



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION



JANET T. MILLS
GOVERNOR

MELANIE LOYZIM
COMMISSIONER

March 6, 2023

Mr. Martin Dionne
Interim Chairman of the Board
Sinclair Sanitary District
P.O Box 71
Sinclair, ME. 04779
e-mail: mn_mud_lake@yahoo.com

RE: Integrated Compliance Information System (ICIS) #MEU507814
Maine Waste Discharge License (WDL) #W007814-6B-F-R
Final License

Dear Mr. Dionne:

Enclosed please find a copy of your **final** Maine WDL which was approved by the Department of Environmental Protection. Please read this license and its attached conditions carefully. Compliance with this license will protect water quality.

Any interested person aggrieved by a Department determination made pursuant to applicable regulations, may appeal the decision following the procedures described in the attached DEP FACT SHEET entitled "*Appealing a Commissioner's Licensing Decision.*"

If you have any questions regarding the matter, please feel free to call me at 287-7823. Your Department compliance inspector copied below is also a resource that can assist you with compliance. Please do not hesitate to contact them with any questions.

Thank you for your efforts to protect and improve the waters of the great state of Maine!

Sincerely,

Gregg Wood
Division of Water Quality Management
Bureau of Water Quality

Enc.

cc: James Leighton, SSD Lori Mitchell, DEP/CMRO Irene Saumur, DEP/CMRO
Sean Bernard, DEP/NMRO Nathan Chien, USEA Sandy Mojica, USEPA
Richard Carvalho, USEPA

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

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

PORTLAND
312 CANCO ROAD
PORTLAND, MAINE 04103
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PRESQUE ISLE
1235 CENTRAL DRIVE, SKYWAY PARK
PRESQUE ISLE, MAINE 04769
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DEP INFORMATION SHEET

Appealing a Department Licensing Decision

Dated: August 2021

Contact: (207) 314-1458

SUMMARY

This document provides information regarding a person's rights and obligations in filing an administrative or judicial appeal of a licensing decision made by the Department of Environmental Protection's (DEP) Commissioner.

Except as provided below, there are two methods available to an aggrieved person seeking to appeal a licensing decision made by the DEP Commissioner: (1) an administrative process before the Board of Environmental Protection (Board); or (2) a judicial process before Maine's Superior Court. An aggrieved person seeking review of a licensing decision over which the Board had original jurisdiction may seek judicial review in Maine's Superior Court.

A judicial appeal of final action by the Commissioner or the Board regarding an application for an expedited wind energy development ([35-A M.R.S. § 3451\(4\)](#)) or a general permit for an offshore wind energy demonstration project ([38 M.R.S. § 480-HH\(1\)](#)) or a general permit for a tidal energy demonstration project ([38 M.R.S. § 636-A](#)) must be taken to the Supreme Judicial Court sitting as the Law Court.

I. ADMINISTRATIVE APPEALS TO THE BOARD

LEGAL REFERENCES

A person filing an appeal with the Board should review Organization and Powers, [38 M.R.S. §§ 341-D\(4\)](#) and [346](#); the Maine Administrative Procedure Act, 5 M.R.S. § [11001](#); and the DEP's [Rule Concerning the Processing of Applications and Other Administrative Matters \(Chapter 2\)](#), 06-096 C.M.R. ch. 2.

DEADLINE TO SUBMIT AN APPEAL TO THE BOARD

Not more than 30 days following the filing of a license decision by the Commissioner with the Board, an aggrieved person may appeal to the Board for review of the Commissioner's decision. The filing of an appeal with the Board, in care of the Board Clerk, is complete when the Board receives the submission by the close of business on the due date (5:00 p.m. on the 30th calendar day from which the Commissioner's decision was filed with the Board, as determined by the received time stamp on the document or electronic mail). Appeals filed after 5:00 p.m. on the 30th calendar day from which the Commissioner's decision was filed with the Board will be dismissed as untimely, absent a showing of good cause.

HOW TO SUBMIT AN APPEAL TO THE BOARD

An appeal to the Board may be submitted via postal mail or electronic mail and must contain all signatures and required appeal contents. An electronic filing must contain the scanned original signature of the appellant(s). The appeal documents must be sent to the following address.

Chair, Board of Environmental Protection
c/o Board Clerk
17 State House Station
Augusta, ME 04333-0017
ruth.a.burke@maine.gov

The DEP may also request the submittal of the original signed paper appeal documents when the appeal is filed electronically. The risk of material not being received in a timely manner is on the sender, regardless of the method used.

At the time an appeal is filed with the Board, the appellant must send a copy of the appeal to: (1) the Commissioner of the DEP (Maine Department of Environmental Protection, 17 State House Station, Augusta, Maine 04333-0017); (2) the licensee; and if a hearing was held on the application, (3) any intervenors in that hearing proceeding. **Please contact the DEP at 207-287-7688 with questions or for contact information regarding a specific licensing decision.**

REQUIRED APPEAL CONTENTS

A complete appeal must contain the following information at the time the appeal is submitted.

1. *Aggrieved status.* The appeal must explain how the appellant has standing to bring the appeal. This requires an explanation of how the appellant may suffer a particularized injury as a result of the Commissioner's decision.
2. *The findings, conclusions, or conditions objected to or believed to be in error.* The appeal must identify the specific findings of fact, conclusions of law, license conditions, or other aspects of the written license decision or of the license review process that the appellant objects to or believes to be in error.
3. *The basis of the objections or challenge.* For the objections identified in Item #2, the appeal must state why the appellant believes that the license decision is incorrect and should be modified or reversed. If possible, the appeal should cite specific evidence in the record or specific licensing criteria that the appellant believes were not properly considered or fully addressed.
4. *The remedy sought.* This can range from reversal of the Commissioner's decision on the license to changes in specific license conditions.
5. *All the matters to be contested.* The Board will limit its consideration to those matters specifically raised in the written notice of appeal.
6. *Request for hearing.* If the appellant wishes the Board to hold a public hearing on the appeal, a request for hearing must be filed as part of the notice of appeal, and it must include an offer of proof regarding the testimony and other evidence that would be presented at the hearing. The offer of proof must consist of a statement of the substance of the evidence, its relevance to the issues on appeal, and whether any witnesses would testify. The Board will hear the arguments in favor of and in opposition to a hearing on the appeal and the presentations on the merits of an appeal at a regularly scheduled meeting. If the Board decides to hold a public hearing on an appeal, that hearing will then be scheduled for a later date.
7. *New or additional evidence to be offered.* If an appellant wants to provide evidence not previously provided to DEP staff during the DEP's review of the application, the request and the proposed supplemental evidence must be submitted with the appeal. The Board may allow new or additional evidence to be considered in an appeal only under limited circumstances. The proposed supplemental evidence must be relevant and material, and (a) the person seeking to add information to the record must show due diligence in bringing the evidence to the DEP's attention at the earliest possible time in the licensing process; or (b) the evidence itself must be newly discovered and therefore unable to have been presented earlier in the process. Requirements for supplemental evidence are set forth in [Chapter 2 § 24](#).

OTHER CONSIDERATIONS IN APPEALING A DECISION TO THE BOARD

1. *Be familiar with all relevant material in the DEP record.* A license application file is public information, subject to any applicable statutory exceptions, and is made accessible by the DEP. Upon request, the DEP will make application materials available to review and photocopy during normal working hours. There may be a charge for copies or copying services.

2. *Be familiar with the regulations and laws under which the application was processed, and the procedural rules governing the appeal.* DEP staff will provide this information upon request and answer general questions regarding the appeal process.
3. *The filing of an appeal does not operate as a stay to any decision.* If a license has been granted and it has been appealed, the license normally remains in effect pending the processing of the appeal. Unless a stay of the decision is requested and granted, a licensee may proceed with a project pending the outcome of an appeal, but the licensee runs the risk of the decision being reversed or modified as a result of the appeal.

WHAT TO EXPECT ONCE YOU FILE A TIMELY APPEAL WITH THE BOARD

The Board will acknowledge receipt of an appeal, and it will provide the name of the DEP project manager assigned to the specific appeal. The notice of appeal, any materials admitted by the Board as supplementary evidence, any materials admitted in response to the appeal, relevant excerpts from the DEP's administrative record for the application, and the DEP staff's recommendation, in the form of a proposed Board Order, will be provided to Board members. The appellant, the licensee, and parties of record are notified in advance of the date set for the Board's consideration of an appeal or request for a hearing. The appellant and the licensee will have an opportunity to address the Board at the Board meeting. The Board will decide whether to hold a hearing on appeal when one is requested before deciding the merits of the appeal. The Board's decision on appeal may be to affirm all or part, affirm with conditions, order a hearing to be held as expeditiously as possible, reverse all or part of the decision of the Commissioner, or remand the matter to the Commissioner for further proceedings. The Board will notify the appellant, the licensee, and parties of record of its decision on appeal.

II. JUDICIAL APPEALS

Maine law generally allows aggrieved persons to appeal final Commissioner or Board licensing decisions to Maine's Superior Court (see [38 M.R.S. § 346\(1\)](#); 06-096 C.M.R. ch. 2; [5 M.R.S. § 11001](#); and M.R. Civ. P. 80C). A party's appeal must be filed with the Superior Court within 30 days of receipt of notice of the Board's or the Commissioner's decision. For any other person, an appeal must be filed within 40 days of the date the decision was rendered. An appeal to court of a license decision regarding an expedited wind energy development, a general permit for an offshore wind energy demonstration project, or a general permit for a tidal energy demonstration project may only be taken directly to the Maine Supreme Judicial Court. See 38 M.R.S. § 346(4).

Maine's Administrative Procedure Act, DEP statutes governing a particular matter, and the Maine Rules of Civil Procedure must be consulted for the substantive and procedural details applicable to judicial appeals.

ADDITIONAL INFORMATION

If you have questions or need additional information on the appeal process, for administrative appeals contact the Board Clerk at 207-287-2811 or the Board Executive Analyst at 207-314-1458 bill.hinkel@maine.gov, or for judicial appeals contact the court clerk's office in which the appeal will be filed.

Note: This information sheet, in conjunction with a review of the statutory and regulatory provisions referred to herein, is provided to help a person to understand their rights and obligations in filing an administrative or judicial appeal. The DEP provides this information sheet for general guidance only; it is not intended for use as a legal reference. Maine law governs an appellant's rights.



DEPARTMENT ORDER

IN THE MATTER OF

SINCLAIR SANITARY DISTRICT)	PROTECTION AND IMPROVEMENT
T 17, R 4, AROOSTOOK COUNTY, MAINE)	OF WATERS
PUBLICLY OWNED TREATMENT WORKS)	
SURFACE WASTEWATER DISPOSAL)	
ICIS TRACKING #MEU507814)	WASTE DISCHARGE LICENSE
W007814-6B-F-R)	RENEWAL
APPROVAL)	

Pursuant to *Conditions of licenses*, 38 M.R.S. § 414-A, and applicable regulations of the Department of Environmental Protection (Department), the Department has considered the application of SINCLAIR SANITARY DISTRICT (Sinclair/licensee) with its supportive data, agency review comments, and other related materials on file and FINDS THE FOLLOWING FACTS:

APPLICATION SUMMARY

On January 3, 2022, the Department accepted as complete for processing an application from Sinclair for the renewal of Waste Discharge License (WDL) #W007814-6B-E-R / integrated Compliance Information System (ICIS) tracking #MEU507814 which was issued on November 2, 2016 for a five-year term. The 11/2/2016 WDL authorized the seasonal maximum weekly discharge (April 15th through November 15th) of 1,629,000 gallons of treated sanitary wastewater to ground water (GW-A) via spray irrigation to 30 acres of land in Township 17 Range 4 in Sinclair, Maine.

LICENSE SUMMARY

This licensing action is carrying forward all the terms and conditions of the previous license except this license;

- 1) Modifying the operator certification of the treatment facility from a SITS II operator to a Grade II operator based on a reevaluation of the operation of the waste water treatment facility.

CONCLUSIONS

Based on the findings summarized in the attached Fact Sheet dated January 17, 2023, and subject to the Conditions listed below, the Department makes the following CONCLUSIONS:

1. The discharge, either by itself or in combination with other discharges, will not lower the quality of any classified body of water below such classification.
2. The discharge, either by itself or in combination with other discharges, will not lower the quality of any unclassified body of water below the classification which the Department expects to adopt in accordance with state law.
3. The provisions of the State's antidegradation policy, *Classification of Maine waters*, 38 M.R.S. §464(4)(F), will be met, in that:
 - (a) Existing 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 38 M.R.S. §414-A(1)(D).

ACTION

THEREFORE, the Department APPROVES the above noted application of the SINCLAIR SANITARY DISTRICT to operate a surface wastewater disposal system (spray irrigation) associated with a sludge storage lagoon system located in Township 17 Range 4 in Sinclair, Maine, with a total maximum weekly discharge of 1,629,000 gallons during the period of April 15th through November 15th, annually, to the soil above ground water resources of the State, Class GW-A, SUBJECT TO THE FOLLOWING 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 license becomes effective upon the date of signature below and expires at midnight five (5) years after that date. If a renewal application is timely submitted and accepted as complete for processing prior to the expiration of this license, the terms and conditions of this license and all subsequent modifications and minor revisions thereto remain in effect until a final Department decision on the renewal application becomes effective. [*Maine Administrative Procedure and Services*, 5 M.R.S. § 10002 and Rules Concerning the *Processing of Applications and Other Administrative Matters*, 06-096 CMR 2(21)(A) (effective June 9, 2018)].

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

DONE AND DATED AT AUGUSTA, MAINE, THIS 3 DAY OF March , 2023.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: *Brian Kavanah*

For Melanie Loyzim, Commissioner

Date of initial receipt of application: December 20, 2021

Date of application acceptance: January 3, 2022

FILED
MAR 3, 2023
State of Maine
Board of Environmental Protection

Date filed with Board of Environmental Protection _____

This Order prepared by Breanne Blaisdell/Gregg Wood, BUREAU OF WATER QUALITY

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. The licensee is authorized to discharge treated sanitary wastewater from a lagoon-style treatment system to land.
STORAGE LAGOON (SL) EFFLUENT (OUTFALL #001) must be limited and monitored as specified below⁽¹⁾⁽²⁾.

Monitoring Parameters	Weekly Maximum	Daily Maximum	Minimum Measurement Frequency	Sample Type
Lagoon Influent Flow <i>[50050]</i>	Report, gal/week <i>[8G]</i>	Report, gal/day <i>[07]</i>	5/Week <i>[05/07]</i>	Meter <i>[MT]</i>
Lagoon Level, Freeboard (<i>in Storage Lagoon-SL</i>) <i>[82564]</i>	---	Report, Feet <i>[27]</i>	1/Week ⁽³⁾ <i>[01/07]</i>	Measure <i>[MS]</i>
Biochemical Oxygen Demand <i>[00310]</i>	---	100 mg/L <i>[19]</i>	1/Month ⁽⁴⁾ <i>[01/30]</i>	Grab <i>[GR]</i>
Total Suspended Solids <i>[00530]</i>	---	100 mg/L <i>[19]</i>	1/Month ⁽⁴⁾ <i>[01/30]</i>	Grab <i>[GR]</i>
Nitrate-Nitrogen <i>[00620]</i>	---	Report mg/L <i>[19]</i>	1/Month ⁽⁴⁾ <i>[01/30]</i>	Grab <i>[GR]</i>
Specific Conductance <i>[00095]</i>	---	Report (µmhos/cm) <i>[11]</i>	1/Month ⁽⁴⁾ <i>[01/30]</i>	Grab <i>[GR]</i>
Temperature (°F) <i>[00011]</i>	---	Report (°F) <i>[15]</i>	1/Month ⁽⁴⁾ <i>[01/30]</i>	Grab <i>[GR]</i>
pH (Standard Units) <i>[00400]</i>	---	Report S.U. <i>[12]</i>	1/Month ⁽⁴⁾ <i>[01/30]</i>	Grab <i>[GR]</i>
<u>Metals (Total):</u> Arsenic, Cadmium, Chromium, Copper, Lead, Mercury, Nickel, and Zinc <i>[01002, 01027, 01034, 01042, 01051, 71900, 01067, 01092]</i>		Report µg/L <i>[28]</i>	1/5 Years ⁽⁵⁾ <i>[01/5Y]</i>	Grab <i>[GR]</i>

The italicized numeric values bracketed in the table and in subsequent text are code numbers that Department personnel utilize to code the monthly Discharge Monitoring Reports. **FOOTNOTES:** See Pages 7 through 8 of this license for applicable footnotes.

For reporting in DMRs, report the minimum freeboard recorded for the Storage Lagoon. In the event that freeboard levels in any lagoon (including FL#1, FL#2, and SL) are two feet or less, the Licensee must notify the Department’s Compliance Inspector and consult for freeboard management and further recommendations.

SPECIAL CONDITIONS

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

2. Beginning the effective date of this license, application of wastewater to the land via a spray irrigation system must be limited to the time period **April 15th to November 15th of each calendar year**. The spray-irrigation fields listed below must be limited and monitored as specified below ⁽¹⁾.

SA1 – Spray Area #1 (Northwesterly Spray Irrigation Area – 7.5 acres)

SA2 – Spray Area #2 (Southwesterly Spray Irrigation Area – 7.5 acres)

SA3 – Spray Area #3 (South-Central Spray Irrigation Area – 7.5 acres)

SA4 – Spray Area #4 (Easterly Spray Irrigation Area – 7.5 acres)

Parameter	Monthly Total	Weekly Maximum ⁽⁷⁾	Minimum Measurement Frequency	Sample Type
<u>Application Rate (Weekly)</u> ⁽⁶⁾ [51125]				
SA1	---	407,250 gallons	1/Week	Calculate
SA2	---	407,250 gallons	1/Week	Calculate
SA3	---	407,250 gallons	1/Week	Calculate
SA4	---	407,250 gallons <i>[8B]</i>	1/Week <i>[01/07]</i>	Calculate <i>[CA]</i>
<u>Flow – Total Gallons</u> [51500]				
SA1	Report (Gallons)	---	1/Month	Calculate
SA2	Report (Gallons)	---	1/Month	Calculate
SA3	Report (Gallons)	---	1/Month	Calculate
SA4	Report (Gallons) <i>[80]</i>	---	1/Month <i>[01/30]</i>	Calculate <i>[CA]</i>

The italicized numeric values bracketed in the table and in subsequent text are code numbers that Department personnel utilize to code the monthly Discharge Monitoring Reports. **FOOTNOTES:** See Pages 7 through 8 of this license for applicable footnotes.

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

3. Beginning the effective date of this license, **GROUNDWATER MONITORING WELLS; MW-3** (located easterly and downgradient from the lagoons), **MW-4** (located easterly of and downgradient from Spray Area #4), **MW-5** (located southerly of, and downgradient from, Spray Areas 2 and 3). The monitoring wells must be limited and monitored as specified below ⁽¹⁾(8).

<u>Monitoring Parameter</u>	<u>Daily Maximum</u>	<u>Minimum Measurement Frequency</u>	<u>Sample Type</u>
Depth to Water Level Below Landsurface ⁽⁹⁾ <i>[72019]</i>	Report (feet) <i>[27]</i>	2/Year <i>[02/YR]</i>	Measure <i>[MS]</i>
Nitrate-Nitrogen <i>[00620]</i>	10 mg/L <i>[19]</i>	2/Year <i>[02/YR]</i>	Grab <i>[GR]</i>
Specific Conductance ⁽¹⁰⁾ <i>[00095]</i>	Report (µmhos/cm) <i>[11]</i>	2/Year <i>[02/YR]</i>	Grab <i>[GR]</i>
Temperature (°F) ⁽¹⁰⁾ <i>[00011]</i>	Report (°F) <i>[15]</i>	2/Year <i>[02/YR]</i>	Grab <i>[GR]</i>
pH (Standard Units) ⁽¹⁰⁾ <i>[00400]</i>	Report (S.U.) <i>[12]</i>	2/Year <i>[02/YR]</i>	Grab <i>[GR]</i>
Total Suspended Solids <i>[00530]</i>	Report (mg/L) <i>[19]</i>	2/Year <i>[02/YR]</i>	Grab <i>[GR]</i>
<u>Metals (Total):</u> Arsenic, Cadmium, Chromium, Copper, Lead, Mercury, Nickel and Zinc <i>[01002, 01027, 01034, 01042, 01051, 71900, 01067, 01092]</i>	Report µg/L <i>[28]</i>	1/5 Years ⁽¹¹⁾ <i>[01/5Y]</i>	Grab <i>[GR]</i>

The italicized numeric values bracketed in the table and in subsequent text are code numbers that Department personnel utilize to code the monthly Discharge Monitoring Reports. **FOOTNOTES:** See Pages 7 through 8 of this license for applicable footnotes.

SPECIAL CONDITIONS

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

FOOTNOTES

1. **Sampling** – The licensee must conduct sampling and analysis in accordance with; a) methods approved by 40 Code of Federal Regulations (CFR) Part 136, b) alternative methods approved by the Department in accordance with the procedures in 40 CFR Part 136, or c) as otherwise specified by the Department. Samples that are sent out for analysis must be analyzed by a laboratory certified by the State of Maine's Department of Health and Human Services for wastewater. Samples that are analyzed by laboratories operated by waste discharge facilities licensed pursuant to *Waste discharge licenses*, 38 M.R.S. § 413 are subject to the provisions and restrictions of *Maine Comprehensive and Limited Environmental Laboratory Certification Rules*, 10-144 CMR 263 (effective December 19, 2018). Laboratory facilities that analyze compliance samples in-house are subject to the provisions and restrictions of 10-144 CMR 263. If the licensee monitors any pollutant more frequently than required by the license using test procedures approved under 40 CFR Part 136 or as specified in this license, the results of this monitoring must be included in the calculation and reporting of the data submitted in the Discharge Monitoring Report (DMR).

In accordance with 06-096 CMR Chapter 523 §5(i), the licensee shall monitor according to sufficiently sensitive test procedures (i.e., methods) approved under 40 CFR Part 136 or required under 40 CFR 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 CFR Part 136 or required under 40 CFR 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. Storage lagoon effluent must be sampled at a point after the pump in the distribution line prior to being pumped to the spray field(s) and must be representative of what is actually being applied to the fields. Any change in sampling location must be approved by the Department in writing.
3. Lagoon freeboard must be measured weekly for each lagoon (FL#1, FL#2, and SL) between May 1st and October 31st of each year. Lagoon freeboard is measured in vertical feet (the banks of the lagoons have a 3:1 slope).
4. Lagoon effluent sampling must occur monthly, four (4) times per year, during the months of (a) April or May, (b) June, (c) September, and (d) October or November of each year. In the event that no wastewater is disposed of via the spray irrigation system during the month, the licensee is not required to sample for effluent monitoring.

SPECIAL CONDITIONS

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

FOOTNOTES

5. The licensee must conduct one round of testing for the specified metals during the fourth year of the license, while spray irrigation operations are taking place, unless otherwise specified by the Department.
6. Weekly is defined as Sunday through Saturday. The licensee must measure the flow of wastewater to the irrigation area by the use of a flow measuring device that is checked for calibration at least once per calendar year. For DMR reporting purposes, the licensee must report the highest weekly application rate for the month in the applicable box on the form. Compliance with weekly reporting requirements must be reported for the month in which the calendar week ends.
7. For DMR reporting purposes, the licensee must report the highest weekly application rate for the month in the applicable box on the form. Compliance with weekly reporting requirements must be reported for the month in which the calendar week ends.
8. Monitoring wells must be sampled during the months of May and October of each year.
9. Depth to water level must be measured to the nearest one-tenth (1/10th) of a foot as referenced from the surface of the ground at the base of the monitoring well.
10. Temperature and pH are considered "field" parameters and are to be measured in the field via instrumentation. Specific conductance (calibrated to 25°C) may be measured either in the field or the laboratory pursuant to sampling guidance above. Specific conductance values indicating a statistically significant trend upwards or sudden spikes from previous levels may necessitate the need for additional groundwater testing requirements to determine causes and effects as related to spray irrigation activities. The licensee is required to test for these parameters whether wastewater was disposed of via the spray irrigation system or not.
11. The licensee must conduct one round of testing for the specified metals during the fourth calendar quarter of the fourth year of the license, unless otherwise specified by the Department.

B. TREATMENT PLANT OPERATOR

The person who has the management responsibility over the treatment facility must hold a **Grade-II (or higher)** certificate or must be a Maine Registered Professional Engineer pursuant to *Sewage Treatment Operators*, 32 M.R.S., § 4171-4182 and *Regulations for Wastewater Operator Certification*, 06-096 CMR 531 (effective May 8, 2006). All proposed contracts for facility operation by any person must be approved by the Department before the licensee may engage the services of the contract operator.

SPECIAL CONDITIONS

C. AUTHORIZED DISCHARGES

The licensee is authorized to discharge treated sludge lagoon supernatant effluent only in accordance with: 1) the licensee's General Application for Waste Discharge License, accepted for processing on January 3, 2022; 2) the terms and conditions of this license; and 3) only to spray irrigation areas: SA1, SA2, SA3, and SA4 from those sources as indicated in the Waste Discharge License application. Discharges of wastewater from any other point source are not authorized under this license, and must be reported in accordance with Standard Condition D(1)(f), *Twenty-four hour reporting*, of this license.

D. NARRATIVE EFFLUENT LIMITATIONS

1. The licensee must not discharge effluent that contains materials in concentrations or combinations which would impair the uses designated for the classification of the ground water.
2. The licensee must not discharge effluent that contains materials in concentrations or combinations which would lower the quality of any classified body of water (ground water is a classified body of water under 38 M.R.S. § 465-C) below such classification, or lower the existing quality of any body of water if the existing quality is higher than the classification.

E. NOTIFICATION REQUIREMENT

In accordance with Standard Condition D, the licensee 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 license issuance. For the purposes of this section, notice regarding substantial change must include information on:
 - (a) the quality and quantity of wastewater introduced to the wastewater collection and treatment system; and
 - (b) any anticipated impact caused by the change in the quantity or quality of the wastewater to be discharged from the treatment system.

F. GENERAL OPERATIONAL CONSTRAINTS

1. All wastewater must receive biological treatment through a properly designed, operated and maintained lagoon system prior to disposal via spray irrigation.
2. The surface wastewater disposal system must be effectively maintained and operated at all times so that there is no discharge to surface waters, nor any contamination of ground water which will render it unsatisfactory for usage as a public drinking water supply.

SPECIAL CONDITIONS

F. GENERAL OPERATIONAL CONSTRAINTS (cont'd)

3. The surface wastewater disposal system must not cause the lowering of the quality of the ground water, as measured in the ground water monitoring wells specified by this license, below the State Primary and Secondary Drinking Water Standards specified in the Maine State Drinking Water Regulations, *Water for Human Consumption*, 22 M.R.S. § 2611 *et seq.*

In the event that ground water monitoring results indicate lowering of the existing ground water quality, the licensee may be required to take immediate remedial action(s), which may include but are not limited to, adjustment of the irrigation schedule or application rates, a reduction of the pollutant loading, ground water remediation, or ceasing operation of the system until the ground water attains applicable standards.

4. The Department must be notified as soon as the licensee becomes aware of any threat to public health, unlicensed discharge of wastewater, sanitary system overflows (SSO's) or any malfunction that threatens the proper operation of the system. Notification must be made in accordance with the attached Standard Condition #4 of this license. A *sanitary sewer overflow* (SSO) is the release of raw sewage from a sanitary collection system prior to reaching the treatment plant or facility. Spills out of manholes, into basements, onto municipal or private property, etc., and into the Waters of the State are all considered to be SSO's.
5. The licensee must maintain a file on the location of all system components and relevant features. Each component must be mapped and field located sufficiently to allow adequate inspections and monitoring by both the licensee and the Department. System components including collection pipes, tanks, manholes, pumps, pumping stations, spray/snow disposal fields, and monitoring wells must be identified and referenced by a unique identifier (alphabetic, numeric, or alphanumeric) in all logs and reports.

G. SPRAY IRRIGATION OPERATIONAL CONSTRAINTS, LOGS AND REPORTS

1. Wastewater may not be applied to areas without sufficient vegetation or ground cover as to prevent erosion or surface water runoff outside the designated boundaries of the spray fields. The licensee must not allow significant runoff or ponding within or out of the spray irrigation area due to the spray irrigation events.
2. There must be at least 10 inches of separation from the ground surface to the ground water table prior to spray irrigation operations.
3. No wastewater may be applied to the site following a rainfall accumulation exceeding 1.0 inch within the previous 24-hour period. **A rain gauge must be located on site to monitor daily precipitation.** The licensee must also manage application rates by taking into consideration the forecast for rain events in the 48-hour period in the future.
4. No wastewater may be applied where there is snow present on the surface of the ground.

SPECIAL CONDITIONS

G. SPRAY IRRIGATION OPERATIONAL CONSTRAINTS, LOGS AND REPORTS (cont'd)

5. No wastewater may be applied when there is any evidence of frost or frozen ground within the upper 10 inches of the soil profile.
6. Care must be taken when operating equipment in the spray irrigation area in order to minimize disturbance during periods when spray irrigation operations are being conducted.
7. **Prior to the commencement of spray irrigation for the season**, the licensee must notify the Department's compliance inspector that it has verified site conditions are appropriate (frozen ground, soil moisture, etc.) for spray irrigation.
8. The licensee must install the equivalent of one ground water level inspection well to verify that 10 inches of separation from the ground surface to the observed ground water level is present prior to spraying. Depths to ground water must be recorded in accordance with the format of "*Depth to Ground Water*" provided as **Attachment C** of this license.
9. The licensee must at all times maintain in good working order and operate at maximum efficiency all wastewater collection, treatment and/or control facilities. Should significant malfunctions or leaks be detected, the licensee must shut down the malfunctioning portion of the spray system and make necessary repairs before resuming operation. The licensee must cease irrigation if runoff is observed outside the designated boundaries of the spray field.
10. **The licensee must maintain a daily log** of all spray irrigation events which records the date, weather, rainfall, areas irrigated, volume sprayed (gallons), application rates (daily and weekly), and other relevant observations/comments from daily inspections. The log must be in accordance with the general format of the "*Monthly Operations Log*" form provided as **Attachment A** of this license, or other format approved by the Department.

Weekly application rates must be reported in accordance with the general format of the "*Spray Application Report by Week*" form provided as **Attachment B** of this license or other format as approved by the Department. The *Monthly Operations Log and Spray Application Report by Week* for each month must be submitted to the Department as an attachment to the monthly DMRs in a format approved by the Department. Copies will also be maintained on site for Department review and for license operation maintenance purposes.

H. VEGETATION MANAGEMENT

1. The licensee must remove/trim grasses and other vegetation such as shrubs and trees if necessary so as not to impair the operation of the spray-irrigation systems, ensure uniform distribution of wastewater over the desired application area and to optimize nutrient uptake and removal.
2. The vegetative buffer zones along the perimeter of the site must be maintained to maximize vegetation and forest canopy density in order to minimize off-site drift of spray.

SPECIAL CONDITIONS

I. 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 licensee 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 license cycle, and submit the results to the Department. The IWS must identify, in terms of character and volume of pollutants, any Significant Industrial Users discharging into the POTW subject to Pretreatment Standards under section 307(b) of the federal Clean Water Act, 40 CFR Part 403 (general pretreatment regulations) or *Pretreatment Program*, 06-096 CMR 528 (last amended March 17, 2008).

J. WET WEATHER FLOW MANAGEMENT PLAN

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

The plan must conform to Department guidelines for such plans and must include operating procedures for a range of intensities, address solids handling procedures (including septic waste and other high strength wastes if applicable) and provide written operating and maintenance procedures during the events.

The licensee 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.

K. LAGOON MAINTENANCE

1. The integrity of the lagoons must be inspected periodically during the operating season and properly maintained at all times. There must be no overflow through or over the banks. Any signs of leaks or overflow must be repaired or corrected immediately.
2. The licensee must maintain the lagoon freeboard at design levels or at least two (2) feet, whichever is greater. The lagoons must be operated in such a way as to balance the disposal of wastewater via spray irrigation and to ensure that design freeboard levels are maintained.
3. The lagoons must be cleaned as necessary to maintain the proper operating depths that will provide best practicable treatment of the wastewater. All material removed from the lagoon(s) must be properly disposed of in accordance with all applicable State and Federal rules and regulations.

SPECIAL CONDITIONS

L. INSPECTIONS AND MAINTENANCE

The licensee must periodically inspect all system components to ensure the facility is being operated and maintained in accordance with the design of the system. Maintenance logs must be maintained for each major system component including pumps, pump stations, storage tanks, spray apparatus, and pipes. At a minimum, the logs must include the unique identifier [alphabetic, numeric or alpha-numeric-see Special Condition F(5)], the date of maintenance, type of maintenance performed, names or person performing the maintenance, and other relevant system observations.

M. GROUNDWATER MONITORING WELLS AND WATER QUALITY MONITORING PLAN DETAILS

1. All monitoring wells must be equipped and maintained with a cap and lock to limit access and must be maintained in a secured state at all times. The integrity of the monitoring wells must also be verified annually.
2. The Department reserves the right to require increasing the depth and or relocating any of the groundwater monitoring wells if the well is perennially dry or is determined to not provide data representative of groundwater conditions.

N. OPERATIONS AND MAINTENANCE (O & M) PLAN AND SITE PLAN(S)

This facility must have a current written comprehensive Operation & Maintenance (O&M) Plan. The plan must provide a systematic approach by which the licensee must at all times, properly operate and maintain all facilities and the systems of treatment and control (and related appurtenances) which are installed or used by the licensee to achieve compliance with the conditions of this license.

By December 31 of each year, or within 90 days of any process changes or minor equipment upgrades, the licensee 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 the Department personnel upon request.

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

O. PUBLIC ACCESS TO LAND APPLICATION SITES AND SIGNAGE

Access to the land application sites must be limited during the season of active site use. The licensee must install signs measuring at least 8 ½" x 11", in areas of concern around the perimeter of the lagoon and spray irrigation site that inform the general public that the area is being used to dispose of wastewater. The signs must be constructed of materials that are weather resistant. The licensee must annually inspect and make any necessary repairs to the signage to comply with this condition.

SPECIAL CONDITIONS

P. MONITORING AND REPORTING

Electronic Reporting

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

Electronic Discharge Monitoring Reports (DMRs) submitted using the USEPA NetDMR system, must be:

1. Submitted by a facility authorized signatory; and
2. Submitted no later than **midnight on the 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.

Documentation submitted electronically to the Department in support of the electronic DMR must be submitted no later than midnight on the 15th day of the month following the completed reporting period.

Q. REOPENING OF LICENSE FOR MODIFICATION

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

R. SEVERABILITY

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

ATTACHMENT A

ATTACHMENT B

Spray Application Report by Week

Facility Name _____;

WDL # _____ (Month _____, Year _____) Weekly Application Rate _____ gallons/acre _____ inches)

Field Name/#	Effective Spray Area (Acres)	Weekly Limit (Gallons/Acre)	Actual Spray Application Rates (Gallons per Acre)					Number of Exceptions to Weekly Limit	Monthly Average
			Week 1	Week 2	Week 3	Week 4	Week 5		
Note: 1 acre-inch is equivalent to 27,150 gallons of liquid 27,150 gallons per acre is equivalent to 1.0 inch							Total Number of Exceptions		

A spray-field's weekly application rate is the total gallons sprayed (Sunday through Saturday) divided by the size of the spray-field in acres or the size in acres of that portion of the spray field utilized.

Signature of Responsible Official: _____, Date _____

ATTACHMENT C

MAINE POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT

STANDARD CONDITIONS APPLICABLE TO ALL PERMITS

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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).

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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 of 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 MAINTENANCE 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

MAINE POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT

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- 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.

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- (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.

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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.

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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

MAINE POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT

STANDARD CONDITIONS APPLICABLE TO ALL PERMITS

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).

MAINE POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT

STANDARD CONDITIONS APPLICABLE TO ALL PERMITS

- (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.

MAINE POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT

STANDARD CONDITIONS APPLICABLE TO ALL PERMITS

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 contaminants 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.

MAINE POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT

STANDARD CONDITIONS APPLICABLE TO ALL PERMITS

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.

MAINE POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT

STANDARD CONDITIONS APPLICABLE TO ALL PERMITS

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 WASTE DISCHARGE LICENSE

FACT SHEET

DATE: **January 17, 2023**

ICIS TRACKING #: **#MEU507814**

WASTE DISCHARGE LICENSE: **#W007814-6B-F-R**

NAME AND ADDRESS OF APPLICANT:

**SINCLAIR SANITARY DISTRICT
P.O. Box 71
Sinclair, Maine 04779-0071**

COUNTY: **AROOSTOOK**

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

**SINCLAIR SANITARY DISTRICT
Route 162, Township 17, Range 4
Sinclair, Maine 04779**

RECEIVING WATER CLASSIFICATION: **Ground Water/Class GW-A**

COGNIZANT OFFICIAL CONTACT INFORMATION:

**Mr. Martin, Interim Chairman of the District Board
Tel: (207) 543-5057
e-mail: mn_mud_lake@yahoo.com**

1. APPLICATION SUMMARY

- a. Application: On January 3, 2022, the Department of Environmental Protection (Department) accepted as complete for processing an application from the Sinclair Sanitary District (Sinclair/licensee) for the renewal of Waste Discharge License (WDL) #W007814-6B-E-R / Integrated Compliance Information System (ICIS) tracking #MEU507814 which was issued on November 2, 2016 for a five-year term. The 11/2/2016 WDL authorized the weekly discharge (April 15th through November 15th) of 1,629,000 gallons of treated sanitary wastewater to ground water (GW-A) via spray irrigation to 30 acres of land in Township 17 Range 4 in Sinclair, Maine.

1. APPLICATION SUMMARY (cont'd)

- b. Source Description: The surface wastewater treatment facility was constructed and operational in 1994. Wastewater is generated from a number of commercial and residential users within the licensee's boundaries in the township of Sinclair, Maine (Township 17, Range 4). The licensee has approximately 8,000 feet of gravity sewers, 3 pump stations, approximately 8,500 feet of force mains, two facultative lagoons and one storage lagoon. A portable generator is available to power the pump stations for use in the event of power outages. The sanitary wastewater collection system is separated from the storm water system and there are no combined sewer overflows (CSOs) or industrial contributors associated with the collection system.

A map showing the location of the treatment facility is included as Fact Sheet **Attachment A**.

- c. Wastewater Treatment: Wastewater is pumped from the collection system to the facultative lagoon #1 for primary settling and solids separation. From the first lagoon, wastewater is directed to a second facultative lagoon for polishing and then to a third storage lagoon (SL) that is used for storage during the winter or non-spray irrigation season. The first and second facultative lagoons each have a design capacity of 2.16 million gallons (MG) and the storage lagoon has a design capacity of 14.3 MG. The average detention time of wastewater in the lagoons is approximately 180 days.

The spray irrigation application rate is 54,300 gallons per acre per week (equivalent to 2.0" per acre per week). By using the entire 30-acre spray irrigation area, the licensee may treat and discharge up to 1.6 million gallons [30 acres x 54,300 gallons per acre (gal/ac)] per week or up to 50.5 million gallons per year during an entire 31-week spray irrigation season. It is noted, however, that the historic spray season for northern Maine is shorter because the region generally has colder temperatures and more snow cover than the rest of the sites that use spray irrigation, so that the effective spray season typically occurs for 25 weeks and would allow an effective discharge of approximately 40 million gallons per year [30 acres X 54,300 gal/ac X 25 weeks]. With annual wastewater generation of about 9.3 million gallons, the spray irrigation system is sufficiently sized and provides ample flexibility to treat and dispose of the amount of wastewater generated.

Wastewater from the storage lagoon is conveyed to four (4) spray fields, each measuring 7.5 acres. Each spray field contains 40 spray nozzles which distributes the waste water in a circular pattern measuring roughly 110 feet in diameter.

The system has been designed such that the licensee has the flexibility to rotate the zones in a series pattern. The system also provides sufficient valving to isolate each of the spray fields, or isolate individual clusters of spray heads within each spray area.

Each spray field is vegetated mixed woodland with a 8-25% slope with a southeasterly aspect. The weekly maximum wastewater application rate must not exceed the levels provided in Special Condition A(2) of this license.

2. LICENSE SUMMARY

- a. Terms and Conditions: This licensing action is carrying forward all the terms and conditions of the previous license except this license;
- 1) Modifying the operator certification of the treatment facility from a SITS II operator to a Grade II operator based on a reevaluation of the operation of the waste water treatment facility.
- b. History: The most current relevant regulatory actions include:

August 8, 1994 – The Department issued WDL #W007814-58-A-N for a five-year term.

January 11, 2001 – The Department issued WDL #W007814-5L-B-R for a five-year term.

April 18, 2006 – The Department issued WDL #W007814-5L-C-R for a five-year term.

March 28, 2011 – The Department issued WDL #W007814-6B-D-R for a five-year term.

April 4, 2016 – The Department received an application for renewal of WDL #W007814-6B-D-R. The application was accepted as complete on April 6, 2016 and was assigned WDL #W007814-6B-E-R.

November 2, 2016 – The Department issued WDL #W007814-6B-E-R for a five-year term.

December 20, 2020 – The Department received an application for renewal of WDL #W007814-6B-E-R. The application was accepted as complete on January 3, 2022 and was assigned WDL #W007814-6B-F-R.

3. CONDITIONS OF LICENSE

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.

4. RECEIVING WATER QUALITY STANDARDS

Classification of groundwater, 38 M.R.S., § 470 indicates the ground water at the point of discharge is classified as Class GW-A receiving waters. *Standards of classification of ground water*, 38 M.R.S. § 465-C(1) contains the standards for the classification of ground waters. “Class GW-A shall be the highest classification and shall be of such quality that it can be used for public drinking water supplies. These waters shall be free of radioactive matter or any matter that imparts color, turbidity, taste or odor which would impair usages of these waters, other than that occurring from natural phenomena.”

5. RECEIVING WATER QUALITY CONDITIONS

The Department has no information as of the date of this licensing action that ground water down gradient from the spray irrigation field does not meet the standards of its assigned classification.

6. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

Summaries of monitoring results for the period April 2017 -April 2022 are as follow:

a. Lagoon Influent Flow

Value	Limit	Range	Number of DMRs
Weekly Maximum	Report, gal/week	62,700 - 976,900	35
Daily Maximum	Report, gal/day	10,300 – 200,900	33

The November 2016 licensing action revised the reporting requirement for Lagoon Influent flow to five times per week (5/Week) based on facility staffing needs. This license is carrying that action forward.

b. Lagoon Level, Freeboard

Value	Limit (feet)	Range (feet)	Mean (feet)	Number of DMRs
Daily Maximum	Report	5.7 -17	11	17

It is noted that freeboard for lagoons is measure in vertical feet, with the application of a 3:1 conversion rate.

This licensing action is carrying forward the previously established once per week (1/Week) monitoring frequency during active spray irrigation operations and prior to spray irrigation season.

c. Storage Lagoon Effluent

BOD₅

Value	Limit (mg/L)	Range (mg/L)	Mean (mg/L)	Number of DMRs
Daily Maximum	100	5.3 - 15	10	2

This licensing action is carrying forward the previously established monitoring requirement of once per month (1/Month) as well as the daily maximum limit of 100 mg/L for BOD₅.

6. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

Total Suspended Solids

Value	Limit (mg/L)	Range (mg/L)	Mean (mg/L)	Number of DMRs
Daily Maximum	100	3.4 - 11	7.2	2

This licensing action is carrying forward the previously established monitoring requirement of once per month (1/Month) as well as the daily maximum limit of 100 mg/L for TSS.

Nitrate-nitrogen: Both submitted results for nitrate-nitrogen were <1 mg/L. This licensing action is carrying forward the once per month (1/Month) Nitrate-nitrogen monitoring and reporting requirements from the previous licensing action.

Specific Conductance

Value	Limit (µmhos/cm)	Range (µmhos/cm)	Mean (µmhos/cm)	Number of DMRs
Daily Maximum	Report	425 – 482	453	2

This licensing action is carrying forward the once per month (1/Month) Specific Conductance monitoring and reporting requirements from the previous licensing action.

pH

Value	Limit (S.U.)	Range (S.U.)	Mean (S.U.)	Number of DMRs
Daily Maximum	Report	9.0 – 9.2	9.1	2

This licensing action is carrying forward the once per month (1/Month) pH monitoring and reporting requirements from the previous licensing action.

Total Metals

Parameter	Limit (µg/L)	Result (µg/L)
Arsenic	Report	---
Cadmium		---
Chromium		---
Copper		---
Lead		---
Mercury		---
Nickel		---
Zinc		---

This licensing action is carrying forward the once every five years (1/5 Years) metals reporting and monitoring requirements from the previous licensing action.

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

d. **Spray Irrigation Areas:** The previous licensing action established weekly maximum wastewater application rates for SA1, SA2, SA3, and SA4 of 407,250 gallons per week per spray area. This license carries forward a weekly maximum application rate in order to allow for flexibility in managing the spray irrigation fields. Weekly maximum application rates were calculated using the following formula:

Example: SA1 (northwesterly spray irrigation area – 7.5 acres)
 $54,300^* \text{ gallons/acre/week} \times 7.5 \text{ acres} = 407,250 \text{ gallons/week}$

*Maximum application rate established in 2011 license.

Application Rate

Spray Area	Weekly Max (gal/field)	Range (gal/field)	Average (gal/field)	Number of DMRs
SA 1	407,250	185,366 – 363,820	286,315	8
SA 2	407,250	0 – 376,996	166,870	7
SA 3	407,250	216,378 – 375,002	299,679	8
SA 4	407,250	281,245 – 357,607	325,679	8

This licensing action is carrying forward the once per week (1/Week) minimum measurement frequency from the previous licensing action.

Flow

Spray Area	Monthly Total (total gallons)	Range (gal/mo.)	Average (gal/mo.)	Number of DMRs
SA 1	Report	358,451 – 1,082,651	768,373	8
SA 2	Report	0 – 1,417,945	455,852	7
SA 3	Report	225,055 – 1,641,775	918,572	8
SA 4	Report	523,616 – 1,195,728	982,498	8

This licensing action is carrying forward the once per month (1/Month) spray irrigation flow reporting requirements from the previous licensing action.

e. **Groundwater Monitoring Wells:** MW-3, MW-4, and MW-5 are monitored for the parameters listed in Special Condition A.3. in the license. These parameters, their monitoring frequencies and their applicable limits are being carried forward in this license. A review of the data indicates the following:

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

Total Metals

Parameter	Limit (µg/L)	Result (µg/L)
Arsenic	Report	0
Cadmium		0
Chromium		0
Copper		0
Lead		0
Mercury		0
Nickel		0
Zinc		0

Nitrate-Nitrogen

Monitoring Well	Daily Maximum Limit (mg/L)	Range (mg/L)	Average (mg/L)	Number of DMRs
MW3	10 mg/L	0.00 – 0.10	0.03	4
MW4	10 mg/L	0.27 – 0.42	0.32	6
MW5	10 mg/L	0.00 – 0.10	0.03	4

Depth to Water Level Below Landsurface

Monitoring Well	Limit (Feet)	Range (Feet)	Average (Feet)	Number of DMRs
MW3	Report	7.4 - 13	10	4
MW4	Report	6.2 - 12	8.4	4
MW5	Report	5.4 – 9.1	6.8	4

Specific Conductance

Monitoring Well	Limit (µmhos/cm)	Range (µmhos/cm)	Average (µmhos/cm)	Number of DMRs
MW3	Report	232 - 436	317	4
MW4	Report	280 - 362	321	4
MW5	Report	345 - 365	352	4

Temperature

Monitoring Well	Limit (°F)	Range (°F)	Average (°F)	Number of DMRs
MW3	Report	43 - 48	46	4
MW4	Report	42 - 51	47	4
MW5	Report	42 - 52	48	4

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

pH

Monitoring Well	Limit (SU)	Range (SU)	Average (SU)	Number of DMRs
MW3	Report	6.7 – 7.2	6.9	4
MW4	Report	6.8 – 7.4	7.1	4
MW5	Report	7.1 – 7.6	7.4	4

Total Suspended Solids

Monitoring Well	Limit (mg/L)	Range (mg/L)	Average(mg/L)	Number of DMRs
MW3	Report	0.0 – 0.1	0.03	4
MW4	Report	0.0 – 0.1	0.03	4
MW5	Report	0.0 – 0.1	0.03	4

7. DISCHARGE IMPACT ON RECEIVING WATER QUALITY

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

8. PUBLIC COMMENTS

Public notice of this application was made in the *Saint John Valley Times* newspaper on December 15, 2021. 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 licenses shall have at least 30 days in which to submit comments on the draft or to request a public hearing, pursuant to *Application Processing Procedures for Waste Discharge Licenses*, 06-096 CMR 522 (effective January 12, 2001).

9. DEPARTMENT CONTACTS

Additional information concerning this licensing action 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

10. RESPONSE TO COMMENTS

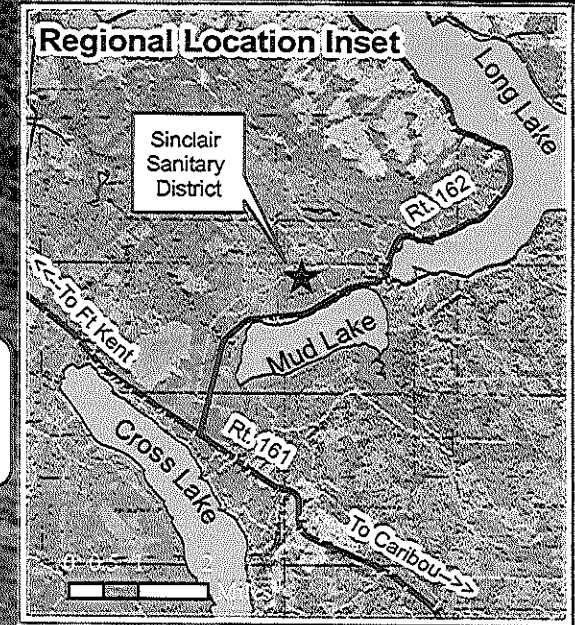
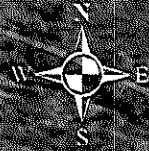
During the period January 17, 2023 through issuance of the license, the Department solicited comments from the permittee, state agencies and interested parties on the proposed draft Maine WDL to be issued for the discharge(s) cited in said license. The Department did not receive any comments on the draft license. Therefore, no Response to Comments has been prepared.

ATTACHMENT A

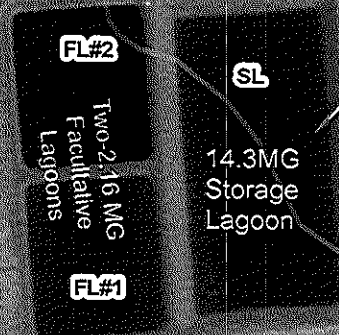
Sinclair Sanitary District

WDL #W007814-5L-C-R

MEU507814



Average Sanitary Wastewater delivered to the system is 0.255 MGD (0.0425MGD maximum daily flow).
 Three pump stations.
 Two 2.16 MG facultative lagoons, FL#1&2
 One 14.3 MG storage lagoon, SL
 Four 7.5 acre spray irrigation areas.
 Effluent flow delivered to spray area by effluent pump @ 600 gpm.
 Spray area Soils are Perham/Daigle.
 40 spray heads w/ 55' radius.
 2.0"/ac/week spray maximum.



Effluent Monitoring SL [01/30] BOD, TSS, Cn, N, pH, & [01/5YR] Metals

Spray Irrigation Areas, SA1-4
 2.0 inches per week or 54,300 gallons per week

Monitoring Well Tests MW1-6 [02/YR] for Cn, Gwat depth, TSS, T, pH, N, & [01/5YR] Metals

