STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

JANET T. MILLS
GOVERNOR

MELANIE LOYZIM
COMMISSIONER

April 2, 2025

Mr. Michael Courtnay
Superintendent
Warren Sanitary District
P.O. Box 369
Warren, ME. 04864

RE: Maine Pollutant Discharge Elimination System (MEPDES) Permit #ME0102253
Maine Waste Discharge License (WDL) Application #W007023-6B-H-R
Proposed Draft MEPDES Permit

Dear Mr. Courtnay:

Attached is a proposed draft MEPDES permit and Maine WDL which the Department proposes to issue as a final document after opportunity for your review and comment. By transmittal of this letter, you are provided with an opportunity to comment on the proposed draft permit and its 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.

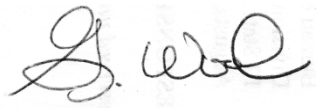
The comment period begins today, Wednesday, April 2, 2025, and ends on Friday, May 2, 2025. All comments on the proposed draft permit must be received in the Department of Environmental Protection office on or before the close of business **Friday, May 2, 2025.** Failure to submit comments in a timely fashion may 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

If you have any questions regarding the matter, please feel free to call me at 287-7693 or e-mail me at gregg.wood@maine.gov

Sincerely,



Gregg Wood
Division of Water Quality Management
Bureau of Water Quality

Enc.

cc: Benjamin Pendleton, DEP/CMRO
Lori Mitchell, DEP/CMRO
Laura Crossley, DEP/CMRO
Holly Ireland, DEP/CMRO
Ellen Weitzler, USEPA
Michael Cobb, USEPA
Richard Carvalho, USEPA
Maine IFW
Maine DMR

STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION
17 STATE HOUSE STATION AUGUSTA, MAINE 04333-0017

DEPARTMENT ORDER

IN THE MATTER OF

WARREN SANITARY DISTRICT	)	MAINE POLLUTANT DISCHARGE
WARREN, KNOX COUNTY, MAINE	)	ELIMINATION SYSTEM PERMIT
PUBLICLY OWNED TREATMENT WORKS	)	AND
ME0102253	)	WASTE DISCHARGE LICENSE
W007023-6B-H-R **APPROVAL**	)	**RENEWAL**

In compliance with the applicable provisions of *Pollution Control*, 38 M.R.S. §§ 411 – 424-C, *Water Classification Program*, 38 M.R.S. §§ 464 – 470 and *Federal Water Pollution Control Act*, Title 33 U.S.C. § 1251 *et seq*, and applicable rules of the Department of Environmental Protection (Department), the Department has considered the application of the WARREN 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 April 30, 2020, the Department accepted as complete for processing, an application from the District for the renewal of combination Waste Discharge License (WDL) W007023-6B-G-R/Maine Pollutant Discharge Elimination System (MEPDES) ME0102253, which was issued on April 9, 2015, for a five-year term. The April 9, 2015, MEPDES permit authorized the District to discharge of 0.0795 million gallons per day (MGD) between June 1 and September 30 of each year and a monthly average of 0.2442 MGD between October 1 and May 31 each year, of secondary treated municipal wastewater from a publicly owned treatment works (POTW) to the St. George River, Class SB, in Warren, Maine. See **Attachment A** of the Fact Sheet of this permit for aerial photographs depicting the location of the facility and the outfall location.

PERMIT SUMMARY

This permit is carrying forward all the terms and conditions of the previous permit and it is:

1. Establishing seasonal monthly average and daily maximum limits of 8 CFU/100 mL and 54 CFU/100 mL, respectively, for enterococci bacteria between April 15th – October 31st of each year.

2. Revising the seasonal fecal coliform limits from a monthly average of 15 CFU/100 mL and a daily maximum of 50 CFU/100 mL to year-round limitations of 14 CFU or MPN/100 mL and 31 CFU or MPN/100 mL, respectively, in order to be consistent with the National Shellfish Sanitation Program.

3. Updating Special Condition A, *Effluent Limitations and Monitoring Requirements*, footnote 1, Sampling to the Department's most current requirements to include sufficiently sensitive methods.

4. Revising the language in Special Condition A, *Effluent Limitations and Monitoring Conditions,* footnote 6 to resemble monitoring of dissolved oxygen (DO) at other facilities. It still retains monitoring protocols and references to general operation and maintenance requirements for the lagoons.

PERMIT SUMMARY (cont'd)

5. Revising Special Condition C, *Treatment Plant Operator*, requiring that the person who has management responsibility over the treatment facility must hold a minimum of a Maine Grade III biological certificate or be a Registered Maine Professional Engineer.

CONCLUSIONS

Based on the findings summarized in the attached **PROPOSED DRAFT** Fact Sheet dated April 2, 2025, 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) 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).

ACTION

Based on the findings and conclusions as stated above, the Department APPROVES the above noted application of the WARREN SANITARY DISTRICT to discharge a monthly average of 0.0795 million gallons per day between June 1 and September 30 of each year and a monthly average of 0.2442 million gallons per day between October 1 and May 31 of each year of secondary treated municipal wastewater to the St. George River, Class SB, in Warren, 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 C.M.R. Ch. 2 § 21(A) (effective September 15, 2024)]

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

DONE AND DATED AT AUGUSTA, MAINE, THIS _____ DAY OF _____2025.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY:_____
for Melanie Loyzim, Commissioner

Date of initial receipt of application: April 17, 2020

Date of application acceptance: April 30, 2020

This Order prepared by Ben Pendleton and Gregg Wood, Bureau of Water Quality

SPECIAL CONDITIONS

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS-*Warm Season (June 1st – September 30th)*

1. The permittee is authorized to discharge **secondary treated municipal sanitary wastewater from Outfall #001A** to the St. George River at Warren from June 1 through September 30. Such discharges are limited to and must be monitored by the permittee as specified below[(1)(2)]:

Effluent Characteristic	Discharge Limitations						Minimum Monitoring Requirements	
	Monthly Average	Weekly Average	Daily Maximum	Monthly Average	Weekly Average	Daily Maximum	Measurement Frequency	Sample Type
Flow *[50050]*	0.0795 MGD *[03]*	Report MGD *[03]*	Report MGD *[03]*	---	---	---	Continuous *[99/99]*	Recorder *[RC]*
Carbonaceous Biochemical Oxygen Demand ($CBOD_5$) *[80082]*	17 lbs/day *[26]*	20 lbs/day *[26]*	Report lbs/day *[26]*	25 mg/L *[19]*	30 mg/L *[19]*	Report mg/L *[19]*	1/Week *[01/07]*	Composite *[24]*
$CBOD_5$ % Removal[(3)] *[81010]*	---	---	---	85% *[23]*	---	---	1/Month *[01/30]*	Calculate *[CA]*
Total Suspended Solids (TSS) *[00530]*	17 lbs/day *[26]*	20 lbs/day *[26]*	Report lbs/day *[26]*	25 mg/L *[19]*	45 mg/L *[19]*	Report mg/L *[19]*	1/Week *[01/07]*	Composite *[24]*
TSS % Removal[(3)] *[81011]*	---	---	---	85% *[23]*	---	---	1/Month *[01/30]*	Calculate *[CA]*
Settleable Solids *[00545]*	---	---	---	---	---	0.3 ml/L *[25]*	3/Week *[03/07]*	Grab *[GR]*
Fecal Coliform Bacteria[(4)] ***(Year-round)*** *[31616]*	---	---	---	14/100 mL *[13]*	---	31/100 mL *[13]*	1/Week *[01/07]*	Grab *[GR]*
Enterococci Bacteria[(5)] ***(Seasonally April 15th-October 31st)*** *[61211]*	---	---	---	8/100 mL *[13]*	---	54/100 mL *[13]*	1/Week *[1/07]*	Grab *[GR]*
Dissolved Oxygen *[00300]*	---	---	---	Report mg/L *[19]*	Report mg/L *[19]*	Report mg/L *[19]*	5/Week *[05/07]*	Measured *[MS]*
pH (Std. Units)[(7)] *[00400]*	---	---	---	---	---	6.0 – 9.0 SU *[12]*	5/Week *[05/07]*	Grab *[GR]*
Mercury (Total)[(8)] *[71900]*	---	---	---	57.7 ng/L *[3M]*	---	86.6 ng/L *[3M]*	1/Year *[01/YR]*	Grab *[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 7 – 8 of this permit for applicable footnotes.

SPECIAL CONDITIONS

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS-*Cold Season (October 1st – May 31st)*

2. The permittee is authorized to discharge **secondary treated municipal sanitary wastewater from Outfall #001A** to the St. George River at Warren from October 1 through May 31. Such discharges are limited and must be monitored by the permittee as specified below[(1)(2)]:

Effluent Characteristic	Discharge Limitations						Minimum Monitoring Requirements	
	Monthly Average	Weekly Average	Daily Maximum	Monthly Average	Weekly Average	Daily Maximum	Measurement Frequency	Sample Type
Flow *[50050]*	0.2442 MGD *[03]*	Report MGD *[03]*	Report MGD *[03]*	---	---	---	Continuous *[99/99]*	Recorder *[RC]*
Chemical Biochemical Oxygen Demand ($CBOD_5$) *[80082]*	51 lbs/day *[26]*	81 lbs/day *[26]*	Report lbs/day *[26]*	25 mg/L *[19]*	40 mg/L *[19]*	Report mg/L *[19]*	1/Week *[01/07]*	Composite *[24]*
$CBOD_5$ % Removal[(3)] *[81010]*	---	---	---	85% *[23]*	---	---	1/Month *[01/30]*	Calculate *[CA]*
Total Suspended Solids (TSS) *[00530]*	61 lbs/day *[26]*	92 lbs/day *[26]*	Report lbs/day *[26]*	30 mg/L *[19]*	45 mg/L *[19]*	Report mg/L *[19]*	1/Week *[01/07]*	Composite *[24]*
TSS % Removal[(3)] *[81011]*	---	---	---	85% *[23]*	---	---	1/Month *[01/30]*	Calculate *[CA]*
Settleable Solids *[00545]*	---	---	---	---	---	0.3 ml/L *[25]*	3/Week *[03/07]*	Grab *[GR]*
Fecal Coliform Bacteria[(4)] ***(Year-round)*** *[31616]*	---	---	---	14/100 mL *[13]*	---	31/100 mL *[13]*	1/Week *[01/07]*	Grab *[GR]*
Enterococci Bacteria[(5)] ***(Seasonally April 15th-October 31st)*** *[61211]*	---	---	---	8/100 mL *[13]*	---	54/100 mL *[13]*	1/Week *[1/07]*	Grab *[GR]*
pH (Std. Units)[(7)] *[00400]*	---	---	---	---	---	6.0 – 9.0 SU *[12]*	5/Week *[05/07]*	Grab *[GR]*
Mercury (Total)[(8)] *[71900]*	---	---	---	57.7 ng/L *[3M]*	---	86.6 ng/L *[3M]*	1/Year *[01/YR]*	Grab *[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 7 – 8 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-pipe effluent characteristics. Any change in sampling location must be approved by the Department in writing. The permittee must conduct sampling and analysis in accordance with; a) methods approved by 40 Code of Federal Regulations (C.F.R.) Part 136, b) alternative methods approved by the Department in accordance with the procedures in 40 C.F.R. 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 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 Accreditation Rules*, 10-144 C.M.R. ch. 263 (amended March 15, 2023). Laboratory facilities that analyze compliance samples in-house are subject to the provisions and restrictions of 10 − 144 C.M.R. ch. 263. If the [APPLICANT] monitors any pollutant more frequently than required by the license using test procedures approved under 40 C.F.R. 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).

   In accordance with 40 C.F.R. § 122.44(i)(1)(iv), the permittee must monitor according to sufficiently sensitive test procedures (i.e., methods) approved under 40 C.F.R. Part 136 or required under 40 C.F.R. chapter I, subchapter N or O, for the analysis of pollutants or pollutant parameters (except WET). A method is "sufficiently sensitive" when: 1) The method minimum level (ML) is at or below the level of the effluent limitation established in the permit for the measured pollutant or pollutant parameter; or 2) The method has the lowest ML of the analytical methods approved under 40 C.F.R. Part 136 or required under 40 C.F.R. chapter I, subchapter N or O for the measured pollutant or pollutant parameter. The term "minimum level" refers either to the sample concentration equivalent to the lowest calibration point in a method or a multiple of the method detection limit (MDL), whichever is higher. Minimum levels may be obtained in the following ways: they may be published in a method; they may be based on the lowest acceptable calibration point used by a laboratory; or they may be calculated by multiplying the MDL in a method, or the MDL determined by a laboratory, by a factor.

2. **Dissolved Air Flotation (DAF)** – The permittee must operate the DAF unit during the warm season (June 1 through September 30) whenever the plant is discharging. The permittee is not required to operate the DAF during the cold season (October 1 through May 31). Please refer to Special Condition J for additional DAF operational requirements.

3. **Percent Removal** − The permittee must achieve a minimum of 85 percent removal of both total suspended solids (TSS) and Carbonaceous Biochemical Oxygen Demand ($CBOD_5$) for all flows receiving secondary treatment. The percent removal is calculated based on influent and effluent concentration values. Compliance with the limitation must be based on a twelve-month rolling influent and twelve-month rolling effluent averages. Calendar monthly percent removal values, as reported in the monthly Discharge Monitoring Report, must be calculated using the current twelve-month rolling average influent and twelve-month rolling average effluent concentrations.

SPECIAL CONDITIONS

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

Footnotes:

For the purposes of this permit, the twelve-month rolling average calculation is based on the most recent twelve-month period. The permittee is required to report the percent removal values on the monthly Discharge Monitoring Report and on the Department's "49" form.

4. **Fecal coliform bacteria** – Limits apply on a year-round basis. The monthly average fecal coliform bacteria limitation is a geometric mean limitation and sample results must be reported as such. The monthly average fecal coliform bacteria limitation is a geometric mean limitation and sample results must be reported as such. Results must be expressed in MPN/100mL or CFU/100mL.

5. **Enterococcus Bacteria Reporting** – Enterococcus bacteria limits and monitoring requirements are seasonal and in effect from April 15th – October 31st. The monthly average limitation for enterococci bacteria is a geometric mean and results must be calculated and reported as such. Results must be expressed in MPN/100mL or CFU/100mL.

6. **Dissolved Oxygen Monitoring** –Routine maintenance of Lagoon #1 must not be scheduled between June 1 and September 30. Should Zone 3 of Lagoon #1 be off-line for maintenance between June 1 and September 30, the permittee must monitor Lagoon #2 for dissolved oxygen at mid-depth of the wastewater in the lagoon and must take all appropriate steps to minimize the duration and impact of having Lagoon #1 out of service.

7. **pH Range Limitation –** Effluent monitoring for pH is not required on official holidays observed by the Warren Sanitary District. For instances when this occurs, the District must provide a comment on the monthly discharge monitoring report to indicate the number of actual sampling events for that week.

8. **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 and select "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.

SPECIAL CONDITIONS

B. TREATMENT PLANT OPERATOR

The person who has management responsibility over the treatment facility must hold a **Maine Grade III** Biological Treatment certificate (or higher) or must be a Maine Registered Professional Engineer pursuant to *Wastewater Treatment Plant Operators*, 32 M.R.S. § 4171-4182 and *Wastewater Treatment Plant Operator Certification*, 06-096 C.M.R. Ch. 531 (effective July 24, 2023). 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.

C. 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 C.F.R. Part 403 (general pretreatment regulations) or *Pretreatment Program*, 06-096 C.M.R. Ch. 528 (last amended March 17, 2008).

D. MONITORING AND REPORTING

Electronic Reporting

NPDES Electronic Reporting, 40 C.F.R. Part 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 15th 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.

SPECIAL CONDITIONS

E. 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.

3. 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.

In addition, the permittee must verbally notify the State of Maine Department of Marine Resources (DMR) as soon as it becomes aware of a malfunction in the disinfection system at the wastewater treatment facility which results in or could result in an exceedance of the permitted limits for fecal coliform bacteria. The permittee must also notify DMR in the event of a malfunction of the sanitary sewer collection system and appurtenances that results in untreated or partially treated wastewater being discharged to a surface waterbody that may cause or contribute to the closure of a shellfish harvesting area.

F. 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 April 30, 2020; 2) the terms and conditions of this permit; and 3) only from Outfall #001A. 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.

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.

SPECIAL CONDITIONS

G. WET WEATHER MANAGEMENT PLAN (cont'd)

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. BEST MANAGEMENT PRACTICES (BMPs)

Based on an October 27, 2000, Settlement Agreement between the District, the Georges River Tidewater Association and the Natural Resources Council of Maine, the District must employ the following Best Management Practices (BMPs) through the effective term of this permit:

1. Maintain two baffles in Lagoon No. 1 of the treatment facility to create three zones (an anaerobic first zone, an anoxic middle zone, and an aerobic third zone) and maintain a pump system (with the capability of recycling at least 2 times influent volume) to recycle some of the effluent in the third zone back to the first two zones, the purpose of which is to encourage denitrification. The purpose of the first two zones in Lagoon No. 1 is to treat the CBOD. The purpose of the third zone is to encourage nitrification.

2. Use Lagoons No. 2 and No. 3 of the treatment facility as polishing lagoons with limited aeration.

3. The DAF must be run whenever the facility is discharging during the period of June 1st through September 30th. The DAF is not required to be run continuously during the period of October 1st through May 31st.

SPECIAL CONDITIONS

I. BEST MANAGEMENT PRACTICES (BMPs) (cont'd)

4. The amount of aeration added to the lagoons will be based on the actual CBOD loads (using the industry standard ratio of 2 lbs. O_2 to 1 lb. CBOD) and the DO levels in the system. In addition, the District must continue to determine the amount of aeration necessary for the third zone of Lagoon No. 1 based on the actual ammonia-nitrogen loads (using the industry standard ratio 4.6 lbs. of O_2 to 1 lb ammonia) as well as CBOD loads using the industry standards as referenced above.

5. Maintain the use of Lagoon No. 4 of the treatment facility for summer storage. Lagoon No. 4 must receive no aeration. From June 1 through September 30, effluent may be discharged out of Lagoon No. 3 or No. 4 in accordance with the professional judgment of the plant operator based on effluent quality. The remaining flow must be stored in Lagoon No. 4.

   From October 1 through May 31, effluent must be discharged out of Lagoon No. 3 and No. 4 with the intention that Lagoon No. 4 will be drawn down before the next summer storage season.

6. Periodically remove sludge from all lagoons in accordance with the facility's design specifications in order to maximize these BMPs and treatment performance. At least 60 days prior to initiating any sludge removal projects, the District must submit to the Department, for review and comment, a description of the planned project(s) and a description of proposed actions that will be taken to ensure compliance with the conditions of this permit, including, but not limited to, Special Condition A, *Effluent Limitations and Monitoring Requirements*. During sludge removal project(s), the Department acknowledges the BMPs listed in paragraphs 1 through 4 above may not be possible or may not provide the most effective wastewater treatment.

   The District must follow the approved sludge removal plan unless, in the best professional judgment of the treatment plant operator, different or additional action is necessary to provide best practicable treatment of the wastewater or to prevent violations of the special and standard conditions associated with this permit. The operation of the treatment plant system, including, but not limited to, the determination of how much aeration should be provided and when sludge must be removed from the lagoon must be left to the professional judgment of the plant operator.

7. Maintain the automatic shut-off system, the purpose of which is to cease discharge upon activation of the UV disinfection system failure alarm.

J. STATEMENT FOR REDUCED/WAIVED TOXICS TESTING

By In accordance with 06-096 C.M.R. ch. 530(2)(D)(4), and 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 96299]**. See **Fact Sheet Attachment D** 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;

SPECIAL CONDITIONS

J. STATEMENT FOR REDUCED/WAIVED TOXICS TESTING (cont'd)

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 (hauled) 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.

K. REOPENING OF PERMIT FOR MODIFICATION

In accordance with 38 M.R.S. § 414-A(5) and upon evaluation of the test results or monitoring requirements specified in Special Conditions of this permit, 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.

L. 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.

CONTENTS

A. GENERAL PROVISIONS

1. **General compliance**. All discharges shall be consistent with the terms and conditions of this permit; any changes in production capacity or process modifications which result in changes in the quantity or the characteristics of the discharge must be authorized by an additional license or by modifications of this permit; it shall be a violation of the terms and conditions of this permit to discharge any pollutant not identified and authorized herein or to discharge in excess of the rates or quantities authorized herein or to violate any other conditions of this permit.

2. Other materials. Other materials ordinarily produced or used in the operation of this facility, which have been specifically identified in the application, may be discharged at the maximum frequency and maximum level identified in the application, provided:

(a) They are not

(i) Designated as toxic or hazardous under the provisions of Sections 307 and 311, respectively, of the Federal Water Pollution Control Act; Title 38, Section 420, Maine Revised Statutes; or other applicable State Law; or
(ii) Known to be hazardous or toxic by the licensee.

(b) The discharge of such materials will not violate applicable water quality standards.

3. Duty to comply. The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of State law and the Clean Water Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application.

(a) The permittee shall comply with effluent standards or prohibitions established under section 307(a) of the Clean Water Act, and 38 MRSA, §420 or Chapter 530.5 for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement.
(b) Any person who violates any provision of the laws administered by the Department, including without limitation, a violation of the terms of any order, rule license, permit, approval or decision of the Board or Commissioner is subject to the penalties set forth in 38 MRSA, §349.

4. Duty to provide information. The permittee shall furnish to the Department, within a reasonable time, any information which the Department may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The permittee shall also furnish to the Department upon request, copies of records required to be kept by this permit.

5. Permit actions. This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

6. Reopener clause. The Department reserves the right to make appropriate revisions to this permit in order to establish any appropriate effluent limitations, schedule of compliance or other provisions which may be authorized under 38 MRSA, §414-A(5).

7. Oil and hazardous substances. Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities or penalties to which the permittee is or may be subject under section 311 of the Federal Clean Water Act; section 106 of the Federal Comprehensive Environmental Response, Compensation and Liability Act of 1980; or 38 MRSA §§ 1301, et. seq.

8. Property rights. This permit does not convey any property rights of any sort, or any exclusive privilege.

9. Confidentiality of records. 38 MRSA §414(6) reads as follows. "Any records, reports or information obtained under this subchapter is available to the public, except that upon a showing satisfactory to the department by any person that any records, reports or information, or particular part or any record, report or information, other than the names and addresses of applicants, license applications, licenses, and effluent data, to which the department has access under this subchapter would, if made public, divulge methods or processes that are entitled to protection as trade secrets, these records, reports or information must be confidential and not available for public inspection or examination. Any records, reports or information may be disclosed to employees or authorized representatives of the State or the United States concerned with carrying out this subchapter or any applicable federal law, and to any party to a hearing held under this section on terms the commissioner may prescribe in order to protect these confidential records, reports and information, as long as this disclosure is material and relevant to any issue under consideration by the department."

10. Duty to reapply. If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit.

11. Other laws. The issuance of this permit does not authorize any injury to persons or property or invasion of other property rights, nor does it relieve the permittee if its obligation to comply with other applicable Federal, State or local laws and regulations.

12. Inspection and entry. The permittee shall allow the Department, or an authorized representative (including an authorized contractor acting as a representative of the EPA Administrator), upon presentation of credentials and other documents as may be required by law, to:

(a) Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
(b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
(c) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
(d) Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act, any substances or parameters at any location.

B. OPERATION AND MAINTENACE OF FACILITIES

1. General facility requirements.

(a) The permittee shall collect all waste flows designated by the Department as requiring treatment and discharge them into an approved waste treatment facility in such a manner as to

maximize removal of pollutants unless authorization to the contrary is obtained from the Department.

(b) The permittee shall at all times maintain in good working order and operate at maximum efficiency all waste water collection, treatment and/or control facilities.

(c) All necessary waste treatment facilities will be installed and operational prior to the discharge of any wastewaters.

(d) Final plans and specifications must be submitted to the Department for review prior to the construction or modification of any treatment facilities.

(e) The permittee shall install flow measuring facilities of a design approved by the Department.

(f) The permittee must provide an outfall of a design approved by the Department which is placed in the receiving waters in such a manner that the maximum mixing and dispersion of the wastewaters will be achieved as rapidly as possible.

2. Proper operation and maintenance. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit.

3. Need to halt or reduce activity not a defense. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

4. Duty to mitigate. The permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

5. Bypasses.

(a) Definitions.

(i) Bypass means the intentional diversion of waste streams from any portion of a treatment facility.

(ii) Severe property damage means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

(b) Bypass not exceeding limitations. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of paragraphs (c) and (d) of this section.

(c) Notice.

(i) Anticipated bypass. If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least ten days before the date of the bypass.

(ii) Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in paragraph D(1)(f), below. (24-hour notice).

(d) Prohibition of bypass.

(i) Bypass is prohibited, and the Department may take enforcement action against a permittee for bypass, unless:

(A) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
(B) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
(C) The permittee submitted notices as required under paragraph (c) of this section.

(ii) The Department may approve an anticipated bypass, after considering its adverse effects, if the Department determines that it will meet the three conditions listed above in paragraph (d)(i) of this section.

6. Upsets.

(a) Definition. Upset means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

(b) Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based permit effluent limitations if the requirements of paragraph (c) of this section are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.

(c) Conditions necessary for a demonstration of upset. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

(i) An upset occurred and that the permittee can identify the cause(s) of the upset;
(ii) The permitted facility was at the time being properly operated; and
(iii) The permittee submitted notice of the upset as required in paragraph D(1)(f) , below. (24 hour notice).
(iv) The permittee complied with any remedial measures required under paragraph B(4).

(d) Burden of proof. In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof.

C. MONITORING AND RECORDS

1. General Requirements. This permit shall be subject to such monitoring requirements as may be reasonably required by the Department including the installation, use and maintenance of monitoring equipment or methods (including, where appropriate, biological monitoring methods). The permittee shall provide the Department with periodic reports on the proper Department reporting form of monitoring results obtained pursuant to the monitoring requirements contained herein.

2. Representative sampling. Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge. If effluent limitations are based wholly or partially on quantities of a product processed, the permittee shall ensure samples are representative of times when production is taking place. Where discharge monitoring is required when production is less than 50%, the resulting data shall be reported as a daily measurement but not included in computation of averages, unless specifically authorized by the Department.

3. Monitoring and records.

(a) Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.

(b) Except for records of monitoring information required by this permit related to the permittee's sewage sludge use and disposal activities, which shall be retained for a period of at least five years, the permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the sample, measurement, report or application. This period may be extended by request of the Department at any time.

(c) Records of monitoring information shall include:

(i) The date, exact place, and time of sampling or measurements;
(ii) The individual(s) who performed the sampling or measurements;
(iii) The date(s) analyses were performed;
(iv) The individual(s) who performed the analyses;
(v) The analytical techniques or methods used; and
(vi) The results of such analyses.

(d) Monitoring results must be conducted according to test procedures approved under 40 CFR part 136, unless other test procedures have been specified in the permit.

(e) State law provides that any person who tampers with or renders inaccurate any monitoring devices or method required by any provision of law, or any order, rule license, permit approval or decision is subject to the penalties set forth in 38 MRSA, §349.

D. REPORTING REQUIREMENTS

1. Reporting requirements.

(a) Planned changes. The permittee shall give notice to the Department as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:

(i) The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR 122.29(b); or

(ii) The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements under Section D(4).

(iii) The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan;

(b) Anticipated noncompliance. The permittee shall give advance notice to the Department of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

(c) Transfers. This permit is not transferable to any person except upon application to and approval of the Department pursuant to 38 MRSA, § 344 and Chapters 2 and 522.

(d) Monitoring reports. Monitoring results shall be reported at the intervals specified elsewhere in this permit.

(i) Monitoring results must be reported on a Discharge Monitoring Report (DMR) or forms provided or specified by the Department for reporting results of monitoring of sludge use or disposal practices.

(ii) If the permittee monitors any pollutant more frequently than required by the permit using test procedures approved under 40 CFR part 136 or as specified in the permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR or sludge reporting form specified by the Department.

(iii) Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified by the Department in the permit.

(e) Compliance schedules. Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.

(f) Twenty-four hour reporting.

(i) The permittee shall report any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within 5 days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance

has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

(ii) The following shall be included as information which must be reported within 24 hours under this paragraph.

(A) Any unanticipated bypass which exceeds any effluent limitation in the permit.
(B) Any upset which exceeds any effluent limitation in the permit.
(C) Violation of a maximum daily discharge limitation for any of the pollutants listed by the Department in the permit to be reported within 24 hours.

(iii) The Department may waive the written report on a case-by-case basis for reports under paragraph (f)(ii) of this section if the oral report has been received within 24 hours.

(g) Other noncompliance. The permittee shall report all instances of noncompliance not reported under paragraphs (d), (e), and (f) of this section, at the time monitoring reports are submitted. The reports shall contain the information listed in paragraph (f) of this section.

(h) Other information. Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Department, it shall promptly submit such facts or information.

2. Signatory requirement. All applications, reports, or information submitted to the Department shall be signed and certified as required by Chapter 521, Section 5 of the Department's rules. State law provides that any person who knowingly makes any false statement, representation or certification in any application, record, report, plan or other document filed or required to be maintained by any order, rule, permit, approval or decision of the Board or Commissioner is subject to the penalties set forth in 38 MRSA, §349.

3. Availability of reports. Except for data determined to be confidential under A(9), above, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the Department. As required by State law, effluent data shall not be considered confidential. Knowingly making any false statement on any such report may result in the imposition of criminal sanctions as provided by law.

4. Existing manufacturing, commercial, mining, and silvicultural dischargers. In addition to the reporting requirements under this Section, all existing manufacturing, commercial, mining, and silvicultural dischargers must notify the Department as soon as they know or have reason to believe:

(a) That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":

(i) One hundred micrograms per liter (100 ug/l);
(ii) Two hundred micrograms per liter (200 ug/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 ug/l) for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/l) for antimony;
(iii) Five (5) times the maximum concentration value reported for that pollutant in the permit application in accordance with Chapter 521 Section 4(g)(7); or
(iv) The level established by the Department in accordance with Chapter 523 Section 5(f).

(b) That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following ``notification levels'':

(i) Five hundred micrograms per liter (500 ug/l);
(ii) One milligram per liter (1 mg/l) for antimony;
(iii) Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with Chapter 521 Section 4(g)(7); or
(iv) The level established by the Department in accordance with Chapter 523 Section 5(f).

5. Publicly owned treatment works.

(a) All POTWs must provide adequate notice to the Department of the following:

(i) Any new introduction of pollutants into the POTW from an indirect discharger which would be subject to section 301 or 306 of CWA or Chapter 528 if it were directly discharging those pollutants.
(ii) Any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of issuance of the permit.
(iii) For purposes of this paragraph, adequate notice shall include information on (A) the quality and quantity of effluent introduced into the POTW, and (B) any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW.

(b) When the effluent discharged by a POTW for a period of three consecutive months exceeds 80 percent of the permitted flow, the permittee shall submit to the Department a projection of loadings up to the time when the design capacity of the treatment facility will be reached, and a program for maintaining satisfactory treatment levels consistent with approved water quality management plans.

E. OTHER REQUIREMENTS

1. Emergency action - power failure. Within thirty days after the effective date of this permit, the permittee shall notify the Department of facilities and plans to be used in the event the primary source of power to its wastewater pumping and treatment facilities fails as follows.

(a) For municipal sources. During power failure, all wastewaters which are normally treated shall receive a minimum of primary treatment and disinfection. Unless otherwise approved, alternate power supplies shall be provided for pumping stations and treatment facilities. Alternate power supplies shall be on-site generating units or an outside power source which is separate and independent from sources used for normal operation of the wastewater facilities.

(b) For industrial and commercial sources. The permittee shall either maintain an alternative power source sufficient to operate the wastewater pumping and treatment facilities or halt, reduce or otherwise control production and or all discharges upon reduction or loss of power to the wastewater pumping or treatment facilities.

2. Spill prevention. (applicable only to industrial sources) Within six months of the effective date of this permit, the permittee shall submit to the Department for review and approval, with or without conditions, a spill prevention plan. The plan shall delineate methods and measures to be taken to prevent and or contain any spills of pulp, chemicals, oils or other contaminates and shall specify means of disposal and or treatment to be used.

3. **Removed substances.** Solids, sludges trash rack cleanings, filter backwash, or other pollutants removed from or resulting from the treatment or control of waste waters shall be disposed of in a manner approved by the Department.

4. **Connection to municipal sewer.** (applicable only to industrial and commercial sources) All wastewaters designated by the Department as treatable in a municipal treatment system will be cosigned to that system when it is available. This permit will expire 90 days after the municipal treatment facility becomes available, unless this time is extended by the Department in writing.

F. DEFINITIONS. For the purposes of this permit, the following definitions shall apply. Other definitions applicable to this permit may be found in Chapters 520 through 529 of the Department's rules

Average means the arithmetic mean of values taken at the frequency required for each parameter over the specified period. For bacteria, the average shall be the geometric mean.

Average monthly discharge limitation means the highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month. Except, however, bacteriological tests may be calculated as a geometric mean.

Average weekly discharge limitation means the highest allowable average of daily discharges over a calendar week, calculated as the sum of all daily discharges measured during a calendar week divided by the number of daily discharges measured during that week.

Best management practices ("BMPs") means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the State. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

Composite sample means a sample consisting of a minimum of eight grab samples collected at equal intervals during a 24 hour period (or a lesser period as specified in the section on monitoring and reporting) and combined proportional to the flow over that same time period.

Continuous discharge means a discharge which occurs without interruption throughout the operating hours of the facility, except for infrequent shutdowns for maintenance, process changes, or other similar activities.

Daily discharge means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the daily discharge is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the daily discharge is calculated as the average measurement of the pollutant over the day.

Discharge Monitoring Report ("DMR") means the EPA uniform national form, including any subsequent additions, revisions, or modifications for the reporting of self-monitoring results by permittees. DMRs must be used by approved States as well as by EPA. EPA will supply DMRs to any approved State upon request. The EPA national forms may be modified to substitute the State Agency name, address, logo, and other similar information, as appropriate, in place of EPA's.

Flow weighted composite sample means a composite sample consisting of a mixture of aliquots collected at a constant time interval, where the volume of each aliquot is proportional to the flow rate of the discharge.

Grab sample means an individual sample collected in a period of less than 15 minutes.

Interference means a Discharge which, alone or in conjunction with a discharge or discharges from other sources, both:

(1) Inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use or disposal; and
(2) Therefore is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued thereunder (or more stringent State or local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), and including State regulations contained in any State sludge management plan prepared pursuant to subtitle D of the SWDA), the Clean Air Act, the Toxic Substances Control Act, and the Marine Protection, Research and Sanctuaries Act.

Maximum daily discharge limitation means the highest allowable daily discharge.

New source means any building, structure, facility, or installation from which there is or may be a discharge of pollutants, the construction of which commenced:

(a) After promulgation of standards of performance under section 306 of CWA which are applicable to such source, or
(b) After proposal of standards of performance in accordance with section 306 of CWA which are applicable to such source, but only if the standards are promulgated in accordance with section 306 within 120 days of their proposal.

Pass through means a discharge which exits the POTW into waters of the State in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation).

Permit means an authorization, license, or equivalent control document issued by EPA or an approved State to implement the requirements of 40 CFR parts 122, 123 and 124. Permit includes an NPDES general permit (Chapter 529). Permit does not include any permit which has not yet been the subject of final agency action, such as a draft permit or a proposed permit.

Person means an individual, firm, corporation, municipality, quasi-municipal corporation, state agency, federal agency or other legal entity.

Point source means any discernible, confined and discrete conveyance, including, but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation or vessel or other floating craft, from which pollutants are or may be discharged.

Pollutant means dredged spoil, solid waste, junk, incinerator residue, sewage, refuse, effluent, garbage, sewage sludge, munitions, chemicals, biological or radiological materials, oil, petroleum products or byproducts, heat, wrecked or discarded equipment, rock, sand, dirt and industrial, municipal, domestic, commercial or agricultural wastes of any kind.

Process wastewater means any water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct, or waste product.

Publicly owned treatment works ("POTW") means any facility for the treatment of pollutants owned by the State or any political subdivision thereof, any municipality, district, quasi-municipal corporation or other public entity.

Septage means, for the purposes of this permit, any waste, refuse, effluent sludge or other material removed from a septic tank, cesspool, vault privy or similar source which concentrates wastes or to which chemicals have been added. Septage does not include wastes from a holding tank.

Time weighted composite means a composite sample consisting of a mixture of equal volume aliquots collected over a constant time interval.

Toxic pollutant includes any pollutant listed as toxic under section 307(a)(1) or, in the case of sludge use or disposal practices, any pollutant identified in regulations implementing section 405(d) of the CWA. Toxic pollutant also includes those substances or combination of substances, including disease causing agents, which after discharge or upon exposure, ingestion, inhalation or assimilation into any organism, including humans either directly through the environment or indirectly through ingestion through food chains, will, on the basis of information available to the board either alone or in combination with other substances already in the receiving waters or the discharge, cause death, disease, abnormalities, cancer, genetic mutations, physiological malfunctions, including malfunctions in reproduction, or physical deformations in such organism or their offspring.

Wetlands means those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

Whole effluent toxicity means the aggregate toxic effect of an effluent measured directly by a toxicity test.

MAINE POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT
MAINE WASTE DISCHARGE LICENSE

FACT SHEET

DATE: **April 2, 2025**

PERMIT NUMBER: **ME0102253**

WASTE DISCHARGE LICENSE: **W007023-6B-H-R**

NAME AND ADDRESS OF APPLICANT:

WARREN SANITARY DISTRICT
P.O. Box 369
Warren, Maine 04864

COUNTY: **Knox**

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

WARREN SANITARY DISTRICT
442 Cushing Road
Warren, Maine 04864

RECEIVING WATER CLASSIFICATION: **St. George River/Class SB**

COGNIZANT OFFICIAL CONTACT INFORMATION:

Mr. Michael Courtnay, Superintendent
207-273-2047
manager@warrensanitarydistrict.org

1. APPLICATION SUMMARY

a. Application: On April 30, 2020, the Department accepted as complete for processing, an application from the Warren Sanitary District (District/permittee hereinafter) for the renewal of combination Waste Discharge License (WDL) W007023-6B-G-R/Maine Pollutant Discharge Elimination System (MEPDES) ME0102253, which was issued on April 9, 2015, for a five-year term. The April 9, 2015, MEPDES permit authorized the District to discharge of 0.0795 million gallons per day (MGD) between June 1 and September 30 of each year and a monthly average of 0.2442 MGD between October 1 and May 31 each year, of secondary treated municipal wastewater from a publicly owned treatment works (POTW) to the St. George River, Class SB, in Warren, Maine. See **Attachment A** of this Fact Sheet for aerial photographs depicting the location of the facility and the outfall location.

1. APPLICATION SUMMARY (cont'd)

b. Source Description: The Warren Sanitary District, located on State Route 97 in Warren, treats domestic sanitary wastewater generated by a population of approximately 950 residents (250 connections) within the Village of Warren. Approximately 72% of the total sanitary wastewater influent flows to the facility originate at the State of Maine Department of Corrections Minimum and Maximum-Security Prison Facility (Bolduc Correctional Facility, BCF), which is located at 516 Cushing Road adjacent to the treatment facility, and the Maine State Prison located at 807 Cushing Road in Warren.

The State of Maine Department of Corrections owns and maintains an approximately one-mile long, gravity sewer collection system that serves the two correctional institutions. This water flows to a pump station owned by the district (Pump Station No. 2). The pump station is located on the district's property behind the Bolduc Correctional Facility and serves to convey the wastewater to the treatment facility headworks and is equipped with emergency back-up power. The District's collection system consists of approximately 5 miles of gravity sewer, 4.5 miles of force main and two (2) other pump stations. Pump Station No. 1 is located in Warren Village and is equipped with back-up power; Pump Station No. 3 serves and is located adjacent to the local school and pumps to the Warren Village Station. There are no combined sewer overflow (CSO) points and no industrial users associated with the collection system and the facility is not required to implement a formal pretreatment program or authorized to receive transported wastes.

c. Wastewater Treatment: The District provides secondary treatment of sanitary wastewater via a four-cell, partial mix, aerated lagoon system lagoon system with the following characteristics:

Lagoon Cell	**No. 1**	**No. 2**	**No. 3**	**No. 4**
Volume (million gallons)	5.59 MG	1.69MG	1.69 MG	15.0 MG
Dimensions (LxWxD)	500' x 145' x 18'	230' x 125' x18'	230' x 125' x 18'	Irregular shaped x 18'
Lagoon Acreage	1.66 acres	0.66 acres	0.66 acres	4.5 acres

Wastewater is conveyed to the treatment facility via gravity and force main sewer lines and influent flows from the BCF and Warren Village are measured separately via flow meters prior to entering Lagoon #1. Although any of the four available lagoon cells may be removed from service, flows typically follow the sequential pattern: Lagoon #1 > Lagoon #2 > Lagoon #3 > Lagoon #4. Treated effluent from the lagoons flows by gravity to a dissolved air floatation (DAF) unit for algae removal whenever discharging between June 1st and September 30th ; and as necessary outside the warm season.

The piping layout includes provisions to bypass the DAF unit, however the District has typically operated the DAF on a continuous, year-round basis. The District has recently shut down the DAF for the cold season which is within the scope of the permit. The District has indicated the DAF unit will remain available for treatment if effluent quality diminishes. When the DAF is in operation, a polymer is added to the flow prior to entering the DAF unit to assist in coagulation and flocculation. Floc is skimmed from the surface of the DAF unit to a wet well. The contents of the wet well are periodically

1. APPLICATION SUMMARY (cont'd)

pumped back to the headworks for additional treatment via the lagoon system. Following the DAF unit, the flow is conveyed to a splitter box located in the disinfection building and evenly-distributed to up to three channels equipped with an ultraviolet (UV) disinfection system. The UV system is equipped with an alarm system and automatic shut-off designed to cease discharge upon activation of the alarm.

In 2018 the original 64-lamp UV disinfection systems dating back to 1992 and 1997 were replaced with a 96-lamp Trojan UV disinfection system. The final effluent is measured using a Milltronics OCM III ultrasonic flow monitoring device installed over the Parshall flume.

Final effluent is conveyed to the St. George River for discharge via an 8-inch diameter outfall pipe. The outfall pipe extends out approximately 120 feet into the tidal river and is submerged to a depth of approximately 15 feet below the surface at mean low water. The outfall includes a diffuser port with four (4) 4-inch diameter outfall ports to enhance mixing with the receiving waters. A process flow diagram submitted by the permittee is included as Fact Sheet **Attachment B**.

2. PERMIT SUMMARY

a. Terms and Conditions: This permit is carrying forward all the terms and conditions of the previous permit and subsequent minor revisions except it is:

1. Establishing seasonal monthly average and daily maximum limits of 8 CFU/100 mL and 54 CFU/100 mL, respectively, for enterococci bacteria between April 15th – October 31st of each year.

2. Revising the seasonal fecal coliform limits from a monthly average of 15 CFU/100 mL and a daily maximum of 50 CFU/100 mL to year-round limitations of 14 CFU or MPN/100 mL and 31 CFU or MPN/100 mL, respectively, in order to be consistent with the National Shellfish Sanitation Program.

3. Updating Special Condition A, *Effluent Limitations and Monitoring Requirements*, footnote 1, Sampling to the Department's most current requirements to include sufficiently sensitive methods.

4. Revising the language in Special Condition A, *Effluent Limitations and Monitoring Conditions,* footnote 6 to resemble monitoring of dissolved oxygen (DO) at other facilities. It still retains monitoring protocols and references to general operation and maintenance requirements for the lagoons.

b. History: This section provides a summary of significant licensing actions and milestones that have been completed for the Warren Sanitary District:

May 25, 1990 – The Department issued WDL #W007023-59-A-N, which contained alternate concentration limits (more stringent than secondary treatment limitations) for biochemical oxygen demand (BOD_5) and total suspended solids (TSS). No mass limits for BOD_5 and TSS were established in the license. The license also contained less stringent limitations for fecal coliform bacteria than were routinely imposed on discharges to marine waters. The limits were based on recommendations and performance guarantee considerations by the manufacturer of the ultra-violet disinfection system.

2. PERMIT SUMMARY (cont'd)

July 16, 1990 – The US Environmental Protection Agency (USEPA) issued NPDES permit #ME0102253 to the District, which contained standard monthly average, weekly average and daily maximum secondary treatment concentration limits for BOD_5 and TSS of 30 mg/L, 45 mg/L and 50 mg/L, respectively, and corresponding mass limits based on a flow limit of 0.151 MGD.

November 19, 1999 – The Department published the final St. George River data report, which contained the results of the St. George River estuary study. The data revealed that Class SB minimum dissolved oxygen criteria were not met in portions of the estuary. A major source of the dissolved oxygen depletion was attributed to respiration of algae in the early morning. It is noted that Item #8 in the Executive Summary section of a report published by the Department entitled, *St. George River Modeling Report,* dated April 2000, that at model runs with the District at zero discharge and at a licensed flow of 0.151 MGD, when compared, indicate no measurable differences in dissolved oxygen

April 7, 2000 – After taking into consideration the written comments on the draft model report, the Department published the final St. George River Modeling Report. The final report reached the same conclusion that the draft report reached in that the dissolved oxygen depletion attributable to the District discharging at 0.10 MGD during the summer months (June 1st – September 30th) is predicted to be less than the instrument measurement error of 0.1 part per million (ppm). Therefore, the impact of the discharge on in-stream dissolved oxygen levels is not measurable.

June 1, 2000 – The Department administratively modified WDL # W007023-5L-B-R by establishing interim average and maximum concentration limits for the discharge of mercury.

October 27, 2000 – The District entered into a settlement agreement with the Georges River Tidewater Association (GRTA) and Natural Resources Council of Maine (NRCM) (Settlement Agreement).

January 12, 2001 – The Department received authorization from the USEPA to administer the NPDES permitting program in Maine, excluding areas of special interest to Maine Indian Tribes. From this point forward, the program has been referred to as the Maine Pollutant Discharge Elimination System (MEPDES) program, and MEPDES permit #ME0102253 has been utilized for this facility.

May 15, 2001 – The Department issued WDL modification #W007023-5L-C-M / MEPDES Permit #ME0102253 to the District. The WDL modification request from the District was filed to incorporate conditions of the 10/27/00 Settlement Agreement. The May 15, 2001, WDL modification was issued to include a reduction in the warm season discharge flow limit, an increase in the cold season flow limit, reductions in mass and concentration limits for carbonaceous biochemical oxygen demand (CBOD) and total suspended solids (TSS) during the cold season, imposition of concentration reporting requirements for nitrite-nitrogen and total Kjeldahl nitrogen during the warm season, imposition of best management practices for the facility, imposition of a schedule of compliance for treatment plant improvements, revised cold season and warm season dilution factors based on the revised flow limits, and an increase in the pH range limit.

April 25, 2005 – The Department issued WDL #W007023-5L-D-R / MEPDES Permit #ME0102253 to the District for a five-year term.

2. PERMIT SUMMARY (cont'd)

April 10, 2006 – The Department unilaterally modified the April 25, 2005, permit by waiving whole effluent toxicity testing and analytical chemistry testing.

February 10, 2010 – The Department issued WDL #W007023-6B-E-R / MEPDES Permit #ME0102253 to the District for a five-year term.

April 9, 2015 – The Department issued MEPDES Permit/WDL ME0102253/W007023-6B-G-R for a five-year term.

April 17, 2020 – The District submitted a General Application to the Department for renewal of the April 9, 2015 MEPDES permit/WDL. The application was accepted for processing on April 30, 2020, and was assigned MEPDES ME0102253/W007023-6B-H-R.

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 C.M.R. Ch. 530 require the regulation of toxic substances not to exceed levels set forth in *Surface Water Quality Criteria for Toxic Pollutants*, 06-096 C.M.R. Ch. 584 (last amended February 16, 2020), 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(3) classifies the tidewaters of the St. George River at the point of discharge as a Class SB waterway.

Standards for classification of estuarine and marine waters, 38 M.R.S. § 465-B(2) describes the standards for classification of Class SB waterways as follows:

A. Class SB waters must be of such quality that they are suitable for the designated uses of recreation in and on the water, fishing, aquaculture, propagation and harvesting of shellfish, industrial process and cooling water supply, hydroelectric power generation, navigation and as habitat for fish and other estuarine and marine life. The habitat must be characterized as unimpaired.

B. Class SB waters must be of sufficient quality to support all estuarine and marine species indigenous to those waters without detrimental changes in the resident biological community. The dissolved oxygen content of Class SB waters may not be less than 85% of saturation. Between April 15th and October 31st, the number of *Enterococcus* bacteria in these waters may not exceed a geometric mean of 8 CFU or MPN per 100 milliliters in any 90-day interval or 54 CFU or MPN per 100 milliliters in more than 10% of the samples in any 90-day interval. The number of total coliform bacteria or other specified indicator organisms in samples representative of the waters in shellfish harvesting areas may not exceed the criteria recommended under the National Shellfish Sanitation Program, United States Food and Drug Administration as set forth in its publication "Guide for the Control of Molluscan Shellfish" (2019 revision) or any successor publication.

4. RECEIVING WATER QUALITY STANDARDS (cont'd)

C. Discharges to Class SB waters may not cause adverse impact to estuarine and marine life in that the receiving waters must be of sufficient quality to support all estuarine and marine species indigenous to the receiving water without detrimental changes in the resident biological community. There may be no new discharge to Class SB waters that would cause closure of open shellfish areas by the Department of Marine Resources. For the purpose of allowing the discharge of aquatic pesticides approved by the department for the control of mosquito-borne diseases in the interest of public health and safety, the department may find that the discharged effluent will not cause adverse impact to estuarine and marine life as long as the materials and methods used provide protection for nontarget species. When the department issues a license for the discharge of aquatic pesticides authorized under this paragraph, the department shall notify the municipality in which the application is licensed to occur and post the notice on the department's publicly accessible website.

5. REASONABLE POTENTIAL

Pursuant to 33 U.S.C. § 1311(b)(1)(C) and 40 C.F.R. § 122.44(d)(1), NPDES permits must contain any requirements in addition to technology based effluent limitations (TBELs) that are necessary to achieve water quality standards established under 33 U.S.C. § 1311(b)(1)(C). In addition, limitations "must control any pollutant or pollutant parameter (conventional, non-conventional, or toxic) which the permitting authority determines are or may be discharged at a level which will cause, have the reasonable potential to cause, or contribute to an excursion above any water quality standard (WQS), including State narrative criteria for water quality." 40 C.F.R. § 122.44(d)(1)(i). To determine if the discharge causes, or has the reasonable potential to cause, or contribute to an excursion above any WQS, EPA considers: 1) existing controls on point and non-point sources of pollution; 2) the variability of the pollutant or pollutant parameter in the effluent; 3) the sensitivity of the species to toxicity testing (when evaluating whole effluent toxicity); and 4) where appropriate, the dilution of the effluent by the receiving water. *See* 40 C.F.R. § 122.44(d)(1)(ii).

If the permitting authority determines that the discharge of a pollutant will cause, has the reasonable potential to cause, or contribute to an excursion above WQSs, the permit must contain water quality-based effluent limitations (WQBELs) for that pollutant. *See* 40 C.F.R. § 122.44(d)(1)(i).

6. RECEIVING WATER QUALITY CONDITIONS

The State of Maine Department of Environmental Protection 2018/2020/2022 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 (Assessment Unit ID ME010500030106_SB_01E) as:

Category 4-B-1: *Estuarine and Marine Water Impaired by Pollutants-Pollution Control Requirements Reasonably Expected to Result in Attainment*.

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. RECEIVING WATER QUALITY CONDITIONS (cont'd)

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 WU section P1 is closed to the harvesting of shellfish due to the location of the District's wastewater treatment plant outfall. The shellfish closure area can be found at https://www.maine.gov/dmr/shellfish-sanitation-management/closures/index.html and in **Attachment C** of this Fact Sheet.

7. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

a. Flow: The previous permit established, and this permit is carrying forward, a monthly average warm season (June 1 through September 30) and cold season (October 1 through May 31) discharge flow limits of 0.0795 MGD and 0.2442 MGD, respectively, as well as weekly average and daily maximum discharge flow reporting requirements which are being carried forward in this permit. Separate warm season and cold season limits were established to encourage District to hold wastewater during the summer months when the receiving waters are most vulnerable to adverse impacts from point and non-point source pollution.

The Department reviewed data from Discharge Monitoring Reports (DMRs) that were submitted for the period December 2019 – December 2024. A review of the data indicates the following:

Warm Season Flow (n=18)

Value	Limit (MGD)	Range (MGD)	Mean (MGD)
Monthly Average	0.0795	0.07 – 0.08	0.07
Weekly Average	Report	0.07 – 0.08	0.075
Daily Maximum	Report	0.07 – 0.26	0.163

Cold Season Flow (n=37)

Value	Limit (MGD)	Range (MGD)	Mean (MGD)
Monthly Average	0.2442	0.1 – 0.24	0.17
Weekly Average	Report	0.1 – 0.25	0.19
Daily Maximum	Report	0.07 – 0.26	0.163

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

b. Dilution Factors:

06-096 C.M.R. Ch. 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 discharge flow limits of 0.0795 MGD and 0.2442 MGD, respectively and the location and configuration of the outfall structure, the Department has established dilution factors as follow:

Warm Season: Acute = 254:1 Chronic = 1,800:1 Harmonic mean[1] = 5,400:1

Cold Season: Acute = 94:1 Chronic = 591:1 Harmonic mean = 1,773:1

c. Carbonaceous Biochemical Oxygen Demand ($CBOD_5$): The previous permit established, and permit is carrying forward, a year-round monthly average concentration limit of 25 mg/L and seasonal weekly average limits of 30 mg/L (warm season) and 40 mg/L (cold season) for $CBOD_5$. Additionally, the previous permit established, and this permit is carrying forward a year-round daily maximum concentration reporting requirement and a minimum monitoring frequency requirement of once per week.

The Department substituted $CBOD_5$ limits for biochemical oxygen demand (BOD_5) based on a request from the permittee and on provisions of *Effluent Guidelines and Standards*, 06-096 C.M.R. Ch. 525 which states that the permitting authority may substitute the parameter $CBOD_5$ for the parameter BOD_5 on a case-by-case basis provided that, for facilities qualified for treatment equivalent to secondary treatment, and that the $CBOD_5$ limits are not less stringent than 30 mg/L as a 30-day average and 60 mg/L as a 7-day average. The District identified that partial nitrification occurring within the laboratory BOD_5 test bottle caused an oxygen demand and results in inflated BOD_5 test results.

In a memorandum dated April 14, 1999, the Department recommended $CBOD_5$ as the most appropriate and relevant parameter for measuring secondary treatment performance and effluent quality at the District. The monthly average and weekly average limits are more stringent than the 30 mg/L and 60 mg/L treatment equivalent to secondary treatment standards and are based on the October 27, 2000, Settlement Agreement between the District, the NRCM, and the GRTA.

The previous permit established and this permit is carrying forward, a warm season monthly average and weekly average mass limits of 17 lbs./day and 20 lbs./day, respectively, for $CBOD_5$ based on the warm season monthly average flow limit of 0.0795 MGD and a cold season monthly average and weekly average mass limits of 51 lbs./day and 81 lbs./day, respectively, for $CBOD_5$ based on the cold season monthly average flow limit of 0.2442 MGD. Mass calculations were derived using the following equation:

[1] 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), and represents an estimation of harmonic mean flow on which human health dilutions are based in a riverine 7Q10 flow situation.

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

(flow limit, MGD)(concentration limit)(8.34 lbs./gallon) = Mass Limit

Warm Season Monthly Average – (0.0795 MGD)(25 mg/L)(8.34) = 17 lbs/day
Warm Season Weekly Average – (0.0795 MGD)(30 mg/L)(8.34) = 20 lbs/day
Cold Season Monthly Average – (0.2442 MGD(25 mg/L)(8.34) = 51 lbs/day
Cold Season Weekly Average – (0.2442 MGD)(40 mg/L)(8.34) = 81 lbs/day

This permit is also carrying forward a requirement for a 30-day minimum of 85% removal of $CBOD_5$ pursuant to 06-096 C.M.R. Ch. 525 § 3(III)(a)(4)(iii). Percent removal is based on a twelve-month rolling average calculation as described in Special Condition A, Footnote #3 of the permit. The Department is eliminating the waiver to achieve 85% removal of $CBOD_5$ when the monthly average influent is less than 200 mg/L as the secondary treatment regulations do not contain a provision for such a waiver. The requirement to achieve 85% removal of $CBOD_5$ applies at all times to all flows receiving secondary treatment.

The Department reviewed data from DMRs that were submitted for the period December 2019 – December 2024. A review of the data indicates the following:

Warm Season $CBOD_5$ mass (n= 20)

Value	Limit (lbs./day)	Range (lbs./day)	Mean (lbs./day)
Monthly Average	17	2.0 – 5.3	3.2
Weekly Average	20	2.5 – 7.6	4.3

Warm Season $CBOD_5$ concentration (n= 20)

Value	Limit (mg/L)	Range (mg/L)	Mean (mg/L)
Monthly Average	25	1.7 – 14.2	6.1
Weekly Average	30	4.5 – 13.1	3.2
Daily Maximum	Report	2 - 18	8

Cold Season $CBOD_5$ mass (n= 35)

Value	Limit (lbs./day)	Range (lbs./day)	Mean (lbs./day)
Monthly Average	51	0 - 286	71
Weekly Average	81	3.8 - 42	37.2

Cold Season $CBOD_5$ concentration (n= 35)

Value	Limit (mg/L)	Range (mg/L)	Mean (mg/L)
Monthly Average	25	1.7 – 14.2	6.1
Weekly Average	40	2.2 – 18	8.27
Daily Maximum	Report	2 - 18	8

$CBOD_5$ % removal (n= 57)

Value	Limit (%)	Range (%)	Mean (%)
Monthly Average	85	95.4 – 97.4	96.6

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

d. Total Suspended Solids (TSS): The previous permit established and this permit is carrying forward, warm season monthly average and weekly average concentration limits of 25 mg/L and 30 mg/L, respectively, and cold season monthly average and weekly average concentration limits of 30 mg/L and 45 mg/L, respectively, for TSS. This permit is also carrying forward a year-round daily maximum concentration reporting requirement and a minimum monitoring frequency requirement of once per week for TSS. The cold season monthly average and weekly average limits are based on the secondary treatment requirements as defined in 06-096 C.M.R. Ch. 525 § 3(III). The warm season concentration limits, which are more stringent than the secondary treatment requirements, are based on the October 27, 2000, Settlement Agreement.

The previous permit established and this permit is carrying forward, warm season monthly average and weekly average mass limits of 17 lbs./day and 20 lbs./day, respectively, for TSS based on the warm season monthly average flow limit of 0.0795 MGD and a cold season monthly average and weekly average mass limits of 61 lbs./day and 92 lbs./day, respectively, for TSS based on the cold season monthly average flow limit of 0.2442 MGD. Mass limits for TSS are calculated in the same manner as mass limits for $CBOD_5$.

This permit is also carrying forward a requirement for a 30-day minimum of 85% removal of TSS pursuant to 06-096 C.M.R. Ch. 525 § 3(III). Percent removal is based on a twelve-month rolling average calculation as described in Special Condition A, Footnote #3 of the permit. The Department is eliminating the waiver to achieve 85% removal of TSS when the monthly average influent is less than 200 mg/L as the secondary treatment regulations do not contain a provision for such a waiver. The requirement to achieve 85% removal of TSS applies at all times to all flows receiving secondary treatment.

The Department reviewed data from DMRs that were submitted for the period December 2019 – December 2024. A review of the data indicates the following:

Warm Season TSS mass (n= 19)

Value	Limit (lbs./day)	Range (lbs./day)	Mean (lbs./day)
Monthly Average	17	3 - 12	6
Weekly Average	20	3.9 – 21.9	9.7

There was one excursion of the weekly average mass limit noted in June 2020

Warm Season TSS concentration (n= 19)

Value	Limit (mg/L)	Range (mg/L)	Mean (mg/L)
Monthly Average	25	5.2 – 18.4	10.8
Weekly Average	30	6.2 – 22.8	12.9
Daily Maximum	Report	4 – 36.6	13.7

Cold Season TSS mass (n= 38)

Value	Limit (lbs./day)	Range (lbs./day)	Mean (lbs./day)
Monthly Average	61	3.9 – 55.8	14.9
Weekly Average	92	4.3 - 71	20.6

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

Cold Season TSS concentration (n= 37)

Value	Limit (mg/L)	Range (mg/L)	Mean (mg/L)
Monthly Average	30	2.9 – 29.4	9.9
Weekly Average	45	4 – 36.6	13.9
Daily Maximum	Report	4 – 36.6	13.7

TSS % removal (n= 57)

Value	Limit (%)	Range (%)	Mean (%)
Monthly Average	85	95 - 97	96

e. Dissolved Oxygen (DO): Based on conditions of the October 27, 2000, Settlement Agreement, the previous permit established, and this permit is carrying forward a requirement to monitor the DO content in Zone #3 of Lagoon #1 between June 1 and September 30 of each year to ensure proper cyclical operation and appropriate aerobic detention time and anoxic periods. This permit is also carrying forward the Lagoon DO minimum monitoring requirement during the warm season of five times per week (5/Week). It is noted that although the "Report" requirement is placed in the "Daily Maximum" column in the effluent limits table (Special Condition A.1) of this permit, the permittee must report the minimum DO recorded during a calendar month.

The Department reviewed data from DMRs that were submitted for the period December 2019 – December 2024. A review of the data indicates the following:

Dissolved Oxygen (n = 19)

Value	Limit (mg/L)	Range (mg/L)	Average (mg/L)
Monthly Average	Report	0.22 – 4.64	1.74
Weekly Average	Report	0.07 – 4.23	0.88
Daily Minimum	Report	0.07 – 3.73	0.55

f. Settleable Solids – The previous permit established a year-round daily maximum concentration limit of 0.3 ml/L for settleable solids, which is being carried forward in this permit as it is considered a best practicable treatment limitation for secondary treated wastewater. This permit is also carrying forward the minimum monitoring frequency requirement of three times per week (3/Week).

The Department reviewed data from DMRs that were submitted for the period December 2019 – December 2024. A review of the data indicates the following:

Settleable Solids (n=57)

Value	Limit (ml/L)	Range (ml/L)	Average (ml/L)
Daily Maximum	0.3	<0.10 – <0.10	<0.10

g. Fecal Coliform Bacteria: The previous permit established a seasonal monthly average and daily maximum concentration limits of daily maximum concentration limits of 15 colonies/100 ml and 50 colonies/100 ml, for fecal coliform bacteria. In order to be consistent with the U.S. Food and Drug Administration's National Shellfish Sanitation Program, this permit is establishing a year-round monthly average and daily maximum concentration limits of 14 CFU or MPN/100 ml and 31 CFU or MPN/100 ml, respectively, for fecal coliform bacteria.

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

The Department reviewed data from DMRs that were submitted for the period December 2019 – December 2024. A review of the data indicates the following:

Fecal coliform bacteria (DMR = 61)

Value	Limit (col/100 mL)	Range (col/100 mL)	Mean (col/100 mL)
Monthly Average	15	1 – 3.4	1.22
Daily Maximum	50	1 – 10	2.04

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).

h. Enterococcus Bacteria: This permit is establishing a seasonal monthly average and daily maximum concentration limits of 8 CFU or MPN/100 mL and 54 CFU or MPN/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. The seasonal reporting period will be from April 15th through October 31st. A 1/Week monitoring requirement is also being established in this permit.

i. pH: The previous permit established, and this permit is carrying forward, a technology-based pH limit of 6.0 – 9.0 standard units (SU), which is based on 06-096 C.M.R. Ch. 525 § 3(III)(c), which is being carried forward in this permit as BPT standard. This permit is also carrying forward the minimum monitoring frequency requirement of five times per week (5/Week). Monitoring is not required on official holidays observed by the District. For instances when this occurs, the District must provide a comment on the monthly discharge monitoring report to indicate the number of actual sampling events for that week.

The Department reviewed data from DMRs that were submitted for the period December 2019 – December 2024. A review of the data indicates the following:

pH (n=57)

Value	Limit (SU)	Range (SU)
Range	6.0 – 9.0	6.6 – 8.97

j. Mercury: The previous permit established, and this permit is carrying forward, an interim monthly average and daily maximum effluent concentration limits of 57.7 parts per trillion (ppt) and 86.8 ppt, respectively, for mercury. It is noted the limitations have been incorporated into Special Condition A, *Effluent Limitations And Monitoring Requirements*, of this permit.

38 M.R.S.A. § 420(1-B)(B)(1) provides that a facility is not in violation of the AWQC for mercury if the facility is in compliance with an interim discharge limit established by the Department. A review of the DMR data for the period since December 1, 1999 – December 2024 is as follows:

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

Mercury (n=58)

Value	Limit (ng/L)	Range (ng/L)	Mean (ng/L)
Average	36.7	0.27 – 64.3	3.7
Daily Maximum	55.1		

This permit is carrying forward the 1/Year monitoring frequency established in the February 6, 2012, permit modification.

k. 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 during 2013 to determine typical effluent nitrogen concentrations, and submitted samples on nine dates during July and August. The mean value of the permittee's nine samples was 23.1 mg/L. For this reasonable potential evaluation, the Department considers 23.1 mg/L to be representative of total nitrogen discharge levels from the Warren 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.

Three known surveys have been completed within the St. George River estuary to document presence/absence of eelgrass. The surveys occurred in 1995 and 2005 as conducted by the Maine Department of Marine Resources (DMR), and in 2023 as completed by the Department. The closest eelgrass bed was identified 8.8 km from the discharge location during both 1995 and 2005, and the nearest bed in 2023 was 9.7 km away. Overall, St. George River mapped eelgrass has been documented in small, fragmented beds in the middle estuary, which become more continuous, fringing beds south of Vinal Point in Cushing. Based on the absence of historically identified eelgrass in the near vicinity of the Warren outfall, the use of 0.32 mg/L as a threshold value for protection of eelgrass is not appropriate for this receiving water, and the Department is using the total nitrogen threshold concentration of 0.45 mg/L for the protection of aquatic life using dissolved oxygen as the indicator.

Because nitrogen is not acutely toxic to aquatic life, the department considers far-field dilution to be appropriate when evaluating the impacts of total nitrogen on marine receiving waters. The upper St. George River from Warren Center to Thomaston is a narrow, 6.5-mile-long estuary with significant freshwater influence. An analysis of continuous salinity data from July-August 2023 at a station near the upper estuary's mouth in Thomaston estimates an average tide cycle dilution factor of 11,800:1. As this station is 2.0 miles below the Warren WWTF's outfall location, where the tidal influence is less, and the July-August 2023 river flows were well above their summer medians, a more accurate dilution factor needed to be determined. To do this, the department's Division of Environmental Assessment estimated dilutions along the estuary's length using a 15-segment WASP model for June to September

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

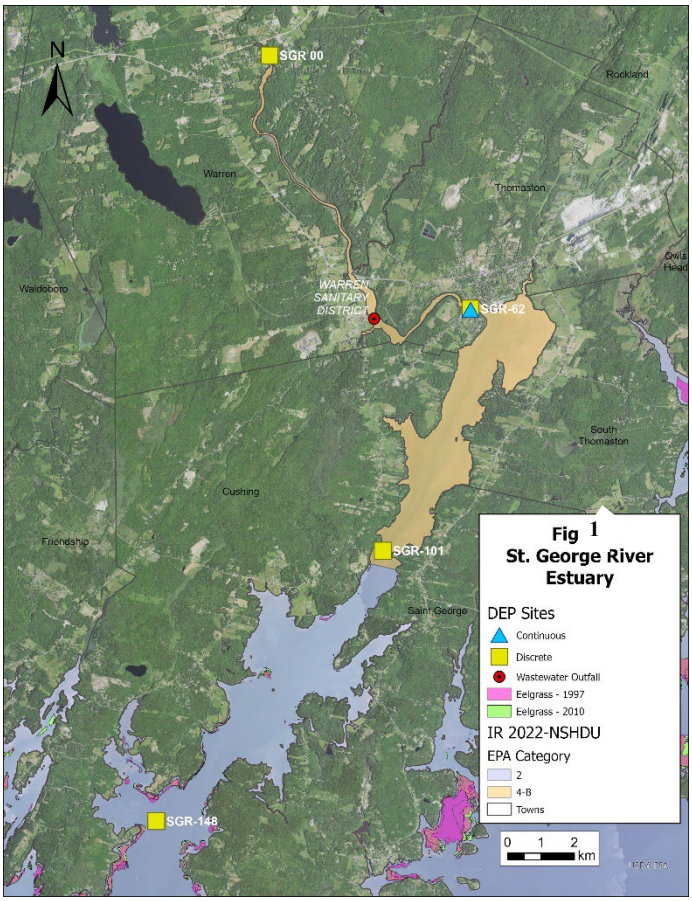
2025 tide predictions and monthly median river flow estimates. For these conditions, the model estimates a seasonal average dilution factor of 8,250:1 at the upper estuary's mouth in Thomaston and a seasonal average dilution factor of 5,250:1 along a 0.45-mile reach adjacent the Warren WWTF. Using this latter dilution factor, the increase in the ambient total nitrogen concentration due to the permittee's effluent discharge is as follows:

Estimated total nitrogen concentration in effluent = 23.1 mg/L

Far-field dilution factor (seasonal average) = 5,250:1

In-estuary concentration after far-field dilution = (23.1 mg/L)/5,250 = 0.004 mg/L

The Department and external partners have been collecting ambient total nitrogen data along Maine's coast. For this 2025 permit revision, the Department assessed available water quality data from the St. George River estuary generated by Marine and Engineering Unit staff from May through October 2023 (Fig. 1). Site SGR00 was located at Head of Tide approximately 4.5 miles up estuary of the discharge, and SGR-62 was located just west of the Thomaston town landing in the lower portion of the constricted upper estuary, approximately 1.5 mile down estuary of the outfall. The Head of Tide site was characterized by clear, cool water low in algal productivity and nutrient concentrations, and with ample dissolved oxygen. The SGR-62 site demonstrated moderate salinity, low to moderate algal productivity and nutrient concentrations, and high turbidity reflective of rapid currents and soft sediments. Dissolved oxygen data collected discretely revealed percent saturation inconsistently and marginally below the criterion of 85%. Underwater irradiance conditions measured at all four sites align with eelgrass distribution mapped in 2023, which indicated suitable water column light conditions only in the lower estuary at SGR-148.



Total nitrogen concentrations measured in 2023 followed an expected declining gradient from Head of Tide through the lower estuary, with no apparent increase in nutrient concentrations at the site closest to the Warren outfall. Based on total nitrogen data collected at sites SGR00 and SGR-62 in 2023 on alternating ebb and flood tides, the Department has calculated a median surface water total nitrogen concentration of 0.37 mg/L (n=17) that is being used in the current permit revision. With the calculated median total nitrogen value for this receiving water that includes the modeled 0.004 mg/L influence of the Warren discharge, the seasonal ambient total nitrogen concentration in the upper estuary after reasonable opportunity for mixing is 0.37 mg/L. The in-stream concentration value of 0.37 mg/L is less than the Department and USEPA's total nitrogen threshold of 0.45 mg/L for the protection of aquatic life using dissolved oxygen as an indicator. Using the reasonable potential

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

calculations above, the Department is making a best professional judgment determination that the discharge of total nitrogen from the Warren facility does not exhibit a reasonable potential to exceed applicable water quality standards for Class SB waters. This permitting action is not establishing any discharge limitations or monitoring requirements for total nitrogen.

l. 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 C.M.R. Ch. 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 C.M.R. ch. 584 sets forth ambient water quality criteria (AWQC) for toxic pollutants and procedures necessary to control levels of toxic pollutants in surface waters.

WET, priority pollutant and analytical chemistry testing, as required by 06-096 C.M.R. Ch. 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

> 06-096 C.M.R. Ch. 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.

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

06-096 C.M.R. Ch. 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 ≥20:1 but <100:1.
Level III	Chronic dilution factor ≥100:1 but <500:1 or >500:1 and Q ≥1.0 MGD
Level IV	Chronic dilution factor >500:1 and Q ≤1.0 MGD

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

The permittee's facility falls into Level IV frequency category as the facility has a chronic dilution factor of ≥500:1 and a Q ≤1.0 MGD. 0-096 C.M.R. Ch. 530 §1(D)(1) specifies that routine screening and surveillance level testing requirements are as follows:

Screening level testing

Level	WET Testing	Priority pollutant testing	Analytical chemistry
IV	1 per year*	1 per year*	4 per year*

Surveillance level testing

Level	WET Testing	Priority pollutant testing	Analytical chemistry
IV	1 per year*	None required*	1 per year*

*These routine testing requirements for Level IV are waived, except that the Department shall require an individual discharger to conduct testing under the following conditions.

a. The discharger's permit application or information available to the Department indicate that toxic compounds may be present in toxic amounts; or

b. Previous testing conducted by the discharger or similar dischargers indicates that toxic compounds may be present in toxic amounts.

Additionally, new or substantially changed dischargers assigned to Level IV must conduct testing during the first two years of the discharge. Further testing is waived provided the testing done does not indicate any reasonable potential for exceedance as calculated pursuant to section 3(E).

m. Whole Effluent Toxicity (WET) and Chemical Evaluation:

The Warren Sanitary District is permitted to discharge less than 1 MGD and has a chronic dilution factor greater than 500:1. Thus, the Department concludes that the discharge from the district qualifies for a waiver from 06-096 C.M.R. Ch. 530 testing requirements. This permit is not establishing WET, priority pollutant or analytical chemistry monitoring requirements at this time.

In accordance with Special Condition J of this permit, *Statement For Reduced/Waived Toxics Testing* the permittee must annually submit a written statement to the Department evaluating its current status for each of the conditions listed. See Fact Sheet **Attachment D** for an acceptable certification form to satisfy this Special Condition.

8. ANTI-BACKSLIDING

Federal regulation 40 C.F.R. §122.44(l) contains the criteria for what is often referred to as the anti-backsliding provisions of the Federal Water Pollution Control Act (Clean Water Act). In general, the regulation states that except for provisions specified in the regulation, effluent limitations, standards, or conditions must be at least as stringent as the final effluent limitations, standards or conditions in the previous permit. Applicable exceptions include: (1) material and substantial alterations or additions to the permitted facility occurred after permit issuance which justify the application of a less stringent effluent limitation and (2) information is available which was not available at the time of the permit issuance (other than revised regulations, guidance, or test methods) and which would justify the application of less stringent effluent limitations at the time of permit issuance. All limitations in this permit are equally or more stringent than those in the previous permit.

9. ANTI-DEGREDATION

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.

10. PUBLIC COMMENTS

Public notice of this application was made in the *Courier-Gazette* newspaper on or about March 5, 2020. 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 C.M.R. Ch. 522 (effective January 12, 2001).

11. DEPARTMENT CONTACTS

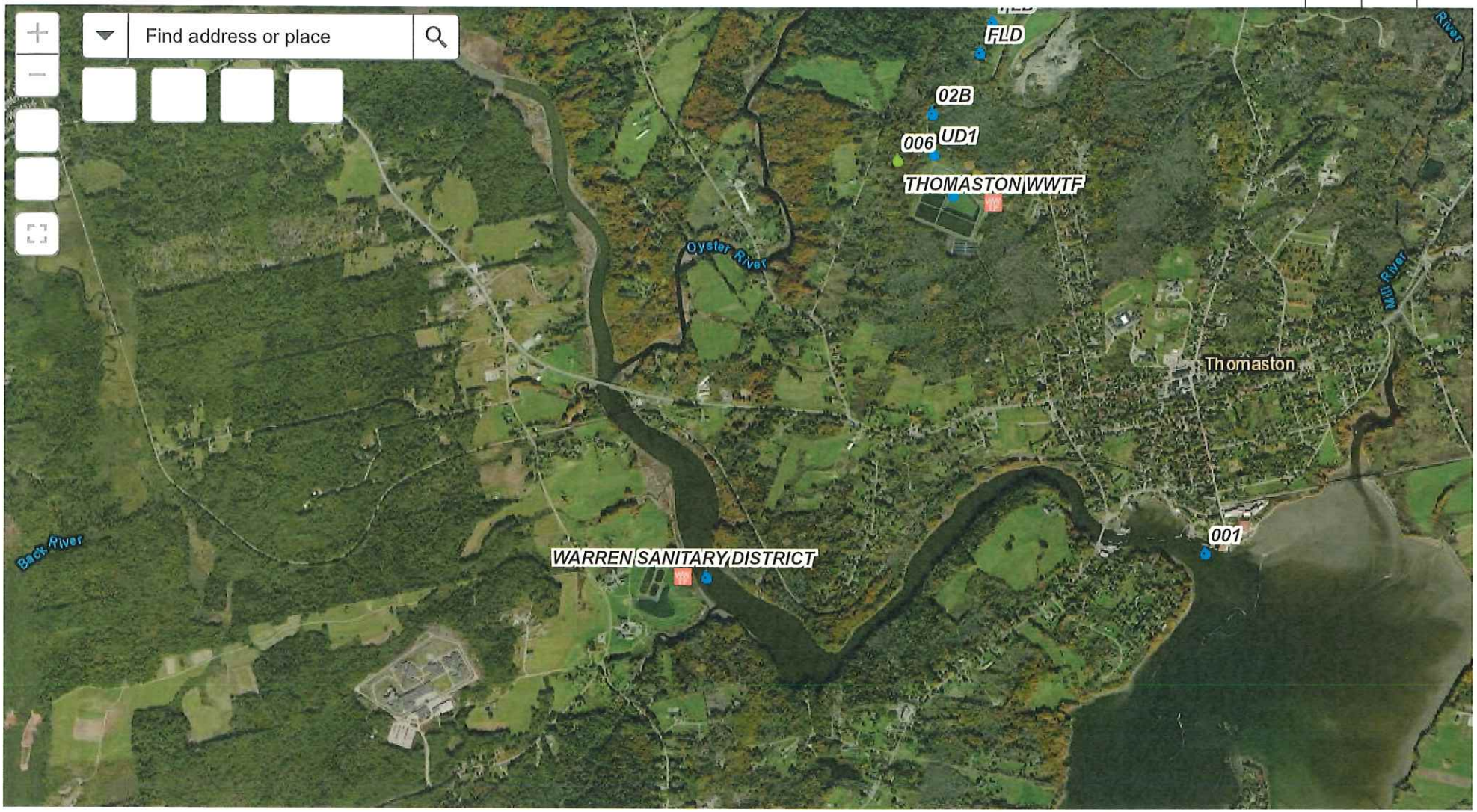
Additional information concerning this permit may be obtained from, and written comments sent to:

Gregg Wood
Bureau of Water Quality
Department of Environmental Protection
17 State House Station
Augusta, Maine 04333-0017 Telephone: (207) 287-7693
e-mail: gregg.wood@maine.gov

12. RESPONSE TO COMMENTS

Reserved until the close of the 30-day public comment period.

ATTACHMENT A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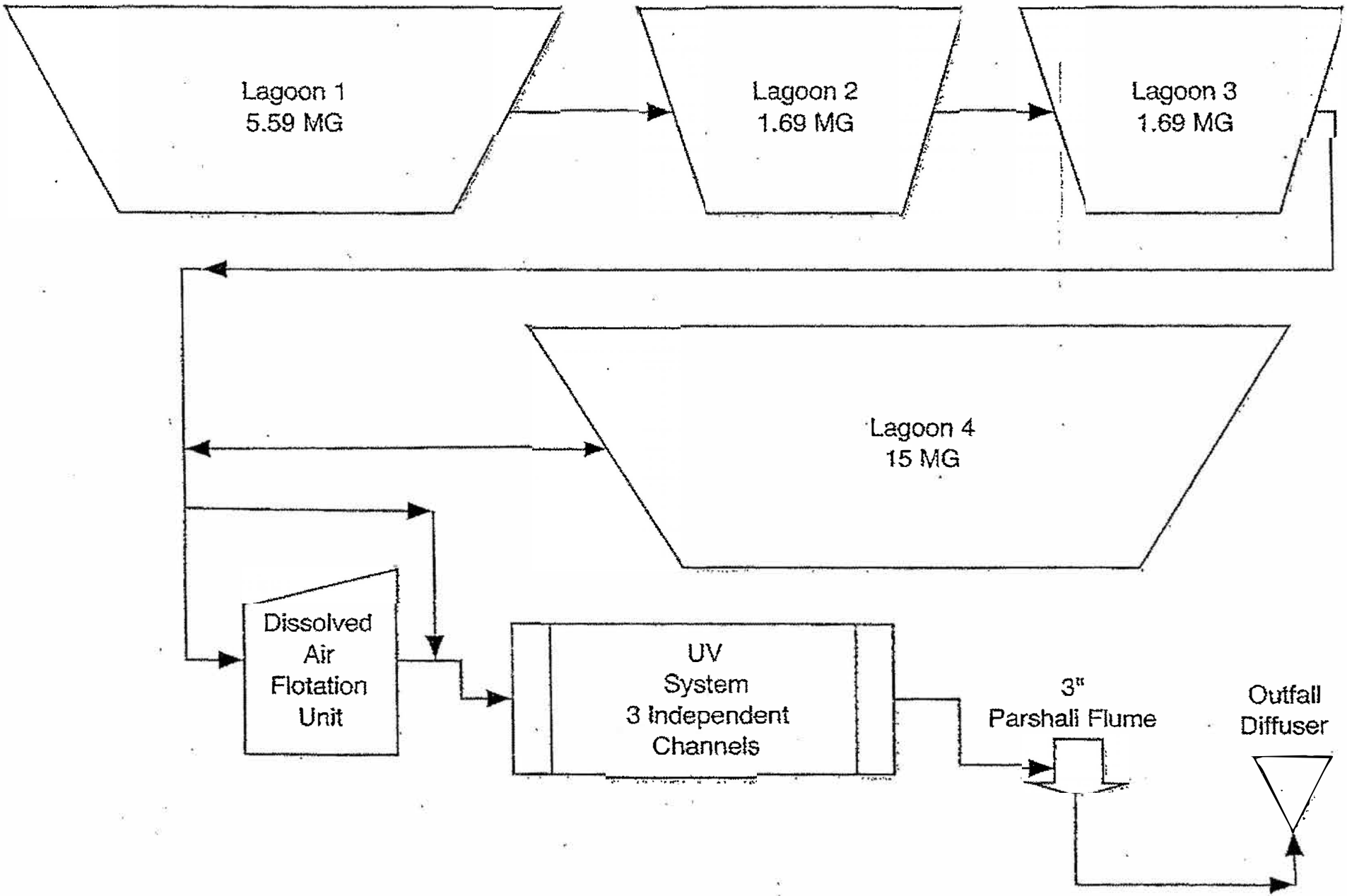
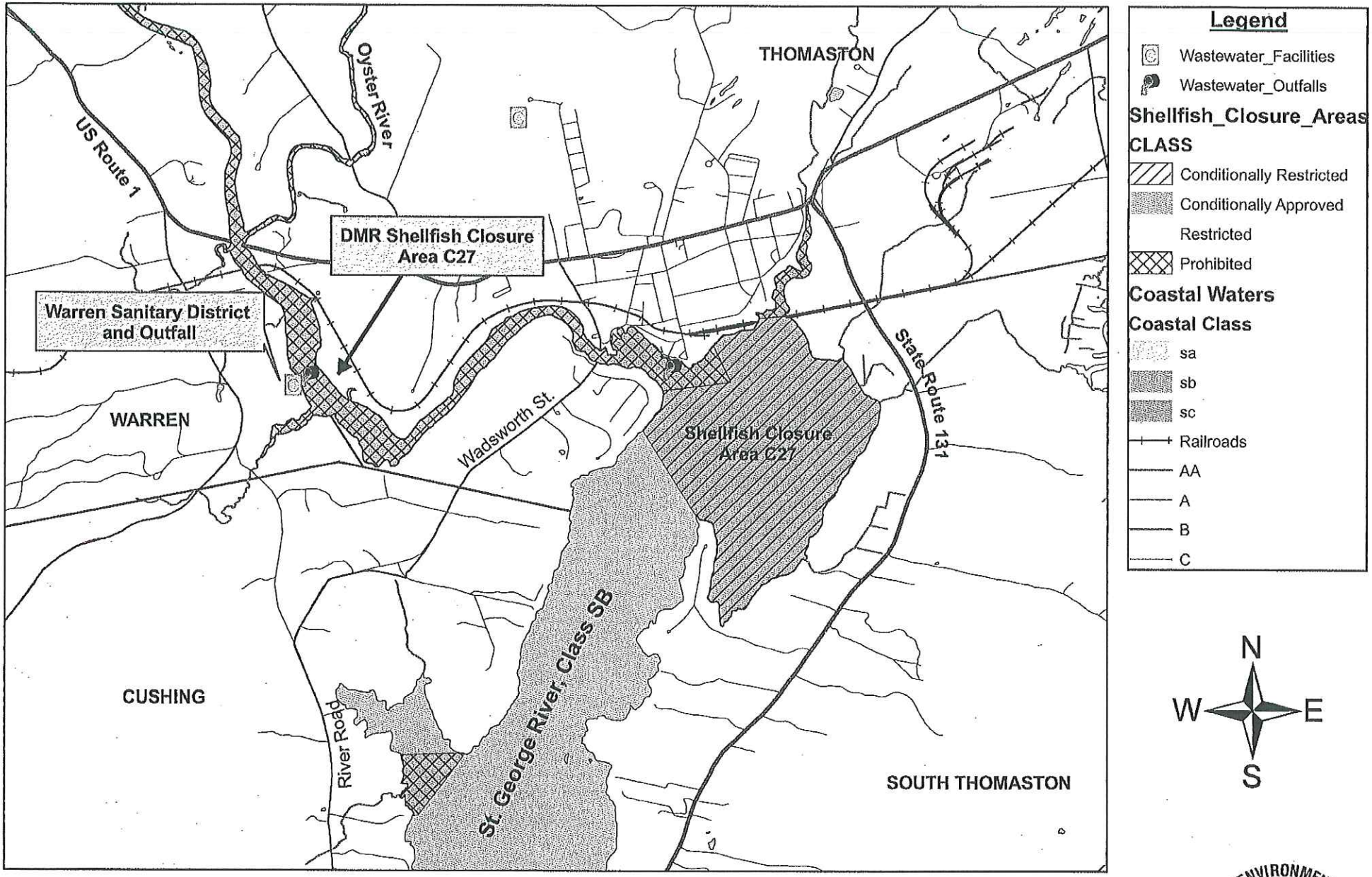
ATTACHMENT B

Warren Wastewater Treatment Plant
Flow Diagram



ATTACHMENT C



Warren, Maine

Map created by:
Bill Hinkel
Division of Water Resource Regulation
Maine Department of Environmental Protection
March 15, 2005

DEPARTMENT OF ENVIRONMENTAL PROTECTION
STATE OF MAINE

ATTACHMENT D

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?	☐	☐
2	Changes in the condition or operations of the facility that may increase the toxicity of the discharge?	☐	☐
3	Changes in storm water collection or inflow/infiltration affecting the facility that may increase the toxicity of the discharge?	☐	☐
4	Increases in the type or volume of hauled wastes accepted by the facility?	☐	☐

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	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
WET Testing	□	□	□	□
Priority Pollutant Testing	□	□	□	□
Analytical Chemistry	□	□	□	□
Other toxic parameters [1]	□	□	□	□

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.

[1] This only applies to parameters where testing is required at a rate less frequently than quarterly.