



STATE OF MAINE  
DEPARTMENT OF  
ENVIRONMENTAL PROTECTION



PAUL R. LEPAGE  
GOVERNOR

PAUL MERCER  
COMMISSIONER

January 9, 2018

Mr. Rolf Westphal  
59 Maine Street  
South portland, Maine 04106  
[rwestphal@spragueenergy.com](mailto:rwestphal@spragueenergy.com)

**RE: *Maine Pollutant Discharge Elimination System (MEPDES) Permit #ME0001821  
Maine Waste Discharge License (WDL) Application #W000886-5S-I-R  
Proposed Permit Renewal***

Dear Mr. Westphal:

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

The comment period begins on January 9, 2018 and ends on February 7, 2018. All comments on the proposed draft permit must be received in the Department of Environmental Protection office on or before the close of business Wednesday, February 7, 2018. Failure to submit comments in a timely fashion will result in the proposed draft/license permit 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 04333-0017

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 207-446-1875.

Sincerely,



Rodney Robert  
Division of Water Quality Management  
Bureau of Water Quality

Ecc.

Fred Gallant DEP/SMRO  
Lori Mitchell, DEP/CMRO  
Oliver Cox, DMR  
Environmental Review, DMR  
Environmental Review, DIFW  
Kathleen Leyden, DACF  
David Webster, USEPA  
Olga Vergara, USEPA  
Marelynn Vega, USEPA  
Richard Carvalho, USEPA



DEPARTMENT ORDER

IN THE MATTER OF

SPRAGUE OPERATING RESOURCES, LLC	)	MAINE POLLUTANT DISCHARGE
BULK FUEL STORAGE & TRANSFER FACILITY	)	ELIMINATION SYSTEM PERMIT
SOUTH PORTLAND, CUMBERLAND CTY., MAINE	)	AND
#ME0001821	)	WASTE DISCHARGE LICENSE
#W000886-5S-I-R	)	<b>RENEWAL</b>
		<b>APPROVAL</b>

In compliance with the provisions of the *Federal Water Pollution Control Act*, Title 33 U.S.C. § 1251, *Conditions of licenses*, 38 M.R.S. § 414-A, and applicable regulations, the Department of Environmental Protection (Department) has considered the application of SPRAGUE OPERATING RESOURCES, LLC (Sprague or permittee) with its supportive data, agency review comments, and other related materials on file and other related materials on file and FINDS THE FOLLOWING FACTS:

**APPLICATION SUMMARY**

Sprague Operating Resources, LLC has applied to the Department for the renewal of combination Maine Waste Discharge License (WDL) #W000886-5S-G-R / Maine Pollutant Discharge Elimination System (MEPDES) permit #ME0001821, which was issued by the Department on May 7, 2012. The 5/7/12 permit authorized the discharge of treated storm water runoff and hydrostatic test waters from a bulk fuel storage/transfer facility to the Fore River, Class SC, in South Portland, Maine.

The previous permitting action included limitations and monitoring frequencies for several outfalls from which treated stormwater runoff was discharged. The Department has determined that outfalls carrying stormwater runoff are covered under the Multi Sector General Permit for Stormwater Associated with an Industrial Activity. Therefore, this permitting action is eliminating those outfalls associated with stormwater discharge. For the purposes of this permit, Outfall#005A is administratively assigned for the discharge of hydrostatic waters. Since the location of storage tanks at the facility vary, if hydrostatic testing is completed, the necessary outfalls would be assigned specific designations to correspond with facility areas utilized in discharging test waters.

**PERMIT SUMMARY**

**For Outfall #005A, this permitting action is carrying forward the following previously established limitations;**

1. Daily maximum discharge flow limit of 6.5 million gallons per day;
2. Daily maximum Total Suspended Solids concentration limit of 50 mg/L;
3. Daily maximum concentration limitation of 15 mg/L for O&G; and
4. Daily maximum concentration limit of 0.05 mg/L for total residual chlorine (TRC).

## CONCLUSIONS

BASED on the findings summarized in the attached Fact Sheet dated January 9, 2018, 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. §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 discharge will be subject to effluent limitations that require application of best practicable treatment as defined in 38 M.R.S. § 414-A(1)(D).

**ACTION**

THEREFORE, the Department APPROVES the above noted application of SPRAGUE OPERATING RESOURCES, LLC to discharge a daily maximum flow of 6.5 million gallons per day of treated hydrostatic test waters to the Fore River, Class SC, in South Portland, Maine, 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 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. § 10002 and Rules Concerning the *Processing of Applications and Other Administrative Matters*, 06-096 CMR 2(21)(A) (amended October 19, 2015).

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

DONE AND DATED AT AUGUSTA, MAINE, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2018.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: \_\_\_\_\_  
PAUL MERCER, Commissioner

Date of initial receipt of application January 9, 2017  
Date of application acceptance January 10, 2017

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

This Order completed by Rodney Robert, Bureau of Water Quality

**SPECIAL CONDITIONS**

**A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS**

1. The permittee is authorized to discharge **treated Hydrostatic Test Waters** from the following outfall points to the Fore River in South Portland, Maine. Such discharges must be limited and monitored by the permittee as specified below <sup>(1)</sup>.

**OUTFALL #005A - Hydrostatic test waters**

Effluent Characteristic	Discharge Limitations				Minimum Monitoring Requirements	
	Monthly Average	Daily Maximum	Monthly Average	Daily Maximum	Measurement Frequency	Sample Type
Flow (Total Gallons) [82220]	---	6.5 MGD gal [57]	---	---	1/Discharge [01/DS]	Measure [MS]
Total Suspended Solids [00530]	---	---	---	50 mg/L [19]	1/Discharge [01/DS]	Grab <sup>(1)</sup> [GR]
Oil & Grease [00552]	---	---	---	15 mg/L [19]	1/Discharge [01/DS]	Grab <sup>(1)</sup> [GR]
Total Residual Chlorine [50060]	---	---	---	0.05 mg/L <sup>(2)</sup> [28]	1/Discharge [01/DS]	Grab <sup>(1)</sup> [GR]

The italicized numeric values in brackets in the tables above and the tables that follow are not limitations but codes used by Department personnel to code monthly Discharge Monitoring Reports (DMRs).

See Pages 7-8 of this permit for applicable footnotes.

## **SPECIAL CONDITIONS**

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

#### **FOOTNOTES:**

1. **Sampling** – Samples that are sent out for analysis must be analyzed by a laboratory certified by the State of Maine’s Department of Health and Human Services. Samples that are analyzed by laboratories operated by wastewater discharge facilities licensed pursuant to *Waste discharge licenses*, 38 M.R.S. § 413 are subject to the provisions and restrictions of the *Maine Comprehensive and Limited Environmental Laboratory Certification Rules*, 10-144 CMR 263 (last amended April 1, 2010). If the licensee monitors any pollutant more frequently than required by the license using test procedures approved under 40 CFR part 136 or as specified in this permit, the results of this monitoring must be included in the calculation and reporting of the data submitted in the Discharge Monitoring Report (DMR).
2. **Total Residual Chlorine (TRC)** – For the purposes of this permit, compliance with the daily maximum limitation in this permit will be based on USEPA’s current minimum level (ML) of detection of 50 ug/L (0.05 mg/L). The permittee must utilize approved test methods that are capable of producing analytical results down to or below 50 ug/L. All analytical test results must be reported to the Department including results which are detected below the ML. Results reported at or below the RL will be considered to be in compliance with the permit. The Discharge Monitoring Reports will be coded with the RL of 50 ug/L such that detectable results reported at or below 50 ug/L but greater than the daily maximum water quality based limit established in this permit will not be recorded as violations of the permit.

### **B. NARRATIVE EFFLUENT LIMITATIONS**

1. The effluent must not contain a visible oil sheen, foam or floating solids at any time which would impair the usages designated for the classification of the receiving waters.
2. The effluent must not contain materials in concentrations or combinations which are hazardous or toxic to aquatic life, or which would impair the usages designated for the classification of the receiving waters.
3. The discharge must not cause visible discoloration or turbidity in the receiving waters, which would impair the usages designated for 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.

## SPECIAL CONDITIONS

### C. HYDROSTATIC TEST WATER

Tanks being hydrostatically tested must be clean of product, all construction debris, including sandblasting grit, prior to testing and discharge. The discharge must be dechlorinated if test results indicate that discharged waters will violate the daily maximum limits for total residual chlorine established in this permit. Hydrostatic test water from tanks that have been washed, cleaned and certified for welding need not be discharged through an oil/water separator. The permittee must notify the Department of an intended discharge of hydrostatic test water at least three days, excluding weekends, prior to the discharge.

### D. AUTHORIZED DISCHARGES

The permittee is authorized to discharge only in accordance with: 1) the permittee's General Application for Waste Discharge Permit, accepted for processing on January 10, 2017; 2) the terms and conditions of this permit; and 3) only from Outfall #005A which is an administrative outfall utilized to track test results for hydrostatic water discharges. Discharges of wastewater from any other point source are not authorized under this permit, and must be reported in accordance with Standard Condition D(1)(F), *Twenty-four-hour reporting* of this permit.

### E. MONITORING AND REPORTING

#### Electronic Reporting

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

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

1. Submitted by a facility authorized signatory; and
2. Submitted no later than **midnight on the 15<sup>th</sup> day of the month** following the completed reporting period.

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

## SPECIAL CONDITIONS

### E. MONITORING AND REPORTING (cont'd)

#### Non-electronic Reporting

If you have received a waiver from the Department concerning the USEPA electronic reporting rule, or are permitted to submit hardcopy DMR's to the Department, then your monitoring results obtained during the previous month must be summarized for each month and reported on separate Discharge Monitoring Report (DMR) forms provided by the Department and **postmarked on or before the thirteenth (13<sup>th</sup>) 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 (15<sup>th</sup>) day of the month** following the completed reporting period.

Toxsheet reporting forms must be submitted electronically as an attachment to an email sent to your Department compliance inspector. In addition, a signed hardcopy of your toxsheet must also be submitted.

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

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

### F. NOTIFICATION REQUIREMENT

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

1. Any substantial change in the volume or character of pollutants being introduced into the wastewater collection and treatment system. For the purposes of this condition, notice regarding substantial change must include information on:
  - (a) the quality and quantity of wastewater introduced to the wastewater collection and treatment system; and
  - (b) any anticipated impact caused by the change in the quantity or quality of the wastewater to be discharged from the treatment system.

## **SPECIAL CONDITIONS**

### **G. REOPENING OF PERMIT FOR MODIFICATIONS**

In accordance with 38 M.R.S. § 414-A(5) and upon evaluation of the tests results or monitoring requirements specified in the Special Conditions of this permitting action, new site-specific information, or any other pertinent test results or information obtained during the term of this permit, the Department may, at any time and with notice to the permittee, modify this permit to; 1) include effluent limits necessary to control specific pollutants or whole effluent toxicity where there is a reasonable potential that the effluent may cause water quality criteria to be exceeded, (2) require additional effluent and or ambient water quality monitoring if results on file are inconclusive; or (3) change monitoring requirements or limitations based on new information.

### **I. SEVERABILITY**

In the event that any provision(s), or part thereof, of this permit is declared to be unlawful by a reviewing court, the remainder of the permit remains in full force and effect, and will be construed and enforced in all aspects as if such unlawful provision, or part thereof, had been omitted, unless otherwise ordered by the court.

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

**FACT SHEET**

DATE: **JANUARY 9, 2018**

MEPDES PERMIT NUMBER: **#ME0001821**  
WASTE DISCHARGE LICENSE NUMBER: **#W000886-5S-I-R**

NAME AND ADDRESS OF APPLICANT:

**SPRAGUE OPERATING RESOURCES, LLC  
2 INTERNATIONAL DRIVE  
PORTSMOUTH, NH 03801**

COUNTY: **CUMBERLAND**

NAME AND ADDRESS WHERE DISCHARGE OCCURS:

**SPRAGUE SOUTH PORTLAND  
59 MAIN STREET  
SOUTH PORTLAND, MAINE 04106**

RECEIVING WATER / CLASSIFICATION: **FORE RIVER/CLASS SC**

COGNIZANT OFFICIAL AND TELEPHONE NUMBER: **MR. ROLF WESTPHAL**  
**(207) 799-4899**  
[rwestphal@spragueenergy.com](mailto:rwestphal@spragueenergy.com)

**1. APPLICATION SUMMARY**

- a. Application: Sprague Operating Resources, LLC (Sprague or permittee) has applied to the Department of Environmental Protection (Department) for the renewal of combination Maine Waste Discharge License (WDL) #W000886-5S-G-R / Maine Pollutant Discharge Elimination System (MEPDES) permit #ME0001821, which was issued by the Department on May 7, 2012., The 5/7/12 permit authorized the discharge of treated storm water runoff and hydrostatic test waters from a bulk fuel storage/transfer facility to the Fore River, Class SC, in South Portland, Maine.

The previous permitting action included limitations and monitoring frequencies for several outfalls from which treated stormwater runoff was discharged. The Department has determined that outfalls carrying stormwater runoff are covered under the Multi Sector General Permit for Stormwater Associated with an Industrial Activity. Therefore, this permitting action is only for Outfall #005A, administratively assigned to track discharges of Hydrostatic Test Waters.

## 2. PERMIT SUMMARY

a. Terms and conditions:

**For Outfall #005A this permitting action is carrying forward the:**

1. Daily maximum discharge flow limit of 6.5 million gallons per day;
2. Daily maximum Total Suspended Solids concentration limit of 50 mg/L;
3. Daily maximum Oil & Grease concentration limit of 15 mg/L;
4. Daily maximum concentration limit of 0.05 mg/L for total residual chlorine (TRC).

b. History: This section provides a summary of significant licensing/permitting actions that have been completed for the Sprague facility.

June 12, 1996 – The Department issued WDL #W000886-53-B-R to the B.P Oil Company for the discharge of storm water runoff from two outfalls designated as Outfall #001B and #Outfall #002B.

February 12, 1997 – Sprague Energy Corp. submitted an application to the Department for the transfer of WDL #W000886-53-B-R from BP Oil Company to Sprague Energy Corp.

March 19, 1997 – The Department issued WDL #W000886-53-C-T transferring WDL #W000886-53-B-R from B.P. Oil Company to Sprague Operating Resources, LLC.

August 30, 1999 – The U.S. Environmental Protection Agency (USEPA) renewed National Pollutant Discharge Elimination System (NPDES) permit #ME0001821 in the name of Sprague Operating Resources, LLC. The previous NPDES permitting action was issued in the name of B.P. Oil Company.

January 12, 2001 – The Department received authorization from the USEPA to administer the NPDES program in Maine. From that point forward, the program has been referenced as the MEPDES program.

July 30, 2001 – Sprague Energy Corp. submitted an application to the Department for renewal of WDL #W000886-53-D-R. On the same date, Sprague submitted a letter to the Department requesting the consolidation of several WDLs issued by the Department for their South Portland facility. Sprague indicated the consolidation would greatly simplify the regulatory structure over storm water permitting at the facility. Sprague requested that the following WDLs (with NPDES permit references) be consolidated into one MEPDES permit:

<u>WDL # (date)</u>	<u>NPDES permit # (date)</u>
W002532-5S-D-R (3/21/00)	ME0002372 (8/30/99)
W000886-53-C-T (3/18/97)	ME0001821 (8/30/99)
W002531-53-C-R (2/25/97)	ME0021016 (12/24/91)

## 2. PERMIT SUMMARY (Cont'd)

It is noted that all three WDLs and two of the NPDES permits (ME0002372 and ME0001821) referenced above were issued in the name of Sprague. NPDES permit ME0021016 was issued to the former Getty Oil Company. Sprague purchased Getty's property in calendar year 1997 and the WDL was transferred to Sprague. On September 17, 1998, the Department issued a letter to Sprague indicating that WDL #2531 (former Getty property) was being retired due to the fact the oil loading rack had been removed from the facility and the above ground storage tanks that held petroleum products were converted to storage for kaolin (china clay) used as a coating by the paper industry. All wastewaters (runoff associated with unloading the kaolin from ships) were collected (and still are today) in an on-site storage tank and reloaded onto the transport ship. The letter indicated the Department was also notifying the USEPA to retire NPDES permit #ME0021016.

December 21, 2001 – The Department issued combination MEPDES permit #ME0001821/WDL #W000886-53-E-R for a five-year term. Upon issuance of the final MEPDES permit, NPDES permits #ME0001821 and #ME0002372 last issued by the USEPA on August 30, 1999, were superseded. Once superseded, all terms and conditions of the NPDES became null and void.

September 12, 2011 – Sprague submitted a timely and complete General Application to the Department for renewal of the November 6, 2006 MEPDES permit. The application was accepted for processing on September 13, 2011, and was assigned WDL #W000886-5S-G-R / MEPDES #ME0001821.

May 7, 2012 – The Department issued combination MEPDES permit #ME0001821/WDL #W000886-53-G-R for a five-year term.

January 9, 2017 – Sprague submitted a timely and complete General Application to the Department for renewal of the May 7, 2012 MEPDES permit. The application was accepted for processing on January 10, 2017 and was assigned WDL #W000886-5S-I-R / MEPDES #ME0001821.

- c. Source Description: The primary activities of Sprague Operating Resources LLC South Portland facility are the receipt, transport, and total storage of energy fuels. Effluent authorized to be discharged by this permit is limited to hydrostatic test waters generated from the testing of holding tanks. Since the issuance of the previous permit the permittee has not conducted any hydrostatic testing.

A map showing the location of the facility and receiving water is included as Fact Sheet **Attachment A** and a drainage diagram schematic provided by the permittee is included as Fact Sheet **Attachment B**.

### 3. CONDITIONS OF PERMITS

*Conditions of licenses*, 38 M.R.S. § 414-A, requires that the effluent limitations prescribed for discharges, including, but not limited to, effluent toxicity, require the application of best practicable treatment (BPT), be consistent with the U.S. Clean Water Act, and ensure that the receiving waters attain the State water quality standards as described in Maine's Surface Water Classification System. In addition, *Certain deposits and discharges prohibited*, 38 M.R.S. § 420 and Department rule *Surface Water Toxics Control Program*, 06-096 CMR 530 (effective March 21, 2012), require the regulation of toxic substances not to exceed levels set forth in *Surface Water Quality Criteria for Toxic Pollutants*, 06-096 CMR 584 (effective July 29, 2012), and that ensure safe levels for the discharge of toxic pollutants such that existing and designated uses of surface waters are maintained and protected.

### 4. RECEIVING WATER QUALITY STANDARDS

*Classifications of estuarine and marine waters*, 38 M.R.S. § 469(1)(F)(1) classifies the tidal waters of South Portland at the point of discharge as Class SC waters. *Standards for classification of estuarine and marine waters*, 38 M.R.S. § 465-B(3) describes the standards for Class SC waters.

### 5. RECEIVING WATER QUALITY CONDITIONS

*The State of Maine 2014 Integrated Water Quality Monitoring and Assessment Report*, (Report) prepared by the Department pursuant to Sections 303(d) and 305(b) of the Federal Water Pollution Control Act, lists the Fore River Estuary as “*Category 4-A: Estuarine and Marine Waters with Impaired Use, TMDL Completed.*” The source of the impairment is elevated fecal coliform bacteria counts. The Report states, “*A TMDL is complete, but there is insufficient new data to determine if attainment has been achieved. Note: Bacteria may impair either recreational uses (swimming) or shellfish consumption uses, or both. Shell fish consumption impairments only apply to waters naturally capable of supporting the shellfish-harvesting use (i.e., waters of high enough salinity for propagation of shellfish.)*” On September 28, 2009, the USEPA approved the Department’s *Maine Statewide Bacteria TMDL (Total Maximum Daily Loads)*, dated August 2009, for fresh, marine and estuarine waters impaired by bacteria.

The Report also lists the Fore River Estuary as “*Category 5-A: Estuarine and Marine Waters Impaired by Pollutants Other Than Those Listed in 5-B Through 5-D (TMDL Required).*” The estuary is listed as impaired for failure to meet the marine life standards ascribed to Class SC waters and for the presence of toxic compounds in toxic amounts. The Report lists sources as municipal point source, CSOs, storm water, hazardous waste sites, and nonpoint (spills of all sizes). Once a TMDL has been approved by the USEPA, storm water discharges from impervious areas in the Fore River watershed will be addressed.

At this time, the Department is not aware that the permitted discharges from this facility cause or contribute to non-attainment of Class SC waters.

## 6. EFFLUENT LIMITATIONS & MONITORING REQUIREMENTS

### Hydrostatic Test Water (Outfall #005A)

The permittee has indicated that hydrostatic testing of pipelines and tanks with water is periodically performed to confirm facility integrity. Therefore, the authorization to discharge hydrostatic test waters is being carried forward in this permitting action in accordance with the following conditions. During the previous permitting cycle the permittee did not complete any hydrostatic testing at the permitted facility.

- e. Flow: The previous permitting action established, and this permitting action is carrying forward, a daily maximum discharge flow limitation of 6.5 million gallons (6.5 EE6) which is equal to the volume of the largest tank on site, 154,165 barrels.
- f. Total Suspended Solids: The previous permitting action established, and this permitting action is carrying forward, a daily maximum limit of 50 mg/L based on a Department BPJ of limits that are achievable given the tanks that are hydrostatically tested have been washed and cleaned in preparation for repair and testing.
- g. Oil & Grease: The previous permitting action established, and this permitting action is carrying forward, a daily maximum limit of 15 mg/L which is a Department BPJ of limits that are achievable given the tanks that are hydrostatically tested have been washed and cleaned in preparation for repair and testing.
- h. Total Residual Chlorine (TRC): The previous permitting action established, and this permitting action is carrying forward, a daily maximum limit of 0.013 mg/L (same as 13 µg/L), which is equal to the acute ambient water quality criteria (AWQC) given the dilution is assumed to be 1:1. Compliance with the daily maximum limitation will be based on USEPA's current minimum level (ML) of detection of 50 µg/L (0.05 mg/L). All analytical test results must be reported to the Department including results which are detected below the ML.

## 7. DISCHARGE IMPACT ON RECEIVING WATER QUALITY

The Department acknowledges that development and implementation of a total daily maximum load (TMDL) for non-attainment of marine life standards ascribed to Class SC waters is a long-term project that requires effluent and ambient receiving water sampling and analysis. Based on available information, the Department has determined that, as permitted, the existing water uses will be maintained and protected and that the discharge will not cause or contribute to the failure of the Fore River Estuary to meet standards for Class SC classification.

## 8. PUBLIC COMMENTS

Public notice of this application was made in the *Portland Press Herald* newspaper on or about December 31, 2016. The Department receives public comments on an application until the date a final agency action is taken on the application. Those persons receiving copies of draft permits must have at least 30 days in which to submit comments on the draft or to request a public hearing, pursuant to *Application Processing Procedures for Waste Discharge Licenses*, 06-096 CMR 522 (effective January 12, 2001).

## 9. DEPARTMENT CONTACTS

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

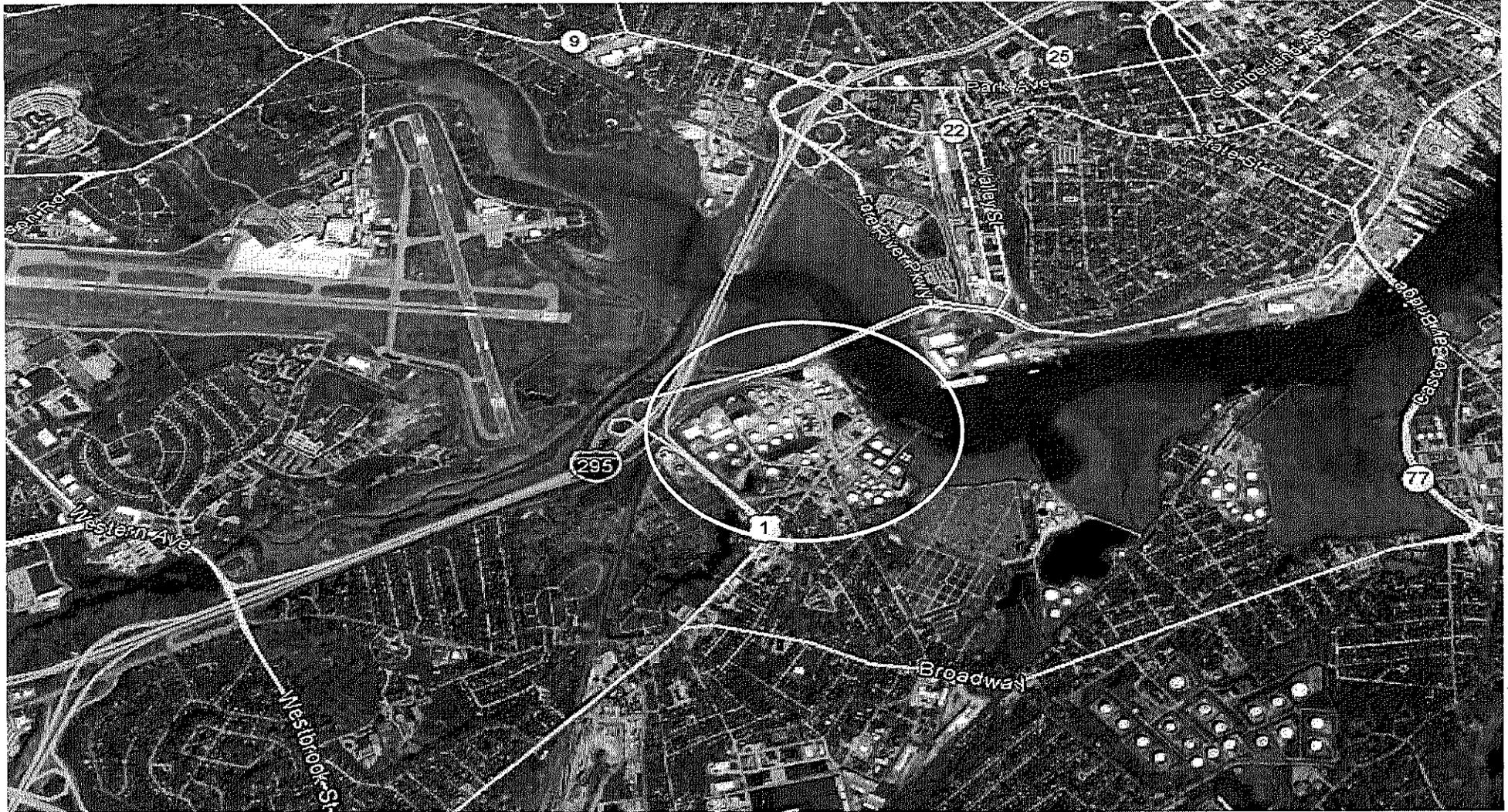
Rod Robert  
Division of Water Quality Management  
Department of Environmental Protection  
17 State House Station  
Augusta, Maine 04333-0017  
e-mail: [Rodney.robert@maine.gov](mailto:Rodney.robert@maine.gov)  
Telephone: (207) 446-1875

## 10. RESPONSE TO COMMENTS

*Reserved until the end of the formal thirty (30) comment period.*

# ATTACHMENT A

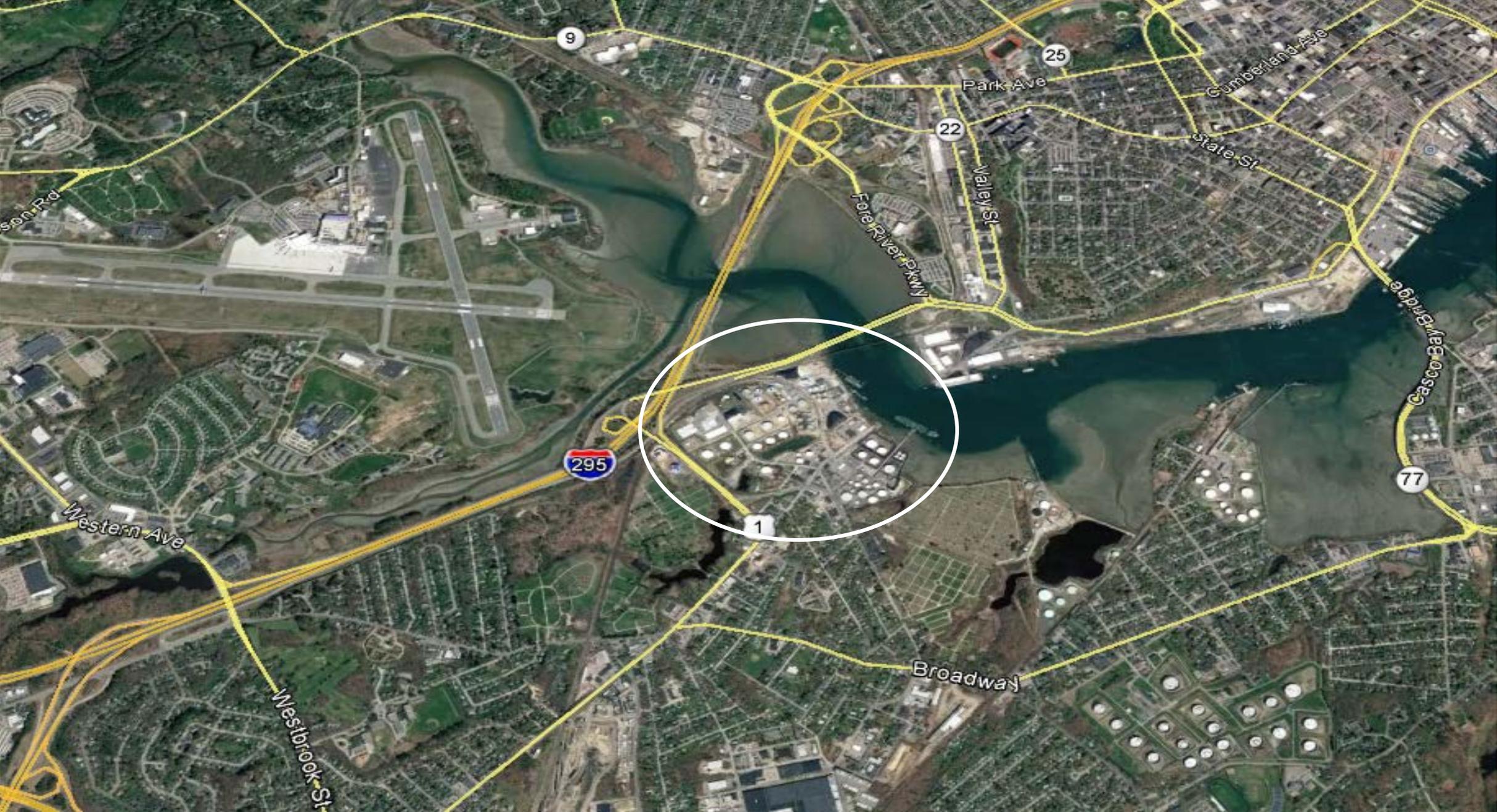
ME0001821 Attachment A – Location Map

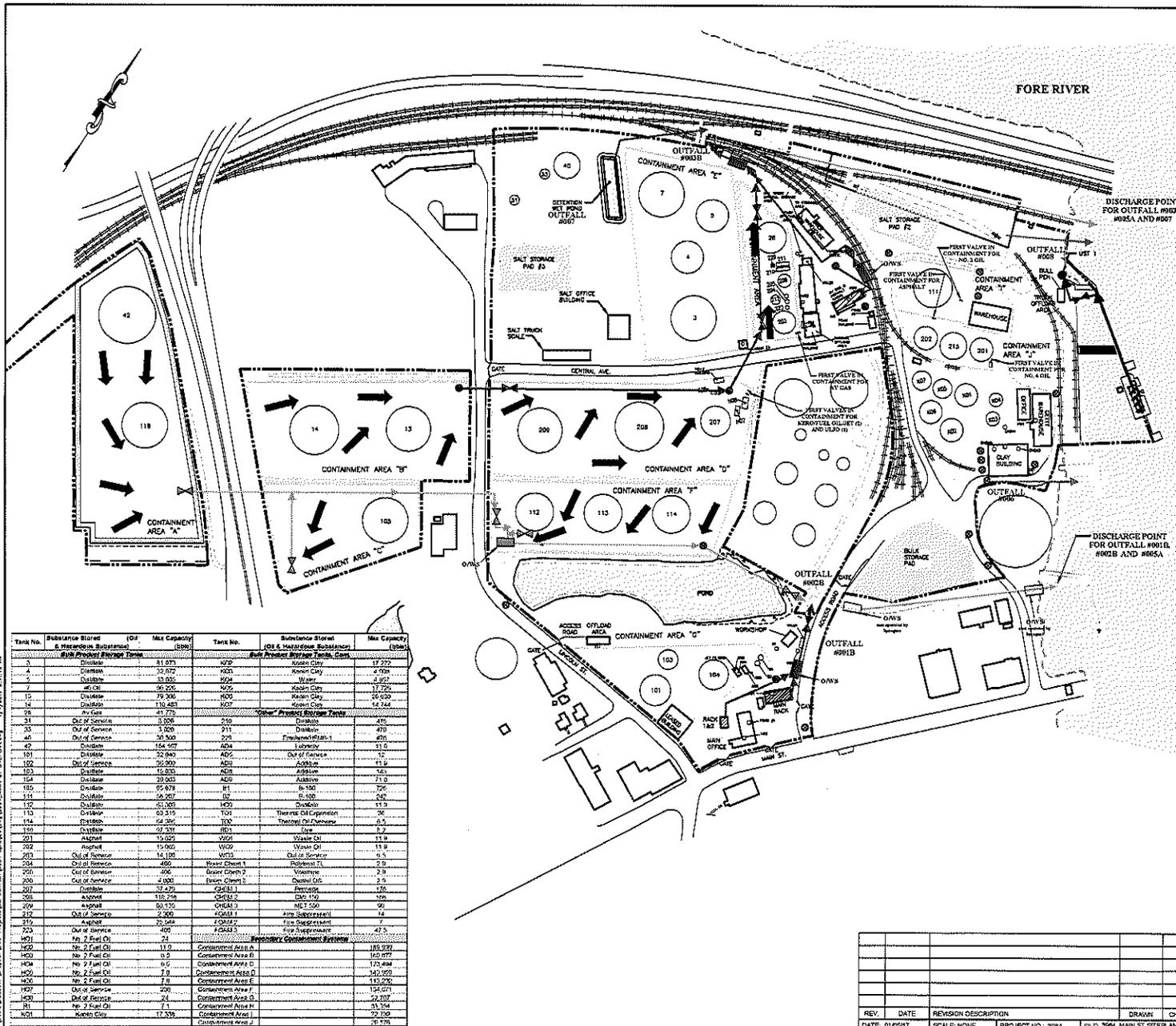


# **ATTACHMENT B**



ME0001821 Attachment A – Location Map





- LEGEND:**
- DRAINAGE ASSOCIATED WITH OUTFALL #001B
  - DRAINAGE ASSOCIATED WITH OUTFALL #002B
  - DRAINAGE ASSOCIATED WITH OUTFALL #003B
  - DRAINAGE ASSOCIATED WITH OUTFALL #004
  - DRAINAGE ASSOCIATED WITH OUTFALL #007
  - DRAINAGE ASSOCIATED WITH OUTFALL #008
  - DRAINAGE WAY TO FORE RIVER BEYOND SPRAGUE OUTFALL
  - CITY ROAD STORM DRAINS
  - ⊙ CATCH BASINS
  - SURFACE FLOW DIRECTION
  - OWS OIL WATER SEPARATOR
  - ⊘ VALVE (NORMALLY LOCKED AND CLOSED)
  - ⊠ RACK CONTAINMENT WITH TRENCH DRAIN
  - △ WETLAND SYMBOL
  - RAILROAD
  - EDGE OF PAVEMENT
  - PROPERTY LINE

**NOTES:**

Tank No.	Substance Stored (Oil & Hazardous Substances)	QPL	Max Capacity (lbs)	Tank No.	Substance Stored (Oil & Hazardous Substances)	Max Capacity (lbs)
<b>Oil Product Storage Tanks</b>						
3	Diesel	51,873	52,272	40	Kerosene	17,272
4	Diesel	32,672	33,072	41	Kerosene	17,272
7	Diesel	33,072	33,472	42	Kerosene	17,272
15	Diesel	79,300	80,000	43	Kerosene	17,272
16	Diesel	110,480	111,000	44	Kerosene	17,272
26	Av Gas	81,772	82,000	45	Kerosene	17,272
31	Oil of Service	3,000	3,100	46	Kerosene	17,272
33	Oil of Service	3,200	3,300	47	Kerosene	17,272
42	Diesel	154,472	155,000	48	Kerosene	17,272
101	Diesel	32,900	33,000	49	Kerosene	17,272
102	Oil of Service	30,500	30,600	50	Kerosene	17,272
103	Diesel	10,500	10,600	51	Kerosene	17,272
104	Diesel	30,000	30,100	52	Kerosene	17,272
105	Diesel	30,000	30,100	53	Kerosene	17,272
106	Diesel	30,000	30,100	54	Kerosene	17,272
107	Diesel	30,000	30,100	55	Kerosene	17,272
108	Diesel	30,000	30,100	56	Kerosene	17,272
109	Diesel	30,000	30,100	57	Kerosene	17,272
110	Diesel	30,000	30,100	58	Kerosene	17,272
111	Diesel	30,000	30,100	59	Kerosene	17,272
112	Diesel	30,000	30,100	60	Kerosene	17,272
113	Diesel	30,000	30,100	61	Kerosene	17,272
114	Diesel	30,000	30,100	62	Kerosene	17,272
115	Diesel	30,000	30,100	63	Kerosene	17,272
116	Diesel	30,000	30,100	64	Kerosene	17,272
117	Diesel	30,000	30,100	65	Kerosene	17,272
118	Diesel	30,000	30,100	66	Kerosene	17,272
119	Diesel	30,000	30,100	67	Kerosene	17,272
120	Diesel	30,000	30,100	68	Kerosene	17,272
121	Diesel	30,000	30,100	69	Kerosene	17,272
122	Diesel	30,000	30,100	70	Kerosene	17,272
123	Diesel	30,000	30,100	71	Kerosene	17,272
124	Diesel	30,000	30,100	72	Kerosene	17,272
125	Diesel	30,000	30,100	73	Kerosene	17,272
126	Diesel	30,000	30,100	74	Kerosene	17,272
127	Diesel	30,000	30,100	75	Kerosene	17,272
128	Diesel	30,000	30,100	76	Kerosene	17,272
129	Diesel	30,000	30,100	77	Kerosene	17,272
130	Diesel	30,000	30,100	78	Kerosene	17,272
131	Diesel	30,000	30,100	79	Kerosene	17,272
132	Diesel	30,000	30,100	80	Kerosene	17,272
133	Diesel	30,000	30,100	81	Kerosene	17,272
134	Diesel	30,000	30,100	82	Kerosene	17,272
135	Diesel	30,000	30,100	83	Kerosene	17,272
136	Diesel	30,000	30,100	84	Kerosene	17,272
137	Diesel	30,000	30,100	85	Kerosene	17,272
138	Diesel	30,000	30,100	86	Kerosene	17,272
139	Diesel	30,000	30,100	87	Kerosene	17,272
140	Diesel	30,000	30,100	88	Kerosene	17,272
141	Diesel	30,000	30,100	89	Kerosene	17,272
142	Diesel	30,000	30,100	90	Kerosene	17,272
143	Diesel	30,000	30,100	91	Kerosene	17,272
144	Diesel	30,000	30,100	92	Kerosene	17,272
145	Diesel	30,000	30,100	93	Kerosene	17,272
146	Diesel	30,000	30,100	94	Kerosene	17,272
147	Diesel	30,000	30,100	95	Kerosene	17,272
148	Diesel	30,000	30,100	96	Kerosene	17,272
149	Diesel	30,000	30,100	97	Kerosene	17,272
150	Diesel	30,000	30,100	98	Kerosene	17,272
151	Diesel	30,000	30,100	99	Kerosene	17,272
152	Diesel	30,000	30,100	100	Kerosene	17,272
153	Diesel	30,000	30,100	101	Kerosene	17,272
154	Diesel	30,000	30,100	102	Kerosene	17,272
155	Diesel	30,000	30,100	103	Kerosene	17,272
156	Diesel	30,000	30,100	104	Kerosene	17,272
157	Diesel	30,000	30,100	105	Kerosene	17,272
158	Diesel	30,000	30,100	106	Kerosene	17,272
159	Diesel	30,000	30,100	107	Kerosene	17,272
160	Diesel	30,000	30,100	108	Kerosene	17,272
161	Diesel	30,000	30,100	109	Kerosene	17,272
162	Diesel	30,000	30,100	110	Kerosene	17,272
163	Diesel	30,000	30,100	111	Kerosene	17,272
164	Diesel	30,000	30,100	112	Kerosene	17,272
165	Diesel	30,000	30,100	113	Kerosene	17,272
166	Diesel	30,000	30,100	114	Kerosene	17,272
167	Diesel	30,000	30,100	115	Kerosene	17,272
168	Diesel	30,000	30,100	116	Kerosene	17,272
169	Diesel	30,000	30,100	117	Kerosene	17,272
170	Diesel	30,000	30,100	118	Kerosene	17,272
171	Diesel	30,000	30,100	119	Kerosene	17,272
172	Diesel	30,000	30,100	120	Kerosene	17,272
173	Diesel	30,000	30,100	121	Kerosene	17,272
174	Diesel	30,000	30,100	122	Kerosene	17,272
175	Diesel	30,000	30,100	123	Kerosene	17,272
176	Diesel	30,000	30,100	124	Kerosene	17,272
177	Diesel	30,000	30,100	125	Kerosene	17,272
178	Diesel	30,000	30,100	126	Kerosene	17,272
179	Diesel	30,000	30,100	127	Kerosene	17,272
180	Diesel	30,000	30,100	128	Kerosene	17,272
181	Diesel	30,000	30,100	129	Kerosene	17,272
182	Diesel	30,000	30,100	130	Kerosene	17,272
183	Diesel	30,000	30,100	131	Kerosene	17,272
184	Diesel	30,000	30,100	132	Kerosene	17,272
185	Diesel	30,000	30,100	133	Kerosene	17,272
186	Diesel	30,000	30,100	134	Kerosene	17,272
187	Diesel	30,000	30,100	135	Kerosene	17,272
188	Diesel	30,000	30,100	136	Kerosene	17,272
189	Diesel	30,000	30,100	137	Kerosene	17,272
190	Diesel	30,000	30,100	138	Kerosene	17,272
191	Diesel	30,000	30,100	139	Kerosene	17,272
192	Diesel	30,000	30,100	140	Kerosene	17,272
193	Diesel	30,000	30,100	141	Kerosene	17,272
194	Diesel	30,000	30,100	142	Kerosene	17,272
195	Diesel	30,000	30,100	143	Kerosene	17,272
196	Diesel	30,000	30,100	144	Kerosene	17,272
197	Diesel	30,000	30,100	145	Kerosene	17,272
198	Diesel	30,000	30,100	146	Kerosene	17,272
199	Diesel	30,000	30,100	147	Kerosene	17,272
200	Diesel	30,000	30,100	148	Kerosene	17,272
201	Diesel	30,000	30,100	149	Kerosene	17,272
202	Diesel	30,000	30,100	150	Kerosene	17,272
203	Diesel	30,000	30,100	151	Kerosene	17,272
204	Diesel	30,000	30,100	152	Kerosene	17,272
205	Diesel	30,000	30,100	153	Kerosene	17,272
206	Diesel	30,000	30,100	154	Kerosene	17,272
207	Diesel	30,000	30,100	155	Kerosene	17,272
208	Diesel	30,000	30,100	156	Kerosene	17,272
209	Diesel	30,000	30,100	157	Kerosene	17,272
210	Diesel	30,000	30,100	158	Kerosene	17,272
211	Diesel	30,000	30,100	159	Kerosene	17,272
212	Diesel	30,000	30,100	160	Kerosene	17,272
213	Diesel	30,000	30,100	161	Kerosene	17,272
214	Diesel	30,000	30,100	162	Kerosene	17,272
215	Diesel	30,000	30,100	163	Kerosene	17,272
216	Diesel	30,000	30,100	164	Kerosene	17,272
217	Diesel	30,000	30,100	165	Kerosene	17,272
218	Diesel	30,000	30,100	166	Kerosene	17,272
219	Diesel	30,000	30,100	167	Kerosene	17,272
220	Diesel	30,000	30,100	168	Kerosene	17,272
221	Diesel	30,000	30,100	169	Kerosene	17,272
222	Diesel	30,000	30,100	170	Kerosene	17,272
223	Diesel	30,000	30,100	171	Kerosene	17,272
224	Diesel	30,000	30,100	172	Kerosene	17,272
225	Diesel	30,000	30,100	173	Kerosene	17,272
226	Diesel	30,000	30,100	174	Kerosene	17,272
227	Diesel	30,000	30,100	175	Kerosene	17,272
228	Diesel	30,000	30,100	176	Kerosene	17,272
229	Diesel	30,000	30,100	177	Kerosene	17,272
230	Diesel	30,000	30,100	178	Kerosene	17,272
231	Diesel	30,000	30,100	179	Kerosene	17,272
232	Diesel	30,000	30,100	180	Kerosene	17,272
233	Diesel	30,000	30,100	181	Kerosene	17,272
234	Diesel	30,000	30,100	182	Kerosene	17,272
235	Diesel	30,000	30,100	183	Kerosene	17,272
236	Diesel	30,000	30,100	184	Kerosene	17,272
237	Diesel	30,000	30,100	185	Kerosene	17,272
238	Diesel	30,000	30,100	186	Kerosene	17,272
239	Diesel	30,000	30,100	187	Kerosene	17,272
240	Diesel	30,000	30,100	188	Kerosene	17,272
241	Diesel	30,000	30,100	189	Kerosene	17,272
242	Diesel	30,000	30,100	190	Kerosene	17,272
243	Diesel	30,000	30,100	191	Kerosene	17,272
244	Diesel	30,000	30,100	192	Kerosene	17,272
245	Diesel	30,000	30,100	193		