STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

JANET T. MILLS
GOVERNOR

MELANIE LOYZIM
COMMISSIONER

March 9, 2026

Mr. Jim Crowley
Water Quality and Compliance Services, Inc.
Wiscasset, Maine, 04578

Sent via electronic mail
Delivery confirmation requested

RE: *Maine Pollutant Discharge Elimination System (MEPDES) Permit #ME0037427*
Maine Waste Discharge License (WDL) Application #W009077-5C-G-R
Proposed Draft MEPDES Permit Renewal

Dear Mr. Crowley,

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

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

The comment period begins today, Monday, March 9, 2026, and ends on Wednesday, April 8, 2026. All comments on the proposed draft permit must be received in the Department of Environmental Protection office on or before the close of business **Wednesday, April 8, 2026.** Failure to submit comments in a timely fashion may result in the proposed draft/license permit document being issued as drafted.

Comments in writing should be submitted to my attention at the following address:

Maine Department of Environmental Protection
Bureau of Water Quality
Division of Water Quality Management
17 State House Station
Augusta, ME 04333-0017

If you have any questions regarding the matter, please feel free to call me at 207-458-8706 or email me at Bekah.Farmer@Maine.gov

Sincerely,

Bekah Farmer
Division of Water Quality Management
Bureau of Water Quality

Enclosure

cc: Laura Crossley, DEP
William Johnson, DEP
Gregg Wood, DEP
Wendy Garland, DEP
Lori Mitchell, DEP
Michael Cobb, USEPA
Kathryn Rosenberg, USEPA
Richard Carvalho, USEPA
Sean Mahoney, Conservation Law Foundation
Melanie Tucker

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

DEPARTMENT ORDER

IN THE MATTER OF

SMUTTY NOSE ISLAND CLUB, INC	)	MAINE POLLUTANT DISCHARGE
D/B/A MONHEGAN HOUSE	)	ELIMINATION SYSTEM PERMIT
MONHEGAN ISLAND PLANTATION	)	
LINCOLN COUNTY, MAINE	)	AND
OVERBOARD DISCHARGE	)	
ME0037427	)	WASTE DISCHARGE LICENSE
W009077-5C-G-R **APPROVAL**	)	**RENEWAL & TRANSFER**

In compliance with the applicable provisions of *Pollution Control*, 38 M.R.S. §§ 411 – 424-C, *Water Classification Program*, 38 M.R.S. §§ 464 – 470 and *Federal Water Pollution Control Act*, Title 33 U.S.C. § 1251 *et seq,* and applicable rules of the Department of Environmental Protection ("Department"), the Department has considered the application of the SMUTTY NOSE ISLAND CLUB, INC. D/B/A MONHEGAN HOUSE ("permittee"), with its supportive data, agency review comments, and other related materials on file and FINDS THE FOLLOWING FACTS:

APPLICATION SUMMARY

On April 17, 2024, the Department accepted as complete for processing an application from the Smutty Nose Island Club, INC. D/B/A Monhegan House for the renewal of combination Waste Discharge License (WDL) #W-009077-5C-F-R / Maine Pollutant Discharge Elimination System (MEPDES) permit #ME0037427, which was issued to Araminta's Dream, INC. by the Department on September 24, 2020, for a five-year term. The 9/24/2020 permit authorized a seasonal discharge (April 15th – November 1st) from a commercial overboard discharge with a daily maximum of 2,000 gallons per day (GPD) of secondary treated sanitary wastewater from MONHEGAN HOUSE to Monhegan Harbor, Class SB water, in Monhegan Island Plantation, Maine.

The permittee requested an increase in flow from 2,000 GPD to 3,000 GPD in this permitting action.

The permittee has notified the Department of a change in ownership company. Paperwork documenting this change must be submitted to the Department prior to finalization of the permit.

The applicant has been duly qualified by the Maine Secretary of State to be in good standing and authorized the corporation to conduct business under the laws of the State of Maine as of the date of this transfer. The applicant has submitted information demonstrating that it has legal title, right, and or interest in the facility and has provided a statement that it possesses the financial capacity and technical ability to operate the facility in compliance with the terms and conditions of the permit.

PERMIT SUMMARY

a. Terms and conditions

This permitting action is carrying forward all the terms and conditions from the previous permitting action and it is:

1. Transferring the facility from Araminta's Dream, INC to Smutty Nose Island Club, Inc.;
2. Increasing the daily maximum flow from 2,000 gpd to 3,000 gpd in accordance with 06-096 C.M.R. Ch. 596(6)(B)(2)(a);
3. Revising the daily maximum total residual chlorine from 1.0 mg/L to 0.9 mg/L based on changes in dilutions factors due to a reduction in discharge from a community pipe;
4. Revising footnotes in Special Condition A, *Effluent Limitations and Monitoring Requirements* to be consistent with other MEPDES permits subsequent to Monhegan House's September 24, 2020 permit; and
5. Removing the requirement in Special Condition J, *Monitoring and Reporting* to submit a physical copy of data submitted electronically for the Discharge Monitoring Reports (DMRs) to be consistent with other MEPDES permits subsequent to Monhegan House's September 24, 2020 permit.

CONCLUSIONS

BASED on the findings in the attached Fact Sheet dated March 9, 2026, 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 in-stream water uses and the level of water quality necessary to protect and maintain those existing uses will be maintained and protected;
   (b) Where high quality waters of the State constitute an outstanding national resource, that water quality will be maintained and protected;
   (c) Where the standards of classification of the receiving waterbody are not met, the discharge will not cause or contribute to the failure of the waterbody to meet the standards of classification;
   (d) Where the actual quality of any classified receiving waterbody 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 waterbody, the Department has made the finding, following opportunity for public participation, that this action is necessary to achieve important economic or social benefits to the State.
4. The discharges will be subject to effluent limitations that require application of best practicable treatment as defined in *Conditions of licenses*, 38 M.R.S., §414-A(1)(D).
5. The overboard discharge system was in continuing existence for the 12 months preceding June 1, 1987.
6. A non-discharging subsurface wastewater disposal system could not be installed in compliance with the Maine Subsurface Waste Water Disposal Rules at the time the renewal application was accepted for processing by the Department.
7. A publicly-owned sewer line is not located on or abutting land owned or controlled by the permittee or is not available for the permittee's use.
8. The discharge is not located within the boundaries of a sanitary district or sewer district.

ACTION

THEREFORE, the Department APPROVES the above noted application of SMUTTY NOSE ISLAND CLUB, INC D/B/A MONHEGAN HOUSE to discharge 3,000 gallons per day of secondary treated sanitary wastewater on a seasonal basis (April 15th - November 1st) from a 27 room seasonal Inn and restaurant complex, to the Atlantic Ocean at Monhegan Harbor, Class SB, in Monhegan Island Plantation, Maine, SUBJECT TO THE ATTACHED CONDITIONS, and all applicable standards and regulations including:

1. "*Maine Pollutant Discharge Elimination System Permit Standard Conditions Applicable to All Permits*," revised July 1, 2002, copy attached.
2. The attached Special Conditions, including any effluent limitations and monitoring requirements.
3. This permit becomes effective upon the date of signature below and expires at midnight five (5) years from the effective date. If a renewal application is timely submitted and accepted as complete for processing prior to the expiration of this permit, the terms and conditions of this permit and all subsequent modifications and minor revisions thereto remain in effect until a final Department decision on the renewal application becomes effective. [*Maine Administrative Procedure Act*, 5 M.R.S. §10002 and Department Rule *Concerning the Processing of Applications and Other Administrative Matters*, 06-096 C.M.R. Ch. 2 § 20(A) (effective September 15, 2024).]

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

DONE AND DATED AT AUGUSTA, MAINE, THIS ____ DAY OF _____2026.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: _____

for MELANIE LOYZIM, Commissioner

Date of initial receipt of application: April 3, 2024

Date of application acceptance: April 17, 2024

This Order prepared by Bekah Farmer, BUREAU OF WATER QUALITY

SPECIAL CONDITIONS

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. The permittee is authorized to discharge secondary treated sanitary wastewater from **Outfall #001A** to the Atlantic Ocean at Monhegan Harbor in Monhegan Island Plantation, Maine. Such discharges are limited and must be monitored by the permittee as specified below[(1)]:

Discharge Season April 15th- November 1st

Effluent Characteristic	Discharge Limitations						Minimum Monitoring Requirements	
	Monthly Average	Weekly Average	Daily Maximum	Monthly Average	Weekly Average	Daily Maximum	Measurement Frequency	Sample Type
Flow *[50050]*	Report gpd *[07]*	---	3,000 gpd[(2)] *[07]*	---	---	---	1/Week *[01/07]*	Metered *[MT]*
BOD_5 *[00310]*	0.5 lbs./day *[26]*	0.7 lbs./day *[26]*	0.8 lbs./day *[26]*	30 mg/L *[19]*	45 mg/L *[19]*	50 mg/L *[19]*	1/Month *[01/30]*	Grab *[GR]*
BOD_5 Percent Removal[(3)] *[81010]*	---	---	---	85% *[23]*	---	---	1/Month *[01/30]*	Calculate *[CA]*
TSS *[00530]*	0.5 lbs./day *[26]*	0.7 lbs./day *[26]*	0.8 lbs./day *[26]*	30 mg/L *[19]*	45 mg/L *[19]*	50 mg/L *[19]*	1/Month *[01/30]*	Grab *[GR]*
TSS Percent Removal[(3)] *[81011]*	---	---	---	85% *[23]*	---	---	1/Month *[01/30]*	Calculate *[CA]*
Settleable Solids *[00545]*						0.3 mL/L *[25]*	1/Month *[01/30]*	Grab *[GR]*
Fecal Coliform Bacteria[(4)] *[31616]*	---	---	---	14 CFU/100 mL *[13]*	---	31 CFU/100 mL *[13]*	1/Month *[01/30]*	Grab *[GR]*
Enterococci Bacteria[(5)] *[31639]*				8 CFU/100 mL *[13]*	---	54 CFU /100 mL *[13]*	1/Month *[01/30]*	Grab [GR]
Total Residual Chlorine[(6)] *[50060]*	---	---	---	---	---	0.9 mg/L *[19]*	1/Month *[01/30]*	Grab *[GR]*
pH (Standard Unit) *[00400]*	---	---	---	---	---	6.0 – 9.0 SU *[12]*	1/Month *[01/30]*	Grab *[GR]*

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

Footnotes: See Pages 6-7 of this permit for applicable footnotes.

SPECIAL CONDITIONS

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

Footnotes

1. **Sampling** – All effluent monitoring must be conducted at a location following the last treatment unit in the treatment process as to be representative of end-of-pipe effluent characteristics. The permittee must conduct sampling and analysis in accordance with; a) methods approved by 40 Code of Federal Regulations (C.F.R.) Part 136; b) alternative methods approved by the Department in accordance with the procedures in 40 C.F.R. Part 136; or c) as otherwise specified by the Department. Samples that are sent out for analysis must be analyzed by a laboratory certified by the State of Maine's Department of Health and Human Services for wastewater testing. Samples that are sent to a POTW licensed pursuant to *Waste discharge licenses*, 38 M.R.S. § 413 or laboratory facilities that analyze compliance samples in-house are subject to the provisions and restrictions of *Maine Comprehensive and Limited Environmental Laboratory Accreditation Rules*, 10-144 C.M.R. Ch. 263 (amended March 15, 2023). If the permittee monitors any pollutant more frequently than required by the permit using test procedures approved under 40 C.F.R. § 136 or as specified in this permit, the results of this monitoring must be included in the calculation and reporting of the data submitted in the Discharge Monitoring Report (DMR).

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

2. **Flow** – Flow is monitored weekly and the average daily flow is calculated using the weekly flow. The permittee will report excursions as one daily maximum excursion for the week.

3. **BOD_5 and TSS Percent Removal** – The permittee must maintain a minimum of 85 percent removal of both BOD_5 and TSS for all flows receiving secondary treatment. The percent removal must be calculated based on influent and effluent concentration values. The permittee's wastewater treatment system does not contain an influent sampling location that is representative of raw wastewater conditions. Therefore, this permitting action authorizes the permittee to assume an influent BOD_5 and TSS concentration value of 286 mg/L for purposes of calculating the monthly percent removal value. See section 7(d) of the Fact Sheet, *Effluent Limitations & Monitoring Requirements – Biochemical Oxygen Demand and Total Suspended Solids* for a basis statement.

SPECIAL CONDITIONS

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

4. **Fecal Coliform Bacteria** – The monthly fecal coliform average limitation is a **geometric mean** limitation and must be calculated and reported as such. Results must be expressed in MPN/100 mL or CFU/100 mL.

5. **Enterococcus Bacteria Reporting** – Enterococcus bacteria limits are a **geometric mean**. Results must be expressed in MPN/100 mL or CFU/100 mL.

6. **Total residual chlorine (TRC)** – Limitations and monitoring requirements are in effect any time elemental chlorine or chlorine-based compounds are utilized to disinfect the discharge(s). The permittee must utilize a USEPA-approved test method capable of bracketing the TRC limitations specified in this permitting action. For instances when a facility has not disinfected with chlorine-based compounds for an entire reporting period, the facility must report "N9" for this parameter on the monthly DMR. There must be at least 14 days between sampling events.

B. ANNUAL DISCHARGE FEES

Pursuant to *Annual waste discharge license fees,* 38 M.R.S. § 353-B, the permittee is required to pay an applicable annual fee for discharges authorized by this permit. Failure to pay an annual fee within 30 days of the billing date of a permit is grounds for accruing interest charges, penalties, or revocation of the permit.

C. NARRATIVE EFFLUENT LIMITATIONS

1. The permittee must not discharge effluent that contains a visible oil sheen, foam, or floating solids at any time which would impair the usages designated for the classification of the receiving waters.

2. The permittee must not discharge effluent that contains materials in concentrations or combinations which are hazardous or toxic to aquatic life, or which would impair the usages designated for the classification of the receiving waters.

3. The permittee must not discharge effluent that imparts color, taste, turbidity, toxicity, radioactivity or other properties which cause those waters to be unsuitable for the designated uses and characteristics ascribed to their classification.

4. The permittee must not discharge effluent that lowers the quality of any classified body of water below such classification or lowers the existing quality of any body of water if the existing quality is higher than the classification.

D. TREATMENT PLANT OPERATOR

The person who has direct responsibility over the treatment facility must hold a **Maine Grade II** certificate (or higher) or must be a Maine Registered Professional Engineer pursuant to *Wastewater Treatment Plant Operators*, 32 M.R.S. § 4171-4182 and *Wastewater Treatment Plant Operator Certification*, 06-096 C.M.R. Ch. 531 (effective July 24, 2023). All proposed contracts for facility operation by any person must be approved by the Department before the permittee may engage the services of the contract operator.

SPECIAL CONDITIONS

E. AUTHORIZED DISCHARGES

The permittee is authorized to discharge only in accordance with: 1) the permittee's General Application for Waste Discharge Permit, accepted for processing on April 17, 2024; 2) the terms and conditions of this permit; and 3) only from Outfall #001A. Discharges of wastewater from any other point source(s) are not authorized under this permit and must be reported in accordance with Standard Condition D(1)(F), *Twenty-four-hour reporting*, of this permit.

F. NOTIFICATION REQUIREMENT

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

1. Any substantial change or proposed change in the volume or character of pollutants being introduced into the wastewater collection and treatment system by a source introducing pollutants into the system at the time of permit issuance.
2. For the purposes of this section, adequate 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.

G. SITE EVALUATION FOR TRANSFER OF OWNERSHIP

In accordance with Department Rule *Overboard Discharges: Licensing and Abandonment,* 06-096 C.M.R. Ch. 596, the owners of the overboard discharges subject to this permit are required to install a technologically proven alternative and properly abandon the overboard discharges when any of the following actions are initiated:

1. **Transfer of Ownership of Property or Significant Action** – Prior to transfer of ownership of property containing an overboard discharge (*i.e.*, change in the legal entity that owns a property, facility or structure that is the subject of a permit), the parties to the transfer must determine the feasibility of technologically proven alternatives to the overboard discharge. Feasibility of technologically proven alternatives are based on determinations by a licensed site evaluator's application of plumbing standards adopted by the Department of Health and Human Services pursuant to Title 22, section 42. Prior to completing a significant action (*i.e.*, single construction project performed on a primary residence with an overboard discharge when the total material and labor cost of the construction project exceeds 100% of the median household income), the owner must determine the feasibility of technologically proven alternatives to the overboard discharge.
   a) If an alternative to the overboard discharge <u>is available</u>, the alternative system must be installed within 180 days of property transfer or significant action, unless otherwise provided by *Waste discharge licenses*, 38 M.R.S. § 413(3-A)(B)(3).

SPECIAL CONDITIONS

G. SITE EVALUATION FOR TRANSFER OF OWNERSHIP (cont'd)

b) If an alternative to the overboard discharge is not available, the new owner must, no later than two weeks after any transfer of ownership, submit an application to the Department for transfer of this permit.

2. **Permit Renewal –** Waste Discharge Permits for overboard discharges are issued for a five-year term. The permittee must submit a complete application for permit renewal prior to the expiration date of this permit to continue the discharge beyond the expiration date of this permit. If a technologically proven alternative system is available and;

   a) The overboard discharge owner is eligible for grant funding based on the cost-share schedule under *State contribution to residential overboard discharge replacement projects,* 38 M.R.S. § 411-A, the alternative system must be installed within 180 days of written notification from the Department, unless otherwise provided by *Conditions of licenses*, 38 M.R.S. § 414-A(1-B); or

   b) The overboard discharge owner is not eligible for grant funding, the alternative system must be installed prior to the expiration date of this permit.

3. **Abandonment of Overboard Discharge –** When an overboard discharge is no longer necessary or is replaced by technologically proven alternative system, it must be properly abandoned within 180 days following the requirements of *Waste discharge licenses*, 38 M.R.S. § 413(3-A)(B)(3) and *Overboard discharges: licenses and abandonment,* 06-096 C.M.R. Ch. 596(8), including submission of Overboard Discharge Abandonment Certification Form #DEPLW0653-A which can be found at https://www.maine.gov/dep/water/wd/OBD/index.html

H. OPERATION & MAINTENANCE (O&M) PLAN

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

By December 31 of each year, **or within 90 days of any process changes or minor equipment upgrades,** the permittee must evaluate and modify the O&M Plan including site plan(s) and schematic(s) for the wastewater treatment facility to ensure that it is up-to-date. The O&M Plan must be kept on site at all times and made available to Department and USEPA personnel upon request.

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

SPECIAL CONDITIONS

I. SEPTIC TANKS

1. Septic tanks and other treatment tanks must be regularly inspected (at least once per calendar year) and maintained to ensure that they are providing best practicable treatment. The permittee must maintain logs of inspections/maintenance that records the date, notes on observations, repairs conducted, etc. The logs must be maintained on site at all times and made available to Department personnel upon request.

2. Tank contents must be removed whenever the sludge and scum occupies one-third of the tank's liquid capacity or whenever levels approach maximum design capacity. Following pumping, the tanks must be checked for damage at key joints and the inlet and outlet baffles, and repaired promptly if damaged. The permittee must keep a pumping log including the date of pumping, quantity of material removed, name and number of licensed contractor, and pumping frequency.

J. MONITORING AND REPORTING

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

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

K. REOPENING OF PERMIT FOR MODIFICATIONS

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

L. SEVERABILITY

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

MAINE POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT
AND
WASTE DISCHARGE LICENSE

FACT SHEET

Date: **March 9, 2026**

MEPDES PERMIT: **ME0037427**

WASTE DISCHARGE LICENSE: **W009077-5C-G-R**

NAME AND ADDRESS OF APPLICANT:

SMUTTY NOSE ISLAND CLUB, INC.
D/B/A MONHEGAN HOUSE
c/o MELANIE TUCKER
5 CHURCH LANE
MONHEGAN, ME 04852

COUNTY: **LINCOLN COUNTY**

NAME AND ADDRESS WHERE DISCHARGE OCCURS:

SMUTTY NOSE ISLAND CLUB, INC. D/B/A MONHEGAN HOUSE
MONHEGAN ISLAND PLANTATION
5 CHURCH LANE
MONHEGAN, ME 04852

RECEIVING WATER/CLASSIFICATION:

MONHEGAN HARBOR, ATLANTIC OCEAN/Class SB

COGNIZANT OFFICIAL AND TELEPHONE NUMBER:

Melanie Tucker, Owner
(609) 923-0304
innkeeper@monheganhouse.com

1. APPLICATION SUMMARY

a. Application: On April 17, 2024, the Department accepted as complete for processing an application from Smutty Nose Island Club, INC D/B/A Monhegan House for the renewal of combination Waste Discharge License (WDL) #W009077-5C-F-R / Maine Pollutant Discharge Elimination System (MEPDES) permit #ME0037427, which was issued to Araminta's Dream, INC. by the Department on September 24, 2020, for a five-year term. The 9/24/2020 permit authorized a seasonal discharge (April 15th – November 1st) from a commercial overboard discharge with a daily maximum of 2,000 gallons per day (GPD) of secondary treated sanitary wastewater from MONHEGAN HOUSE to Monhegan Harbor, Class SB water, in Monhegan Island Plantation, Maine.

The permittee requested an increase in flow from 2,000 GPD to 3,000 GPD in this permitting action.

The permittee has notified the Department of a change in ownership company. Paperwork documenting this change must be submitted to the Department prior to finalization of the permit.

1. APPLICATION SUMMARY (cont'd)

The applicant has been duly qualified by the Maine Secretary of State to be in good standing and authorized the corporation to conduct business under the laws of the State of Maine as of the date of this transfer. The applicant has submitted information demonstrating that it has legal title, right, and or interest in the facility and has provided a statement that it possesses the financial capacity and technical ability to operate the facility in compliance with the terms and conditions of the permit.

b Source description: The discharge is from an inn/restaurant complex on Monhegan Island Plantation consisting of one 27-room inn with a combination of shared and private baths, a 60-seat restaurant with two public restrooms and one public urinal, three 1-bedroom housekeeping cottages, and one 10-bedroom staff quarters. Water is drawn from a well onsite as well as public water supply.

c. Wastewater treatment: The wastewater receives secondary treatment from an overboard discharge system designed by Advanced Onsite Solutions. The system consists of 13 tanks, of which there are two 1,500-gallon grease tanks connected to the kitchen. After passing through the grease tanks, wastewater flows into three 1,500-gallon septic tanks. Wastewater from the onsite residences and hotel feeds directly into the septic tanks. Effluent from the septic tanks flows into four 1,500-gallon aeration tanks that are filled with plastic media which are connected to sixteen air pumps (4 pumps per tank). From the aeration tanks effluent flows into three 1,500 gallon settling tanks. Wastewater flows from the settling tanks to a 1,500 gallon chlorine contact tank with a tablet fed chlorinator followed by dechlorination. See **Attachment A** of this Fact Sheet for the wastewater flow diagram.

The contact tank feeds into a pump tank with two pumps which send the treated wastewater to a community outfall pipe which runs from the Monhegan House property down town roads and across several properties with easements to an outlet located next to the Monhegan Harbor breakwater. The community outfall pipe is used by two other facilities with a daily maximum total combination of 3,825 GPD including the 2,000 GPD the Monhegan House is permitted for.

d. Replacement options: Pursuant to 38 M.R.S. §414-A(1-B), the Department finds the discharge from an OBD meets the requirements of best practicable treatment for purposes of licensing when it finds there are no technologically proven alternative methods of wastewater disposal consistent with the plumbing code adopted by the Department of Health and Human Services pursuant to Title 22, section 42 that will not result in an overboard discharge. The Department's finding must be based on documentation from a licensed site evaluator (LSE) having experience in designing replacement systems for overboard discharges and provided by the overboard discharge owner. The LSE for the Monhegan House in 2024 concluded the site constraints at the property renders the site infeasible to install an onsite subsurface wastewater disposal system. The site constraints are lot size, property lines, soil suitability, shallow bedrock, presence of water supply wells on and adjacent to the property, and surface water drainage features running through the site.

2. PERMIT SUMMARY

a. Terms and Conditions: This permitting action is carrying forward all the terms and conditions from the previous permitting action and it is:

1. Transferring the facility from Araminta's Dream, INC to Smutty Nose Island Club, INC;
2. Increasing the daily maximum flow from 2,000 gpd to 3,000 gpd in accordance with 6-096 C.M.R. Ch. 596(6)(B)(2)(a);
3. Revising the daily maximum total residual chlorine from 1.0 mg/L to 0.9 mg/L based on updated dilutions factors;
4. Revising footnotes in Special Condition A, *Effluent Limitations and Monitoring Requirements* to be consistent with other MEPDES permits subsequent to Monhegan House's September 24, 2020 permit; and
5. Removing the requirement in Special Condition J, *Monitoring and Reporting* to submit a physical copy of data submitted electronically for the Discharge Monitoring Reports (DMRs) to be consistent with other MEPDES permits subsequent to Monhegan House's September 24, 2020 permit.

b. Facility history: This section provides a summary of significant permitting actions and milestones that have been completed for Monhegan House:

June 10, 1993 – The Department issued WDL #W006545-40-B-R to Victor Lord et al. This WDL allowed the discharge of untreated sanitary wastewater from a community discharge line that was used by Monhegan House, buildings on the Monhegan House property, and other residential and commercial entities.

January 12, 2001 – The Department began requiring all discharges of domestic wastewater (overboard discharges or OBDs) on Monhegan Island to achieve compliance with the secondary treatment requirements specified at 06-096 CMR 525(3)(III) and the best practicable treatment requirements specified at 06-096 CMR 596(9).

2015 – The Monhegan House installed a secondary treatment system.

July 25, 2016 – The Department issued WDL #W009077-5C-E-R for Araminta's Dream, LLC. for a five-year term with a daily maximum permitted flow of 1,999 GPD.

September 24, 2020 – The Department issued combination WDL #W009077-5C-F-R / MEPDES #ME0037427 for a five-year term. This renewal was the first time Monhegan House was permitted under the MEPDES program.

January 19, 2024 – The Monhegan House property was purchased by Melanie Tucker / Smutty Nose Island Club, INC from Araminta's Dream LLC.

April 3, 2024 – The permittee submitted a complete application to the Department. The application was accepted for processing on April 17, 2024 and was assigned WDL #W009077-5C-G-R and MEPDES permit #ME0037427.

3. CONDITIONS OF PERMIT

Conditions of licenses, 38 M.R.S. § 414-A, requires that the effluent limitations prescribed for discharges, including, but not limited to, effluent toxicity, require the application of best practicable treatment (BPT), be consistent with the U.S. Clean Water Act, and ensure that the receiving waters attain the State water quality standards as described in Maine's Surface Water Classification System. In addition, *Certain deposits and discharges prohibited,* 38 M.R.S. § 420 and Department rule *Surface Water Toxics Control Program,* 06-096 C.M.R. Ch. 530, require the regulation of toxic substances not to exceed levels set forth in *Surface Water Quality Criteria for Toxic Pollutants,* 06-096 C.M.R. Ch. 584 (last amended February 16, 2020), and that ensure safe levels for the discharge of toxic pollutants such that existing and designated uses of surface waters are maintained and protected.

4. RECEIVING WATER QUALITY STANDARDS

Classification of estuarine and marine waters, 38 M.R.S. § 469(3-A) classifies all estuarine and marine waters lying within the boundaries of Lincoln County and that are not otherwise classified, which includes Monhegan Island Plantation at the point of discharge, as Class SB waters. *Standards for classification of estuarine and marine waters*, 38 M.R.S. § 465-B(2) establishes classification standards for Class SB waters:

Class SB waters shall be the 2nd highest classification.

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

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

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

4. RECEIVING WATER QUALITY STANDARDS (cont'd)

authorized under this paragraph, the department shall notify the municipality in which the application is licensed to occur and post the notice on the department's publicly accessible website.

5. REASONABLE POTENTIAL

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

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

6. RECEIVING WATER QUALITY CONDITIONS

The State of Maine 2018/2020/2022 Integrated Water Quality Monitoring and Assessment Report, published by the Department pursuant to Sections 303(d) and 305(b) of the *Federal Water Pollution Control Act* lists the point of discharge as Assessment Unit ID ME010500030206_SB_WT_PE – Martin Point (Friendship) to Pleasant Point (Cushing) (Prohibited) as *Category 3: Estuarine and Marine Waters with Insufficient Data or Information to Determine if Shellfish Harvesting Designated Use is Attained.*

The Maine Department of Marine Resources (DMR) assesses information on shellfish growing areas to ensure that shellfish are safe for consumption. DMR has the authority to close shellfish harvesting areas wherever there is a pollution source, a potential pollution threat, or poor water quality. DMR traditionally closes shellfish harvesting areas if there are known sources of discharges with unacceptable bacteria levels (thresholds established in the National Shellfish Sanitation Program [NSSP]) or maintains shellfish harvesting closure areas due to lack of updated information regarding ambient water quality conditions and current shoreline surveys. In addition, the DMR prohibits shellfish harvesting in the immediate vicinity of all wastewater treatment outfall pipes as a precautionary measure in the event of a failure in the treatment plant's disinfection system.

Thus, the area around Monhegan Island is closed to the harvesting of shellfish due to insufficient or limited ambient water quality data to determine that the area meets the standards in the NSSP. The shellfish closure area can be found at http://www.maine.gov/dmr/shellfish-sanitation-management/closures/pollution.html

The Department has no information that the discharge from the permittee, as conditioned, causes or contributes to non-attainment of applicable Class SB water quality standards.

7. EFFLUENT LIMITATIONS & MONITORING REQUIREMENTS

a. Best Practicable Treatment (BPT): The Department will find that the discharge meets the requirements of best practicable treatment pursuant to 38 M.R.S. § 414-A(1-B) for purposes of licensing when it finds that there are no technologically proven alternative methods of wastewater disposal consistent with the plumbing code adopted by the Department of Health and Human Services pursuant to Title 22, section 42 that will not result in an overboard discharge. Pursuant to *Overboard Discharges: Licensing and Abandonment,* 06-096 C.M.R. Ch. 596(9), *Criteria and Standards for Waste Discharge Licenses* 06-096 C.M.R. Ch. 524(2), and *Effluent Guidelines and Standards,* 06-096 C.M.R. Ch. 525(3)(III), BPT for overboard discharges is secondary treatment.

The secondary treatment regulation in 06-096 C.M.R. Ch. 525(3)(III) establishes technology-based effluent limitations for BOD_5, TSS, and pH which are discussed in more detail in the individual parameter sections below.

b. Flow: The previous permitting action established a daily maximum flow limitation of 2,000 gallons per day (GPD) for the period of April 15 through November 1 of each year. The owner of the facility requested an increase to 3,000 GPD, which is being granted in this permitting action.

Of note, what is currently being monitored is water meter readings and not actual discharge. The installation of a device to monitor discharge flow would require significant excavation. Submeters were installed in September of 2025 to reduce the inclusion of flow that does not pass through the treatment system, such as outdoor hoses. This method of utilizing water consumption records is in accordance with USEPA's *Onsite Wastewater Treatment Systems Manual*, dated February 2002, page 3-2. In addition, the permittee monitors daily maximum flow by reading the gauge for the flow for the week and dividing the value by seven days to take an average of the flow for the week.

Overboard Discharges: Licensing and Abandonment, 06-096 C.M.R. Ch. 596(5)(B) states,

> "*No increase in the volume or quantity of overboard discharges will be permitted beyond that in continuous existence for the 12 months preceding June 1, 1987 or that which was previously licensed, whichever is less as determined by the Department pursuant to Section 6(B) of this chapter*."

Section (6)(B) of Ch. 596 states,

> *(1) If the facility is a college, university, school union or school administrative unit, the discharge volume limit is:*
>
> *...*
>
> *(2) If Section 6, Paragraph (B)(1) above is not applicable, the discharge volume limit is the lesser of (a) or (b).*
>
> *(a) The volume limit of the previous license or licenses. An increase in wastewater volume from a structure may be allowed in cases where the administrative record clearly demonstrates that the Department made an error or omission during previous licensing approvals for that facility.*

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

(b) The volume equal to the actual or estimated volume produced by the facility connected to the overboard discharge system during the 12 months prior to June 1, 1987.

Below is a summary of historic to current permitted flow and water usage, as a substitute for discharge flow, for the Monhegan House and its outbuildings:

Historic data from the 12 months prior to the cutoff date of June 1, 1987 demonstrated that water meter readings regularly exceeded 2,000 GPD with a maximum of 2,761 GPD in July of 1986.

In the 1993 permit, Monhegan House and its associated buildings were permitted for a discharge up to 4,800 GPD of untreated wastewater into Monhegan Harbor. The permit expired in 1998. No records were located for the renewal of the permit.

A secondary treatment system was installed at the property in 2015. The owner at the time applied for a permit in 2016 requesting a daily maximum flow of 1,999 GPD. The reasoning for the maximum flow was purportedly due to water meter readings from 2010 the owner stated, "*showed that on a daily basis [the facility's] total usage consistently fell below 1,999 gallons*." A review of the 2010 water meter readings showed 33 out of 77 days monitored (42%) were at or above 2,000 GPD with a maximum of 2,379 GPD (see **Attachment B**). This finding establishes that the permit granted in 2016 contained an error made by the Department in granting a permit with a flow limit that did not accurately represent the regular discharge of the facility based on data collected during the 12 months prior to June 1, 1987 as well as data collected prior to permit issuance. In addition, the Department takes the stance that the owner at the time requested less than 2,000 GPD to avoid meeting the threshold of discharge where monitoring was required.

Water meter readings from April 2021 through September 2025 show that metered flow routinely exceeds the previous limitation of 2,000 GPD. Parameter violations from May 2021 through September 2025 showed two months with daily maximum flow excursions in 2021, two months with excursions in 2022, three months with excursions in 2023, two months with excursions in 2024, and three months with excursions in 2025. These parameter violations extend beyond the past five years, demonstrating that even though the facility has made water conservation efforts, the facility is designed to discharge more than 2,000 GPD. In addition, these flow parameter violations are not associated with any other parameter violations.

The summary above demonstrates the regular water usage of the facility and its outbuildings exceeds the current permitted flow of 2,000 GPD, even as far back as the cutoff date of the 12 months prior to June 1, 1986. However, the historic flow is higher than the current limit that was purportedly based on the design capacity of the current treatment system.

To allow an increase in flow in accordance with 06-096 C.M.R. Ch. 596(6)(B)(2), the permittee would need to demonstrate that there was an error or omission during previous licensing approvals in utilizing the calculated design capacity flow.

The treatment capacity of this type of facility is estimated based on the ability of a system to treat BOD_5 and TSS in the influent. Actual data that is representative of the influent is difficult to collect as it is part of the buried septic system prior to treatment. A 2025 evaluation of the installed treatment system conducted by a licensed evaluator determined

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

the system is capable of accepting up to 3,290 GPD (see **Attachment C**). This value was found utilizing the assumed high-end range of values of influent from residential facilities for BOD_5 and TSS of 286 mg/L to calculate treatment system capacity. These values are listed in the USEPA's *Onsite Wastewater Treatment Systems Manual*, dated February 2002, table 3-7 entitled "*Constituent Mass Loadings and Concentrations in Typical Residential Wastewater*." Previous evaluations utilized a more conservative, but not necessarily more accurate, value of 400 mg/L. Based on this updated information, the permittee requested an increase to 3,000 GPD.

In conclusion, it has been determined that there is no association between high flow violations and BOD_5 or TSS excursions, demonstrating that an increase in flow is not likely to contribute to a violation in water quality standards. The Department is satisfied that the facility has demonstrated sufficient evidence that the treatment system of the facility is capable of treating the BOD_5 and TSS associated with a flow higher than the flow established in the previous permitting action. The Department accepts that an error was made in establishing a flow limit based on the request of an owner and not on the historic or recent discharge in 2016, an exception allowed in 06-096 C.M.R. Ch. 596(5)(B)(2)(a), and that historic flow within 12 months prior to June 1, 1987 should have been taken into account in accordance with 06-096 C.M.R. Ch. 596(5)(B)(2)(b).

This permitting action is establishing a new flow limit of 3,000 gpd. The monitoring frequency of once per week is being carried forward in this permitting action.

c. Dilution Factors: 06-096 C.M.R. Ch. 530(4)(A)(2)(a) states, *"For discharges to the ocean, dilution must be calculated as near-field or initial dilution, or that dilution available as the effluent plume rises from the point of discharge to its trapping level, at mean low water level and slack tide for the acute exposure analysis, and at mean tide for the chronic exposure analysis using appropriate models determined by the Department such as MERGE, CORMIX or another predictive model."* Based on the configuration of the community line Outfall #001A to Monhegan Harbor and a daily maximum discharge of 4,825 GPD to this community line, which includes the 3,000 GPD from Monhegan House, the Department has determined the following dilution factors from CORMIX modeling:

Acute = 72:1 Chronic = 229:1 Human Health/Harmonic Mean = 687:1

(1) The harmonic mean dilution factor is approximated by multiplying the chronic dilution factor by three (3). This multiplying factor is based on guidelines for estimation of human health dilution presented in the U.S. EPA publication, "*Technical Support Document for Water Quality-Based Toxics Control"* (Office of Water; EPA/505/2-90-001, page 88), and represents an estimation of harmonic mean flow on which human health dilutions are based in a riverine 7Q10 flow situation.

d. Biochemical Oxygen Demand (BOD_5) and Total Suspended Solids (TSS): The previous permitting action established, and this permitting action is carrying forward monthly average and weekly average technology-based effluent limits (TBELs) of 30 mg/L and 45 mg/L for BOD_5 and TSS pursuant to the secondary treatment regulation at 40 C.F.R. § 133.102 and 06-096 C.M.R. Ch. 525(3)(III). This permitting action is also carrying forward daily maximum TBELs of 50 mg/L for both BOD_5 and TSS based on a Department best professional judgment of best practicable treatment for secondary treated wastewater.

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

Monitoring is required on a seasonal basis during the time period April 15 through November 1 of each year. This permitting action is carrying forward the minimum monitoring frequency requirement of 1/Month for BOD_5 and TSS.

While the permitted flow for the facility is increasing, the permittee has demonstrated that the facility can meet the established BOD_5 and TSS weekly average and daily maximum pollutant load. This permitting action is carrying forward the monthly average, weekly average and daily maximum TBELs of 0.5 lbs./day, 0.75 lbs./day, and 0.83 lbs./day, respectively, established in the previous permitting action for BOD_5 and TSS. These limitations are based on the daily maximum flow design criterion of 2,000 GPD (same as 0.002 million gallons per day, MGD) and the applicable concentration limits.

The mass-based limits are calculated as follows:

Monthly Average Mass Limit: (30 mg/L)(8.34 lbs./gallon)(0.002 MGD) = 0.5 lbs./day
Weekly Average Mass Limit: (45 mg/L)(8.34 lbs./day)(0.002 MGD) = 0.75 lbs./day
Daily Maximum Mass Limit: (50 mg/L)(8.34 lbs./day)(0.002 MGD) = 0.83 lbs./day

Evaluation of parameter violations from May 2021 through September 2025 demonstrated that regardless of flow data, the permittee was able to routinely meet BOD_5 and TSS limitations, except for one BOD_5 monthly average excursion of 33 mg/L in September of 2025 and one each of TSS and BOD_5 daily maximum excursions of 48 mg/L and 90 mg/L respectively in October of 2023. The daily maximum excursions were concluded to be from a lack of flow in the off-season combined with a faulty dechlorination tablet.

The previous permitting action contained, and this permitting action is carrying forward, a minimum BOD_5 and TSS percent removal of 85% pursuant to 06-096 C.M.R. Ch. 525(3)(III)(a)(3) and (b)(3) with a minimum monitoring frequency requirement of once per month. According to the USEPA's *Onsite Wastewater Treatment Systems Manual*,

dated February 2002, table 3-7 entitled "Constituent Mass Loadings and Concentrations in Typical Residential Wastewater," the high-end range of influent values for BOD_5 and TSS may be assumed to be 286 mg/L for residences. This permitting action is also carrying forward authorization for the Smuttynose Island Club, INC d/b/a Monhegan House to assume a higher influent for BOD_5 concentration and a midrange influent for TSS concentration value of 286 mg/L for the purpose of calculating the monthly percent removal value until such time that the infrastructure is modified or replaced such that collection of a representative raw influent sample is practical. While it has been determined there is a chance the influent values for BOD_5 and TSS may not be equivalent to the assumed residential value of 286 mg/L, the facility has not exceeded the limit in the past five years.

Anti-degradation review:

The state classifies Monhegan Harbor as an SB marine water. 38 M.R.S. § 465-B(2) requires the dissolved oxygen in Class SB waters not be less than 85% of saturation. For a maximum ambient water temperature of 62°F and a maximum salinity of 32 ppt, the dissolved oxygen saturation is 8.02 mg/liter. 85% of this saturation value is 6.82 mg/L. Therefore, assuming no response re-aeration, the harbor's assimilative capacity for BOD is 1.20 mg/L (8.02 mg/L – 6.82 mg/L = 1.20 mg/L). The department has analyzed Monhegan House's additional discharge for its impact on the harbor's dissolved oxygen

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

concentrations and assimilative capacity for BOD. The analysis indicates the harbor's dissolved oxygen levels would decrease no more than 0.0008 mg/L and the harbor's assimilative capacity for BOD by no more than 0.07% (100 x 0.0008mg/L ÷ 1.20 mg/L). The department considers these reductions to be unmeasurable and insignificant for this unimpaired SB water. Therefore, the additional discharge does not violate the state's anti-degradation policy.

e. Fecal Coliform Bacteria: The previous permitting action contained, and this permitting action is carrying forward, monthly average and daily maximum concentration limits of 14 colony-forming units (CFU)/100 mL and 31 CFU/100 mL, respectively, for fecal coliform bacteria, which are consistent with the National Shellfish Sanitation Program in accordance with *Standards for classification of estuarine and marine waters*, 38 M.R.S. § 465-B(2)(B). Fecal coliform bacteria limits apply year-round. An explanation of the Department's position on Bacteria Limitations is included as **Attachment D** of this Fact Sheet. This permitting action is carrying forward the minimum monitoring frequency of 1/month. Monitoring is required on a seasonal basis during the time period April 15 through October 31 of each year

An evaluation of DMRs for the period April 2021 through October 2025 showed one daily maximum fecal coliform bacteria violation in April of 2023.

f. Enterococcus Bacteria: The previous permitting action contained, and this permitting action is carrying forward, seasonal monthly average and daily maximum concentration limits of 8 CFU/100 mL and 54 CFU/100 mL, respectively, for Enterococcus bacteria in accordance with *Standards for classification of estuarine and marine waters*, 38 M.R.S. § 465-B(2)(B). Enterococcus bacteria limits apply seasonally between April 15 and October 31 of each year, which overlaps with the term of the permit exactly. An explanation of the Department's position on Bacteria Limitations is included as **Attachment D** of this Fact Sheet. This permitting action is carrying forward the minimum monitoring frequency of 1/month.

An evaluation of DMRs for the period April 2021 through October 2025 showed six monthly average enterococcus bacteria excursions in May of 2022, May of 2023, October of 2024, and April, June, and September of 2025. There were two daily maximum enterococcus bacteria violations in May of 2022 and June of 2025.

g. Total Residual Chlorine (TRC): The previous permitting action contained a daily maximum concentration limit of 1.0 mg/L for TRC with 1/month monitoring requirement. Limitations on TRC are specified to ensure that ambient water quality standards are maintained at all times of the year and that best practical treatment (BPT) technology is being applied to the discharge. Department permitting actions impose the more stringent of either a water quality-based or BPT-based limit. With dilution factors as determined in Section 7(c) of this Fact Sheet, end-of-pipe (EOP) water quality-based concentration thresholds for TRC may be calculated as follows:

Criterion (A)	Dilution Factor (B)	Calculated Threshold (A x B)
Acute (daily maximum) = 0.013 mg/L	Acute: 72:1	Acute (daily maximum) = 0.9 mg/L
Chronic (monthly average) = 0.0075 mg/L	Chronic: 229:1	Chronic (monthly average) = 1.7 mg/L

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

The Department has established a daily maximum BPT-based limitation of 1.0 mg/L for facilities that disinfect their effluent with elemental chlorine or chlorine-based compounds. The technology-based limit of 1.0 mg/L is less stringent than the acute water quality-based limit listed above. This permitting action is establishing a daily maximum TRC of 0.9 mg/L. The monitoring frequency of once per month is being carried forward in this permitting action. Monitoring is required on a seasonal basis during the time period April 15 through October 31 of each year. The permittee dechlorinates their effluent prior to discharge.

Evaluation of DMRs from April 2021 through September 2025 showed one excursion of TRC with a recording of 2.1 mg/L in May of 2021 and one excursion in May of 2024.

h. pH: The previous permitting action established, and this permitting action is carrying forward, a technology-based pH limit of 6.0 – 9.0 standard units (S.U.), which is based

on 06-096 C.M.R. Ch. 525(3)(III)(c). This permitting action is also carrying forward the monitoring frequency of once per month for pH. Monitoring is required on a seasonal basis during the time period April 15 through October 31 of each year

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

06-096 C.M.R. Ch. 530(2)(A) specifies the dischargers subject to the rule as, *"All licensed dischargers of industrial process wastewater or domestic wastes discharging to surface waters of the State must meet the testing requirements of this section. Dischargers of other types of wastewater are subject to this subsection when and if the Department determines that toxicity of effluents may have reasonable potential to cause or contribute to exceedances of narrative or numerical water quality criteria."*

06-096 C.M.R. Ch. 530(2)(A) further specifies the criteria for the exemption of certain discharges from toxics testing as follows:

(1) Discharges from individual discharge points licensed to discharge less than 50,000 gallons per day of solely domestic wastewater and with a chronic dilution factor of at least 50 to 1, provided no holding tank wastes containing chemicals are accepted by the facility;

(2) Discharges from residential overboard discharge systems; or

(3) Discharges from combined sewer overflow discharge points, provided the owner of the sewerage system is conducting or participating in a discharge abatement program.

The permittee's facility is exempt from the 06-096 C.M.R. Ch. 530 requirements as the characteristics of the wastewater are considered to be similar to that of a residential

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

overboard discharge. Additionally, the permit authorizes a discharge of less than 50,000 GPD of solely domestic wastewater and the chronic dilution factor is greater than 50:1.

However, should there be a substantial change in the characteristics of the discharge in the future; the Department may reopen this permit pursuant to Special Condition K, *Reopening of Permit for Modifications*, to incorporate the applicable whole effluent toxicity (WET), priority pollutant, or analytical testing requirements cited above.

j. Nitrogen: The USEPA requested the Department evaluate the reasonable potential for the discharge of total nitrogen to cause or contribute to non-attainment of applicable water quality standards in marine waters, namely dissolved oxygen (DO) and marine life support. To date, the permittee has not conducted total nitrogen testing on its discharge. As of December 2024, the Department has 327 total nitrogen effluent values with an arithmetic mean of 20.9 mg/L collected from various municipally-owned treatment works that discharge to marine waters of the State. None of the facilities whose effluent data were used are specifically designed to remove total nitrogen. For the MEPDES permitting program, the Department considers 20.9 mg/L to be representative of total nitrogen discharge levels for all facilities providing secondary treatment that discharge to marine waters in the absence of facility specific data, and therefore 20.9 mg/L is being used as the total nitrogen discharge concentration from the Monhegan House's facility.

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

standards, the Department is utilizing a threshold of 0.45 mg/L for the protection of aquatic life in marine waters using dissolved oxygen as the indicator, and 0.32 mg/L for the protection of aquatic life using eelgrass as the indicator.

One known eelgrass survey has been completed surrounding Monhegan Island. The 2023 survey conducted by the Department mapped an approximately 2.16 ha (5.34 ac) eelgrass bed of moderate cover immediately adjacent to the community discharge point. The existing eelgrass bed covers much of the protected portion of Monhegan Harbor, and was the only documented eelgrass present surrounding the entirety of the island during the 2023 survey. Given the recent mapped presence of eelgrass in proximity to the outfall, the use of 0.32 mg/L as a total nitrogen threshold value for protection of eelgrass is appropriate for this receiving water.

Except for ammonia, nitrogen is not acutely toxic; thus, the Department considers far-field dilution to be more appropriate when evaluating impacts of total nitrogen on the marine environment. The Monhegan House's treated wastewater goes to a 6-inch community sewer line discharging to Monhegan Harbor. Using the daily tidal exchange for the 31-acre harbor and the daily discharge limit of 4,825 GPD for the community line outfall, the far-field dilution factor is calculated to be 35,600:1. Using this dilution factor and an effluent total nitrogen concentration of 20.9 mg/L, the community line discharge will increase the total nitrogen concentration of the harbor by 0.0006 mg/L.

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

Total nitrogen concentrations in effluent = 20.9 mg/L

Chronic dilution factor = 35,600:1

Increase in harbor TN concentration: $\frac{20.9 \text{ mg/L}}{35{,}600} = 0.0006$ mg/L

The Department and external partners have been collecting ambient total nitrogen data along Maine's coast. No total nitrogen data is known to exist from Monhegan Island, and very few data points are available for offshore Maine islands where only minor discharges are permitted and upland land use is minimal. For perspective, the ambient mean total nitrogen value calculated for Vinalhaven is 0.17 mg/liter (n=10). Monhegan Harbor's ambient total nitrogen average is not expected to deviate notably from a concentration like 0.17 mg/L, which is well below the total nitrogen threshold value of 0.32 mg/liter even with the addition of the effluent in the far field (0.17 mg/L + 0.0006 mg/L = 0.1706 mg/L). As the harbor concentration value of 0.1706 mg/L is less than the Department's total nitrogen threshold of 0.32 mg/L for the protection of aquatic life using eelgrass as an indicator, the Department is not establishing total nitrogen limits or monitoring requirements for the Monhegan House's discharge.

8. ANTI-BACKSLIDING

Federal regulation 40 C.F.R. §122.44(l) contains the criteria for what is often referred to as the anti-backsliding provisions of the Federal Water Pollution Control Act (Clean Water Act). In general, the regulation states that except for provisions specified in the regulation, effluent limitations, standards, or conditions must be at least as stringent as the final effluent limitations, standards or conditions in the previous permit.

Applicable exceptions include: (1) material and substantial alterations or additions to the permitted facility occurred after permit issuance which justify the application of a less stringent effluent limitation and (2) information is available which was not available at the time of the permit issuance (other than revised regulations, guidance, or test methods) and which would justify the application of less stringent effluent limitations at the time of permit issuance. All limitations in this permit are equally or more stringent than those in the previous permit except an increase in flow, which, following an anti-degradation review, is not expected to impact water quality.

9. ANTI-DEGRADATION

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

10. PUBLIC COMMENTS

Public notice of this application was made available at the Pen Bay Pilot newspaper on or about March 11, 2024. The Department receives public comments on an application until the date a final agency action is taken on the application. Those persons receiving copies of draft permits must have at least 30 days in which to submit comments on the draft or to request a public hearing, pursuant to *Application Processing Procedures for Waste Discharge Licenses*, 06-096 C.M.R. Ch. 522 (effective January 12, 2001).

11. DEPARTMENT CONTACTS

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

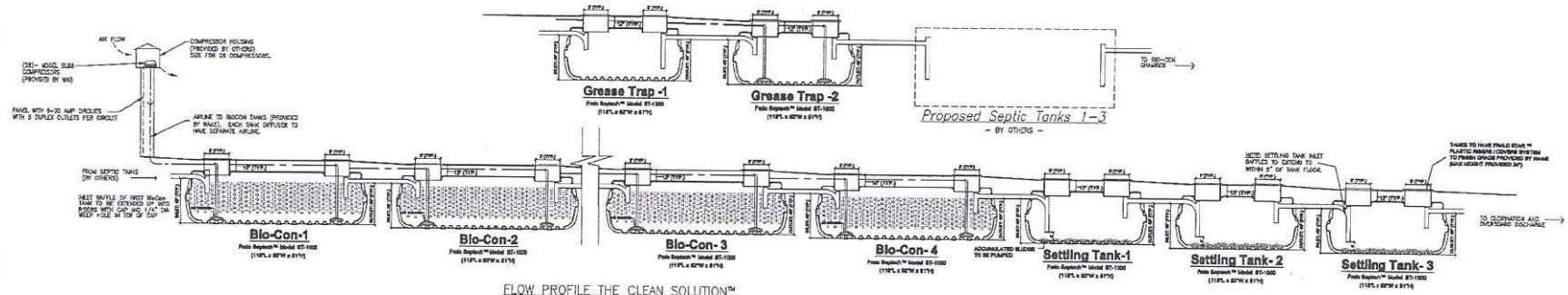
Bekah Farmer
Division of Water Quality Management
Bureau of Water Quality
Department of Environmental Protection
17 State House Station
Augusta, Maine 04333-0017 Telephone: (207) 458-8706
e-mail: Bekah.Farmer@maine.gov

12. RESPONSE TO COMMENTS

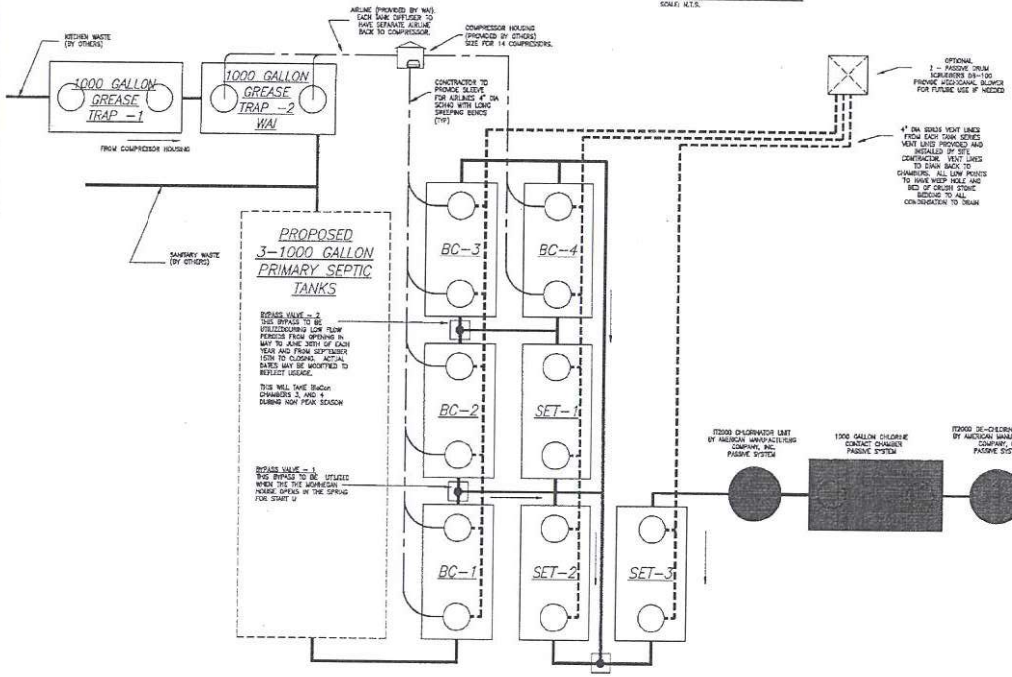
Reserved for future comment.

ATTACHMENT A

ATTACHMENT A



FLOW PROFILE THE CLEAN SOLUTION™



PLAN VIEW THE CLEAN SOLUTION™

WASTEWATER ALTERNATIVES OF NEW ENGLAND, LLC. DESIGN NOTES

1. THE CLEAN SOLUTION SYSTEM™ IS SUPPLIED BY WASTEWATER ALTERNATIVES Inc. 1-888-800-2415
2. SYSTEM WILL BE UTILIZED FOR OVERBOARD DISCHARGE. ALL PERMITTING BY OWNER OR OWNER REPRESENTATIVE(S).
3. THE CLEAN SOLUTION PROVIDED BY WAI TO INCLUDE:
   A.) AIR COMPRESSORS.
   B.) MEDIA.
   C.) PLASTIC ACCESS FRAMES AND COVERS.
   D.) WAI AND THEIR REPRESENTATIVES SHALL PERFORM ALL INTERNAL PIPING IN THE BIOCON TANK AND SYSTEM START-UP.
4. INSTALLER SHALL FOLLOW THE CURRENT EDITION OF THE MANUFACTURERS GUIDELINES TO PREPARE SITE FOR INSTALLATION OF THE CLEAN SOLUTION SYSTEM AND SHALL PROVIDE THE FOLLOWING:
   A.) CONTRACTOR SHALL FOLLOW APPROVED DESIGN PLANS AND MEDEP SUBSURFACE SYSTEM RULES.
   B.) CONTRACTOR TO SUPPLY NECESSARY SEPTIC TANKS , GREASE TRAPS, BIOCON AND SETTLING TANKS AS REQUIRED BY DESIGNER.
   C.) EXCAVATION OF ALL TANKS INCLUDING TANKS SUPPLIED BY WAI TO GRADES ESTABLISHED BY DESIGNER.
   D.) SETTING AND LEVELING OF ALL TANKS.
   E.) SEWAGE CONNECTIONS FROM BUILDING TO SEPTIC TANK(S), SEPTIC TANK(S) TO BIOCON TANK(S), BIOCON TANK(S) TO SETTLING TANK(S), SETTLING TANK(S) TO DISPOSAL FIELD(S).
   F.) CONTRACTOR SHALL EXCAVATE FOR ALL AIR CONDUIT LINES FROM COMPRESSOR HOUSING TO BIOCON TANK(S).
   G.) CONTRACTOR TO WATER PLUG ALL TANK PENETRATIONS TO PREVENT GROUNDWATER LEAKS.
   H.) CONTRACTOR TO WATER PLUG ALL INLET AND OUTLETS NOT USED.
   I.) CONTRACTOR SHALL SET ALL RISERS TO GRADES ESTABLISHED BY DESIGNER. CONTRACTOR TO INSTALL ACCESS STACKS PER THE MANUFACTURERS INSTALLATION GUIDELINES. CONTRACTOR TO ENSURE THAT RUBBER GASKET O-RING IS IN PLACE PRIOR TO SECURING SECTIONS. ALL BOREN HOLES TO BE USED TO SECURE SECTIONS TO EACH OTHER.
   J.) CONTRACTOR TO BUILD / MODIFY OVERBOARD DISCHARGE LINE AS REQUIRED BY DESIGNER.
   K.) CONTRACTOR SHALL CALL MEDEP AND LOCAL BOARD OF PASSAREO FOR SYSTEM INSPECTION.
   L.) CONTRACTOR TO PROVIDE OWNER WITH TIES FROM TWO FIXED POINTS TO ACCESS COVERS.
   M.) CONTRACTOR SHALL BACKFILL SYSTEM AFTER APPROVAL FOR OPERATION BY INSPECTOR.
5. THE OWNER/CONTRACTOR SHALL PROVIDE THE FOLLOWING:
   A.) OWNER/CONTRACTOR SHALL SUPPLY NECESSARY OUTLETS CAPABLE OF 2.4 AMPS AND 118 WATTS FOR EACH COMPRESSOR. THE CIRCUIT PROVIDED SHALL NOT BE GFI PROTECTED.
   B.) COMPRESSOR HOUSING TO BE SUPPLIED BY OWNER / CONTRACTOR.
   C.) COMPRESSORS LOCATION TO BE MUTUALLY DETERMINED BY OWNER / REPRESENTATIVE AND WAI.
   D.) MAXIMUM DISTANCE FROM COMPRESSOR(S) TO BIOCON TANK IS 50'. FOR DISTANCES GREATER THAN 50' CONTACT WAI.
   E.) CONTRACTOR SHALL PROVIDE SLEEVES FOR AIR LINES TO EACH CHAMBER ACCESS.
6. REQUIRED MAINTENANCE BY OWNER:
   A.) RISK SYSTEM MAINTENANCE AGREEMENT FOR THE CLEAN SOLUTION SYSTEM. MAINTENANCE AGREEMENT IS PROVIDED BY WAI
   B.) SEPTIC TANK(S) AND SETTLING TANK(S) TO BE PUMPED OUT EVERY YEAR.
   C.) BIOCON TANK(S) TO BE INSPECTED EVERY YEAR BY APPROVED WAI TECHNICIAN.
   D.) OWNER SHALL KEEP ALL PUMPING RECORDS.
   E.) OWNER SHALL MAINTAIN GREASE TRAPS AND HAVE THEM PUMPED AS NEEDED TO PREVENT FATS / OILS / GREASE FROM ENTERING SYSTEM.
   F.) WASTEWATER SAMPLE WILL BE REQUIRED AT A MINIMUM OF TWICE A YEAR (JUNE AND AUGUST) DURING PEAK SEASON THAT INN IS OPEN. TESTING MAY BE REVISED AFTER FIRST FULL YEAR IN USE.
   G.) SEE SALES AGREEMENT AND INSPECTION AGREEMENT FOR ADDITIONAL INSPECTION REQUIREMENTS BY OWNERS FOR
   H.) FAILURE TO COMPLY WITH "A" - "G" ABOVE WILL VOID WARRANTY OF THE CLEAN SOLUTION SYSTEM AND WAI.

SOIL COVER & REQUIRED TANK RATING

STANDARD DUTY TANK:	2'-3' MIN.
HEAVY DUTY TANK:	3.5' - 4.5' MAX.
H-20 LOAD TANK:	6' OR GREATER

Model CR-SAN2000 CLEAN SOLUTION
PROPOSED SYSTEM MONHEGAN ISLAND, ME

Prepared For:
THE MONHEGAN HOUSE
Holden Nelson
P.O. Box 345
Monhegan Island, ME 04852

Sheet 1 of 1 Scale: N.T.S. Date: - September 28, 2011

WASTEWATER ALTERNATIVES INC
THE CLEAN SOLUTION™
2 WHITNEY ROAD, SUITE 10
CONCORD, NH 03301
Tel. 1-888-800-2415 Fax. 603-366-4747

ATTACHMENT B

ATTACHMENT B

CURRENT MAX FLOW FOR ATU:	2379			CURRENT LOW FLOW FOR ATU:	601					CURRENT AVG FOR ATU:	1854			
METER READINGS 2010														
DATE	TIME	TOTAL FLOW FOR ATU	AVG FLOW FOR ATU	TOTAL FLOW LESS PUB TOILET	KITCHEN USE	HOTEL USE	OVERALL USE (KITCHEN + HOTEL)	avg kitchen	avg hotel	avg overall	TOT USE	avg lob pot & nov	TOILET USE	avg pub toilet
7/9/2010	14:21:00													
7/10/2010	6:00:00				277	502								
7/11/2010	6:58:00				439	1180								
7/12/2010	5:45:00				445	986		442	1,083	1,525				
7/13/2010	5:45:00				405	1156		430	1,107	1,537				
7/14/2010	6:15:00				392	986		420	1,077	1,497				
7/15/2010	5:57:00				394	1055		415	1,073	1,488				
7/16/2010	6:05:00				391	1214		411	1,096	1,507				
7/17/2010	5:45:00				379	1097		406	1,096	1,503				
7/18/2010	5:37:00	2345		2220	444	1323		411	1,125	1,536	578	578	125	125
7/19/2010	5:52:00	2184	2,265	2076	440	1138		414	1,126	1,540	606	592	108	117
7/20/2010	5:45:00	1925	2,151	1763	375	994		410	1,113	1,523	556	580	162	132
7/21/2010	5:48:00	2093	2,137	1900	372	1120		407	1,114	1,520	601	585	193	147
7/22/2010	5:47:00	1792	2,068	1706	415	996		408	1,104	1,511	381	544	86	135
7/23/2010	5:40:00	2040	2,063	1887	393	1184		406	1,110	1,516	463	531	153	138
7/24/2010	5:40:00	2268	2,092	2093	326	1321		401	1,125	1,526	621	544	175	143
7/25/2010	5:48:00	2140	2,098	2015	391	1309		400	1,137	1,537	440	531	125	141
7/26/2010	5:52:00	2301	2,121	2247	461	1253		404	1,145	1,548	587	537	54	131
7/27/2010	5:49:00	2110	2,120	1876	390	1014		403	1,137	1,540	706	554	234	142
7/28/2010	5:55:00	1970	2,106	1739	379	1009		402	1,130	1,531	582	556	231	150
7/29/2010	5:50:00	2184	2,113	1954	420	1177		403	1,132	1,535	587	559	230	156
7/30/2010	5:47:00	1876	2,094	1779	434	1070		404	1,129	1,533	372	545	97	152
7/31/2010	5:41:00	1996	2,087	1815	374	925		403	1,119	1,522	697	556	181	154
8/1/2010	5:54:00	1851	2,072	1765	420	937		404	1,111	1,515	494	551	86	149
8/2/2010	5:47:00	2085	2,073	1976	445	1165		405	1,113	1,518	485	547	109	147
8/3/2010	5:57:00	2137	2,076	1953	351	1188		403	1,116	1,519	598	550	184	149
8/4/2010	5:48:00	2058	2,075	1926	354	1235		401	1,121	1,522	469	546	132	148
8/5/2010	5:49:00	2316	2,088	2181	402	1413		401	1,132	1,533	501	543	135	147
8/6/2010	5:44:00	2166	2,092	2022	408	1274		401	1,137	1,539	484	540	144	147
8/7/2010	5:43:00	2274	2,101	2097	379	1368		401	1,146	1,546	527	540	177	149
8/8/2010	5:41:00	2251	2,107	2092	402	1333		401	1,152	1,553	516	539	159	149
8/9/2010	5:53:00	2190	2,111	2077	512	1202		404	1,154	1,558	476	536	113	148
8/10/2010	5:51:00	1589	2,089	1508	353	849		403	1,144	1,547	387	530	81	145
8/11/2010	5:56:00	1884	2,081	1652	456	871		404	1,135	1,540	557	531	232	148
8/12/2010	5:51:00	1939	2,076	1736	418	885		405	1,128	1,533	636	535	203	150
8/13/2010	5:57:00	1876	2,068	1661	381	960		404	1,123	1,527	535	535	215	153
8/14/2010	5:44:00	2053	2,068	1804	356	1038		403	1,120	1,523	659	539	249	156
8/15/2010	5:41:00	2051	2,067	1885	407	1117		403	1,120	1,523	527	539	166	157
8/16/2010	5:54:00	2379	2,077	2220	464	1137		405	1,121	1,525	778	547	159	157
8/17/2010	5:57:00	1540	2,060	1494	371	886		404	1,115	1,518	283	538	46	153
8/18/2010	5:58:00	2056	2,060	1817	368	1083		403	1,114	1,517	605	540	239	156
8/19/2010	5:55:00	2097	2,061	1850	461	1030		404	1,112	1,516	606	542	247	158
8/20/2010	5:52:00	2111	2,063	1898	431	1088		405	1,111	1,516	592	544	213	160
8/21/2010	5:51:00	2303	2,069	2101	381	1304		404	1,116	1,520	618	546	202	161
8/22/2010	5:51:00	2005	2,068	1880	432	1134		405	1,116	1,521	439	543	125	160
8/23/2010	5:54:00	2064	2,068	1924	461	1076		406	1,115	1,521	527	543	140	160

8/24/2010 6:05:00	1654	2,057	1595	[redacted]	323	[redacted]	933	[redacted]	404	1,111	1,516	[redacted]	398	539	[redacted]	59	157
8/25/2010 5:57:00	2064	2,057	1854	[redacted]	346	[redacted]	1177	[redacted]	403	1,113	1,516	[redacted]	541	539	[redacted]	210	158
8/26/2010 5:56:00	1569	2,045	1530	[redacted]	339	[redacted]	932	[redacted]	402	1,109	1,510	[redacted]	298	533	[redacted]	39	155
8/27/2010 5:49:00	2018	2,044	1848	[redacted]	355	[redacted]	1147	[redacted]	401	1,110	1,510	[redacted]	516	532	[redacted]	170	156
8/28/2010 5:45:00	2065	2,045	1886	[redacted]	387	[redacted]	1008	[redacted]	400	1,107	1,508	[redacted]	670	536	[redacted]	179	156
8/29/2010 5:57:00	2140	2,047	1980	[redacted]	400	[redacted]	1152	[redacted]	400	1,108	1,509	[redacted]	588	537	[redacted]	160	156
8/30/2010 5:43:00	2112	2,048	2005	[redacted]	437	[redacted]	1086	[redacted]	401	1,108	1,509	[redacted]	589	538	[redacted]	107	155
9/1/2010 5:59:00	1873	2,038	1734	[redacted]	297	[redacted]	1107	[redacted]	397	1,107	1,504	[redacted]	469	533	[redacted]	139	153
9/2/2010 5:55:00	1909	2,035	1820	[redacted]	370	[redacted]	1095	[redacted]	397	1,107	1,504	[redacted]	444	531	[redacted]	89	152
9/3/2010 6:11:00	1878	2,032	1808	[redacted]	391	[redacted]	1074	[redacted]	397	1,106	1,503	[redacted]	413	529	[redacted]	70	150
9/4/2010 *EST*	1970	2,031	1933	[redacted]	377	[redacted]	1209	[redacted]	396	1,108	1,504	[redacted]	384	526	[redacted]	37	148
9/5/2010 5:55:00	1972	2,029	1935	[redacted]	377	[redacted]	1210	[redacted]	396	1,110	1,506	[redacted]	385	523	[redacted]	37	146
9/6/2010 5:59:00	2058	2,030	1991	[redacted]	425	[redacted]	1259	[redacted]	397	1,112	1,509	[redacted]	374	520	[redacted]	67	144
9/7/2010 5:55:00	1576	2,021	1464	[redacted]	308	[redacted]	830	[redacted]	395	1,108	1,503	[redacted]	438	519	[redacted]	112	143
9/8/2010 5:58:00	1513	2,012	1367	[redacted]	343	[redacted]	652	[redacted]	394	1,100	1,494	[redacted]	518	519	[redacted]	146	143
9/9/2010 6:05:00	1299	1,999	1261	[redacted]	314	[redacted]	494	[redacted]	393	1,090	1,483	[redacted]	491	518	[redacted]	38	141
9/10/2010 5:58:00	1295	1,986	1205	[redacted]	364	[redacted]	537	[redacted]	392	1,081	1,474	[redacted]	394	516	[redacted]	90	141
9/11/2010 5:55:00**	1759	1,982	1314	[redacted]	331	[redacted]	648	[redacted]	391	1,074	1,466	[redacted]	780	521	[redacted]	445	146
9/12/2010 5:59:00	1932	1,981	1661	[redacted]	433	[redacted]	955	[redacted]	392	1,072	1,465	[redacted]	544	521	[redacted]	271	148
9/13/2010 6:10:00	1700	1,976	1593	[redacted]	451	[redacted]	819	[redacted]	393	1,069	1,462	[redacted]	430	519	[redacted]	107	147
9/14/2010 6:05:00	1960	1,976	1739	[redacted]	384	[redacted]	852	[redacted]	393	1,065	1,458	[redacted]	724	523	[redacted]	221	149
9/15/2010 6:06:00	1911	1,975	1584	[redacted]	344	[redacted]	949	[redacted]	392	1,064	1,456	[redacted]	618	524	[redacted]	327	152
9/16/2010 6:10:00	1751	1,971	1588	[redacted]	361	[redacted]	859	[redacted]	392	1,061	1,452	[redacted]	531	525	[redacted]	163	152
9/17/2010 5:55:00	1698	1,967	1584	[redacted]	334	[redacted]	933	[redacted]	391	1,059	1,449	[redacted]	431	523	[redacted]	114	151
9/18/2010 5:40:00	1614	1,961	1567	[redacted]	359	[redacted]	851	[redacted]	390	1,056	1,446	[redacted]	404	521	[redacted]	47	150
9/19/2010 5:55:00	1690	1,957	1561	[redacted]	384	[redacted]	809	[redacted]	390	1,052	1,442	[redacted]	497	521	[redacted]	129	149
9/20/2010 5:49:00	1876	1,955	1807	[redacted]	462	[redacted]	904	[redacted]	391	1,050	1,441	[redacted]	510	521	[redacted]	69	148
9/21/2010 5:45:00	1627	1,950	1552	[redacted]	380	[redacted]	888	[redacted]	391	1,048	1,439	[redacted]	359	518	[redacted]	75	147
9/22/2010 5:36:00	1611	1,945	1549	[redacted]	256	[redacted]	956	[redacted]	389	1,047	1,436	[redacted]	399	516	[redacted]	62	146
9/23/2010 6:29:00	1777	1,943	1659	[redacted]	290	[redacted]	1060	[redacted]	388	1,047	1,435	[redacted]	427	515	[redacted]	118	145
9/24/2010 6:05:00	1503	1,937	1434	[redacted]	309	[redacted]	860	[redacted]	387	1,044	1,431	[redacted]	334	512	[redacted]	69	144
9/25/2010 5:55:00	2012	1,938	1665	[redacted]	332	[redacted]	984	[redacted]	386	1,044	1,430	[redacted]	696	515	[redacted]	347	147
9/26/2010 5:42:00	1847	1,936	1728	[redacted]	340	[redacted]	1005	[redacted]	386	1,043	1,429	[redacted]	502	515	[redacted]	119	147
9/27/2010 5:53:00	1351	1,928	1274	[redacted]	368	[redacted]	827	[redacted]	385	1,038	1,423	[redacted]	356	513	[redacted]	77	146
9/28/2010 5:59:00	941	1,915	881	[redacted]	232	[redacted]	489	[redacted]	383	1,031	1,414	[redacted]	220	509	[redacted]	60	145
9/29/2010 6:07:00	1415	1,908	1367	[redacted]	344	[redacted]	545	[redacted]	383	1,025	1,408	[redacted]	526	509	[redacted]	48	143
9/30/2010 6:10:00	781	1,893	751	[redacted]	244	[redacted]	348	[redacted]	381	1,017	1,398	[redacted]	189	505	[redacted]	30	142
10/1/2010 5:35:00	930	1,880	923	[redacted]	285	[redacted]	493	[redacted]	380	1,010	1,391	[redacted]	152	500	[redacted]	7	140
10/2/2010 6:05:00	1121	1,870	1064	[redacted]	270	[redacted]	545	[redacted]	379	1,005	1,384	[redacted]	306	497	[redacted]	57	139
10/3/2010 6:55:00	601	1,854	516	[redacted]	147	[redacted]	224	[redacted]	376	996	1,372	[redacted]	230	494	[redacted]	85	138

** toilet was running; lid bumped

ATTACHMENT C

ADVANCED ONSITE SOLUTIONS LLC

PO Box 248
Canterbury, NH 03224
(603)-783-8042
Toll Free: (866) 900-2415

February 26, 2025

Ms. Melanie Tucker
The Monhegan House
1 Main Street
Mohegan, Maine 04852

REFERENCE: PO 15093 MONHEGAN HOUSE
Maine Waste Discharge License (WDL)
Application #W009077-5C-F-R
Finalized MEPDES Permit

Dear Ms. Tucker:

I have reviewed the information provided by Water Quality & Compliance Services, Inc. (WQCS) and ***THE CLEAN SOLUTION*** existing components to calculate a maximum flow based on the design parameters by WQCS listed below.

The Clean Solution system has 4 -1,000-gallon BioCon treatment tanks and 2 – 1,000 gallon settling tanks.

Biochemical Oxygen Demand	BOD_5	286 mg/l
Total Suspended Solids	TSS	286 mg/l
Fats, Oils, & Grease	FOG	< 10 mg/l
Acidic/Basic Range	pH	7.0

Based on the system components in place the calculated peak flow would be 3,290 gpd.

The aerobic contact time in the BioCon treatment tanks would be 1.21 days.

Based on the existing components and the aerobic contact time, if the daily flow exceeds 3,290 gpd, additional tanks could need to the added.

There is capacity within the existing BioCon tanks for additional media and one of the existing Settling Tanks could be converted to a BioCon Treatment tank if the wastewater strength were to increase in the future.

The performance of the septic system is directly affected by the materials being discharged from the inn into the primary septic tanks.

The introduction of non-organic matter such as handi-wipes, female sanitary products, paper towels, condoms, and cigarettes—occupies space within the primary septic tank, reducing retention time and disrupting the anaerobic process.

If the anaerobic process is disrupted this could increase the amount of TSS flowing into the BioCon Treatment tanks. Solids could clog the media and reduce treatment.

Additionally, the disposal of harsh chemicals (such as cleaning products), paints, and unused prescription or over-the-counter drugs negatively impacts both anaerobic and aerobic processes.

Fats, oils, and grease (FOG) not only take up space within the septic tank but also pass through the septic tank into ***THE CLEAN SOLUTION*** system. The introduction of these materials alters wastewater strength and pH levels within both the septic tank and ***THE CLEAN SOLUTION*** system.

Maintaining an appropriate pH level is critical to the effectiveness of both anaerobic and aerobic processes. A pH range between 6.8 and 7.5 is ideal optimal wastewater. This range ensures a stable environment for microbial activity, allowing for efficient breakdown of organic matter. Deviations from this range can hinder the treatment process.

When the strength of effluent discharged into ***THE CLEAN SOLUTION*** system exceeds design parameters, it can lead to insufficient dissolved oxygen in the wastewater or inadequate surface area for biofilm bacteria to grow. This impairs the system's ability to effectively treat wastewater.

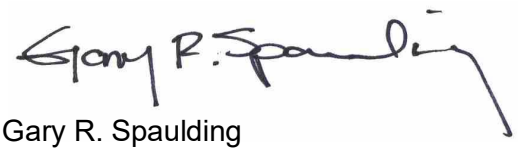
To continue achieving optimal treatment levels, you will need to continue to use Best Management Kitchen Practices that include scraping food from plates and cookware as well as wiping down the plates and cookware to remove oils and grease before placing them in the dishwasher.

Monhegan House should continue having the system inspected and pump the tanks as needed to maintain the level of treatment.

Based on wastewater strength reported by WQCS, Monhegan House has done a commendable job in minimizing the strength of wastewater entering ***THE CLEAN SOLUTION*** treatment system.

Please feel free to reach out at any time to discuss these results further.

Sincerely,



Gary R. Spaulding
General Manager, Advanced Onsite Solutions, LLC

ATTACHMENT D

STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

JANET T. MILLS
GOVERNOR

GERALD D. REID
COMMISSIONER

May 7, 2019

RE: Maine Pollutant Discharge Elimination System/Waste Discharge License (MEPDES/WDL) Permit Limits for Marine Dischargers - Fecal coliform & Enterococcus bacteria

To all MEPDES/WDL marine discharges,

On January 30, 2018, the Department of Environmental Protection (Department) issued a letter to the Maine Rural Water Association (MRWA) and the Maine Water Environment Association (MeWEA) informing the associations of updates to then proposed revisions to Maine water quality standards. The letter (attached) provided information on potential changes to bacteria standards for fresh waters and marine waters as well as how the Department would implement those changes in future MEPDES/WDL permit renewals. Changes to the water quality standards were formally promulgated into State law (38 M.R.S. §465 and §465-B) in the fall of 2018. This letter provides more information on how and why the Department is incorporating bacteria limits into MEPDES/WDL for dischargers to marine waters. This letter also provides information related to changes for the establishment of bacteria limits based on recent comments from the Environmental Protection Agency (EPA) that are unrelated to the statutory changes noted above.

Summary of Changes:
Future MEPDES/WDL will now contain limits for both fecal coliform (as is current practice) to protect the designated use of “propagation and harvesting of shellfish”, and newly established limits for enterococcus bacteria, based on current Maine criteria, to protect the designated use of “recreation in and on the water”. The seasonality of these limits may be different than previous permits as noted below.

Background Information on Bacteria:
Specific types of non-pathogenic bacteria, such as enterococcus bacteria and fecal coliform, are indicator organisms, or surrogates, for waterborne pathogens (bacteria, viruses, etc.) which enter surface waters from a variety of sources, including human sewage and the feces of warm-blooded wildlife. These pathogens can pose a risk to human health due to gastrointestinal illness through different exposure routes, including contact with and ingestion of waters and consumption of shellfish. These indicator bacteria also highlight the efficacy of disinfection of wastewater.

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Recent EPA Decisions:

Enterococcus bacteria

The EPA is reissuing NPDES permits for eight-primary treatment [301(h)] wastewater treatment plants in Maine.[1] These permits will include seasonal monthly average (geometric mean) and daily maximum limitations and monitoring requirements for enterococcus bacteria based on current Maine criteria. Within these permits, the EPA takes the position that for discharges to Class SB and SC waters, in addition to fecal coliform limits to protect the designated use of "propagation and harvesting of shellfish", it is appropriate to require end-of-pipe limits for enterococcus bacteria, based on current Maine criteria, to protect the designated use of "recreation in and on the water".

The EPA is establishing permit limits as follows:

Class SB: (38 M.R.S. §465-B, sub-§2(B))		
enterococcus bacteria		
Monthly Average	**Daily Maximum**	**Season**
8 CFU/100 ml	54 CFU/100 ml	April 15th – October 31st

Class SC: (38 M.R.S. §465-B, sub-§3(B))		
enterococcus bacteria		
Monthly Average	**Daily Maximum**	**Season**
14 CFU/100 ml	94 CFU/100 ml	April 15th – October 31st

The EPA is establishing a deadline of April 15, 2020, for compliance with the enterococcus limitations and monitoring requirements in the eight NPDES permits for the 301(h) facilities.

The effective date of the enterococcus bacteria limits has been delayed to April 15, 2020 due to the limited number of laboratories capable of evaluating enterococcus bacteria in Maine. The Department has submitted a bill (currently pending) to the state legislature to include enterococcus bacteria to the list of exceptions in Maine law at 22 M.R.S. §567, sub (1). This change will allow laboratories operated by wastewater discharge facilities licensed pursuant to *Waste Discharge Licenses*, 38 M.R.S. §413, to test for enterococcus bacteria. If passed, the law will become effective 90 days after the close of the legislative session (approximately late September/early October 2019.)

EPA has informed the Department that we must also include the above enterococcus bacteria limits in MEPDES/WDL to Class SB and SC waters upon renewal. The Department intends to do so.

[1] Although Maine is authorized to implement Clean Water Act requirements, EPA retains permitting authority for these 301h waiver facilities.

Fecal coliform bacteria

Also included in the pending renewal NPDES permits for the eight-primary treatment [301(h)] wastewater treatment plants, the EPA takes the position that for discharges to Class SB and SC waters, it is appropriate to require year-round disinfection for the protection of the designated use of "propagation and harvesting of shellfish". The EPA is establishing permit limits in accordance with the most current National Shellfish Sanitation Program guidelines (2017) as follows:

Class SB & SC		
fecal coliform bacteria		
Monthly Average	**Daily Maximum**	**Season**
14 CFU/100 ml	31 CFU/100 ml	Year round

These limits differ slightly from the limits currently used in MEPDES/WDL of 15 CFU/100 mL as a monthly average (geometric mean) and 50 CFU/100 ml as a daily maximum. EPA has informed the Department that we must also include the above limits in MEPDES/WDL to Class SB and SC waters upon renewal. The Department intends to do so consistent with Maine law.[2]

It is noted that shellfish areas around regulated outfalls are closed by the Maine Department of Marine Resources as a precaution regardless of the bacteria levels in the discharge. These closures are based on the requirements of the National Shellfish Sanitation Program (NSSP). The EPA takes the position that states have a responsibility to set fecal coliform bacteria limits in the permits to protect the designated use of "propagation and harvesting of shellfish" regardless of the closure status and that establishment of year-round fecal coliform limits to protect the designated use is appropriate. EPA has informed the Department that we must also include the above limits year-round in MEPDES/WDL to Class SB and SC waters upon renewal. The Department intends to do so.

Compliance schedules to meet new bacteria and/or extended season bacteria limits:

The Department is aware these new requirements may not be able to be implemented by permittee's immediately due to the need for new analytical equipment and/or complications with dechlorination associated with cold weather operations.

If a permittee believes that a compliance schedule is necessary to make modifications to the facility, the Department will work with each permittee independently to determine an appropriate schedule that is as short as possible, based on consideration of the

[2] 38 M.R.S. §465-B, sub-§2(B) & 38 M.R.S. §465-B, sub-§3(B) both state in part, "The number of total coliform bacteria or other specified indicator organisms in samples representative of the waters in restricted shellfish harvesting areas may not exceed the criteria recommended under the NSSP, United States Food and Drug Administration."

technological, economic and environmental impact of the steps necessary to come into compliance with the requirements.[3]

Closing Summary:
Upon renewal of MEPDES/WDL for SB and SC waters:

- Numerical limits for both enterococcus and fecal coliform bacteria will be established as noted above.
- Enterococcus limits will be in effect from April 15 to October 30 unless otherwise specified.
- Fecal coliform limits will be in effect year-round.
- Compliance schedules may be granted as noted above.

If you have questions regarding these matters feel free to contact permit writers Gregg Wood at 287-7693, gregg.wood@maine.gov, or Cindy Dionne at 287-7823, cindy.l.dionne@maine.gov.

As always, thank you for your good work to protect and improve the waters of the great State of Maine.

Sincerely,

BRIAN KAVANAH
Director, Bureau of Water Quality

Cc: Sterling Pierce, Pam Parker, John True, Don Witherill, Susanne Meidel – DEP
Kohl Kanwit – DMR
Stacy Thompson – MeWEA
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[3] 38 M.R.S. §414(2) *Schedules of Compliance*, and Department Regulation, Ch. 523, Sec. 7.