



JANET T. MILLS  
GOVERNOR

STATE OF MAINE  
DEPARTMENT OF ENVIRONMENTAL PROTECTION



GERALD D. REID  
COMMISSIONER

July 9, 2020

Mr. Nick Rico  
Wells Sanitary District  
197 Eldridge Road  
Wells, Maine 04090  
[nick@wellssanitarydistrict.org](mailto:nick@wellssanitarydistrict.org)

*Sent via electronic mail*  
*Delivery confirmation requested*

**RE:** *Maine Pollutant Discharge Elimination System (MEPDES) Permit #ME0100790  
Maine Waste Discharge License (WDL) Application # W000653-6D-N-R  
Proposed Draft MEPDES Permit Renewal*

Dear Mr. Rico:

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.

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

The comment period begins on **July 9, 2020** and ends on **August 10, 2020**. All comments on the proposed draft permit must be received in the Department of Environmental Protection office on or before the close of business on **August 10, 2020**. Failure to submit comments in a timely fashion will result in the proposed draft/license permit document being issued as drafted.

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

BANGOR  
106 HOGAN ROAD, SUITE 6  
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PORTLAND  
312 CANCO ROAD  
PORTLAND, MAINE 04103  
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PRESQUE ISLE  
1235 CENTRAL DRIVE, SKYWAY PARK  
PRESQUE ISLE, MAINE 04769  
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Nick Rico  
Wells Sanitary District  
July 9, 2020  
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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  
[Aaron.A.Dumont@maine.gov](mailto:Aaron.A.Dumont@maine.gov)

If you have any questions regarding the matter, please feel free to contact me.

Sincerely,

A handwritten signature in blue ink that reads "Aaron Dumont". The signature is written in a cursive style with a prominent flourish at the end.

Aaron Dumont  
Division of Water Quality Management  
Bureau of Water Quality  
ph: 207-287-1939  
Enc.

ec:

Matt Hight, MEDEP  
Pamela Parker, MEDEP  
Lori Mitchell, MEDEP  
Ellen Weitzler, USEPA  
Alex Rosenberg, USEPA  
Marelyn Vega, USEPA  
Richard Carvalho, USEPA  
Shelley Puleo, USEPA



DEPARTMENT ORDER

IN THE MATTER OF

WELLS SANITARY DISTRICT	)	MAINE POLLUTANT DISCHARGE
WELLS, YORK COUNTY, MAINE	)	ELIMINATION SYSTEM PERMIT
PUBLICLY OWNED TREATMENT WORKS	)	AND
ME0100790	)	WASTE DISCHARGE LICENSE
W000653-6D-N-R	)	<b>RENEWAL</b>
<b>APPROVAL</b>	)	

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

**APPLICATION SUMMARY**

On August 1, 2019, the Department accepted as complete for processing, a renewal application from the District for Maine Pollutant Discharge Elimination System (MEPDES) ME0100790/Waste Discharge License (WDL) W000653-6D-L-R, which was issued on December 9, 2014 for a five-year term. The 12/9/14 MEPDES permit authorized the monthly average discharge of 2.0 million gallons per day (MGD) of secondary treated municipal wastewater from a publicly owned treatment works (POTW) to the Atlantic Ocean, Class SB, located in Wells, Maine.

Since the 12/9/14 renewal the Department has issued one minor revision. This minor revision was issued on May 13, 2018, to discontinue dechlorination by the addition of sodium bisulfite. The minor revision modified the year-round technology-based limits for total residual chlorine from 0.1 mg/L as a monthly average and 0.3 mg/L to a daily to 0.34 mg/L as monthly average and 0.47 mg/L as a daily maximum.

**PERMIT SUMMARY**

This permitting action is carrying forward all the terms and conditions of the previous permitting action and subsequent minor revisions except it is:

1. Establishing a seasonal monitoring requirement for Enterococci bacteria from April 15<sup>th</sup> – October 31<sup>st</sup> starting on April 15<sup>th</sup>, 2022. As well as establishing monthly average and daily maximum limits of 8 CFU/100 mL and 54 CFU/100 mL, respectively; and
2. Removing special conditions associated with the asset management plan as it was determined complete on February 17, 2017.
3. Amending Fecal coliform limits from a monthly average of 15 CFU/100 mL and a daily maximum of 50 CFU/100 mL to 14 colonies/100 mL and 31 colonies/100 mL, for fecal coliform bacteria in order to be consistent with the National Shellfish Sanitation Program.

**PERMIT SUMMARY (cont'd)**

**CONCLUSIONS**

Based on the findings summarized in the attached Fact Sheet dated July 7, 2020, and subject to the special and standard conditions that follow, 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, *Classification of Maine waters*, 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 natural 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 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. § 414-A(1)(D).

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**ACTION**

Based on the findings and conclusions as stated above, the Department APPROVES the above noted application of WELLS SANITARY DISTRICT to discharge a monthly average of 2.0 MGD of secondary treated municipal wastewater to the Atlantic Ocean at Moody Point, Class SB, in Wells, 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 and the authorization to discharge become effective upon the date of signature below and expire at midnight five (5) years from the effective date. If a renewal application is timely submitted and accepted as complete for processing prior to the expiration of this permit, the authorization to discharge and the terms and conditions of this permit and all modifications and minor revisions thereto remain in effect until a final Department decision on the renewal application becomes effective. [*Maine Administrative Procedure Act*, 5 M.R.S. § 10002 and *Rules Concerning the Processing of Applications and Other Administrative Matters*, 06-096 CMR 2(21)(A) (amended June 9, 2018)]

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

DONE AND DATED AT AUGUSTA, MAINE, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2020.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: \_\_\_\_\_  
for GERALD D. REID, Commissioner

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

Date of initial receipt of application: July 22, 2019

Date of application acceptance: August 1, 2019

**SPECIAL CONDITIONS**

**A.1. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS**

The permittee is authorized to discharge **secondary treated municipal sanitary wastewater from Outfall #001** to the Atlantic Ocean at Moody Point in Wells. Such discharges are limited and must be monitored by the permittee as specified below<sup>(1)</sup>:

Effluent Characteristic	Discharge Limitations						Minimum Monitoring Requirements	
	Monthly Average	Weekly Average	Daily Maximum	Monthly Average	Weekly Average	Daily Maximum	Measurement Frequency	Sample Type
Flow <i>[50050]</i>	2.0 MGD <i>[03]</i>	---	Report MGD <i>[03]</i>	---	---	---	Continuous <i>[99/99]</i>	Recorder <i>[RC]</i>
Biochemical Oxygen Demand (BOD <sub>5</sub> ) <i>[00310]</i>	500 lbs/day <i>[26]</i>	750 lbs/day <i>[26]</i>	834 lbs/day <i>[26]</i>	30 mg/L <i>[19]</i>	45 mg/L <i>[19]</i>	50 mg/L <i>[19]</i>	2/Week <i>[02/07]</i>	Composite <i>[24]</i>
BOD <sub>5</sub> % Removal <sup>(2)</sup> <i>[81010]</i>	---	---	---	85% <i>[23]</i>	---	---	1/Month <i>[01/30]</i>	Calculate <i>[CA]</i>
Total Suspended Solids (TSS) <i>[00530]</i>	500 lbs/day <i>[26]</i>	750 lbs/day <i>[26]</i>	834 lbs/day <i>[26]</i>	30 mg/L <i>[19]</i>	45 mg/L <i>[19]</i>	50 mg/L <i>[19]</i>	2/Week <i>[02/07]</i>	Composite <i>[24]</i>
TSS % Removal <sup>(2)</sup> <i>[81011]</i>	---	---	---	85% <i>[23]</i>	---	---	1/Month <i>[01/30]</i>	Calculate <i>[CA]</i>
Settleable Solids <i>[00545]</i>	---	---	---	---	---	0.3 ml/L <i>[25]</i>	3/Week <i>[03/07]</i>	Grab <i>[GR]</i>
Total Residual Chlorine <sup>(3)</sup> <i>[50060]</i>	---	---	---	0.34 mg/L <i>[19]</i>	---	0.47 mg/L <i>[19]</i>	1/Day <i>[01/01]</i>	Grab <i>[GR]</i>
Fecal Coliform Bacteria <sup>(4)</sup> <i>[31616]</i>	---	---	---	14/100 CFU/mL <i>[13]</i>	---	31/100 CFU/mL <i>[13]</i>	2/Week <i>[05/07]</i>	Grab <i>[GR]</i>
Enterococci Bacteria <sup>(5)</sup> <i>(Seasonally April 15<sup>th</sup>- October 31<sup>st</sup> Beginning 2022)</i> <i>[61211]</i>	---	---	---	8/100 CFU/mL <i>[13]</i>	---	54/100 CFU/mL <i>[13]</i>	1/Week <i>[1/07]</i>	Grab <i>[GR]</i>
pH (Std. Units) <i>[00400]</i>	---	---	---	---	---	6.0 – 9.0 SU <i>[12]</i>	1/Day <i>[01/01]</i>	Grab <i>[GR]</i>
Mercury (Total) <sup>(6)</sup> <i>[71900]</i>	---	---	---	36.7 ng/L <i>[3M]</i>	---	55.1 ng/L <i>[3M]</i>	1/Year <i>[01/YR]</i>	Grab <i>[GR]</i>

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

**FOOTNOTES:** See Pages 8 – 11 of this permit for applicable footnotes.

**SPECIAL CONDITIONS**

**A.1. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS – OUTFALL #001 (cont'd)**

The permittee is authorized to discharge **secondary treated municipal sanitary wastewater from Outfall #001** to the Atlantic Ocean at Moody Point in Wells. Such discharges are limited and must be monitored by the permittee as specified below<sup>(1)</sup> (cont'd):

Effluent Characteristic	Discharge Limitations				Minimum Monitoring Requirements	
	Monthly Average	Daily Maximum	Monthly Average	Daily Maximum	Measurement Frequency	Sample Type
Ammonia (as N) <i>(June 1-September 31)</i> <i>[00610]</i>	761 lbs/day <i>[26]</i>	---	Report mg/L <i>[19]</i>	---	1/Month <i>[01/30]</i>	Grab <i>[GR]</i>

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

**FOOTNOTES:** See Pages 8 – 11 of this permit for applicable footnotes.

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**SPECIAL CONDITIONS**

**A.2. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (cont'd)**

***SCREENING LEVEL TESTING***

Beginning 24 months prior to permit expiration and lasting through 12 months prior to permit expiration (Year 4 of the term of the permit) and every five years thereafter if a timely request for renewal has been made and the permit continues in force or is replaced by a permit renewal containing this requirement.

Effluent Characteristic	Discharge Limitations		Minimum Monitoring Requirements	
	Monthly Average	Daily Maximum	Measurement Frequency	Sample Type
Whole Effluent Toxicity <sup>(7)</sup> <b><u>Acute – NOEL</u></b> <i>Americamysis bahia</i> (Mysid shrimp) [TDM3E]	---	Report% [23]	2/Year [02/YR]	Composite [24]
<b><u>Chronic – NOEL</u></b> <i>Arbacia punctulata</i> (Sea urchin) [TBH3A]	---	Report% [23]	2/Year [02/YR]	Composite [24]
Analytical Chemistry <sup>(8,10)</sup> [51477]	---	Report ug/L [28]	1/Quarter [01/90]	Composite/Grab [24/GR]
Priority Pollutant <sup>(9,10)</sup> [50008]	---	Report ug/L [28]	1/Year [01/YR]	Composite/Grab [24/GR]

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

**FOOTNOTES:** See Pages 8 through 11 of this permit for applicable footnotes.

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**SPECIAL CONDITIONS**

**A.3. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (cont'd)**

***SURVEILLANCE LEVEL TESTING***

Beginning upon permit issuance and lasting through 24 months prior to permit expiration (Years 1, 2 & 3 of the term of the permit) and commencing again 12 months prior to permit expiration (Year 5 of the term of the permit).

Effluent Characteristic	Discharge Limitations		Minimum Monitoring Requirements	
	Monthly Average	Daily Maximum	Measurement Frequency	Sample Type
<b><u>Whole Effluent Toxicity</u></b> <sup>(8)</sup>				
<b><u>Acute No Observed Effect Level (A-NOEL)</u></b> <i>Americamysis bahia</i> (Mysid shrimp) [TDA3E]	---	Report% [23]	1/2 Year [01/2YR]	Composite [24]
<b><u>Chronic No Observed Effect Level (C-NOEL)</u></b> <u>Chronic – NOEL</u> <i>Arbacia punctulata</i> (Sea urchin) [TBH3A]	---	Report% [23]	1/2 Year [01/2YR]	Composite [24]
Analytical chemistry <sup>(8,10)</sup> [51477]	---	Report ug/L [28]	2/Year [02/YR]	Composite/Grab [24/GR]

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

**FOOTNOTES:** See Pages 8 through 11 of this permit for applicable footnotes.

## SPECIAL CONDITIONS

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

#### FOOTNOTES

1. **Sampling** – All effluent monitoring must be conducted at a location following the last treatment unit in the treatment process as to be representative of end-of-pip effluent characteristics. Any change in sampling location must be approved by the Department in writing. The licensee must conduct sampling and analysis 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 must be analyzed by a laboratory certified by the State of Maine's Department of Health and Human Services for wastewater. Samples that are sent to a publicly owned treatment works (POTW) pursuant to *Waste discharge licenses*, 38 M.R.S. § 413 are subject to the provisions and restrictions of *Maine Comprehensive and Limited Environmental Laboratory Certification Rules*, 10-144 CMR 263 (effective December 19, 2018). Laboratory facilities that analyze compliance samples in-house are subject to the provisions and restrictions of 10 – 144 CMR 263. 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 license, the results of this monitoring must be included in the calculation and reporting of the data submitted in the discharge monitoring report (DMR).
2. **Percent Removal** – The permittee must achieve a minimum of 85 percent removal of both total suspended solids and biochemical oxygen demand for all flows receiving secondary treatment. The percent removal is calculated based on influent and effluent concentration values.
3. **TRC Monitoring** – Limitations and monitoring requirements are in effect any time elemental chlorine or chlorine-based compounds are utilized to disinfect the discharge(s). The permittee must utilize a USEPA-approved test method capable of bracketing the TRC limitations specified in this permitting action.
4. **Fecal coliform bacteria** – Limits apply on a year-round basis. The monthly fecal coliform average limitation is a geometric mean and results must be calculated and reported as such.
5. **Enterococcus Bacteria Reporting** – Enterococcus bacteria limits and monitoring requirements are seasonal running from April 15<sup>th</sup> – October 31<sup>st</sup>. The monthly average limitation for enterococci is a geometric mean and results must be calculated and reported as such. These monitoring and reporting requirement must commence on April 15<sup>th</sup>, 2022.

## SPECIAL CONDITIONS

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

6. **Mercury** – The permittee must conduct all mercury monitoring required by this permit or required to determine compliance with interim limitations established pursuant to 06-096 C.M.R. 519 in accordance with the USEPA's "clean sampling techniques" found in USEPA Method 1669, *Sampling Ambient Water For Trace Metals At EPA Water Quality Criteria Levels*. All mercury analysis must be conducted in accordance with USEPA Method 1631, *Determination of Mercury in Water by Oxidation, Purge and Trap, and Cold Vapor Fluorescence Spectrometry*. Go to [https://www.maine.gov/dep/water/wd/municipal\\_industrial/index.html](https://www.maine.gov/dep/water/wd/municipal_industrial/index.html) and click on "Whole Effluent Toxicity, Chemistry, and Mercury Reporting Forms" for a reporting form for mercury test results. Compliance with the monthly average limitation established in Special Condition A of this permit will be based on the cumulative arithmetic mean of all mercury tests results that were conducted utilizing sampling Method 1669 and analysis Method 1631E on file with the Department for this facility.
7. **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 thresholds of 2.8% and 2.2% respectively), which provides an 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. The critical acute and chronic thresholds were derived as the mathematical inverse of the applicable acute and chronic dilution factors of 36:1 and 46:1, respectively.
  - a. **Screening level testing** – Beginning 24 months prior to permit expiration and lasting through 12 months prior to permit expiration (Year 4 of the term of the permit) and every five years thereafter if a timely request for renewal has been made and the permit continues in force, or is replaced by a permit renewal containing this requirement, the permittee must conduct screening level WET testing at a minimum frequency of twice per year (2/Year). Acute tests must be conducted on the mysid shrimp (*Americamysis bahia*); chronic tests must be conducted on the sea urchin (*Arbacia punctulata*).
  - b. **Surveillance level testing** – Beginning upon permit issuance and lasting through 24 months prior to permit expiration (Years 1, 2 & 3 of the term of the permit) and commencing again 12 months prior to permit expiration (Year 5 of the term of the permit), the permittee must conduct surveillance level WET testing at a minimum frequency of once every two years (1/2Year). Acute tests must be conducted on the mysid shrimp (*Americamysis bahia*). Chronic tests must be conducted on the sea urchin (*Arbacia punctulata*). Testing must be conducted in a different calendar quarter each sampling event.

WET test results must be submitted to the Department not later than the next Discharge Monitoring Report (DMR) required by the permit, provided, however, that the permittee may review the toxicity reports for up to 10 business days of their availability before submitting them. The permittee must evaluate test results being submitted and identify to the Department possible exceedences of the critical acute and chronic water quality thresholds of 2.8% and 2.2%, respectively.

## SPECIAL CONDITIONS

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

Toxicity tests must be conducted by an experienced laboratory approved by the Department. The laboratory must follow procedures as described in the following USEPA methods manuals.

- a. U.S. Environmental Protection Agency. 2002. *Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms*, 5th ed. USEPA 821-R-02-012. U.S. Environmental Protection Agency, Office of Water, Washington, D.C., October 2002 (the acute method manual);
- b. U.S. Environmental Protection Agency. 2002. *Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Marine and Estuarine Organisms*, 3rd ed. EPA 821-R-02-014. U.S. Environmental Protection Agency, Office of Water, Washington, D.C., October 2002 (the marine chronic method manual).

Results of WET tests must be reported on the “Whole Effluent Toxicity Report Marine Waters” form found at: [https://www.maine.gov/dep/water/wd/municipal\\_industrial/index.html](https://www.maine.gov/dep/water/wd/municipal_industrial/index.html) permit each time a WET test is performed. Each time a WET test is performed, the permittee must sample and analyze for the parameters in the WET Chemistry and the Analytical Chemistry sections of the Department form entitled, *Maine Department of Environmental Protection, Chemical Specific Data Report Form* found at: [https://www.maine.gov/dep/water/wd/municipal\\_industrial/index.html](https://www.maine.gov/dep/water/wd/municipal_industrial/index.html)

8. **Analytical chemistry** – Refers to those pollutants listed under “Analytical Chemistry” on the form found at: [https://www.maine.gov/dep/water/wd/municipal\\_industrial/index.html](https://www.maine.gov/dep/water/wd/municipal_industrial/index.html)
  - a. **Screening-level testing** – Beginning 24 months prior to permit expiration and lasting through 12 months prior to permit expiration (Year 4 of the term of the permit) and every five years thereafter if a timely request for renewal has been made and the permit continues in force, or is replaced by a permit renewal containing this requirement, the permittee must conduct analytical chemistry testing at a minimum frequency of once per calendar quarter (1/Quarter) for four consecutive calendar quarters.
  - b. **Surveillance-level testing** – Beginning upon permit issuance and lasting through 24 months prior to permit expiration (Years 1, 2 & 3 of the term of the permit) and commencing again 12 months prior to permit expiration (Year 5 of the term of the permit), the permittee must conduct analytical chemistry testing at a minimum frequency of 2/year (reduced testing), except for those analytical chemistry parameter(s) otherwise regulated in this permit. Tests must be conducted in different calendar quarters.

## SPECIAL CONDITIONS

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

9. **Priority Pollutant Testing** – Refers to those pollutants listed under “Priority Pollutants” on the form found at: [https://www.maine.gov/dep/water/wd/municipal\\_industrial/index.html](https://www.maine.gov/dep/water/wd/municipal_industrial/index.html)
  - a. **Screening-level testing** – Beginning 24 months prior to permit expiration and lasting through 12 months prior to permit expiration (Year 4 of the term of the permit) and every five years thereafter if a timely request for renewal has been made and the permit continues in force, or is replaced by a permit renewal containing this requirement, the permittee must conduct priority pollutant testing at a minimum frequency of 1/Year calendar.
  - b. **Surveillance-level testing** – Pursuant to 06-096 CMR 530(2)(D)(1) priority pollutant surveillance testing is not required for Level II facilities.
10. **Analytical chemistry and priority pollutant** – Testing must be conducted on samples collected at the same time as those collected for whole effluent toxicity tests. Priority pollutant and analytical chemistry testing must 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.

Test results must be submitted to the Department not later than the next DMR required by the permit, provided, however, that the permittee may review the toxicity reports for up to 10 business days of their availability before submitting them. The permittee must evaluate test results being submitted and identify to the Department, possible exceedances of the acute, chronic or human health Ambient Water Quality Criteria (AWQC) as established in *Surface Water Quality Criteria for Toxic Pollutants*, 06-096 CMR 584 (effective October 9, 2005). For the purposes of DMR reporting, enter a “1” for yes, testing done this monitoring period or “N9” monitoring not required this period.

### B. NARRATIVE EFFLUENT LIMITATIONS

1. The permittee must not discharge effluent that contains a visible oil sheen, foam or floating solids at any time which would impair the uses designated by the classification of the receiving waters.
2. The permittee must not discharge effluent that contains materials in concentrations or combinations which are hazardous or toxic to aquatic life, or which would impair the uses designated by the classification of the receiving waters.
3. The permittee must not discharge effluent that imparts color, taste, turbidity, toxicity, radioactivity or other properties which cause those waters to be unsafe for the designated uses and characteristics ascribed to their classification.
4. The permittee must not discharge effluent that lowers 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. TREATMENT PLANT OPERATOR**

The person who has management responsibility over the treatment facility must hold a minimum of a **Maine Grade IV** biological certificate (or Registered Maine Professional Engineer) pursuant to *Sewage Treatment Operators*, 32 M.R.S. §§ 4171-4182 and *Regulations for Wastewater Operator Certification*, 06-096 CMR 531 (effective May 8, 2006). 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.

### **D. LIMITATIONS FOR INDUSTRIAL USERS**

Pollutants introduced into the wastewater collection and treatment system by a non-domestic source (user) must not pass through or interfere with the operation of the treatment system. The permittee must conduct an Industrial Waste Survey (IWS) any time a new industrial user proposes to discharge within its jurisdiction; an existing user proposes to make a significant change in its discharge; or at an alternative minimum, once every permit cycle and submit the results to the Department. The IWS must identify, in terms of character and volume of pollutants, any Significant Industrial Users discharging into the POTW subject to Pretreatment Standards under section 307(b) of the federal Clean Water Act, 40 CFR Part 403 (general pretreatment regulations) or *Pretreatment Program*, 06-096 CMR 528 (last amended March 17, 2008).

### **E. AUTHORIZED DISCHARGES**

The permittee is authorized to discharge only in accordance with: 1) the permittee's General Application for Waste Discharge Permit, accepted for processing on August 1, 2019; 2) the terms and conditions of this permit; and 3) only from Outfall #001. Discharges of wastewater from any other point source(s) 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.

### **F. NOTIFICATION REQUIREMENT**

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

1. Any introduction of pollutants into the wastewater collection and treatment system from an indirect discharger in a primary industrial category discharging process wastewater; and
2. Any substantial change in the volume or character of pollutants being introduced into the wastewater collection and treatment system by a source introducing pollutants to the system at the time of permit issuance. For the purposes of this section, 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. WET WEATHER MANAGEMENT PLAN**

The treatment facility staff must have a current written Wet Weather Flow 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 must conform to Department guidelines for such plans and must 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 must review their plan at least annually and record any necessary changes to keep the plan up to date. The Department may require review and update of the plan as it is determined to be necessary.

### **H. OPERATIONS AND MAINTENANCE (O&M) PLAN**

The permittee must maintain a current written comprehensive Operation & Maintenance (O&M) Plan for the facility. The plan must provide a systematic approach by which the permittee must 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 must evaluate and modify the O&M Plan including site plan(s) and schematic(s) for the wastewater treatment facility to ensure that it is up-to-date. The O&M Plan must be kept on-site at all times and made available to Department and USEPA personnel upon request.

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

### **I. DISPOSAL OF TRANSPORTED WASTES IN WASTEWATER TREATMENT FACILITY**

Pursuant to this permit and *Standards for the Addition of Transported Wastes to Wastewater Treatment Facilities*, 06-096 CMR 555 (effective March 9, 2009), during the effective period of this permit, the permittee is authorized to receive into the treatment process or solids handling stream up to **a daily maximum of 3,000 gallons per day (gpd)** of transported wastes, subject to the following terms and conditions.

1. "Transported wastes" means any liquid non-hazardous waste delivered to a wastewater treatment facility by a truck or other similar conveyance that has different chemical constituents or a greater strength than the influent described on the facility's application for a waste discharge license. Such wastes may include, but are not limited to septage, industrial wastes or other wastes to which chemicals in quantities potentially harmful to the treatment facility or receiving water have been added.

## **SPECIAL CONDITIONS**

### **I. DISPOSAL OF TRANSPORTED WASTES IN WASTEWATER TREATMENT FACILITY (cont'd)**

2. The character and handling of all transported wastes received must be consistent with the information and management plans provided in application materials submitted to the Department.
3. At no time must the addition of transported wastes cause or contribute to effluent quality violations. Transported wastes may not cause an upset of or pass through the treatment process or have any adverse impact on the sludge disposal practices of the wastewater treatment facility. Wastes that contain heavy metals, toxic chemicals, extreme pH, flammable or corrosive materials in concentrations harmful to the treatment operation must be refused. Odors and traffic from the handling of transported wastes may not result in adverse impacts to the surrounding community. If any adverse effects exist, the receipt or introduction of transported wastes into the treatment process or solids handling stream must be suspended until there is no further risk of adverse effects.
4. The permittee must maintain records for each load of transported wastes in a daily log which must include at a minimum the following.
  - (a) The date;
  - (b) The volume of transported wastes received;
  - (c) The source of the transported wastes;
  - (d) The person transporting the transported wastes;
  - (e) The results of inspections or testing conducted;
  - (f) The volumes of transported wastes added to each treatment stream; and
  - (g) The information in (a) through (d) for any transported wastes refused for acceptance.

These records must be maintained at the treatment facility for a minimum of five years.

5. The addition of transported wastes into the treatment process or solids handling stream must 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 transported wastes into the treatment process or solids handling stream must be reduced or terminated in order to eliminate the overload condition.
6. Holding tank wastewater from domestic sources to which no chemicals in quantities potentially harmful to the treatment process have been added must not be recorded as transported wastes but should be reported in the treatment facility's influent flow.
7. During wet weather events, transported wastes may be added to the treatment process or solids handling facilities only in accordance with a current high flow management plan approved by the Department that provides for full treatment of transported wastes without adverse impacts.

## **SPECIAL CONDITIONS**

### **I. DISPOSAL OF TRANSPORTED WASTES IN WASTEWATER TREATMENT FACILITY (cont'd)**

8. In consultation with the Department, chemical analysis is required prior to receiving transported wastes from new sources that are not of the same nature as wastes previously received. The analysis must be specific to the type of source and designed to identify concentrations of pollutants that may pass through, upset or otherwise interfere with the facility's operation.
9. Access to transported waste receiving facilities may be permitted only during the times specified in the application materials and under the control and supervision of the person responsible for the wastewater treatment facility or his/her designated representative.
10. The authorization in the Special Condition is subject to annual review and, with notice to the permittee and other interested parties of record, may be suspended or reduced by the Department as necessary to ensure full compliance with 06-096 CMR 555 and the terms and conditions of this permit.

### **J. 06-096 CMR 530(2)(D)(4) STATEMENT FOR REDUCED/WAIVED TOXICS TESTING**

**By December 31 of each calendar year**, the permittee must provide the Department with a certification describing any of the following that have occurred since the effective date of this permit [ICIS Code 75305]. See **Attachment F** of the Fact Sheet for an acceptable certification form to satisfy this Special Condition.

- a. Changes in the number or types of non-domestic wastes contributed directly or indirectly to the wastewater treatment works that may increase the toxicity of the discharge;
- b. Changes in the operation of the treatment works that may increase the toxicity of the discharge;
- c. Changes in industrial manufacturing processes contributing wastewater to the treatment works that may increase the toxicity of the discharge;

In addition, in the comments section of the certification form, the permittee must provide the Department with statements describing;

- d. Changes in stormwater collection or inflow/infiltration affecting the facility that may increase the toxicity of the discharge; and
- e. Increases in the type or volume of transported (hailed) wastes accepted by the facility.

The Department may require that routine surveillance level testing be re-instated if it determines that there have been changes in the character of the discharge or if annual certifications described above are not submitted.

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## SPECIAL CONDITIONS

### K. 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 Discharge Monitoring Reports (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 DEP 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.

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

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

### L. REOPENING OF PERMIT FOR MODIFICATION

In accordance with 38 M.R.S. § 414-A(5) and 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 any time and with notice to the permittee, modify this permit to: 1) include effluent limits necessary to control specific pollutants or whole effluent toxicity where there is a reasonable potential that the effluent may cause water quality criteria to be exceeded, (2) require additional monitoring if results on file are inconclusive; or (3) change monitoring requirements or limitations based on new information.

**SPECIAL CONDITIONS**

**M. SEVERABILITY**

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

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

**FACT SHEET**

DATE: **July 7, 2020**

PERMIT NUMBER: **ME0100790**

WASTE DISCHARGE LICENSE: **W000653-6D-N-R**

NAME AND ADDRESS OF APPLICANT:  
**WELLS SANITARY DISTRICT  
197 ELDRIDGE ROAD  
WELLS, MAINE 04090**

COUNTY: **YORK**

NAME AND ADDRESS WHERE DISCHARGE(S) OCCUR(S):

**WELLS SANITARY DISTRICT  
197 ELDRIDGE ROAD  
WELLS, MAINE 04090**

RECEIVING WATER CLASSIFICATION: **ATLANTIC OCEAN/CLASS SC**

COGNIZANT OFFICIAL CONTACT INFORMATION:

**Mr. Nick Rico  
Professional Engineer  
207-646-5906  
[nick@wellssanitaryvdistrict.org](mailto:nick@wellssanitaryvdistrict.org)**

**1. APPLICATION SUMMARY**

On August 1, 2019, the Department of Environmental Protection (Department) accepted as complete for processing, a renewal application from the Wells Sanitary District (District/permittee) for Maine Pollutant Discharge Elimination System (MEPDES) ME0100790/Waste Discharge License (WDL) W000653-6D-J-R, which was issued on December 9, 2014 for a five-year term. The 12/9/14 MEPDES permit authorized the monthly average discharge of 2.0 million gallons per day (MGD) of secondary treated municipal wastewater from a publicly owned treatment works (POTW) to the Atlantic Ocean, Class SC, located in Wells, Maine.

Since the 12/9/14 renewal the Department has issued one minor revision. This minor revision was issued on May 13, 2018, to discontinue dechlorination by the addition of sodium bisulfite. The minor revision modified the year-round technology-based limits for total residual chlorine from 0.1 mg/L as a monthly average and 0.3 mg/L to a daily to 0.34 mg/L as monthly average and 0.47 mg/L as a daily maximum.

## 2. PERMIT SUMMARY

- a. Terms and Conditions: This permitting action is carrying forward all the terms and conditions of the previous permitting action and subsequent minor revisions except it is:
1. Establishing a seasonal monitoring requirement for Enterococci bacteria from April 15<sup>th</sup> – October 31<sup>st</sup> starting on April 15<sup>th</sup>, 2022. As well as establishing monthly average and daily maximum limits of 8 CFU/100 mL and 54 CFU/100 mL, respectively; and
  2. Removing special conditions associated with the asset management plan as it was determined complete on February 17, 2017.
  3. Amending Fecal coliform limits from a monthly average of 15 CFU/100 mL and a daily maximum of 50 CFU/100 mL to 14 colonies/100 ml and 31 colonies/100 ml, for fecal coliform bacteria in order to be consistent with the National Shellfish Sanitation Program.
- b. History: This section provides a summary of significant licensing actions and milestones that have been completed for the Wells Sanitary District:

*March 3, 1975* – The Department issued WDL 653 to the permittee for the discharge of treated sanitary wastewater to the Atlantic Ocean at Moody Point.

*January 16, 1980* – The Board of Environmental Protection issued an order for the disposal of up to a maximum of 3,000 gallons per day of septage in the wastewater treatment facility.

*September 24, 1990* – The Department issued a water quality certification to the permittee certifying that the discharge proposed in a pending NPDES permit was in compliance with applicable sections of the Federal Water Pollution Control Act and State law.

*September 30, 1996* – The USEPA issued NPDES permit ME0100790 to the permittee for the discharge of treated sanitary wastewater with two tiers of discharge limitations. Tier I established a monthly average discharge limit of 2.0 MGD based on the existing conditions at the treatment works and Tier II established a monthly average discharge limitation of 3.0 MGD based on a proposed treatment facility upgrade. The permittee has not increased the design capacity of the treatment works as of the date of this permitting action; therefore, the Tier II effluent limitations never became effective. This permitting action superseded the previous NPDES permits issued on September 27, 1990 and on March 26, 1985.

*June 20, 1997* – The USEPA and the permittee finalized an Administrative Consent Agreement and Final Order (Docket Number CWAA2-I-97-1011), which stipulated payment of a monetary penalty for chronic violations of the total residual chlorine and fecal coliform bacteria limitations established in NPDES permit ME0100790.

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## 2. PERMIT SUMMARY (cont'd)

*October 29, 1999* – The Department issued WDL W000653-5L-E-R to the permittee for the monthly average discharge of up to 2.0 MGD of treated sanitary wastewater to the Atlantic Ocean at Moody Point. This licensing action superseded WDL W000653-46-C-R issued on August 12, 1994, WDL amendment #W000653-46-B-A issued on April 27, 1987, WDL #W000653-46-A-R issued on June 3, 1985, and WDL #653 issued on March 3, 1975.

*May 23, 2000* – The Department administratively modified WDL W000653-5L-E-R to incorporate monthly average and daily maximum mercury concentration limits of 36.7 nanograms per liter (ng/L) and 55.1 ng/L, respectively. The sampling frequency was established at 4 tests per year.

*January 12, 2001* – The Department received authorization from the USEPA to administer the NPDES permit program in Maine, excluding areas of special interest to Maine Indian Tribes.

*March 15, 2001* – The Department approved, in writing, the temporary suspension of disinfection during an approximately 8-week period while the facility completed an upgrade of the chlorination/dechlorination system. Written approval to suspend disinfection was also granted by the USEPA. The Maine Department of Marine Resources recommended suspension of effluent chlorination during the upgrade to ensure protection of surf clams in the receiving waters.

*September 23, 2004* – The Department issued combination MEPDES Permit /WDL ME0100790/W000653-5L-F-R/ME0100790 for a five-year term.

*April 10, 2006* – The Department issued a modification of the 9/23/04 combination MEPDES Permit/WDL by incorporating the testing requirements of Department rules Chapter 530 and Chapter 584.

*November 10, 2009* – The Department issued combination MEPDES Permit WDL/ #W000653-6D-G-R/ME0100790 for a five-year term.

*October 21, 2011* – The Department issued a modification of the 11/10/09 combination MEPDES Permit/WDL to incorporate Special Conditions regarding compliance with the 2010 Clean Water State Revolving Fund (CWSRF) Requirements (Asset Management Principal Forgiveness).

*March 8, 2012* – The Department issued a minor revision to the 11/10/09 combination MEPDES Permit/WDL which modified applicable dates in the Special Conditions in the October 21, 2011, minor revision that required the permittee to establish and implement an Asset Management Program and establish a Repair and Replacement Reserve Account.

*September 10, 2013* – The Department issued a minor revision to the 11/10/09 combination MEPDES Permit/WDL that removed the water quality-based mass and concentration limits for inorganic arsenic based on a revision to the human health AWQC for inorganic arsenic.

*December 9, 2014* – The Department issued MEPDES Permit/WDL ME0100790/W000653-6D-L-R for a five-year term.

## 2. PERMIT SUMMARY (cont'd)

*July 19, 2018* – The Department issued a minor revision to ME0100790/WDL W000653-6D-L-R to modify and establish water quality-based limitations for total residual chlorine in minor revision ME0100048/WDL W000683-6D-M-M. This allowed for the discontinuation of dechlorination by sodium bisulfite.

*July 22, 2019* – The District submitted a General Application to the Department for renewal of the December 9, 2014 MEPDES permit/WDL. The application was accepted for processing on August 1, 2019, and was assigned MEPDES ME0100790/WDL W000653-6D-N-R.

- c. Source Description: The District maintains a collection system that is 42 miles in length, has ten pump stations with audible and visible alarms, each with emergency generators, and is a completely separated system. There are no significant industrial users within the collection system. The permittee is authorized to receive and introduce up to 3,000 gallons per day of transported wastes into the wastewater treatment process or solids handling stream.
- d. Wastewater Treatment: The Wells Sanitary District operates an activated sludge treatment facility. Wastewater is conveyed to the treatment facility through a 42 miles of collection system. A portion of this this collection system is gravity fed, while the remainder of the collection system is a pressure system. The influent passes through a step screen then onto vortex grit system, and then into a splitter box that controls flow to the six 96,000-gallon aeration tanks. During the summer, four of the six tanks are used and during the remainder of the year, only two to three tanks are needed. After Labor Day, several are emptied, cleaned and left on standby.

The District's facility contains two 320,000-gallon secondary clarifiers 65 feet in diameter and 12 feet deep. From the clarifier, flow passes to one of two chlorine contact tanks where sodium hypochlorite is added for disinfection based on flow and chlorine residual. The effluent is discharged from Outfall 001A which consist of a 24-inch diameter pipe that is 4,992 feet long and located 18 feet below mean low water. The outfall pipe contains four high-velocity ports with duckbill diffusers. See **Attachment B** of this Fact Sheet for a schematic of the waste water treatment facility.

Transported wastes are stored in an 8,000-gallon holding tank which has a mixer and the ability to add sodium hypochlorite for pH and odor control. The permittee has not received transported wastes over the past 10 years.

In 2006, the permittee installed two centrifuges to replace the existing plate-and-frame presses and added two new 72,000 gallon sludge storage tank. There are no proposed changes to the present operation being considered at this time.

The District's most recent upgrades to its facility included the addition of a nitrate recirculation piping, motor operated valves, dissolved oxygen sensors, and oxidation-reduction potential sensors. These additions to the process will allow the Wells Sanitary District to operate a Modified Lutzack-Ettinger (MLE) process.

In 2019 the District purchased the adjacent property at 223 Eldridge Road to protect the force main and outfall pipe that runs from Pump Station 1. The 5.4 acre property will serve as a buffer to the neighbor's and protect ancillary infrastructure from encroaching development.

### 3. CONDITIONS OF PERMIT

*Conditions of licenses*, 38 M.R.S. § 414-A, requires that the effluent limitations prescribed for discharges, including, but not limited to, effluent toxicity, require application of best practicable treatment (BPT), be consistent with the U.S. Clean Water Act, and ensure that the receiving waters attain the State water quality standards as described in Maine's Surface Water Classification System. In addition, 38 M.R.S. § 420 and 06-096 CMR 530 require the regulation of toxic substances not to exceed levels set forth in *Surface Water Quality Criteria for Toxic Pollutants*, 06-096 CMR 584 (last amended 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

*Classification of estuarine and marine waters*, 38 M.R.S. §469 classifies the tidewaters of the tidewaters of Moody Point (Wells) as Class SB water. *Standards for classification of estuarine and marine waters*, 38 M.R.S. § 465-B(2) describes the standards for classification of Class SB waterways.

### 5. RECEIVING WATER QUALITY CONDITIONS

*The State of Maine 2016 Integrated Water Quality Monitoring and Assessment Report*, prepared by the Department pursuant to Sections 303(d) and 305(b) of the Federal Water Pollution Control Act, lists marine waters at the permittee's outfall (Waterbody ID 824-1) as "Category 5-B-1(a): Estuarine and Marine Water Impaired for Bacteria Only –TMDL Required."

The Maine Department of Marine Resources (MEDMR) closes shellfish harvesting areas if there are known sources of discharges with unacceptable bacteria levels (thresholds established in the National Shellfish Sanitation Program) or maintains shellfish harvesting closure areas due to lack of updated information regarding ambient water quality conditions and current shoreline surveys. In addition, the MEDMR prohibits shellfish harvesting in the immediate vicinity of all wastewater treatment outfall pipes as a precautionary measure in the event of a failure in the treatment plant's disinfection system.

Thus, shellfish harvesting area #6 is closed to the harvesting of shellfish due the location of the District's wastewater treatment plant outfall. The shellfish closure area can be found at <http://www.maine.gov/dmr/shellfish-sanitation-management/closures/pollution.html>

Category 5-D: *Estuarine and Marine Waters Impaired by Legacy Pollutants*. All estuarine and marine waters capable of supporting American lobster are listed in Category 5-D, partially supporting fishing ("shellfish" consumption) due to elevated levels of polychlorinated biphenyls (PCBs) and other persistent, bioaccumulating substances in lobster tomalley.

**6. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS**

- a. Flow: The previous permitting action established, and this permitting action is carrying forward, a monthly average discharge flow limit of 2.0 MGD based on the design capacity for the treatment facility, and a daily maximum discharge flow reporting requirement.

The Department reviewed 55 Discharge Monitoring Reports (DMRs) that were submitted for the period December 2009 – September 2019. A review of data indicates the following:

**Flow**

Value	Limit (MGD)	Range (MGD)	Mean (MGD)
Monthly Average	2.0	0.42–1.16	0.77
Daily Maximum	Report	0.53 – 1.87	1.1

- b. Dilution Factors:

06-096 CMR 530(4)(A)(2)(a) states that, “For discharges to the ocean, dilution must be calculated as near-field or initial dilution, or that dilution available as the effluent plume rises from the point of discharge to its trapping level, at mean low water level and slack tide for the acute exposure analysis, and at mean tide for the chronic exposure analysis using appropriate models determined by the Department such as MERGE, CORMIX or another predictive model.” With a permitted flow limitation of 6.5 MGD and the location and configuration of the outfall structure, the Department has established dilution factors as follow:

$$\text{Acute} = 36:1 \qquad \text{Chronic} = 46:1 \qquad \text{Harmonic mean}^1 = 138:1$$

- c. Biochemical Oxygen Demand (BOD<sub>5</sub>) and Total Suspended Solids (TSS):

The previous permitting action established, and this permitting action is carrying forward, monthly average and weekly average technology-based effluent limits of 30 mg/L and 45 mg/L, respectively, for BOD<sub>5</sub> and TSS pursuant to the secondary treatment regulation at 40 CFR 133.102 and 06-096 CMR 525(3)(III). The previous permit also established the daily maximum effluent limit of 50 mg/L for both BOD<sub>5</sub> and TSS based on a Department best professional judgment of best practicable treatment for secondary treated wastewater.

As for mass limitations, the previous permitting action established monthly average, weekly average and daily maximum mass limitations that are being carried forward in this permitting action and are based on a monthly average flow of 2.0 MGD. The mass limits were derived as follows:

$$\begin{aligned} \text{Monthly Average Mass Limit: } & (30 \text{ mg/L})(8.34 \text{ lbs/gallon})(2.0 \text{ MGD}) = 500 \text{ lbs./day} \\ \text{Weekly Average Mass Limit: } & (45 \text{ mg/L})(8.34 \text{ lbs/gallon})(2.0 \text{ MGD}) = 750 \text{ lbs./day} \\ \text{Daily Maximum Mass Limit: } & (50 \text{ mg/L})(8.34 \text{ lbs/gallon})(2.0 \text{ MGD}) = 834 \text{ lbs./day} \end{aligned}$$

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<sup>1</sup> The harmonic mean dilution factor is approximated by multiplying the chronic dilution factor by three (3). This multiplying factor is based on guidelines for estimation of human health dilution presented in the U.S. EPA publication, “Technical Support Document for Water Quality-Based Toxics Control” (Office of Water; EPA/505/2-90-001, page 88).

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

This permitting action is carrying forward a requirement for a minimum of 85% removal of BOD<sub>5</sub> and TSS as required by 06-096 CMR 525(3)(III)(a)(3) and (b)(3) of the Department's rules.

The Department reviewed 55 Discharge Monitoring Reports (DMRs) that were submitted for the period December 2009 – September 2019. A review of data indicates the following:

**BOD<sub>5</sub> mass (n=55)**

Value	Limit (lbs./day)	Range (lbs./day)	Mean (lbs./day)
Monthly Average	500	20 – 166	64
Weekly Average	750	26 – 224	91
Daily Maximum	834	30 – 256	102

**BOD<sub>5</sub> concentration (n=55)**

Value	Limit (mg/L)	Range (mg/L)	Mean (mg/L)
Monthly Average	30	3.6 – 20	10.2
Weekly Average	45	4.0 – 28	13.6
Daily Maximum	50	4.5 – 30	15.0

The Department reviewed 55 Discharge Monitoring Reports (DMRs) that were submitted for the period December 2009 – September 2019. A review of data indicates the following:

**TSS mass (n=55)**

Value	Limit (lbs./day)	Range (lbs./day)	Mean (lbs./day)
Monthly Average	500	20 – 187	59
Weekly Average	750	20 – 342	90
Daily Maximum	834	29 – 396	123

**TSS concentration (n=55)**

Value	Limit (mg/L)	Range (mg/L)	Mean (mg/L)
Monthly Average	30	3.3 – 21	9.0
Weekly Average	45	4.0 – 31	12.6
Daily Maximum	50	5.2 – 44	16.5

- d. **Settleable Solids:** The previous permitting action established, and this permitting action is carrying forward a daily maximum technology limit of 0.3 ml/L for settleable solids, which is considered by the Department as a best professional judgment of BPT for secondary treated wastewater, along with a minimum monitoring frequency requirement of 3/Week. The Department is considering 55 months of data (December 2009 – September 2019). During this reporting period of December 2014 – September 2019 the permittee reported 1 excursion that exceeded the daily maximum of 0.3 ml/L for settleable solids.

**Settleable solids concentration (n=55)**

Value	Limit (ml/L)	Range (ml/L)	Average (ml/L)
Daily Maximum	0.3	0.1 – 1.0	0.11

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

- e. Fecal Coliform Bacteria: In 2018 The United States Environmental Protection Agency established year-round monthly average and daily maximum concentration limits of 14 colonies/100 ml and 31 colonies/100 ml, for fecal coliform bacteria in order to be consistent with the National Shellfish Sanitation Program. Therefore, this permitting action is establishing a year-round monthly average and daily maximum concentration limits of 14 colonies/100 ml and 31 colonies/100 ml, respectively, for fecal coliform bacteria, which are consistent with the National Shellfish Sanitation Program.

The previous permitting action established a year-round monthly average and daily maximum concentration limits of 15 colonies/100 ml and 50 colonies/100 ml, respectively. A summary of effluent fecal coliform bacteria data as reported on the DMRs for the period December 2014 – September 2019 is as follows:

**Fecal coliform bacteria (DMR = 15)**

Value	Limit (col/100 mL)	Range (col/100 mL)	Mean (col/100 mL)
Monthly Average	15	1 – 24	3.03
Daily Maximum	50	1 – 201	20.02

The previous permit established, and this permit is carrying forward a minimum monitoring frequency for fecal coliform bacterial of one time per week (1/Week) based on the Department best professional judgment (BPJ). At the request of the Maine Department of Marine Resources **fecal coliform bacteria and monitoring limits are in effect year-round. Total residual chlorine (TRC) limits and monitoring requirements are in effect year-round whenever chlorine compounds are in use at the request of the Maine Department of Marine Resources in order to protect local shellfish resources near the outfall and to protect the health, safety and welfare of the public.**

- f. Enterococcus Bacteria: This permitting action is establishing a seasonal monthly average and daily maximum concentration limits of 8 colonies/100 and 54 colonies/100 ml. Monitoring and reporting requirements for enterococcus bacteria are based on current Maine criteria. In addition to fecal coliform limits to protect the designated use of “propagation and harvesting of shellfish”, it is appropriate to require end-of-pipe limits for enterococcus bacteria, based on current Maine criteria, to protect the designated use of “recreation in and on the water” on a seasonal basis starting on April 15<sup>th</sup>, 2022. The seasonal reporting period will be April 15<sup>th</sup> through October 31<sup>st</sup> starting on April 15, 2022. A 1/Week monitoring requirement is also being established in this permitting action.
- g. Total Residual Chlorine (TRC): The previous permitting action and subsequent minor revision established water quality-based monthly average and maximum concentration limits of 0.47 mg/L and 0.34 mg/L, respectively, for TRC. With dilution factors as determined above, end-of-pipe (EOP) water quality-based concentration thresholds for TRC may be calculated as follows:

Acute (A) Criterion	Chronic (C) Criterion	A & C Dilution Factors	Calculated Acute Threshold	Chronic Threshold
0.013 mg/L	0.0075 mg/L	36:1(A) 46:1 (C)	0.47 mg/L	0.34 mg/L

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

The Department reviewed 55 Discharge Monitoring Reports (DMRs) that were submitted for the period December 2009 – September 2019. A review of data indicates the following:

**Total residual chlorine (n=55)**

Value	Limit (mg/L)	Range (mg/L)	Mean (mg/L)
Monthly Average	0.34	0.02 – 0.22	0.05
Daily Maximum	0.47	0.04 – 1.89	1.89

- g. pH: The previous permitting action established, and this permitting action is carrying forward, a technology-based pH limit of 6.0 – 9.0 standard units (SU), which is based on 06-096 CMR 525(3)(III)(c) and a minimum monitoring frequency requirement of 1/day.

**pH (n=55)**

Value	Limit (SU)	Minimum (SU)	Maximum (SU)
Range	6.0 – 9.0	5.67	7.50

- h. Mercury: Pursuant to *Certain deposits and discharges prohibited*, 38 M.R.S. § 420 and *Waste Discharge Licenses*, 38 M.R.S. § 413 and *Interim Effluent Limitations and Controls for the Discharge of Mercury*, 06-096 CMR 519 (last amended October 6, 2001), the Department issued an interim average and daily maximum effluent concentration limits of 19.3 parts per trillion (ppt) and 29.0 ppt, respectively, and a minimum monitoring frequency requirement of two (2) tests per year for mercury. 38 M.R.S. § 420(1-B)(B)(1) provides that a facility is not in violation of the Ambient Water Quality Criteria (AWQC) for mercury if the facility is in compliance with an interim discharge limit established by the Department. A review of the Department’s data base for the period November 1998 – September 2019 indicates the results have been reported as follows:

**Mercury (DMRs=59)**

Value	Limit (ng/L)	Range (ng/L)	Mean (ng/L)
Average	36.7	1.20 – 63.79	7.27
Daily Maximum	55.1		

The Department issued a minor revision on February 6, 2012, to the October 12, 2011, permit thereby revising the minimum monitoring frequency requirement from twice per year to once per year given the permittee has maintained at least 5 years of mercury testing data. Pursuant to 38 M.R.S. § 420(1-B)(F), this permitting action is carrying forward the 1/Year monitoring frequency established in the February 6, 2012, permit modification.

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

### i. Nitrogen:

The USEPA requested the Department evaluate the reasonable potential for the discharge of total nitrogen to cause or contribute to non-attainment of applicable water quality standards in marine waters, namely dissolved oxygen (DO) and marine life support. The permittee voluntarily participated in a Department-coordinated project using a Maine certified analytical lab to determine typical effluent nitrogen concentrations, and submitted monthly composite samples from June-October, 2015 (n = 5). The June value is not being used in the total nitrogen mean calculation due to a methodological error in sample processing that may have overestimated the actual concentration. The mean value of the permittee's July-October samples (n=4) was 35.0 mg/L. For this reasonable potential evaluation, the Department considers 35.0 mg/L to be representative of total nitrogen discharge levels from the Wells facility.

As of the date of this permitting action, the State of Maine has not promulgated numeric ambient water quality criteria for total nitrogen. According to several studies in USEPA's Region 1, numeric total nitrogen criteria have been established for relatively few estuaries, but the criteria that have been set typically fall between 0.35 mg/L and 0.50 mg/L to protect marine life using dissolved oxygen as the indicator. While the thresholds are site-specific, nitrogen thresholds set for the protection of eelgrass habitat range from 0.30 mg/L to 0.39 mg/L. Based on studies in USEPA's Region 1 and the Department's best professional judgment of thresholds that are protective of Maine water quality standards, the Department is utilizing a threshold of 0.45 mg/L for the protection of aquatic life in marine waters using dissolved oxygen as the indicator, and 0.32 mg/L for the protection of aquatic life using eelgrass as the indicator.

Two known surveys have been completed along the Wells shoreline that specifically documented presence/absence of eelgrass. The surveys were conducted by the ME DMR in 1995 and 2010, and delineated the nearest eelgrass bed at more than 8 km to the north of the discharge location. Based on the absence of historically identified eelgrass in the vicinity of the Wells wastewater discharge, the use of 0.45 mg/L as a threshold value for dissolved oxygen as the indicator is appropriate for this receiving water.

With the exception of ammonia, nitrogen is not acutely toxic; thus, the Department is considering a far-field dilution to be more appropriate when evaluating impacts of total nitrogen to the marine environment. The permittee's facility has a chronic near-field dilution of 36:1. Far-field dilutions are generally significantly higher than the near-field dilutions, typically ranging from 10 – 100 times higher, depending on the location of the outfall pipe and nature of the receiving waterbody. The permittee's facility discharges into the open ocean, approximately 200 meters offshore. Situationally, this would imply a far field multiplication factor on the higher end of the range. A multiplying factor of 50 was chosen for this on the basis of trying to be conservative, which results in a far field dilution factor of 1,800:1 ( $36 \times 50 = 1,800$ ).

Using this far-field dilution factor, the increase in total nitrogen concentration in the relative vicinity of the Wells discharge is estimated to be approximately 0.02 mg/L.

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

Total nitrogen concentrations in effluent = 35.0 mg/L  
Far-field dilution factor = 1,800:1

In-stream concentration after dilution:  $\frac{35.0 \text{ mg/L}}{1,800} = 0.02 \text{ mg/L}$

The Department and external partners have been collecting ambient total nitrogen data along Maine's coast. The Department has selected seven sites from the embayment adjacent to the towns of Wells and Ogunquit whose data from July, August and September of 2004 and 2009-2011 best represent the ambient conditions likely to occur in this nearshore marine environment during the summer months. From these sites, the Department has calculated a mean background surface water total nitrogen concentration of  $0.18 \pm 0.04 \text{ mg/L}$  (n=15). Accompanying these total nitrogen values are dissolved oxygen profiles and transparency and chlorophyll *a* data, none of which indicate water quality degradation illustrative of eutrophication. More specifically, dissolved oxygen concentrations ranged from 7.0-10.1 mg/L, transparency values ranged from 4.0-8.0 m depth, and all chlorophyll *a* values were less than 3.4  $\mu\text{g/L}$ .

Based on the calculated ambient value for this receiving water, the estimated increase in ambient total nitrogen after reasonable opportunity for mixing in the far-field is  $0.18 \text{ mg/L} + 0.02 \text{ mg/L} = 0.20 \text{ mg/L}$ . The in-stream concentration value of 0.20 mg/L is considerably less than the Department and USEPA's best professional judgment based total nitrogen threshold of 0.45 mg/L for the protection of aquatic life using dissolved oxygen as an indicator. Using the reasonable potential calculations above and in the absence of any information that the receiving water is not attaining standards, the Department is making a best professional judgment determination that the discharge of total nitrogen from the Wells POTW does not exhibit a reasonable potential to exceed applicable water quality standards for Class SB waters. This permitting action is not establishing limitations or monitoring requirements for total nitrogen.

- j. Whole Effluent Toxicity (WET) and Chemical-Specific Testing: 38 M.R.S. § 414-A and 38 M.R.S. § 420 prohibit the discharge of effluents containing substances in amounts that would cause the surface waters of the State to contain toxic substances above levels set forth in Federal Water Quality Criteria as established by the USEPA. 06-096 CMR 530 sets forth effluent monitoring requirements and procedures to establish safe levels for the discharge of toxic pollutants such that existing and designated uses of surface waters are maintained and protected, and narrative and numeric water quality criteria are met. 06-096 CMR 584 sets forth ambient water quality criteria (AWQC) for toxic pollutants and procedures necessary to control levels of toxic pollutants in surface waters.

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

WET, priority pollutant and analytical chemistry testing, as required by 06-096 CMR 530, is included in this permit in order to characterize the effluent. WET monitoring is required to assess and protect against impacts upon water quality and designated uses caused by the aggregate effect of the discharge on specific aquatic organisms. Acute and chronic WET tests are performed on the mysid shrimp (*Americamysis bahia*) and the sea urchin (*Arbacia punctulata*). Chemical-specific monitoring is required to assess the levels of individual toxic pollutants in the discharge, comparing each pollutant to acute, chronic, and human health water quality criteria. Priority pollutant testing refers to the analysis for levels of priority pollutants listed under “Priority Pollutants” on the form on the form found at: [https://www.maine.gov/dep/water/wd/municipal\\_industrial/index.html](https://www.maine.gov/dep/water/wd/municipal_industrial/index.html)

06-096 CMR 530(2)(A) specifies the dischargers subject to the rule as:

All licensed dischargers of industrial process wastewater or domestic wastes discharging to surface waters of the State must meet the testing requirements of this section. Dischargers of other types of wastewater are subject to this subsection when and if the Department determines that toxicity of effluents may have reasonable potential to cause or contribute to exceedances of narrative or numerical water quality criteria.

Wells Sanitary District discharges domestic (sanitary) wastewater to surface waters and is therefore subject to the testing requirements of the toxics rule.

06-096 CMR 530(2)(B) categorizes discharges subject to the toxics rule into one of four levels (Level I through IV). The four categories for dischargers are as follows:

Level I	Chronic dilution factor of <20:1
Level II	Chronic dilution factor of $\geq 20:1$ but <100:1.
Level III	Chronic dilution factor $\geq 100:1$ but <500:1 or >500:1 and $Q \geq 1.0$ MGD
Level IV	Chronic dilution factor >500:1 and $Q \leq 1.0$ MGD

Based on the Chapter 530 criteria, the permittee’s facility falls into the Level II frequency category as the facility has a chronic dilution factor of  $\geq 20:1$  but <100:1. 06-096 530(2)(D)(1) specifies that routine screening and surveillance level testing requirements are as follows:

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

**Screening level testing**

Level	WET Testing	Priority pollutant testing	Analytical chemistry
II	2 per year	1 per year	4 per year

**Surveillance level testing**

Level	WET Testing	Priority pollutant testing	Analytical chemistry
II	1 per year	None required	2 per year

This permit provides for reconsideration of effluent limits and monitoring schedules after evaluation of toxicity testing results. The monitoring schedule includes consideration of results currently on file, the nature of the wastewater, existing treatment, and receiving water characteristics.

k. Whole Effluent Toxicity (WET) Evaluation: 06-096 CMR 530(3)(E) states:

For effluent monitoring data and the variability of the pollutant in the effluent, the Department must apply the statistical approach in Section 3.3.2 and Table 3-2 of USEPA's "Technical Support Document for Water Quality-Based Toxics Control" (USEPA Publication 505/2-90-001, March, 1991, EPA, Office of Water, Washington, D.C.) to data to determine whether water-quality based effluent limits must be included in a waste discharge license. Where it is determined through this approach that a discharge contains pollutants or WET at levels that have a reasonable potential to cause or contribute to an exceedance of water quality criteria, appropriate water quality-based limits must be established in any licensing action.

On February 6, 2020, the Department conducted a statistical evaluation on the most recent 60 months of WET test results on file with the Department for the Town in accordance with the statistical approach outlined above. The 2/6/20 statistical evaluation indicates that none of the results had a reasonable potential to exceed the chronic or acute ambient water quality threshold. See **Attachment C** of this Fact Sheet for a summary of the WET test results.

Based on the provisions of 06-096 CMR 530 and Department best professional judgment, this permitting action is establishing reduced surveillance level WET testing requirements for this facility. Special Condition G. 06-096 CMR 530(2)(D)(4) Statement for Reduced/Waived Toxics Testing of this Permit explains the statement required by the discharger to reduce WET testing.

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

1. Analytical Chemistry & Priority Pollutant Testing Evaluation:

06-096 CMR 530(4)(C) states:

The background concentration of specific chemicals must be included in all calculations using the following procedures. The Department may publish and periodically update a list of default background concentrations for specific pollutants on a regional, watershed or statewide basis. In doing so, the Department must use data collected from reference sites that are measured at points not significantly affected by point and non-point discharges and best calculated to accurately represent ambient water quality conditions. The Department must use the same general methods as those in section 4(D) to determine background concentrations. For pollutants not listed by the Department, an assumed concentration of 10% of the applicable water quality criteria must be used in calculations.

06-096 CMR 530(3)(D) states, “Where the need for effluent limits has been determined, limits derived from acute water quality criteria must be expressed as daily maximum values. Limits derived from chronic or human health criteria must be expressed as monthly average values.”

Chemical specific evaluation

06-096 CMR 530(3)(E) states, “Where it is determined through [the statistical approach referred to in USEPA's Technical Support Document for Water Quality-Based Toxics Control] that a discharge contains pollutants or WET at levels that have a reasonable potential to cause or contribute to an exceedance of water quality criteria, appropriate water quality-based limits must be established in any licensing action.”

As with WET test results, the Department conducted a statistical evaluation on November 4, 2019, for the most current 60 months of analytical chemistry and priority pollutant test results on file. The evaluation conducted on 11/4/19 indicates that ammonia had reasonable potential (RP) to exceed the chronic ambient water quality thresholds.

<b>Ammonia RP ug/L 12,325</b>	
<b>Sample Date</b>	<b>Concentration ug/L</b>
01/21/2015	18,000
06/03/2015	16,000
07/06/2015	31,000
07/07/2016	26,000
08/02/2016	30,000
06/15/2017	29,000
07/26/2017	13,000
09/17/2018	25,000

For Ammonia the permittee had 8 test results in excess of 12,325 ug/L, which has the potential to exceed the chronic AWQC for ammonia based on the following calculation:

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

### Ammonia

06-096 CMR 530(3)(D) states, "Where the need for effluent limits has been determined, limits derived from acute water quality criteria must be expressed as daily maximum values. Limits derived from chronic or human health criteria must be expressed as monthly average values." With a permitted flow of 2.0 MGD, the monthly average mass limits and calculated EOP concentrations are as follows:

Effluent Concentration = 31,000 ug/L or 31 mg/L

Chronic AWQC = 1.1 mg/L or 1,100 ug/L (based on T=20°C, pH=8.0 S.U., salinity 20 ppt.)

Chronic dilution factor = 46:1

EOP concentration = [Dilution factor x 0.90 x AWQC] + [0.10 x AWQC]

EOP concentration = [46 x 0.90 x 1.1 mg/L] + [0.10 x 1.1 mg/L] = 45.65 mg/L

EOP mass limit: (45.65 mg/L)(8.34)(2.0 MGD) = **761 lbs./day**

<u>PARAMETER</u>	<u>CALCULATED EOP CONCENTRATION</u>	<u>MONTHLY AVERAGE MASS LIMIT</u>
Ammonia	45.65 mg/L	761 lbs/day

06-096 CMR 530 does not establish specific monitoring frequencies for parameters that exceed or have a reasonable potential to exceed the AWQC. This permitting action is establishing a monitoring frequency for ammonia based on best professional judgement. Based on the historic test results that indicate that ammonia levels have the potential to exceed the AWQC year-round, this permitting action is establishing a year-round 1/month monitoring and reporting requirement.

As for the remaining chemical specific parameters tested to date, none of the test results in the 60-month evaluation period exceed or have a reasonable potential to exceed applicable acute, chronic or human health AWQC. Therefore, this permitting action carrying forward screening level reporting and monitoring frequency for analytical chemistry at 4/Year pursuant to 06-096 CMR 530(2)(D)(3)(c). As with reduced WET testing, the permittee must file an annual certification with the Department pursuant to 06-096 CMR 530 2(D)(4) and Special Condition K of this permit.

## 7. DISPOSAL OF SEPTAGE WASTE IN WASTEWATER TREATMENT FACILITY

The Wells Sanitary District has applied for, and pursuant to *Standards for the Addition of Transported Wastes to Waste Water Treatment Facilities*, 06-096 CMR 555 (last amended February 5, 2009), and the District's written septage management plan, this permitting action authorizes the District to receive and introduce into the treatment process or solids handling stream up to a daily maximum of 3,000 GPD of transported wastes (septage wastes) (up to a monthly total of 65,000 gallons). See Special Condition J of the permit.

## 8. DISCHARGE IMPACT ON RECEIVING WATER QUALITY

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

## 9. PUBLIC COMMENTS

Public notice of this application was made in the *York County Coast Star* newspaper on or about July 12, 2019. The Department receives public comments on an application until the date a final agency action is taken on the application. Those persons receiving copies of draft permits must have at least 30 days in which to submit comments on the draft or to request a public hearing, pursuant to *Application Processing Procedures for Waste Discharge Licenses*, 06-096 CMR 522 (effective January 12, 2001).

## 10. DEPARTMENT CONTACTS

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

Aaron Dumont  
Bureau of Water Quality  
Department of Environmental Protection  
17 State House Station  
Augusta, Maine 04333-0017 Telephone: (207) 287-1939  
e-mail: [Aaron.A.Dumont@maine.gov](mailto:Aaron.A.Dumont@maine.gov)

## 11. RESPONSE TO COMMENTS

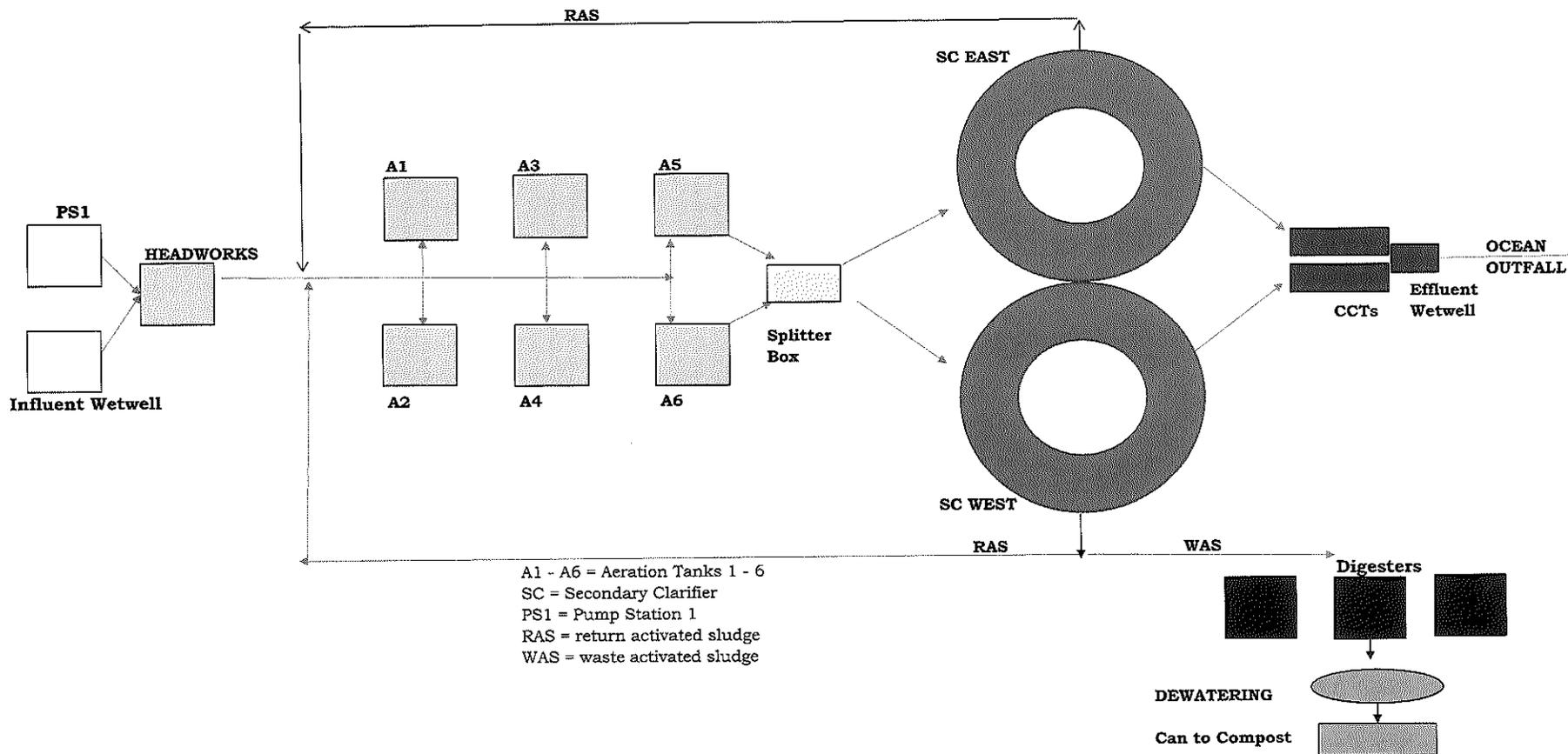
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# **ATTACHMENT A**



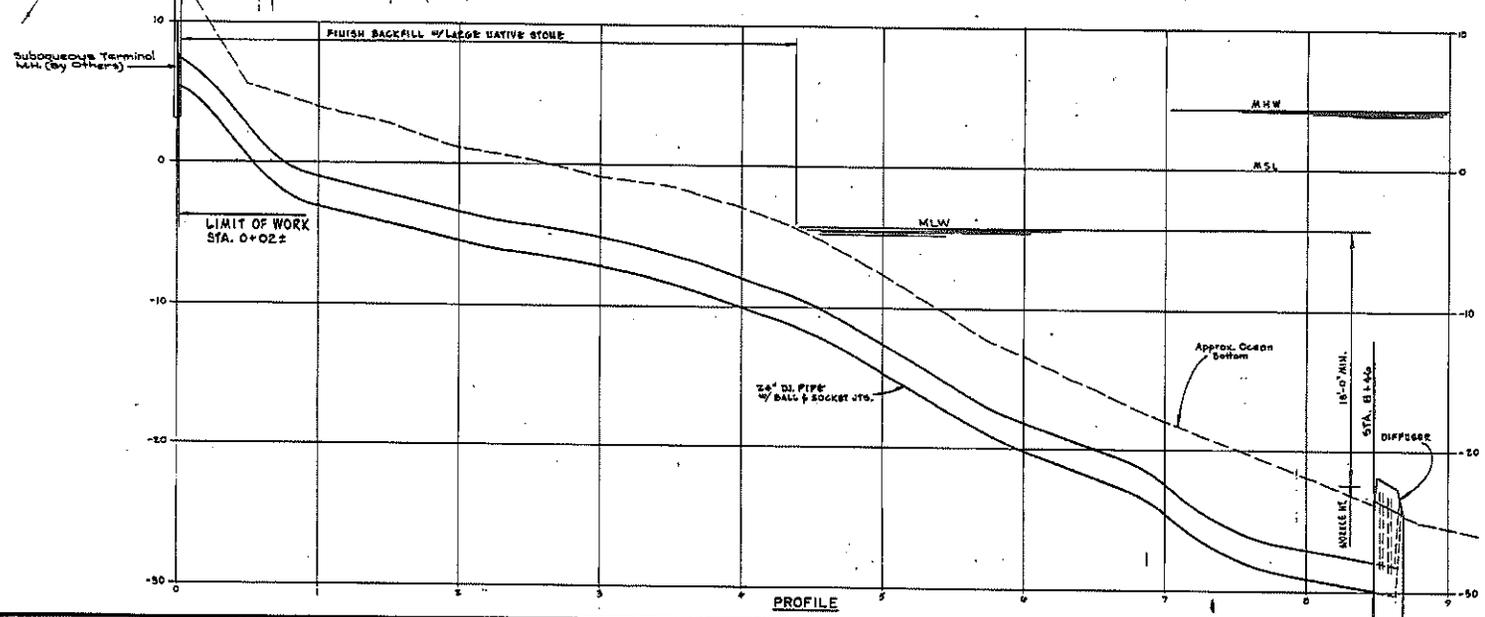
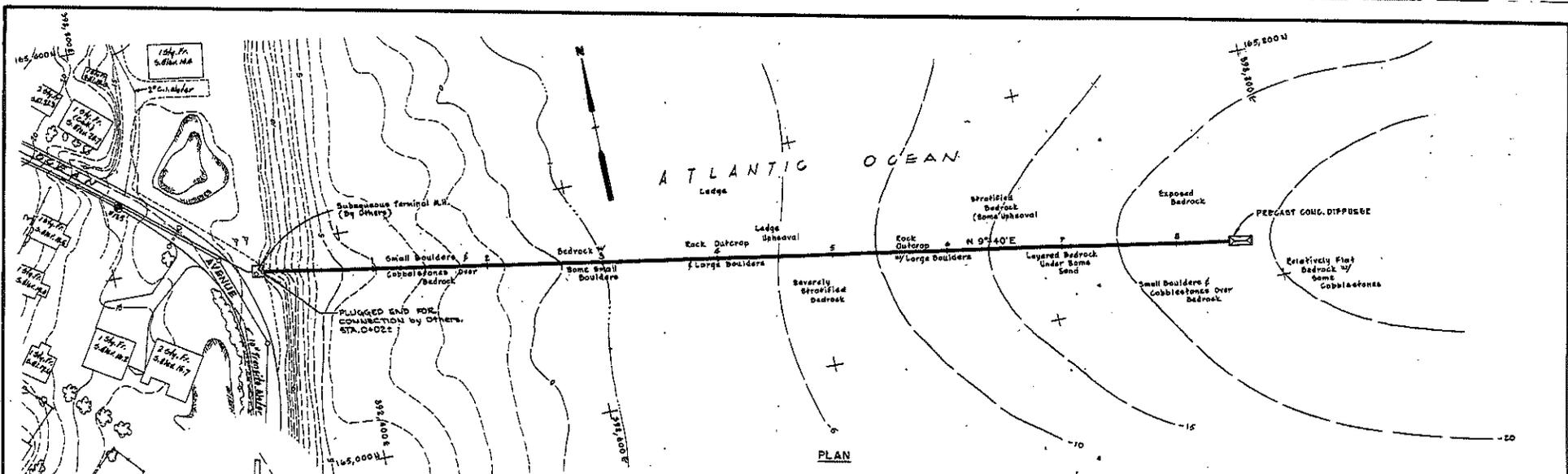
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**WELLS SANITARY DISTRICT**





# **ATTACHMENT B**



1. ELEVATIONS REFER TO U.S.C.G.C. S. MS&U SEA LEVEL (DATUM OF 1929)
2. SEE SPECIFICATIONS FOR DETAILED SUB SURFACE CONSTRUCTION AS REFERRED BY SURVEY DIVER.
3. UNDERWATER CONTOURS ARE APPROXIMATE DUE TO AIRLIFT HAS BEEN MADE TO PLOT LOCAL DEVIATIONS.
4. DIFFUSER TO BE LOCATED TO PROVIDE 10' OF WATER OVER NOZZLES AT M.L.W.
5. A MIN. OF 4' COVER BELOW BEDROCK SURFACE IS TO BE MAINTAINED EXCEPT FOR ISOLATED INSTANCES WHERE THIS IS COMPLETELY IMPRACTICAL. REDUCTIONS IN THIS COVER SHALL BE AUTHORIZED BY TREATY CONCRETE AS DIRECTED.
6. TRENCH COVER ABOVE M.L.W. IS TO BE FINISHED TO IMPART A NATURAL APPEARANCE AND OBSCURE THE CONSTRUCTION, SCAR.
7. THE OFFFALL PIPE SHALL CONFORM TO U.S.A.S. CLASS 16 OR ANSI CLASS 26 DUCTILE IRON HAVING A MIN. WALL THICKNESS OF .75 IN.

RECORD DRAWING

NO.	DATE	REVISION

DESIGNED BY  
CHECKED BY  
APPROVED BY

SCALE  
1" = 40'  
VERT. 1" = 4'  
DATE  
NOV 1976



**HAYDEN, HARDING & BOCHANAN, INC.**  
Consulting Engineers Boston, Massachusetts

**WELLS SANITARY DISTRICT  
WELLS, MAINE**  
WATER POLLUTION ABATEMENT PROGRAM

CONSTRUCTION CONTRACT 21  
PLAN AND PROFILE  
OCEAN OUTFALL  
STA. 0+00 TO STA. 8+56

PLANTING NO.  
**2**  
38121

# **ATTACHMENT C**



# **ATTACHMENT D**

## PRIORITY POLLUTANT DATA SUMMARY

Date Range: 05/Sep/2014-05/Sep/2019



Facility Name: WELLS SANITARY DISTRICT

NPDES: ME0100790

Test Date	Monthly (Flow MGD)	Daily	Total Test Number	Test # By Group						Clean	Hg
				M	V	BN	P	O	A		
01/21/2015	0.51	0.46	15	10	0	0	0	5	0	F	0
06/03/2015	0.62	0.68	1	0	0	0	0	1	0	F	0
07/06/2015	1.15	1.23	1	0	0	0	0	1	0	F	0
08/04/2015	1.07	1.10	1	0	0	0	0	1	0	F	0
06/06/2016	0.78	0.74	1	0	0	0	0	1	0	F	0
07/07/2016	1.07	0.96	1	0	0	0	0	1	0	F	0
08/02/2016	1.02	1.06	1	0	0	0	0	1	0	F	0
06/15/2017	0.96	0.83	1	0	0	0	0	1	0	F	0
07/26/2017	1.12	1.08	1	0	0	0	0	1	0	F	0
08/15/2017	1.03	0.98	1	0	0	0	0	1	0	F	0
01/25/2018	0.53	0.58	128	13	28	46	25	5	11	F	0
07/26/2018	1.13	1.06	14	9	0	0	0	5	0	F	0

## Key:

A = Acid                      O = Others                      P = Pesticides  
 BN = Base Neutral      M = Metals                      V = Volatiles

PRIORITY POLLUTANT DATA SUMMARY



Date Range: 05/Sep/2014-05/Sep/2019

Facility Name: **WELLS SANITARY DISTRICT**

NPDES: **ME0100790**

Test Date	Monthly (Flow MGD)	Daily	Total Test Number	Test # By Group						Clean	Hg
				M	V	BN	P	O	A		
09/17/2018	0.84	0.77	13	9	0	0	0	4	0	F	0
11/06/2018	1.04	1.11	13	9	0	0	0	4	0	F	0
01/16/2019	0.60	0.50	14	9	0	0	0	5	0	F	0
06/03/2019	0.95	0.85	1	0	0	0	0	1	0	F	0
07/02/2019	1,126.00	1,118.00	1	0	0	0	0	1	0	F	0

**Key:**

- A = Acid
- BN = Base Neutral
- M = Metals
- O = Others
- P = Pesticides
- V = Volatiles

# **ATTACHMENT E**

## MERCURY REPORT - Clean Test Only



Data Date Range: 01/01/0199-09/05/2019

Inspector Name: MATT HIGHT

Facility: WELLS SANITARY DISTRICT

Permit Number: ME0100790

Max (ng/l): 63.7900

Average (ng/l): 7.2758

Sample Date	Result (ng/l)	Lsthan	Clean
11/03/1998	7.88	N	T
02/09/1999	63.79	N	T
08/03/1999	8.27	N	T
08/10/1999	7.47	N	T
08/17/1999	8.79	N	T
04/05/2000	13.30	N	T
07/11/2000	26.00	N	T
10/05/2000	4.71	N	T
01/25/2001	4.02	N	T
04/10/2001	4.92	N	T
07/10/2001	7.70	N	T
10/04/2001	10.00	N	T
01/10/2002	14.00	N	T
04/10/2002	10.00	N	T
07/10/2002	16.00	N	T
10/11/2002	5.90	N	T
01/06/2003	4.70	N	T
04/01/2003	6.43	N	T
07/02/2003	7.96	N	T
10/02/2003	5.95	N	T
01/06/2004	5.31	N	T
04/01/2004	17.70	N	T
07/02/2004	13.70	N	T
10/15/2004	3.62	N	T
01/06/2005	3.78	N	T
04/14/2005	4.29	N	T
07/14/2005	3.66	N	T
10/17/2005	4.94	N	T
01/11/2006	3.56	N	T
04/11/2006	7.88	N	T
07/07/2006	4.00	N	T
10/11/2006	5.73	N	T
01/17/2007	7.16	N	T
05/08/2007	11.50	N	T
07/10/2007	7.11	N	T
10/16/2007	9.14	N	T
01/15/2008	2.23	N	T
04/04/2008	6.40	N	T
07/02/2008	3.20	N	T
10/24/2008	4.10	N	T
01/06/2009	12.50	N	T
04/09/2009	3.00	N	T
07/13/2009	7.20	N	T
10/07/2009	3.60	N	T
01/05/2010	1.20	N	T
04/02/2010	3.90	N	T
07/09/2010	2.90	N	T
10/13/2010	2.58	N	T
01/05/2011	3.56	N	T

04/12/2011	1.20	N	T
07/11/2011	2.50	N	T
10/04/2011	1.20	N	T
01/17/2012	4.49	N	T
01/14/2013	1.60	N	T
01/07/2014	2.30	N	T
01/06/2015	1.34	N	T
01/27/2017	2.51	N	T
01/30/2018	1.33	N	T
06/03/2019	3.56	N	T

# **ATTACHMENT F**

STATE OF MAINE  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

CHAPTER 530.2(D)(4) CERTIFICATION

MEPDES# \_\_\_\_\_ Facility Name \_\_\_\_\_

Since the effective date of your permit, have there been;		NO	YES Describe in comments section
1	Increases in the number, types, and flows of industrial, commercial, or domestic discharges to the facility that in the judgment of the Department may cause the receiving water to become toxic?	<input type="checkbox"/>	<input type="checkbox"/>
2	Changes in the condition or operations of the facility that may increase the toxicity of the discharge?	<input type="checkbox"/>	<input type="checkbox"/>
3	Changes in storm water collection or inflow/infiltration affecting the facility that may increase the toxicity of the discharge?	<input type="checkbox"/>	<input type="checkbox"/>
4	Increases in the type or volume of hauled wastes accepted by the facility?	<input type="checkbox"/>	<input type="checkbox"/>

COMMENTS:

Name (printed): \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**This document must be signed by the permittee or their legal representative.**

This form may be used to meet the requirements of Chapter 530.2(D)(4). This Chapter requires all dischargers having waived or reduced toxic testing to file a statement with the Department describing changes to the waste being contributed to their system as outlined above. As an alternative, the discharger may submit a signed letter containing the same information.

**Scheduled Toxicity Testing for the next calendar year**

Test Conducted	1 <sup>st</sup> Quarter	2 <sup>nd</sup> Quarter	3 <sup>rd</sup> Quarter	4 <sup>th</sup> Quarter
WET Testing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Priority Pollutant Testing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Analytical Chemistry	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other toxic parameters <sup>1</sup>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

*Please place an "X" in each of the boxes that apply to when you will be conducting any one of the three test types during the next calendar year.*

<sup>1</sup> This only applies to parameters where testing is required at a rate less frequently than quarterly.