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

DEPARTMENT ORDER

IN THE MATTER OF

TEX TECH INDUSTRIES, INC.		)	MAINE POLLUTANT DISCHARGE
MONMONTH, KENNEBEC COUNTY, MAINE		)	ELIMINATION SYSTEM
ME0001911		)	WASTE DISCHARGE LICENSE
W000631-5R-H-R	**APPROVAL**	)	**RENEWAL**

In compliance with the applicable provisions of *Pollution Control*, 38 M.R.S. §§ 411 – 424-C, *Water Classification Program*, 38 M.R.S. §§ 464 – 470 and *Federal Water Pollution Control Act*, Title 33 U.S.C. § 1251 *et seq,* and applicable rules of the Department of Environmental Protection ("Department"), the Department has considered the application of TEX TECH INDUSTRIES INC. ("Tex Tech" / "permittee"), with its supportive data, agency review comments, and other related material on file and finds the following facts:

APPLICATION SUMMARY

On June 7, 2024, the Department accepted as complete for processing an application from Tex Tech for the renewal of Waste Discharge License (WDL) #W000631-5R-G-R / Maine Pollutant Discharge Elimination System (MEPDES) permit #ME0001911 which was issued on December 20, 2019, for a five-year term, and authorized a daily maximum discharge flow of 85,000 gallons per day (0.085 MGD) of non-contact cooling water from a textile mill complex to Wilson Stream, Class B, in Monmouth, Maine.

PERMIT SUMMARY

This permit carries forward all the terms and conditions of the previous permit.

CONCLUSIONS

BASED on the findings in the attached Proposed Draft Fact Sheet dated April 10, 2026, and subject to the Conditions listed below, the Department makes the following conclusions:

1. The discharges, either individually or in combination with other discharges, will not lower the quality of any classified body of water below such classification.

2. The discharges, either individually 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 water body are not met, the discharge will not cause or contribute to the failure of the water body to meet the standards of classification.

   (d) Where the actual quality of any classified receiving water body exceeds the minimum standards of the next highest classification that higher water quality will be maintained and protected; and

   (e) Where a discharge will result in lowering the existing water quality of any water body, the Department has made the finding, following opportunity for public participation, that this action is necessary to achieve important economic or social benefits to the State.

4. The discharges will be subject to effluent limitations that require application of best practicable treatment as defined in *Conditions of Licenses,* 38 M.R.S. § 414-A(1)(D).

ACTION

THEREFORE, the Department APPROVES the above noted application of TEX TECH INDUSTRIES, INC. to discharge a daily maximum flow of 0.085 MGD of non-contact cooling water to Wilson Stream, Class B, in Monmouth, 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 effluent limitations and monitoring requirements.

3. This permit becomes effective upon the date of signature below and expires at midnight five (5) after that date. If a renewal application is timely submitted and accepted as complete for processing prior to the expiration of this permit, the terms and conditions of this permit and all subsequent modifications and minor revisions thereto remain in effect until a final Department decision on the renewal application becomes effective. [*Maine Administrative Procedure 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: May 24, 2024

Date of application acceptance: June 7, 2024

This order prepared by Rod Robert, BUREAU OF WATER QUALITY

SPECIAL CONDITIONS

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

The permittee is authorized to discharge non-contact cooling waters from **OUTFALLS #001A and #002A** to Wilson Stream, Class B in Monmouth Maine. Such discharges must be limited **YEAR-ROUND** and temperature difference monitoring requirements are effective June 1 – September 30 as specified below:

OUTFALL #001A YEAR-ROUND

Effluent Characteristic	Discharge Limitations						Minimum Monitoring Requirements	
	Monthly Average as specified	Weekly Average as specified	Daily Maximum as specified	Monthly Average as specified	Weekly Average as specified	Daily Maximum as specified	Measurement Frequency[1a] as specified	Sample Type as specified
Flow *[50050]*	---	---	---	---	---	0.042 MGD *[03]*	1/Discharge Day[1b] *[01/DD]*	Estimate[2] *[ES]*
Temperature *[00011]*	---	---	---	---	---	90°F [3] *[15]*	1/Discharge Day[1b] *[01/DD]*	Grab *[GR]*

OUTFALL #002A YEAR-ROUND

Effluent Characteristic	Discharge Limitations						Minimum Monitoring Requirements	
	Monthly Average as specified	Weekly Average as specified	Daily Maximum as specified	Monthly Average as specified	Weekly Average as specified	Daily Maximum as specified	Measurement Frequency[1a] as specified	Sample Type as specified
Flow *[50050]*	---	---	---	---	---	0.043 MGD *[03]*	1/Discharge Day[1b] *[01/DD]*	Estimate[2] *[ES]*
Temperature *[00011]*	---	---	---	---	---	90°F[3] *[15]*	1/Discharge Day[1b] *[01/DD]*	Grab *[GR]*

SPECIAL CONDITIONS

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

The permittee is authorized to discharge non-contact cooling waters from **OUTFALLS #001A and #002A** to Wilson Stream, Class B in Monmouth Maine. Such discharges must be limited **YEAR-ROUND** and temperature difference monitoring requirements are effective June 1 – September 30 as specified below:

OUTFALL #001A + OUTFALL #002A JUNE 1 – SEPTEMBER 30

Effluent Characteristic	Discharge Limitations						Minimum Monitoring Requirements	
	Monthly Average lb/day	Weekly Average lb/day	Daily Maximum lb/day	Monthly Average as specified	Weekly Average as specified	Daily Maximum as specified	Measurement Frequency[1a] as specified	Sample Type as specified
Temperature Difference *[00018]*	---	---	---	---	0.5°F[4] *[15]*	---	1/Discharge Day[1b] *[01/DD]*	Calculate*[CA]*
Temperature Difference *[00018]*	---	---	---	---	---	0.5°F[5] *[15]*	1/Discharge Day[1b] *[01/DD]*	Calculate*[CA]*

SPECIAL CONDITIONS

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

FOOTNOTES:

(1a) **Measurement Frequency** – Flow and temperature measurements are not required on days when the flows associated with machinery on-line are less than 13,000 gpd.

(1b) **1/Discharge Day** – Monitoring is only required June 1 – September 30.

(2) **Flow** – Estimating flows must be conducted by calculating flows associated with the number of hours and types of machines operating during the course of a day.

(3) **Temperature** – Sampling and analysis must be conducted in accordance with; a) methods approved in Title 40, Code of Federal Regulations (40 CFR) Part 136; b) alternative methods approved by the Department in accordance with the procedures in 40 CFR Part 136; or c) as otherwise specified by the Department.

(4) **Temperature Difference** –This is a weekly rolling average limitation when the receiving water temperature is greater than or equal to ($\geq$) 66°F and less than (<) 73°F. See Special Condition F, *Temperature Difference*, of this permit for the equation to calculate the temperature difference. Values to be used for the four variables in the equation in Special Condition F must be the most current seven days when the ambient receiving water temperature is $\geq$66°F and <73°F between June 1 – September 30 of each year.

(5) **Temperature Difference** - This is a daily maximum limitation when the receiving water temperature is $\geq$73°F. Values to be used for the four variables in the equation in Special Condition F must be the value for each day when the ambient receiving water temperature is $\geq$73°F.

B. NARRATIVE EFFLUENT LIMITATIONS

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

SPECIAL CONDITIONS

B. NARRATIVE EFFLUENT LIMITATIONS (cont'd)

3. The permittee must not discharge effluent that causes visible discoloration, taste, turbidity, radioactivity or other properties in the receiving waters that cause those waters to be unsuitable for the designated uses and characteristics ascribed to their class.

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

C. 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 June 7, 2024 2) the terms and conditions of this permit; and 3) from Outfall #001A and Outfall #002A. Discharges of wastewater from any other point source are not authorized under this permit and must be reported in accordance with Standard Condition D (1)(5), *Twenty-four-hour* reporting of this permit.

D. NOTIFICATION REQUIREMENTS

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

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

SPECIAL CONDITIONS

E. MONITORING AND REPORTING

Electronic Reporting

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

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

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

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

B. NARRATIVE EFFLUENT LIMITATIONS

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

3. The permittee must not discharge effluent that causes visible discoloration, taste, turbidity, radioactivity or other properties in the receiving waters that cause those waters to be unsuitable for the designated uses and characteristics ascribed to their class.

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

SPECIAL CONDITIONS

F. TEMPERATURE DIFFERENCE

During the period June 1 to September 30, when the ambient receiving water temperature is ≥66°F, the permittee is limited to a thermal discharge that will not increase the ambient receiving water temperature by more than 0.5°F based on a weekly (7 days) rolling average calculation. When the ambient receiving water temperature is ≥73°F, the permittee is limited to a thermal discharge that will not increase the ambient receiving water temperature by more than 0.5°F based on a daily calculation. For each operating day during the applicable limitation period, the permittee must calculate the River Temperature Increase (RTI) associated with the thermal discharge from Outfall #001A + Outfall #002A according to the following equation:

During the period June 1 – September 30 of each year when the receiving water temperature is ≥66°F, the Qe, Qr, Te and Tr must be recorded on a daily basis. The daily recorded and calculated values must be reported to the Department as an attachment to the Discharge Monitoring Reports (DMR's) for the month of June, July, August and September of each year. The temperature difference (river temperature increase) must be calculated as follows:

$$RTI = \frac{[(Qe_{001})\,(Te_{001}-Tr) + (Qe_{002})\,(Te_{002}-Tr)}{Qr + Qe_{001} + Qe_{002}}$$

RTI = River Temperature Increase

Qe = Effluent flow in MGD(or gpd) from the applicable outfall.
Qr = River flow in MGD or gpd but like units as Qe.
Te = Effluent Temperature in ^{o}F from the applicable outfall.
Tr = Upstream River Water Temperature in ^{o}F.

Te and Tr measurements must be taken within a 60-minute period of time.
Qe values must be derived from machinery operational flow rates and number of hours of operation each day.

Receiving water flow (Qr) and temperature (Tr) measurements must be obtained at the bridge directly below the dam. The permittee must adhere to mathematical protocols for significant figures and rounding the calculated RTI values. All RTI values reported to the Department on the monthly Discharge Monitoring Reports (DMR's) for compliance with the weekly rolling average and daily maximum ΔT limitations of 0.5°F must be rounded to the nearest 0.1°F.

SPECIAL CONDITIONS

F. TEMPERATURE DIFFERENCE (cont'd)

During the period June 1 – September 30 of each year when the receiving water temperature is ≥66°F, the permittee must monitor the discharge from Outfall #001A and Outfall #002A and the ambient receiving waters on a daily basis for the parameters in the equation above. The daily recorded and calculated values must be reported to the Department as an attachment to the DMR's for the months of June, July, August and September of each year.

Example DMR Reporting Form Attachment

Date	Qr (MGD)	$Qe_{001/002}$ (MGD)	Tr(°F)	$Te_{001/002}$ (°F)	RTI(°F)
6/01/14	1.7	0.018/0.013	66	90/90	0.4
6/02/14	1.9	0.011/0.013	66	89/88	0.3

G. REOPENING OF PERMIT FOR MODIFICATION

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

H. 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
MAINE WASTE DISCHARGE LICENSE

FACT SHEET

DATE: April 10, 2026

MEPDES PERMIT NUMBER: **ME0001911**
WASTE DISCHARGE LICENSE: **W000631-5R-H-R**

NAME AND ADDRESS OF APPLICANT:

TEX TECH INDUSTRIES, INC.
P.O. Box 8
105 North Maine Street
North Monmouth, ME 04265

COUNTY: **KENNEBEC**

NAME AND ADDRESS WHERE DISCHARGE OCCURS:

105 North Main Street
North Monmouth, ME 04265

RECEIVING WATER / CLASSIFICATION: **WILSON STREAM / CLASS B**

COGNIZANT OFFICIAL AND TELEPHONE NUMBER: **Ms. Megan S. Wolf**
(207) 933-9241
e-mail: mwolf@textechindustries.com

1. APPLICATION SUMMARY

a. Application: On June 7, 2024, the Department accepted as complete for processing an application from Tex Tech for the renewal of Waste Discharge License (WDL) #W000631-5R-G-R / Maine Pollutant Discharge Elimination System (MEPDES) permit #ME0001911 which was issued on December 20, 2019, for a five-year term, and authorized a daily maximum discharge flow of 85,000 gallons per day (0.085 MGD) of non-contact cooling water from a textile mill complex to Wilson Stream, Class B, in Monmouth, Maine.

b. Source Description: Tex Tech manufactures various textile products used by others in the production of finished products. Process wastewater generated at the mill is conveyed to the municipal sanitary sewer collection system and treated in the Greater Augusta Utility District's wastewater treatment facility that is also regulated by the Department. Non-contact cooling water is utilized at the Tex Tech facility to cool electric motors, vacuum pumps, air compressors, air conditioners and other machinery in the mill complex. All of the water utilized for cooling machinery is taken from Wilson Stream and there have been no changes in the

1. APPLICATION SUMMARY (cont'd)

cooling water flow schematic since the previous permit. See **Attachment A** of this Fact Sheet for the cooling water flow schematic. The cooling waters are discharged to Wilson Stream via two outfall pipes. Outfall #001A, a pipe measuring 13 inches in diameter, discharges directly to Wilson Stream. Outfall #002A, a pipe measuring 20 inches in diameter, discharges to a long open ditch of approximately 150 feet in length leading to Wilson Stream. Both outfalls are part of the stormwater collection system associated with Main Street North. See **Attachment B** of this Fact Sheet for site plans depicting the outfall locations.

c. Wastewater Treatment: The non-contact cooling water does not receive any form of treatment prior to discharge as the water is uncontaminated except for heat.

2. PERMIT SUMMARY

a. Terms and Conditions - This permit carries forward all the terms and conditions of the previous permit.

b. History: This section provides a summary of recent, relevant permitting actions that have been completed for the facility:

April 11, 1979 - The U.S. EPA issued NPDES permit #ME0001911 for a five-year term. Department files indicate that Tex Tech Industries has filed timely and complete application materials with the EPA to renew the NPDES permit. The EPA has not acted on the application(s) as of the date of this permitting action.

June 21, 1999 – The Department issued WDL W000631-5R-C-R for the discharge of up to a daily maximum of 0.085 MGD of non-contact cooling waters to Wilson Stream. The term of the WDL was five years.

January 12, 2001 – The Department received authorization from the EPA to administer the NPDES program in Maine.

June 23, 2004 – The Department issued MEPDES permit #ME0001911/ WDL #W000631-5R-D-R for a five-year term.

September 13, 2009 - The Department issued MEPDES permit #ME0001911/ WDL #W000631-5R-E-R for a five-year term.

June 11, 2014 – Tex Tech submitted a timely and complete application to the Department to renew the MEPDES permit / WDL for the discharge of non-contact cooling water.

September 3, 2014 - The Department issued MEPDES permit #ME0001911/ WDL #W000631-5R-F-R for a five-year term.

May 16, 2019 – Tex Tech submitted a timely and complete application to the Department to renew the MEPDES permit / WDL for the discharge of non-contact cooling water.

2. PERMIT SUMMARY (cont'd)

December 20, 2019 - The Department issued MEPDES permit #ME0001911/ WDL #W000631-5R-G-R for a five-year term.

May 24, 2024 – Tex Tech submitted a timely and complete application to the Department to renew the MEPDES permit / WDL for the discharge of non-contact cooling water.

3. CONDITIONS OF PERMITS

Conditions of licenses, 38 M.R.S. § 414-A, requires that the effluent limitations prescribed for discharges, including, but not limited to, effluent toxicity, require the application of best practicable treatment (BPT), be consistent with the U.S. Clean Water Act, and ensure that the receiving waters attain the State water quality standards as described in *Maine's Surface Water Classification System.* In addition, *Certain deposits and discharges prohibited*, 38 M.R.S. § 420 and Department rule Surface Water Toxics Control Program, 06-096 CMR Ch.530 (effective March 21, 2012), require the regulation of toxic substances not to exceed levels set forth in *Surface Water Quality Criteria for Toxic Pollutants*, 06-096 CMR Ch. 584 (effective 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 Major River Basins 38 M.R.S. § 467(4)(I) classifies Wilson Stream at the point of discharge as a Class B waterway. *Standards for classification of fresh surface waters*, 38 M.R.S.§ 465(3) describes the standards for Class B waters as follows:

3. Class B Waters -Class B shall be the 3rd highest classification.

A. Class B waters must be of such quality that they are suitable for the designated uses of drinking water supply after treatment; fishing; agriculture; recreation in and on the water; industrial process and cooling water supply; hydroelectric power generation, except as prohibited under Title 12, section 403; navigation; and as habitat for fish and other aquatic life. The habitat must be characterized as unimpaired.

B. Class B waters must be of sufficient quality to support all aquatic species indigenous to those waters without detrimental changes in the resident biological community. The dissolved oxygen content of Class B waters may not be less than 7 parts per million or 75% of saturation, whichever is higher, except that for the period from October 1st to May 14th, in order to ensure spawning and egg incubation of indigenous fish species, the 7-day mean dissolved oxygen concentration may not be less than 9.5 parts per million and the one-day minimum dissolved oxygen concentration may not be less than 8.0 parts per million in identified fish spawning areas. Between April 15th and October 31st, the number of Escherichia coli bacteria in these waters may not exceed a geometric mean of 64 CFU or MPN per 100 milliliters over a 90-day interval or 236 CFU or MPN per 100 milliliters in more than 10% of the samples in any 90-day interval.

4. RECEIVING WATER QUALITY STANDARDS (cont'd)

C. Discharges to Class B waters may not cause adverse impact to aquatic life in that the receiving waters must be of sufficient quality to support all aquatic species indigenous to the receiving water without detrimental changes in the resident biological community.

(1-A) For the purpose of allowing the discharge of aquatic pesticides or chemicals approved by the department and conducted by the department, the Department of Inland Fisheries and Wildlife or an agent of either agency to restore resident biological communities affected by an invasive species, the department may find that the discharged effluent will not cause adverse impact to aquatic life as long as the materials and methods used do not cause a significant loss of any nontarget species and allow restoration of nontarget species. The department may find that an unavoidable, temporary loss of nontarget species does not constitute a significant loss of nontarget species.

(2) 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 aquatic life as long as the materials and methods used provide protection for nontarget species. When the department issues a license for the discharge of aquatic pesticides authorized under this subparagraph, 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. RECEIVING WATER QUALITY CONDITIONS

The State of Maine 2018/2020/2022 Integrated Water Quality Monitoring and Assessment Report (Report), prepared by the Department pursuant to Sections 303(d) and 305(b) of the Federal Water Pollution Control Act, does not contain a specific Assessment Unit ID for Wilson Stream, Class B in Monmouth, Maine.

The Report also lists all of Maine's fresh waters as *Category 4-A: Rivers and Streams Impaired by Atmospheric Deposition of Mercury.* Impairment in this context refers to a statewide fish consumption advisory due to elevated levels of mercury in some fish tissues. The Report states, "All freshwaters are listed in Category 4-A (TMDL Completed) due to US EPA approval of a Regional Mercury TMDL in December 2007. Maine has a fish consumption advisory for fish taken from all freshwaters due to mercury. Many waters, and many fish from any given water, do not exceed the action level for mercury. However, because it is impossible for someone consuming a fish to know whether the mercury level exceeds the action level, the Maine Department of Health and Human Services decided to establish a statewide advisory recommending limits on consumption for all freshwater fish. Maine has instituted statewide programs for removal and reduction of mercury sources."

The Department has no information at this time that the discharge from the permittee as permitted will cause or contribute to the failure of the receiving water to meet the designated uses of its ascribed classification.

6. EFFLUENT LIMITATIONS & MONITORING REQUIREMENTS

a. Flow: This permit carries forward the daily maximum flow limitations of 0.042 MGD and 0.043 MGD for outfalls #001A and #002A, respectively, as they remain representative of the discharge flows from the facility.

A review of the monthly DMR data for the period January 2020 through April 2025 indicates the following:

Outfall #001A
Flow (n=20)

Value	Limit (MGD)	Range (MGD)	Average (MGD)
Daily Maximum	0.042	0.04 – 0.04	0.040

Outfall #002A
Flow (n=20)

Value	Limit(MGD)	Range(MGD)	Average(MGD)
Daily Maximum	0.043	0.04 – 0.04	0.041

b. Temperature – This permitting action is carrying forward the daily maximum temperature limits of 90°F for Outfall #001A and 90°F for Outfall #002A.

A review of the monthly DMR data for the period January 2020 through April 2025 indicates the following:

Outfall #001A
Temperature (n=20)

Value	Limit (Deg F)	Range (Deg F)	Average (Deg F)
Daily Maximum	90	0 – 89.5	76.77

Outfall #002A
Temperature (n=20)

Value	Limit (Deg F)	Range (Deg F)	Average (Deg F)
Daily Maximum	90	0 – 79.3	67.88

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

c. Temperature Difference: This permit carries forward the seasonal weekly average and daily maximum water quality-based temperature difference limitations of 0.5 degrees Fahrenheit.

For monthly reporting purposes, the facility uses an Administrative Outfall. Outfall 003A is an administrative outfall used to report the calculated change in temperature in Wilson Stream through the NetDMR system. Outfall 003A is not a point of discharge.

A review of the monthly DMR data for the period January 2020 through April 2025 indicates the following:

Outfall #003A (Administrative)
Temperature Difference (n=20)

Value	Limit (Deg F)	Range (Deg F)	Average (Deg F)
Weekly Average	0.5	0	0
Daily Maximum	0.5	0 – 0.08	0.07

Department Rule Chapter 582, *Regulations Relating To Temperature (effective May 4, 1996)*, limits thermal discharges to an in-stream temperature increase (ΔT) of 0.5° F above the ambient receiving water temperature when the weekly average temperature of the receiving water is greater than or equal to 66° F or when the daily maximum temperature is greater than or equal to 73° F. The temperature thresholds are based on EPA water quality criterion for the protection of brook trout. The weekly average temperature of 66° F was derived to protect for normal growth of the brook trout and the daily maximum threshold temperature of 73° F protects for the survival of juveniles during the summer months. As a point of clarification, the Department interprets the term, "weekly average temperature" to mean a seven (7) day rolling average. To promote consistency, the Department also interprets the ΔT of 0.5° F as a weekly rolling average criterion when the receiving water temperature is ≥66° F and <73° F. When the receiving water temperature is ≥73°F, compliance with the ΔT of 0.5° F is evaluated on a daily basis.

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

Classification of Maine Waters, 38 M.R.S. §464(4)(D), states that the assimilative capacity of a receiving water must be calculated utilizing a seven-day low flow event with a recurrence interval of ten years that is often referred to as the "7Q10." The Department has determined that the 7Q10 of Wilson Stream is 1.1 cfs (0.71 MGD) based on a calculation utilizing a U. S. Geological Survey (USGS) equation that estimates the 7Q10 based on the drainage area of the watershed above the point of discharge. To determine the potential impact of the combined thermal discharge to Wilson Stream during 7Q10 conditions and receiving water temperatures at or above the critical temperature thresholds cited above, the following calculation indicates a worst case ΔT is:

$$\frac{(0.625\ \text{MGD})^{(a)}\ (66^\circ\ \text{F}) + (0.042\ \text{MGD})(90^\circ\text{F}) + (0.043\ \text{MGD})(90^\circ\text{F})}{0.71\ \text{MGD}} =$$

$$T = 68.9^\circ\text{F}$$
$$\Delta T = 2.9^\circ\text{F}$$

Footnote

(a) Assumes the source of all cooling waters is Wilson Stream 0.71 MGD – 0.085 MGD = 0.625 MGD

At daily maximum flows and temperatures authorized by this permitting action, the discharge exceeds the critical ΔT of 0.5ºF in the summer months (June 1 – September 30). Therefore, it is necessary to carry forward a temperature difference (ΔT) limitation from the previous permitting action for the combined discharges such that the receiving water temperature does not increase by more than the ΔT of 0.5ºF as a result of the discharge.

Monitoring the discharge during the winter months is unnecessary as the critical ΔT of 5ºF is approximately two times higher than the temperature increase calculated at maximum temperatures and flows authorized by this permit. However, the flow and temperature limitations are applicable on a year-round basis as they are considered representative of the discharge on a day-to-day basis. Any flow or temperature data collected during the period October 1 – May 31 must be recorded and kept on-site at the facility for Department or EPA inspection upon request. Any exceedances of the limits during any time of the year must be reported to the Department as soon as the permittee is aware of such exceedances.

7. 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.

8. ANTI-DEGRADATION

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

9. ISSUANCE OF NON-CONTACT COOLING WATER PERMITS

Although a MEPDES permit for a facility with regulated discharges would typically also need to include requirements under CWA § 316(b) for any associated cooling water intake structures (CWISs), Maine DEP's permits are not required to do so under the CWA because Maine DEP has not yet been authorized to administer CWA § 316(b). In 2001, EPA Region 1 authorized the Maine DEP to administer the NPDES permit program, except for the permitting of CWISs under CWA § 316(b). Because the state had not yet adopted legislation or regulations to implement CWA § 316(b) at the time of the Region's approval, Region 1 approved Maine's NPDES program on a partial, phased basis pursuant to CWA § 402(n)(4). Until this remaining portion of NPDES authorization is complete, Region 1 is responsible for making NPDES permitting determinations under CWA § 316(b), including where CWA § 316(b) applies and, in the situations where it applies, the resultant permit conditions. Until the state is authorized to implement CWA § 316(b), Maine DEP issues NPDES permits addressing all issues other than § 316(b) and Region 1 is responsible for issuing supplemental permits to address CWISs under § 316(b), if § 316(b) is applicable. Furthermore, there is no expressed or implied legal requirement that the permits be issued jointly or simultaneously.

8. PUBLIC COMMENTS

Public notice of this application was made in the *Kennebec Journal* on or about May 26, 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 CMR ch.522 (effective January 12, 2001).

9. DEPARTMENT CONTACTS

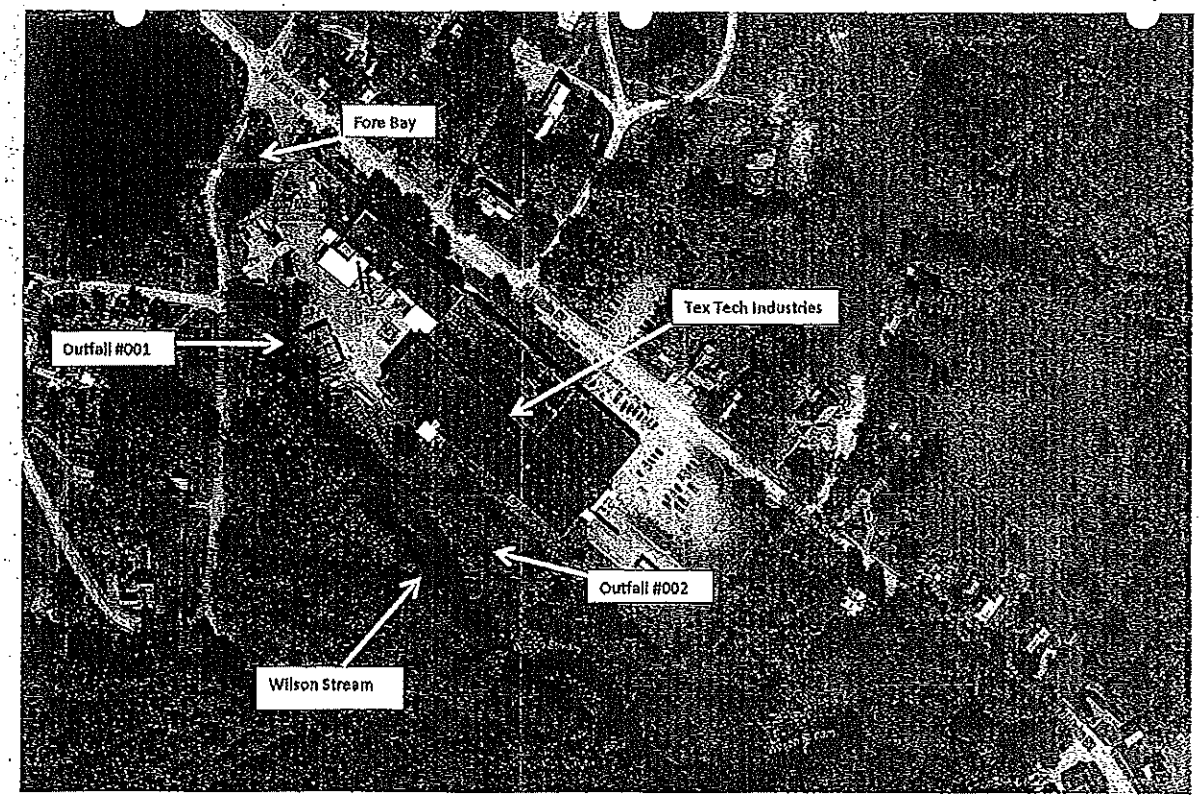
Additional information concerning this permitting action may be obtained from, and written comments sent to:

Rodney Robert
Division of Water Quality Management
Bureau of Water Quality
Department of Environmental Protection
17 State House Station
Augusta, Maine 04333-0017 Telephone: (207) 680-0576
e-mail: rodney.robert@maine.gov

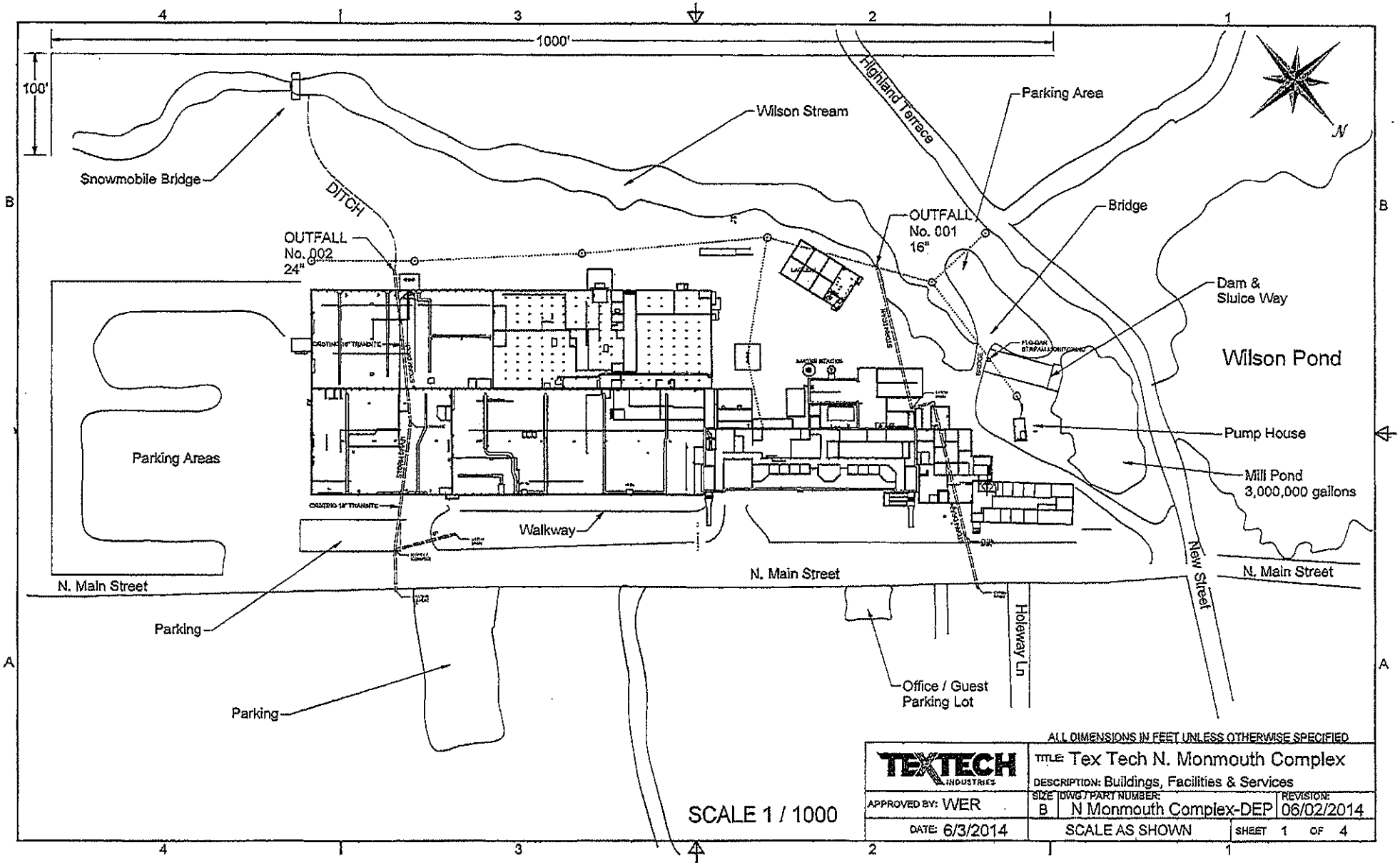
10. RESPONSE TO COMMENTS

Reserved until the end of the formal thirty-day comment period.

ATTACHMENT A



Arial view of Tex Tech-showing Wilson Stream and Outfalls # 001 & #002



ALL DIMENSIONS IN FEET UNLESS OTHERWISE SPECIFIED

TEX TECH INDUSTRIES	TITLE: Tex Tech N. Monmouth Complex	
	DESCRIPTION: Buildings, Facilities & Services	
APPROVED BY: WER	SIZE: B	DWG / PART NUMBER: N Monmouth Complex-DEP
DATE: 6/3/2014	SCALE AS SHOWN	SHEET 1 OF 4