect until a final Department decision on the renewal application becomes effective. *Maine Administrative Procedure and Services*, 5 M.R.S.A. § 10002 and Rules Concerning the *Processing of Applications and Other Administrative Matters*, 06-096 CMR 2(21)(A) (amended August 25, 2013).

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

DONE AND DATED AT AUGUSTA, MAINE, THIS ____ DAY OF _____ 2015.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: _____
AVERY T. DAY, Acting Commissioner

Date of initial receipt of application July 8, 2015

Date of application acceptance July 9, 2015

Date filed with Board of Environmental Protection _____

This Order prepared by Rod Robert, Bureau of Water Quality

SPECIAL CONDITIONS

A. LIMITATIONS AND MONITORING REQUIREMENTS

1. The licensee is authorized to utilize a sub-surface waste water system to dispose of treated bottling washing waters. The waste waters shall be sampled prior to be disposed in the disposal field and shall be limited and monitored as specified below.

OUTFALL #001 ⁽¹⁾

	Daily <u>Maximum</u> as specified	Measurement <u>Frequency</u> (2) as specified	Sample <u>Type</u> as specified
Flow [50050]	1,500 (gpd) [07]	3/Year ⁽²⁾ [03/YR]	Metered [MT]
pH [00400]	6.0 – 9.0 S.U [19]	3/Year ⁽²⁾ [03/YR]	Grab [GR]

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

Footnotes: See page 6 of this license.

SPECIAL CONDITIONS

A. LIMITATIONS AND MONITORING REQUIREMENTS

- The licensee is authorized to operate a sub-surface waste water disposal system. The **GROUND WATER MONITORING WELL** shall be limited and monitored as specified below.

MW-1 is located just down gradient from the disposal field.

	Maximum as specified	Measurement Frequency as specified	Sample Type as specified
Depth to Water Level Below Land Surface [72019]	Report (feet) ⁽³⁾ [27]	3/Year ⁽²⁾ [03/YR]	Measure [MS]
Total Suspended Solids [00530]	Report mg/L [19]	3/Year ⁽²⁾ [03/YR]	Grab [GR]
Specific Conductance [00095]	Report (umhos/cm) ⁽⁴⁾ [11]	3/Year ⁽²⁾ [03/YR]	Grab [GR]
pH [00400]	6.0 – 9.0 S.U [19]	3/Year ⁽²⁾ [03/YR]	Grab [GR]

Footnotes: See page 6 of this license.

Daily

SPECIAL CONDITIONS

A. LIMITATIONS AND MONITORING REQUIREMENTS (cont'd)

Footnotes

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 Health and Human Services. Samples that are sent to a POTW licensed pursuant to *Waste discharge licenses*, 38 M.R.S.A. § 413 are subject to the provisions and restrictions of *Maine Comprehensive and Limited Environmental Laboratory Certification Rules*, 10-144 CMR 263 (last amended February 13, 2000).

1. **Sampling location**– Sampling shall be conducted after the last treatment process such that all samples are representative of the waste water being conveyed to the sub-surface system.
2. **Sampling frequency** – Sampling is only required in April, July and October of each year.
3. **Depth to ground water** - Measured to the nearest one tenth (1/10th) of a foot as referenced from the surface of the ground at the base of the monitoring well.
4. **Specific conductance** (calibrated to 25.0° C) is considered to be “field” parameter and shall be measured in the field via instrumentation. Specific conductance values indicating a statistically significant trend upwards or sudden spikes from previous levels may necessitate the need for additional ground water testing requirements.

B. TREATMENT PLANT OPERATOR

This treatment facility must be operated by a person holding a minimum of a Maine **Grade I Physical/Chemical** certificate (or a Maine Professional Engineer [P.E.]) pursuant to Title 32 M.R.S.A., Section 4171 et seq and Department Rule Chapter 531. All proposed contracts for facility operation by any person must be approved by the Department prior to the licensee engaging the services of the contract operator.

SPECIAL CONDITIONS

C. AUTHORIZED DISCHARGES

The licensee is authorized to discharge treated waste waters as identified in the July 9, 2015 Waste Discharge License Application. Disposal of the waste waters shall be limited and monitored in accordance with the terms and conditions of this license and disposed of to a dedicated sub-surface waste water disposal system. Discharge of waste water from any other location or from sources other than those indicated on said application requires formal modification of this license.

D. NOTIFICATION REQUIREMENT

In accordance with Standard Condition #6 of this license, the licensee shall notify the Department of any substantial change in the volume or character of pollutants being introduced into the wastewater collection and treatment system. 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 wastewater collection and treatment system; and
- (b) any anticipated impact caused by the change in the quantity or quality of the wastewater to be discharged from the treatment system.

E. SYSTEM INSPECTIONS

1. The licensee shall conduct at least three inspections of the disposal fields per year.
2. The inspection report or log shall include the date of the inspection, the name of the person performing the inspection, and other relevant system observations.
3. Disposal field inspections shall include: any signs of hydraulic failure; condition of the surface vegetation; level of ponding within the disposal area; physical encroachments into the disposal area; and other sources of hydraulic loading.

SPECIAL CONDITIONS

F. MAINTENANCE LOGS

Maintenance logs shall be maintained for each system component including conveyance piping, pumps, distribution boxes and the disposal fields. This shall include for each system: 1) the alphanumeric ID; 2) a summary of the results of all inspections; 3) a summary of all significant maintenance activities and repairs, and other specific action(s) taken to ensure the proper functioning of the systems; 4) a listing of all additions and deletions to the system or individual system components; 5) a summary of pumping activity for all septic tanks and other treatment components; 6) a summary of relevant performance observations; and 7) the volumes of wastewater directed to each disposal field.

G. OPERATIONS AND MAINTENANCE (O & M) PLAN AND SITE PLAN

The licensee must maintain a current written comprehensive Operation & Maintenance (O&M) Plan for review by the Department. The plan shall be kept current and provide a systematic approach by which the licensee 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 licensee to achieve compliance with the conditions of this license.

By December 31 of each year, or within 90 days of any process changes or minor equipment upgrades, the licensee 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 at the facility at all times and made available to Department personnel upon request.

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

SPECIAL CONDITIONS

H. MONITORING AND REPORTING

Monitoring results obtained during the previous month must be summarized for each month and reported on separate Discharge Monitoring Report (DMR) forms provided by the Department and shall be **postmarked on or before the thirteenth (13th) day of the month or hand-delivered to a Department Regional Office such that the DMRs 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 inspector, unless otherwise specified, by the Department at the following address:

Department of Environmental Protection
Southern Maine Regional Office
Bureau of Water Quality
Division of Water Quality Management
312 Canco Road
Portland, Maine 04103

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

I. REOPENING OF LICENSE FOR MODIFICATIONS

Upon evaluation of any required test results, results of inspections and/or reporting required by the Special Conditions of this licensing action, additional site specific or any other pertinent information or test results obtained during the term of this license, the Department may, at anytime and with notice to the licensee, modify this license to require additional monitoring, inspections and/or reporting based on the new information.

J. SEVERABILITY

In the event that any provision, or part thereof, of this license is declared to be unlawful by a reviewing court, the remainder of the license shall remain in full force and effect, and shall 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 WASTE DISCHARGE LICENSE

FACT SHEET

Date: **September 21, 2015**

INTEGRATED COMPLIANCE IDENTIFICATION SYSTEM NUMBER: **MEU508254**
LICENSE NUMBER: **W008254-5S-B-R**

NAME AND MAILING ADDRESS OF APPLICANT:

**MAINE PURE
P.O. Box 603
Fryeburg, ME. 04037**

COUNTY: **Oxford County**

NAME AND ADDRESS OF FACILITY:

**Porter Road
Fryeburg, ME. 04037**

RECEIVING WATER/ CLASSIFICATION: **Groundwater /Class GW-A**

COGNIZANT OFFICIAL AND TELEPHONE NUMBER: **Mr. Erik Eastman
(207) 265-4637**

1. APPLICATION SUMMARY

- a. Application : Maine Pure has submitted an application to the Department for a new Waste Discharge License (WDL) to dispose of up to a daily maximum of 1,500 gallons per day of treated bottle wash waters into a dedicated sub-surface waste water disposal system. The proposed sub-surface waste water disposal system measures 4,000 square feet and is located on a 32-acre site owned by Western Maine Nurseries off of the Porter Road in Fryeburg, Maine. See **Attachment A** of this Fact Sheet for a location map of the bottling facility.

1. APPLICATION SUMMARY (cont'd)

- b. Source Description: Maine Pure operates a bottling operation within an existing building that is owned by Western Maine Nurseries on the Porter Road in the Town of Fryeburg. Waste water is generated by a bottle washer, manually filled with detergent, a disinfectant and empty bottles. The machine heats water to 140°F and cycles through a cleaning process to wash, sanitize and rinse empty bottles. The pH of the bottle wash water (rinsate) is adjusted to a range of 6.0 – 9.0 standard units prior to discharge to a holding/equalization tank which in turn discharges to the dedicated sub-surface waste water disposal system. See **Attachment B** of this Fact Sheet for a schematic of the water bottling process.
- c. Waste Water Treatment - Due to the relatively insignificant pollutant loading associated with the aforementioned waste stream, the only formal treatment the waste water receives prior to being conveyed to the sub-surface disposal fields is pH adjustment. Once the pH is adjusted, waste waters are conveyed to a 2,000-gallon equalization tank then conveyed to a dedicated sub-surface waste water disposal system totaling 4,000 square feet. Soil test pits indicate the soils in the vicinity of the disposal field consists of 6-12 inches of top soil underlain by 4-6 feet of clean fine sand. The seasonal high ground water table is greater from 4 feet below the surface of the ground. All sanitary waste waters generated by employees at the bottling facility are disposed of in an on-site sub-surface waste water disposal system owned and maintained by Western Maine Nurseries. See **Attachment C** of this Fact Sheet for the location of the disposal system.

2. LICENSE SUMMARY

This licensing action is carrying forward all the terms and conditions of the previous licensing action.

3. CONDITIONS OF LICENSES

Maine law, 38 M.R.S.A. Section 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, ensure that the receiving waters attain the State water quality standards as described in Maine's Surface Water Classification System and ensure safe levels for the discharge of toxic pollutants such that existing and designated uses of the ground waters are maintained and protected.

4. RECEIVING WATER QUALITY STANDARDS

Maine law, 38 M.R.S.A § 470 indicates the groundwater at the point of discharge is classified as Class GW-A receiving waters. Maine law, 38 M.R.S.A., §465-C, describes the standards for Class GW-A waters as the highest classification of groundwater and requires that the ground water shall be of such quality that it can be used for public water supplies. These waters shall be free of radioactive matter or any matter that imparts color, turbidity, taste or odor which would impair the usage of these waters, other than occurring from natural phenomena.

5. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

Outfall #001 – Prior to conveyance to the sub-surface disposal field.

- a. Flow – The previous licensing action established a daily maximum flow limitation of 1,500 gpd along with a 3/Year (April, July and October) monitoring requirement. This licensing action is carrying forward the established daily maximum flow limitation of 1500 gpd. A review of the daily maximum discharge flow data as reported on the Discharge Monitoring Reports (DMRs) submitted to the Department for the period September 2010 through August 2015 indicates the following;

Value	Limit (gpd)	Range (gpd)	Mean (gpd)
Daily Maximum	1500	125 - 150	135 (n=11)

- b. pH – The pH range limitation of 6.0 – 9.0 standard units is a Department best practicable treatment (BPT) limitation common to all licenses issued by the Department. A monitoring frequency of 3/Year is being established as the licensee has indicated pH adjustment is the only formal treatment being applied to the waste waters. A review of the pH data as reported on the Discharge Monitoring Reports (DMRs) submitted to the Department for the period September 2010 through August 2015 indicates the following

Value	Limit	Range	Mean (gpd)
Standard Units	6-9	6.2 – 7.2	6.7 (n=11)

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

Monitoring Well MW-1

- c. Depth To Ground Water – The previous licensing action established a 3/Year monitoring requirement to seasonally track ground water levels. The licensee is not being required to measure ground water levels in December, January and February or March due to the logistics of monitoring said levels in the middle of winter. This monitoring requirement is being carried forward in this licensing action. A review of the data as reported on the Discharge Monitoring Reports (DMRs) submitted to the Department for the period September 2010 through August 2015 indicates the following

Value	Range (feet)	Mean (gpd)
Depth to Ground Water	23-25	24 (n=11)

- d. Total suspended solids – This license carries forward the previously established 3/Year monitoring requirement for TSS. Elevated levels of TSS in a monitoring well are an indication of a failure in the seal of the well allowing surface water to contaminate the monitoring well.

Value	Range (mg/L)	Mean (mg/L)
TSS	4 - 336	7 *(n=11)

*** Does not include the value of 336 from July 2012 as this value is an outlying data point.**

- e. Specific conductance is considered a surveillance level monitoring parameter that is used as an early-warning indicator of potential ground water contamination. For purposes of this license, specific conductivity may be measured in the field on a 3/Year basis. By definition the sample shall be temperature calibrated to 25°C. The licensee shall report to the Department statistically significant trends upward or sudden spikes from previous levels that may necessitate the need for additional ground water testing requirements.

Value	Range (uMHO/cm)	Mean (uMHO/cm)
Specific Conductance	15 - 90	44 (n=11)

- f. pH – This license carries forward the established daily maximum pH range limitation of 6.0 – 9.0 standard units and is based on a National Secondary Drinking Water Standard.

6. DISCHARGE IMPACT ON RECEIVING WATER QUALITY

As licensed, the Department has determined the existing water uses will be maintained and protected and the discharge will not cause or contribute to the failure of the water body to meet standards for Class GW-A classification.

7. PUBLIC COMMENTS

Public notice of this application was made in the Bridgton News newspaper on or about June 24, 2015. The Department receives public comments on an application until the date a final agency action is taken on that application. Those persons receiving copies of proposed draft licenses shall have at least 30 days in which to submit comments on the draft or to request a public hearing, pursuant to Chapter 522 of the Department's rules.

8. DEPARTMENT CONTACTS

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

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

9. RESPONSE TO COMMENTS

Reserved until the completion of the formal thirty (30) day comment period

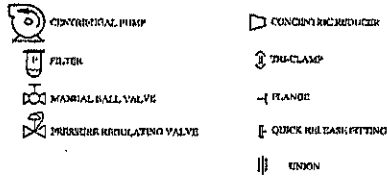
ATTACHMENT A



NO
DATE
BY
SCALE
SHEET NO.
TOTAL SHEETS

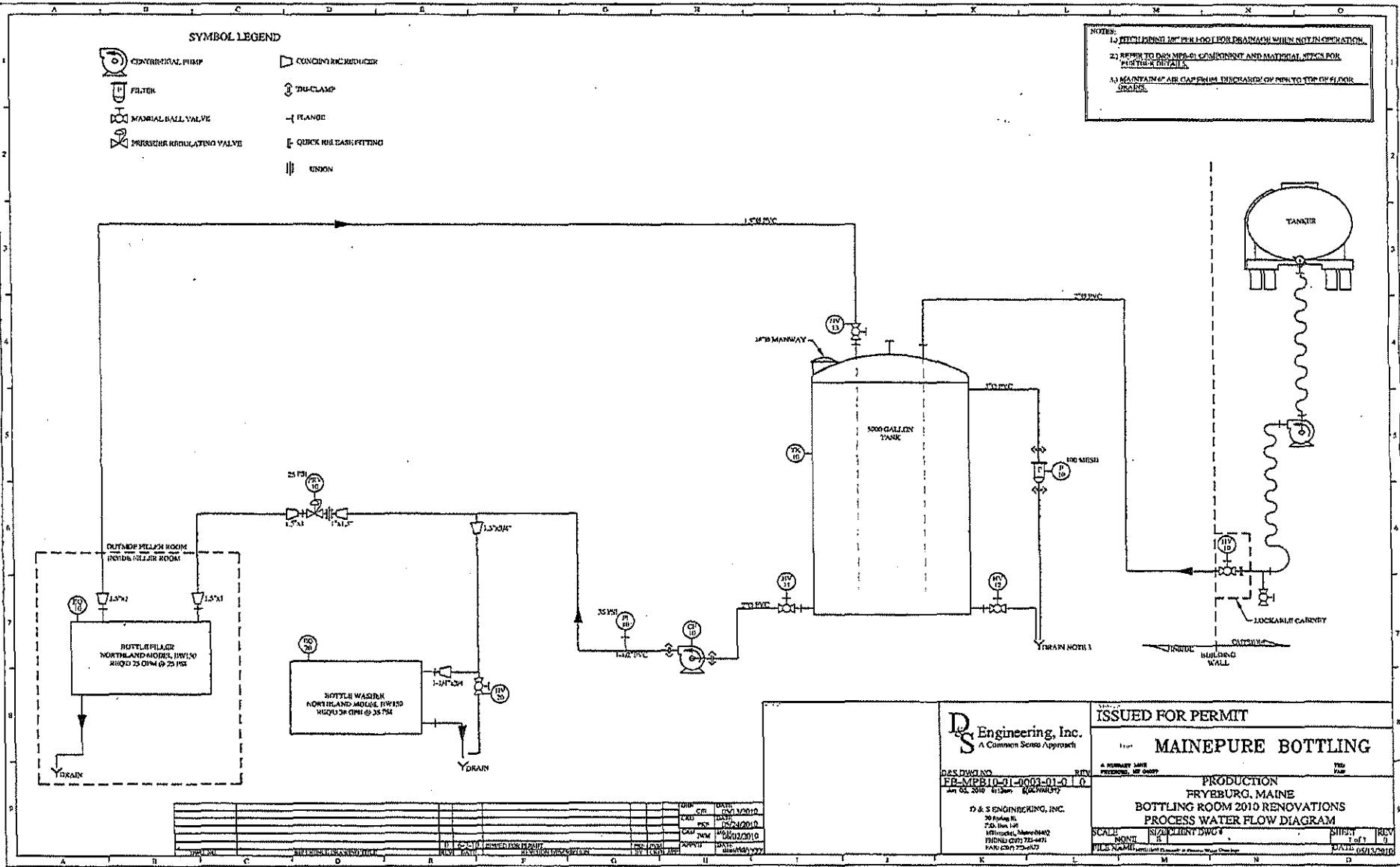
ATTACHMENT B

SYMBOL LEGEND



NOTES:

- 1) FILL POINT NOT PERmitted FOR BRAINACH WHEN NOT IN OPERATION.
- 2) REFER TO DATA SHEET COMPONENT AND MATERIAL SPECS FOR FURTHER DETAILS.
- 3) MAINTAIN 6" AIR GAP FROM DISCHARGE OF PUMP TO TOP OF 6" DRAIN CANALS.



D S Engineering, Inc.
 A Common Sense Approach

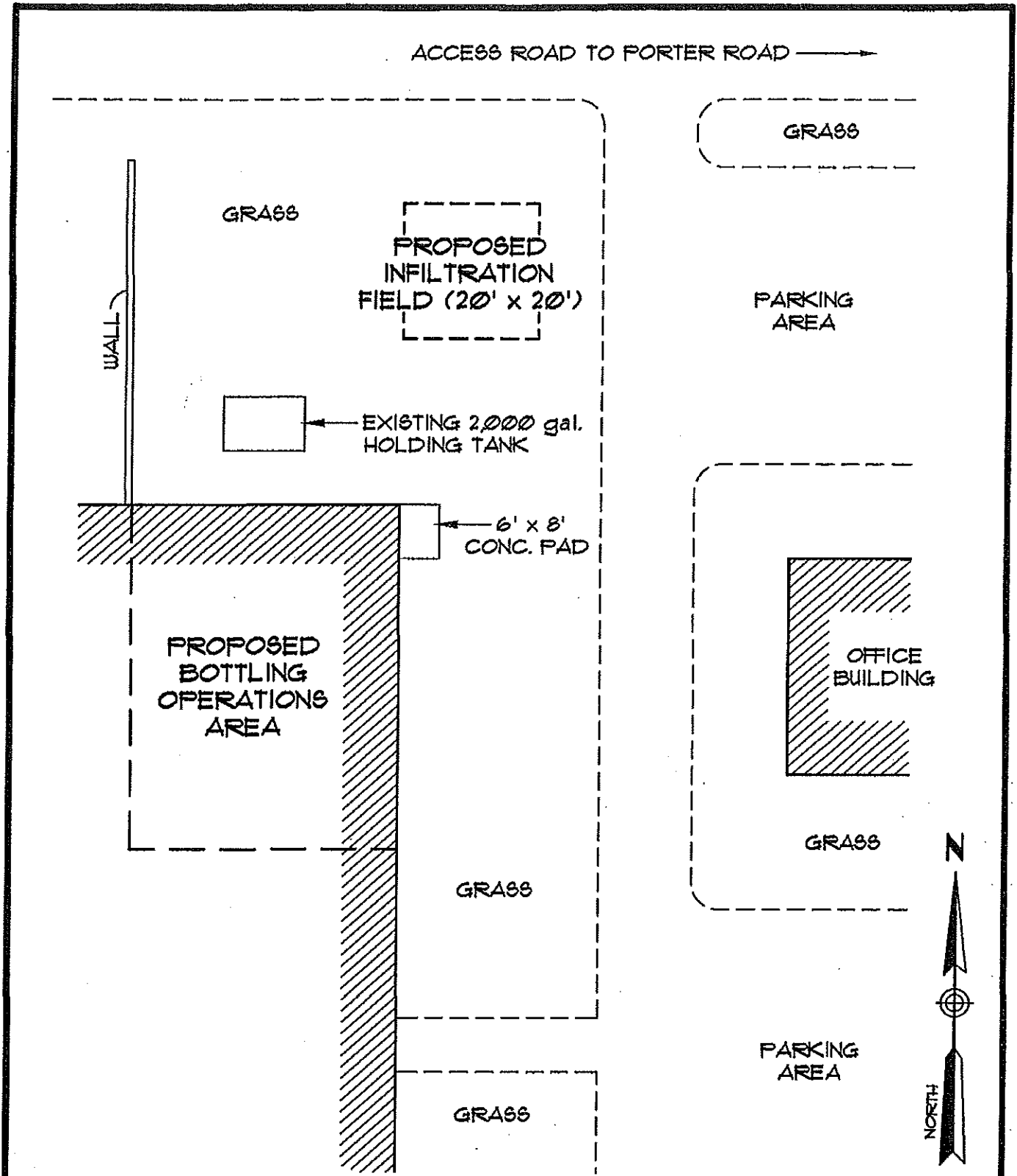
GAS DWG NO. FB-MPB10-01-0003-01-0
 DATE: 03/24/2010

D & S ENGINEERING, INC.
 20 Frying Hill
 Fryeburg, Maine 04750
 PHONE: (207) 753-4471
 FAX: (207) 753-4472

ISSUED FOR PERMIT	
MAINEPURE BOTTLING	
PRODUCTION FRYEBURG, MAINE BOTTLING ROOM 2010 RENOVATIONS PROCESS WATER FLOW DIAGRAM	
SCALE: NONE	DATE: 05/13/2010

NO.	DATE	BY	CHKD	APP'D	REVISION

ATTACHMENT C



**SKETCH PLAN
PROPOSED SEPTIC SYSTEM AREA**

PORTER ROAD - FRYEBURG, ME
PREPARED FOR
MAINE PURE

640 MAIN ST.
LEWISTON, MAINE 04240

Tel.: (207) 795-6009
Fax: (207) 795-6128



ENVIRONMENTAL CONSULTANTS

DATE: JUNE 2010	JOB: 10-3065	CHECKED BY: DM
FIGURE ???	SCALE: 1" = 20'	FILE: 10-3065 SKT