STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

JOHN ELIAS BALDACCI
GOVERNOR

DAVID P. LITTELL
COMMISSIONER

March 15, 2007

Ms. Ellen Rossi
Senior Operations Manager
Jasper Wyman & Son
P.O. Box 100
Milbridge, ME 04658

RE: Maine Pollutant Discharge Elimination System (MEPDES) Permit #ME0036919
Maine Waste Discharge License (WDL) Application #W007847-5O-C-R
Final MEPDES Permit/WDL

Dear Ms Rossi:

Enclosed, please find a copy of your **final** MEPDES permit and Maine WDL, which was approved by the Department of Environmental Protection. Please read the permit/license and its attached conditions carefully. You must follow the conditions in the order to satisfy the requirements of law. Any discharge not receiving adequate treatment is in violation of State law and is subject to enforcement action.

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

If you have any questions regarding the matter, please feel free to call me at 287-7659.

Sincerely,

Bill Hinkel
Division of Water Quality Management
Bureau of Land and Water Quality

Enc.

cc: Jim Sohns, DEP
Lori Mitchell, DEP
Sandy Lao, USEPA
File #7847

AUGUSTA
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(207) 287-7688 FAX: (207) 287-7826
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312 CANCO ROAD
PORTLAND, MAINE 04103
(207) 822-6300 FAX: (207) 822-6303

PRESQUE ISLE
1235 CENTRAL DRIVE, SKYWAY PARK
PRESQUE ISLE, MAINE 04769-2094
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STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION
STATE HOUSE STATION 17 AUGUSTA, MAINE 04333

DEPARTMENT ORDER

IN THE MATTER OF

JASPER WYMAN & SON	)	MAINE POLLUTANT DISCHARGE
DEBLOIS, WASHINGTON COUNTY	)	ELIMINATION SYSTEM PERMIT
BLUEBERRY PROCESSING/STORM WATER	)	AND
#ME0036919	)	WASTE DISCHARGE LICENSE
#W007847-5O-C-R **APPROVAL**	)	**RENEWAL**

Pursuant to the provisions of the Federal Water Pollution Control Act, Title 33 USC, §1251, *et seq.*, and Maine law, 38 M.R.S.A., §414-A *et seq.*, and applicable regulations, the Maine Department of Environmental Protection (Department) has considered the application of JASPER WYMAN & SON (Wyman's), with its supportive data, agency review comments, and other related materials on file and FINDS THE FOLLOWING FACTS:

APPLICATION SUMMARY

Wyman's has applied to the Department for renewal of Department Waste Discharge License (WDL) #W007847-5O-B-R, which was issued on December 31, 2001 and expired on December 31, 2006. The 12/31/01 WDL authorized the discharge of blueberry processing wastewater via a surface wastewater disposal system located in Deblois, Maine.

Wyman's has applied for authorization to discharge storm water associated with an industrial activity from its Deblois facility to Great Falls Branch, Class A, in Deblois, Maine. On January 12, 2001, the Department received authorization from the U.S. Environmental Protection Agency (USEPA) to administer the National Pollutant Discharge Elimination System (NPDES) permit program in Maine, excluding areas of special interest to Maine Indian Tribes. From that point forward, the program has been referred to as the Maine Pollutant Discharge Elimination System (MEPDES) permit program. The Department is issuing a combined Maine Waste Discharge License (WDL) for the discharge of blueberry processing waste waters to ground water via spray irrigation and a MEPDES permit for the discharges of storm water to Great Falls Branch. A new MEPDES permit number of ME0036919 has been assigned and will be utilized as the primary reference number for Wyman's Deblois facility.

PERMIT SUMMARY

This permitting action is similar to the 12/31/01 licensing action in that it is

For Lagoon Effluent (PCS ID #004A):

1. Carrying forward the daily maximum reporting requirement for specific conductance;
2. Carrying forward the daily pesticides concentration reporting requirements;

For Spray Irrigation Fields (PCS ID SF1 and SF2):

3. Carrying forward the minimum monitoring frequency requirement for application rate;

For Ground Water Well Monitoring Locations (PCS ID #004C, #005, and #006):

4. Carrying forward the daily maximum nitrate-nitrogen concentration limitation of 10 mg/L;
5. Carrying forward the daily maximum concentration reporting requirements for TSS and pesticides;
6. Carrying forward the daily maximum reporting requirement for depth to water level below land surface;
7. Carrying forward the daily maximum reporting requirement for specific conductance; and
8. Carrying forward the daily maximum temperature reporting requirement.

This permitting action is different from the 12/31/01 licensing action in that it is:

For Lagoon Effluent (PCS ID #004)

1. Establishing a daily maximum temperature reporting requirement;
2. Eliminating the daily maximum concentration reporting requirement for chemical oxygen demand (COD);
3. Eliminating the daily maximum concentration limitation of 100 mg/L and establishing daily maximum concentration reporting requirements for biochemical oxygen demand (BOD_5) and total suspended solids (TSS);
4. Eliminating the pH range limitation and establishing a report only requirement for this parameter;
5. Revising the lagoon freeboard condition as specified in Special Condition K of this permit;
6. Revising the minimum monitoring frequency requirement for BOD_5 ,TSS, specific conductance to once per month during the months of April, May, August and October;
7. Establishing Special Condition C, Treatment Plant Operator, which requires that the facility must be operated by a person holding a minimum of a Grade II certificate (or Registered Maine Professional Engineer);

PERMIT SUMMARY (cont'd)

For Spray Irrigation Fields (PCS ID SF1 and SF2):

8. Revising the spray irrigation application rate of 75,600 gallons per acre from a weekly maximum to a weekly average limitation;
9. Eliminating the COD mass reporting requirement;
10. Eliminating the total nitrogen (as N) mass reporting requirement;

For Ground Water Well Monitoring Locations (PCS ID #004C, #005, and #006):

11. Eliminating the daily maximum concentration reporting requirements for total Kjeldahl nitrogen (TKN);
12. Eliminating the dissolved oxygen (DO) report only requirement; and
13. Eliminating the pH range limitation and establishing a pH reporting requirement;
14. Revising the minimum monitoring frequency requirement to twice per year during the months of May and October;

For Soil Sampling:

15. Eliminating all soil monitoring and reporting requirements consistent with the conditions of licenses issued in Maine for the discharge of blueberry process wastewater via spray irrigation; and

For Storm Water:

16. Authorizing the discharge of an unspecified quantity of storm water associated with industrial activity via four outfall points (007, 008, 009 and SF#2) and establishing Special Condition G which requires the facility to implement and maintain as current a Storm Water Pollution Prevention Plan (SWPPP) in accordance with the Department's Multi-Sector General Permit for Storm Water Associated with Industrial Activity for all discharges of storm water to Great Falls Branch.

CONCLUSIONS

BASED on the findings in the attached Fact Sheet dated February 26, 2007, 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, 38 MRSA Section 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) The standards of classification of the receiving water body are met or, where the standards of classification of the receiving water body are not met, the discharge will not cause of 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 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 discharge will be subject to effluent limitations that require application of best practicable treatment.

ACTION

THEREFORE, the Department APPROVES the above noted application of JASPER WYMAN & SON to discharge a maximum of 75,600 gallons per acre per week of blueberry processing wastewater via a surface wastewater disposal system to ground water, Class GW-A, and an unspecified quantity of storm water associated with an industrial activity to Great Falls Branch, Class A, in Deblois, Maine, SUBJECT TO THE ATTACHED CONDITIONS, and all applicable standards and regulations:

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. The expiration date of this license is five (5) years from the date of signature below.

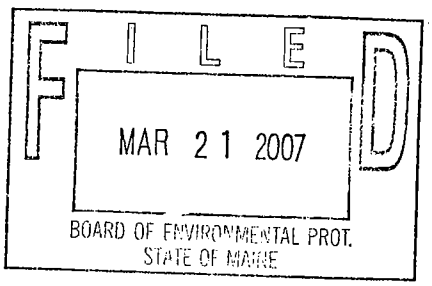
DONE AND DATED AT AUGUSTA, MAINE, THIS 19TH DAY OF March, 2007.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: _____
DAVID P. LITTELL, Commissioner

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application: August 24, 2006
Date of application acceptance: September 1, 2006



Date filed with Board of Environmental Protection _____

This Order prepared by William F. Hinkel, BUREAU OF LAND & WATER QUALITY
#W007847-5O-C-R /#ME0036919 February 26, 2007

SPECIAL CONDITIONS

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. The permittee is authorized to operate a surface wastewater treatment and disposal system. The **LAGOON EFFLUENT (PCS ID #004A)** shall be limited and monitored as specified below[1, 2].

Effluent Characteristic	**Discharge Limitations**	**Minimum Monitoring Requirements**	
	Daily Maximum as specified	Measurement Frequency as specified	Sample Type as specified
Biochemical Oxygen Demand *[00310]*	Report mg/L *[19]*	1/Month[3] *[01/30]*	Grab *[GR]*
Total Suspended Solids *[00530]*	Report mg/L *[19]*	1/Month[3] *[01/30]*	Grab *[GR]*
Nitrate-Nitrogen *[00620]*	Report mg/L *[19]*	1/Month[3] *[01/30]*	Grab *[GR]*
Specific Conductance *[00095]*	Report umhos/cm *[11]*	1/Month[3] *[01/30]*	Grab *[GR]*
pH *[00400]*	Report S.U. *[12]*	1/Month[3] *[01/30]*	Grab *[GR]*
Temperature *[00011]*	Report °F *[15]*	1/Month[3] *[01/30]*	Grab *[GR]*
Pesticides[4]	Report ug/L *[28]*	1/Month[3] *[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 9 and 10 of this license for the applicable footnotes.

SPECIAL CONDITIONS

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

2. The permittee is authorized to operate a surface wastewater treatment and disposal system. The **SPRAY IRRIGATION FIELDS (PCS ID SF1, SF2)** shall be limited and monitored as specified below[(1)].

Spray Fields South (SF1) and North (SF2) of Hatchery Road

APRIL 15 – NOVEMBER 15

Effluent Characteristic	**Discharge Limitations**		**Minimum Monitoring Requirements**	
	Monthly Total as specified	Weekly Maximum as specified	Measurement Frequency as specified	Sample Type as specified
Application Rate (Weekly)[(5)] *[01287]*	---	75,600 gal/acre/week[(6)] *[8B]*	1/Week *[01/07]*	Calculate *[CA]*
Flow – Total Gallons[(5)] *[82220]*	Report (Gallons) *[80]*	---	1/Month *[01/30]*	Calculate *[CA]*

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 9 and 10 of this license for the applicable footnotes.

SPECIAL CONDITIONS

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

3. The permittee shall monitor conditions in **GROUND WATER MONITORING LOCATIONS (PCS ID #004C, #005, #006)** for the following parameters as limited and specified below[(1)].

Effluent Characteristic	Discharge Limitations	Minimum Monitoring Requirements	
	Daily Maximum as specified	Measurement Frequency as specified	Sample Type as specified
Nitrate-Nitrogen *[00620]*	10 mg/L *[19]*	2/Year[(7)] *[02/YR]*	Grab *[GR]*
Depth To Water Level Below Land Surface *[72019]*	Report (Feet)[(8)] *[61]*	3/Year[(9)] *[03/YR]*	Measure *[MS]*
Specific Conductance *[00095]*	Report umhos/cm *[11]*	2/Year[(7)] *[02/YR]*	Grab *[GR]*
Temperature *[00011]*	Report °F *[15]*	2/Year[(7)] *[02/YR]*	Grab *[GR]*
pH *[00400]*	Report S.U. *[12]*	2/Year[(7)] *[02/YR]*	Grab *[GR]*
Total Suspended Solids *[00535]*	Report mg/L *[19]*	2/Year[(7)] *[02/YR]*	Grab *[GR]*
Pesticides[(10)]	Report ug/L *[28]*	2/Year[(7)] *[02/YR]*	Grab *[GR]*

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

FOOTNOTES: See pages 9 and 10 of this license for the applicable footnotes.

SPECIAL CONDITIONS

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

FOOTNOTES:

Storage Lagoon Effluent

1. **Sampling** – Sampling and analysis must be conducted in accordance with; a) methods approved by 40 Code of Federal Regulations (CFR) Part 136, b) alternative methods approved by the Department in accordance with the procedures in 40 CFR Part 136, or c) as otherwise specified by the Department. Samples that are sent out for analysis shall be analyzed by a laboratory certified by the State of Maine's Department of Human Services.

   All detectable analytical test results shall be reported to the Department including results which are detected below the respective reporting limits (RLs) specified by the Department or as specified by other approved test methods. If a non-detect analytical test result is below the respective RL, the concentration result shall be reported as <Y where Y is the detection limit achieved by the laboratory for each respective parameter. Reporting a value of <Y that is greater than an established RL is not acceptable and will be rejected by the Department. For mass, if the analytical result is reported as <Y or if a detectable result is less than a RL, report a <X lbs/day, where X is the parameter specific limitation established in the permit

2. **Lagoon Sampling** – Storage lagoon effluent shall be sampled at a point in the lagoon furthest from the influent pipe or at a sampling port on the discharge pipe leading to the spray irrigation area, and shall be representative of what is actually sprayed on the fields. Any change in sampling location must be approved by the Department in writing.

3. **Lagoon Sampling Period** – The permittee shall conduct storage lagoon effluent sampling in the months of **April, May, August, and October** of each calendar year in accordance with Special Condition A Footnote #1 above. The permittee is not required to test for these parameters during a month when no wastewater was disposed of via the spray irrigation system.

4. **Pesticide Sampling – At least 30 days prior to commencing the spray irrigation system each year**, the permittee shall report to the Department's compliance inspector and the Maine Board of Pesticide Control any insecticides, fungicides, and herbicides (collectively referred to as pesticides) that have been or may be used during the calendar year on blueberries processed through the facility. Such notification shall include analytical methods available to test for each pesticide. Based on this information, and any other information that may become available, the Department may suspend testing for pesticide(s) if they are not in use or detected in sampling, and may require testing for specific pesticides if warranted. Sampling for specific pesticide parameters shall continue at a frequency of once per month until the effluent concentration is below the Department's reporting limit or the most current Maximum Exposure Guidelines (MEG) for Drinking Water published by the State of Maine Department of Health and Human Services. Analytical results shall be provided to the Department as an attachment to the Discharge Monitoring Report.

SPECIAL CONDITIONS

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

FOOTNOTES:

Spray-Irrigation Fields

5. **Weekly Application Rate** – A field's weekly application rate is the total gallons sprayed over the applicable period of time divided by the size of the wetted area of the spray-irrigation field or the area in acres of that portion of the field utilized. The permittee shall measure the flow of waste water to the irrigation area by the use of a flow measuring device that is checked for calibration at least once per calendar year. Weekly is defined as Sunday through Saturday.

6. **Discharge Monitoring Report (DMR) Reporting** – The permittee shall report the highest weekly application rate for the month in the applicable box on the form. Compliance with weekly reporting requirements must be reported for the month in which the calendar week ends.

Ground Water Monitoring

7. **Ground Water Monitoring Period** – The permittee shall conduct ground water sampling in the months of **May and October** of each year. Sampling, handling and preservation shall be conducted in accordance with Special Condition A Footnote #1 of this permit. Specific conductance (calibrated to 25.0° C), temperature, and pH are considered to be "field" parameters, and are to be measured in the field via instrumentation. The permittee is required to test for all parameters specified at Special Condition A.3 regardless of spray-irrigation system usage. Specific conductance values greater than 275 umhos/cm, consistent trends approaching 275 umhos/cm or sudden spikes from previous levels shall be reported to the Department within forty-eight (48) hours following the facility becoming aware of such conditions. The Department may require additional ground water testing based on results of ground water monitoring.

8. **Ground Water Measurement** – Measured to the nearest one-tenth ($1/10^{th}$) of a foot as referenced from the surface of the ground at the base of the monitoring well.

9. **Water Level Depth Monitoring** – Depth to Water Level Below the Land Surface shall be conducted in the months of **May, August and October** of each calendar year.

10. **Pesticide Monitoring for Ground Water Wells** – The permittee shall conduct ground water sampling at a minimum frequency of once per month for any pesticide detected (either in lagoon effluent or ground water wells) at or above the Department's RL or the most current MEG. Monitoring shall commence, when necessary, within 30 days following receipt of analytical test results demonstrating lagoon effluent concentration at or above the RL or MEG. Ground water monitoring for specific pesticides shall continue at once per month until such time that the monitored pollutant in the well water is below the RL or MEG. All analytical results shall be provided to the Department as an attachment to the Discharge Monitoring Report.

SPECIAL CONDITIONS

B. NARRATIVE EFFLUENT LIMITATIONS

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

2. The effluent shall not contain materials in concentrations or combinations which are hazardous or toxic to aquatic life, or which would impair the usages designated by the classification of the receiving waters.

3. The discharge shall not cause visible discoloration or turbidity in the receiving waters, which would impair the usages designated by the classification of the receiving waters.

4. Notwithstanding specific conditions of this permit the effluent must not lower the quality of any classified body of water below such classification, or lower the existing quality of any body of water if the existing quality is higher than the classification.

C. TREATMENT PLANT OPERATOR

The treatment facility must be operated by a person holding a minimum of a **Grade II** certificate (or Registered Maine Professional Engineer) pursuant to Title 32 M.R.S.A. §4171 *et seq*. All proposed contracts for facility operation by any person must be approved by the Department before the permittee may engage the services of the contract operator.

D. MONITORING AND REPORTING

Monitoring results shall be summarized for each calendar month and reported on separate Discharge Monitoring Report (DMR) forms provide by the Department and **postmarked on or before the thirteenth (13th) day of the month or hand-delivered to a Department Regional Office such that the DMRs are received by the Department on or before the fifteenth (15th) day of the month** following the completed reporting period. A signed copy of the Discharge Monitoring Report and all other reports required herein, unless otherwise specified, shall be submitted to the Department assigned compliance inspector at the following address:

Department of Environmental Protection
Eastern Maine Regional Office
Bureau of Land and Water Quality
Division of Water Quality Management
106 Hogan Road
Bangor, Maine 04401

E. AUTHORIZED DISCHARGES

The permittee is authorized to discharge only in accordance with the terms and conditions of this permit via spray irrigation fields referenced as SF1 and SF 2 and storm water outfalls #007, #008, #009, and SF#2 referenced and described in the Fact Sheet associated with this permit. Discharges of wastewater from any other point source that are not authorized under this or another Department permit shall be reported in accordance with Standard Condition B(5), Bypasses, of this permit.

SPECIAL CONDITIONS

F. NOTIFICATION REQUIREMENT

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

1. Any substantial change in the volume or character of pollutants being introduced into the waste water collection and treatment system by a source introducing pollutants to the system at the time of permit issuance.

2. For the purposes of this section, adequate notice shall include information on:

   a. The quality and quantity of waste water introduced to the waste water collection and treatment system; and

   b. Any anticipated impact of the change in the quantity or quality of the waste water to be discharged from the treatment system.

G. STORM WATER ASSOCIATED WITH INDUSTRIAL ACTIVITY – PLANS AND MONITORING REQUIREMENTS

1. Storm Water Pollution Prevention Plan (SWPPP)

   a. **On or before April 1, 2007,** the permittee shall develop a Storm Water Pollution Prevention Plan for the facility and all storm water outfall points ***[PCS Code09299]***. The SWPPP shall be consistent with the Storm Water Pollution Plan Requirements established in the Maine Pollutant Discharge Elimination System Multi-Sector General Permit for Stormwater Discharge Associated with Industrial Activity, dated October 11, 2005. The permittee shall maintain and periodically update the SWPPP and maintain a copy of the SWPPP on-site for Department or USEPA staff inspection.

   b. **Within 60 days of any change** in design, construction, operation, maintenance, or chemical spill at the facility which has or may have a significant effect on the amount of pollutants present in storm water, the permittee shall amend the SWPPP and note all changes.

2. Monitoring Requirements

   At a minimum frequency of once per calendar quarter, the permittee shall perform and document a visual examination of a storm water discharge at the end of the storm water conduit for each outfall (referenced as Outfall #007, #008, #009 and SF#2 in this permit) in accordance with Department guidance document #DEPLW0768, *Instructions for Completing the Visual Monitoring Form.* The permittee shall document observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of storm water pollution. The permittee must maintain the visual examination reports on-site with the SWPPP. The report must include the examination date and time, examination personnel, the nature of the discharge (i.e., rain runoff or snow melt), visual quality of the storm water discharge, and probable sources of any observed storm water contamination.

SPECIAL CONDITIONS

H. GENERAL OPERATIONAL CONSTRAINTS

1. All blueberry processing wastewater shall receive treatment through a properly designed, operated and maintained screen and settling tank and lagoon system prior to land irrigation.
2. The spray-irrigation facilities shall be effectively maintained and operated at all times so that there is no discharge to surface waters, nor any contamination of ground water which will render it unsatisfactory for usage as a public drinking water supply. There shall be no runoff outside the designated spray field boundaries as a result of operation of the spray system.
3. The surface wastewater disposal system shall not cause the lowering of the quality of the ground water, as measured in the ground water monitoring wells specified by this license, below the State Primary and Secondary Drinking Water Standards specified in the Maine State Drinking Water Regulations pursuant to Maine law 22 M.R.S.A. § 2611. In the event that ground water monitoring results indicate lowering of the existing groundwater quality, the permittee may be required to take immediate remedial action(s), which may include but not limited to, adjustment of the irrigation schedule or application rates, a reduction of the pollutant loading, ground water remediation, or ceasing operation of the system until the groundwater attains applicable standards.
4. The Department shall be notified as soon as the permittee becomes aware of any threat to public health, unlicensed discharge of wastewater, or any malfunction that threatens the proper operation of the system.
5. The permittee shall maintain a file on the location of all system components and relevant features. Each component shall be mapped and field located sufficiently to allow adequate inspections and monitoring by both the permittee and the Department.
6. System components including collection pipes, tanks, manholes, pumps, pumping stations, spray disposal fields, and monitoring wells shall be identified and referenced by a unique identifier (alphabetical, numeric or alpha-numeric) in all logs and reports.

I. SPRAY IRRIGATION OPERATIONAL CONSTRAINTS

1. Suitable vegetative cover shall be maintained. Wastewater may not be applied to areas without sufficient vegetation or ground cover as to prevent erosion or surface water runoff outside the designated boundaries of the spray irrigation field(s).
2. At least 10 inches of separation from the ground surface to the ground water table shall be present prior to spray irrigation.
3. The permittee shall not apply wastewater to the site following a rainfall accumulation exceeding 1.0 inch within the previous 24-hour period. **A rain gauge shall be located nearby or on site to representatively monitor daily precipitation.** The permittee shall also manage application rates by taking into consideration the forecast for rain events in the 48-hour period in the future.
4. The permittee shall not apply wastewater where there is snow present on the surface of the ground. The permittee shall not apply wastewater when there is any evidence of frost or frozen ground within the upper 10 inches of the soil profile.
5. The permittee shall not allow traffic or equipment to be operated in the spray irrigation field(s) except where installation occurs or where normal operations and maintenance are performed.

SPECIAL CONDITIONS

J. SPRAY IRRIGATION OPERATIONAL PROCEDURES, LOGS AND REPORTS

1. **Prior to the commencement of spray irrigation for the season (April 15 – November 15 of each year),** the permittee shall notify the Department's compliance inspector that they have verified that site conditions are appropriate (frozen ground, soil moisture, etc.) for spray irrigation.
2. The permittee shall install the equivalent of one ground water level inspection well in each spray field to verify that 10-inches of separation from the ground surface to the observed groundwater level is present prior to spraying. Depths to ground water shall be recorded in accordance with the format of *"Depth to Groundwater"* provided as Attachment A of this permit.
3. The permittee shall at all times maintain in good working order and operate at maximum efficiency all wastewater collection, treatment and/or control facilities. **Within one hour after system start-up,** the permittee shall inspect the system for leaks in the piping, determine if individual spray heads and pumps are functioning as designed and verify that application rates are appropriate for the site conditions. Should significant malfunctions or leaks be detected, the permittee must shut down the malfunctioning portion of the spray system and make necessary repairs before resuming operation. The permittee shall cease irrigation if runoff is observed outside the designated boundaries of the spray field.
4. **The permittee shall maintain a daily log** of all spray irrigation operations which records, the date, weather and soil conditions, rainfall, areas irrigated, volume sprayed (gallons), application rates (daily and weekly), and other relevant observations/comments from daily inspections. The log shall be in accordance with the format of the *"Monthly Operations Log"* provided as Attachment B of this license. Weekly spray application rates shall be reported in accordance with the format of the *"Spray Application Report by Week"* provided as Attachment C of this license. The *Monthly Operations Log, Spray Application Report by Week, and Depth to Groundwater* for each month shall be submitted to the Department as an attachment to the monthly Discharge Monitoring Reports (DMRs). Copies will also be maintained on site for Department review and for license operation maintenance purposes.

K. VEGETATION MANAGEMENT

1. The permittee shall remove grasses and other vegetation such as shrubs and trees if necessary so as to not impair the operation of the spray irrigation system, ensure uniform distribution of wastewater over the desired application area and to optimize nutrient uptake and removal.

2. The permittee shall maintain the vegetative buffer zones along the perimeter of the site to maximize vegetation and forest canopy density in order to minimize off-site drift of spray.

SPECIAL CONDITIONS

L. LAGOON MAINTENANCE

1. The permittee shall periodically inspect and properly maintain at all times the integrity of the lagoons during the operating season. There may be no overflow through or over the lagoon berms. The permittee shall repair or correct any signs of leaks or overflow immediately.
2. The permittee shall maintain freeboard of the lagoons at design levels or at least two (2) feet, whichever is greater. The permittee shall operate the lagoons in such a manner as to balance the disposal of wastewater via spray irrigation and to ensure that design freeboard levels are maintained.
3. The permittee shall remove solid materials as necessary from the lagoons to maintain the proper operating depths that will provide best practicable treatment of the wastewater. The permittee shall properly disposed of all material removed from the lagoons in accordance with applicable State and Federal rules and regulations.

M. INSPECTIONS AND MAINTENANCE

The permittee shall inspect all system components to ensure the facility is being operated and maintained in accordance with the design of the system. The permittee shall keep maintenance logs for each major system component including pumps, pump stations, lagoons, spray apparatus, and pipes. At a minimum, the logs must include the unique identifier (alphabetic, numeric or alpha-numeric -see Special Condition H.6 of this permit), the date of maintenance, type of maintenance performed, names or person performing the maintenance, and other relevant system observations.

N. GROUND WATER MONITORING WELLS AND WATER QUALITY MONITORING PLAN DETAILS

By April 1, 2007 ***[PCS Code 24599]***, the permittee shall submit to the Department, for review and approval, a ground water quality monitoring plan. The permittee shall refer to guidance for said plan as outlined in Attachment D of this permit, entitled *"Water Quality Monitoring Plan Details"* of the Fact Sheet of this permit. It is noted that sample collection may be facilitated by a number of authorized procedures.

The permittee shall equip and maintain all monitoring wells with a cap and lock to limit access at all times. The permittee shall verify annually and report on the comment section of the monitoring wells Discharge Monitoring Report as to the integrity of the monitoring wells.

The Department reserves the right to require increasing the depth and or relocating any of the ground water monitoring wells if the well is perennially dry or is determined not to be representative of ground water conditions.

SPECIAL CONDITIONS

O. SPRAY IRRIGATION PERFORMANCE REPORT

As an exhibit to the next application for license renewal ***[PCS Code 88899]***, the permittee shall submit to the Department a report of treatment system performance covering the previous five calendar years. The report must be dated and signed by the operator in responsible charge of the system.

The report must include, but is not necessarily limited to, an updated source description, an updated schematic and narrative of the treatment system and distribution system, a summary of the past performance demonstrating compliance with all terms and conditions of the effective permit, a description of any proposed changes in the overall system or operation of the system, and if applicable, proposed changes in the effective permit.

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

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

By December 31 of each year, or within 90 days of any process changes or minor equipment upgrades, the permittee shall 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 shall be kept on-site or at the company's Environmental Coordinator's office at all times and made available to the Department personnel upon request.

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

Q. PUBLIC ACCESS TO LAND APPLICATION SITES AND SIGNAGE

Access to the land application sites shall be limited during the season of active site use. The permittee shall install signs measuring at least 8.5-inches x 11-inches in areas of concern around the perimeter of the lagoon and spray irrigation site that inform the general public that the area is being used to dispose of blueberry processing wastewaters. The signs must be constructed of materials that are weather resistant. The permittee shall annually inspect and make any necessary repairs to the signage to comply with this condition.

SPECIAL CONDITIONS

R. REOPENING OF LICENSE MODIFICATIONS

Upon evaluation of the tests 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.

S. 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 shall remain in full force and effect, and shall be construed and enforced in all aspects as if such unlawful provision, or part thereof, had been omitted, unless otherwise ordered by the court.

ATTACHMENT A

Attachment A

Depth to Ground Water (Tenths of Feet) (Month _____ Year _____)

Facility Name: Jasper Wyman & Son WDL: #W007847-5O-C-R

Field Name/#	Monitoring Location	Depth to Ground Water (Measured From Ground Surface in Tenths of Feet)					Number of Exceptions	Monthly Average Depth
		Week 1	Week 2	Week 3	Week 4	Week 5		
				Total Number of Exceptions				

Note: Special Condition I of the License requires that a depth of 10 inches from the ground surface to the ground water table must be present prior to spraying.

Signature of Responsible Official: _____ Date _____

ATTACHMENT B

Jasper Wyman & Son, Monthly Operations Log **Attachment B** **(Month/Year)** _____)

WDL #W007847-5O-C-R Field #_____ Weekly Application Rate: 75,600 gallons/acre

	A	B	C	D	E	F	G	H	I	J	K
Day	DATE	PRECIP Inches	TEMP	WEATHER	WIND- Direction Speed	Soil Moisture	Quanity- Total Gallons Pumped	Name of Field(s) Used	Acres Sprayed (Sum of Col H x Area of Each Field)	Gallons/Acre (inches) (Col G divided by I)	Total Inches
	1										
	2										
	3										
	4										
	5										
	6										
	7										
	8										
	9										
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	25										
	26										
	27										
	28										
	29										
	30										
	31										
Monthly Total =											

ATTACHMENT C

Spray Application Report by Week Attachment C Facility Name: Jasper Wyman & Son

WDL #W007847-5O-C-R (Month _____ Year _____) Weekly Application Rate 75,600 gallons/acre)

Field Name/#	Effective Spray Area (Acres)	Weekly Limit (Gallons/Acre)	Actual Spray Application Rates (Gallons per Acre)					Number of Exceptions to Weekly Limit	Monthly Average
			Week 1	Week 2	Week 3	Week 4	Week 5		

Note: 1 acre-inch is equivalent to 27,150 gallons of liquid
27,150 gallons per acre is equivalent to 1.0 inch

Total Number of Exceptions

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

Signature of Responsible Official: _____ Date _____

ATTACHMENT D

Attachment D

Water Quality Monitoring Plan Details
Bureau of Land & Water Quality, Division of Environmental Assessment

For projects required to monitor the quality and/or levels of surface water or ground water, a water quality monitoring plan/protocol document must be provided as a separate manual, for ease-of-reference by the applicant, consultants, and the Department. This manual must be prepared, signed, and dated by a professional qualified in water chemistry interpretation (and when ground water flow interpretations and monitoring well selection are conducted to prepare the plan, endorsed by a Certified Geologist), and must include the following, at a minimum:

1. Identification/summary of all monitoring points (e.g. monitoring wells, lysimeters, springs, etc.) to be used for measurement of water levels or for water quality analysis. Monitoring points must have an assigned identification symbol (alpha/numeric), and, where appropriate, elevation referenced to an established, permanent benchmark. Include a map showing all monitoring points.

2. Outline of the monitoring frequency at each monitoring point, by the number of sampling/analysis events per year (*e.g.* quarterly, etc.) and by month (*e.g.* April, September, etc.).

3. Provision for obtaining adequate data on background water quality and/or levels, and for using a statistically-valid method for determining a significant increase in parameter concentrations (*e.g.* contamination levels, but not necessarily MCL's/MEG's). At a minimum, determination of background water quality or levels must consist of quarterly sampling/analysis for 1 year.

4. List of parameters to be analyzed, including references to the laboratory analysis methods to be utilized for each parameter, detection limits for each analysis method, and the MCL's/MEG's for all applicable parameters. All monitoring must include field parameters (conductivity, temperature, pH, and TDS), in addition to parameters specific to the monitoring program objectives.

5. Identification of the qualified personnel to take water level measurements and water quality analysis samples. These tasks should not be done by the applicant or employee of the applicant, but if proposed, then item 6 below must be addressed.

6. Written certification from a qualified expert that personnel to conduct monitoring are or will be adequately trained to properly collect measurements and/or samples by approved methods and protocols.

7. Description of the equipment and methods to be employed for water level measurement and/or water quality analysis sample-taking.

8. Description of the quality assurance/quality control and chain-of-custody protocols to be followed for water quality sampling, preservation, storage, transport, and laboratory analysis.

9. Provision for a professional qualified in water chemistry or ground water flow interpretation to summarize, evaluate, and provide recommendations on the monitoring results that is submitted annually to the Department, unless a problem is evident, in which case the Department is to be notified immediately. Annual reports must include historical, as well as the most recent year's monitoring data for each monitoring point, which is presented in a tabular format. Reports must be signed/dated by the professional responsible for their preparation.

10. A provision that, if water levels or water quality monitoring results indicate adverse effects are occurring as a result of the project activity, then an evaluation will be made by a qualified professional and an appropriate remedial action/mitigation plan will be developed and submitted to the Department for review and approval.

MAINE POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT
MAINE WASTE DISCHARGE LICENSE

FACT SHEET

Date: **FEBRUARY 26, 2007**

MEPDES PERMIT NUMBER: **#ME0036919**
WASTE DISCHARGE LICENSE NUMBER: **#W007847-5O-C-R**

NAME AND ADDRESS OF APPLICANT:

JASPER WYMAN & SON
P.O. BOX 100
601 ROUTE 193
MILBRIDGE, MAINE 04658

NAME AND ADDRESS WHERE DISCHARGE OCCURS:

JASPER WYMAN & SON
601 ROUTE 193
DEBLOIS, MAINE 04658

COUNTY: **WASHINGTON COUNTY**

RECEIVING WATER/CLASSIFICATION:

SPRAY IRRIGATION	**STORM WATER**
GROUND WATER, CLASS GW-A	**GREAT FALLS BRANCH, CLASS A**

COGNIZANT OFFICIAL AND PHONE NUMBER: **MS. ELLEN ROSSI**
SENIOR OPERATIONS MANAGER
(207) 546-3381

1. APPLICATION SUMMARY

Application: Jasper Wyman and Son (Wyman's) has applied to the Department of Environmental Protection (Department) for renewal of Department Waste Discharge License (WDL) #W007847-5O-B-R, which was issued on December 31, 2001 and expired on December 31, 2006. The 12/31/01 WDL authorized the discharge of blueberry processing wastewater via a surface wastewater disposal system located in Deblois, Maine. Wyman's has applied for authorization to discharge storm water associated with an industrial activity from its Deblois facility to Great Falls Branch, Class A, in Deblois, Maine.

2. REGULATORY SUMMARY

Regulatory: On January 12, 2001, the Department received authorization from the U.S. Environmental Protection Agency (USEPA) to administer the National Pollutant Discharge Elimination System (NPDES) permit program in Maine, excluding areas of special interest to Maine Indian Tribes. From that point forward, the program has been referred to as the Maine Pollutant Discharge Elimination System (MEPDES) permit program. The Department is issuing a combined Maine Waste Discharge License (WDL) for the discharge of blueberry processing waste waters to ground water via spray irrigation and a MEPDES permit for the discharges of storm water to Great Falls Branch. A new MEPDES permit number of ME0036919 has been assigned and will be utilized as the primary reference number for Wyman's Deblois facility.

3. PERMIT SUMMARY

a. Terms and Conditions: **This permitting action is similar to the 12/31/01 licensing action in that it is**

For Lagoon Effluent (PCS ID #004A):

1. Carrying forward the daily maximum reporting requirement for specific conductance;
2. Carrying forward the daily pesticides concentration reporting requirements;

For Spray Irrigation Fields (PCS ID SF1 and SF2):

3. Carrying forward the minimum monitoring frequency requirement for application rate;

For Ground Water Well Monitoring Locations (PCS ID #004C, #005, and #006):

4. Carrying forward the daily maximum nitrate-nitrogen concentration limitation of 10 mg/L;
5. Carrying forward the daily maximum concentration reporting requirements for TSS and pesticides;
6. Carrying forward the daily maximum reporting requirement for depth to water level below land surface;
7. Carrying forward the daily maximum reporting requirement for specific conductance; and

3. PERMIT SUMMARY (cont'd)

8. Carrying forward the daily maximum temperature reporting requirement.

This permitting action is different from the 12/31/01 licensing action in that it is:

For Lagoon Effluent (PCS ID #004)

1. Establishing a daily maximum temperature reporting requirement;
2. Eliminating the daily maximum concentration reporting requirement for chemical oxygen demand (COD);
3. Eliminating the daily maximum concentration limitation of 100 mg/L and establishing daily maximum concentration reporting requirements for biochemical oxygen demand (BOD_5) and total suspended solids (TSS);
4. Eliminating the pH range limitation and establishing a report only requirement for this parameter;
5. Revising the lagoon freeboard condition as specified in Special Condition K of this permit;
6. Revising the minimum monitoring frequency requirement for BOD_5 ,TSS, specific conductance to once per month during the months of April, May, August and October;
7. Establishing Special Condition C, Treatment Plant Operator, which requires that the facility must be operated by a person holding a minimum of a Grade II certificate (or Registered Maine Professional Engineer);

For Spray Irrigation Fields (PCS ID SF1 and SF2):

8. Revising the spray irrigation application rate of 75,600 gallons per acre from a weekly maximum to a weekly average limitation;
9. Eliminating the COD mass reporting requirement;
10. Eliminating the total nitrogen (as N) mass reporting requirement;

For Ground Water Well Monitoring Locations (PCS ID #004C, #005, and #006):

11. Eliminating the daily maximum concentration reporting requirements for total Kjeldahl nitrogen (TKN);
12. Eliminating the dissolved oxygen (DO) report only requirement; and
13. Eliminating the pH range limitation and establishing a pH reporting requirement;
14. Revising the minimum monitoring frequency requirement to twice per year during the months of May and October;

For Soil Sampling:

15. Eliminating all soil monitoring and reporting requirements consistent with the conditions of licenses issued in Maine for the discharge of blueberry process wastewater via spray irrigation; and

3. PERMIT SUMMARY (cont'd)

For Storm Water:

16. Authorizing the discharge of an unspecified quantity of storm water associated with industrial activity via four outfall points (007, 008, 009 and SF#2) and establishing Special Condition G which requires the facility to implement and maintain as current a Storm Water Pollution Prevention Plan (SWPPP) in accordance with the Department's Multi-Sector General Permit for Storm Water Associated with Industrial Activity for all discharges of storm water to Great Falls Branch.

b. History: Relevant licensing/permitting actions include the following:

December 31, 2001 – The Department issued WDL # W007847-5O-B-R to Wyman's for a five-year term. The 12/31/01 WDL, which expired on December 31, 2006, superseded previous WDLs issued on July 15, 1994, November 14, 1989, and March 17, 1987.

October 11, 2005 – The Department issued the Multi-Sector General Permit for Storm Water Discharges Associated with Industrial Activity, WDL #W008227-5Y-A-N, for a five-year term. The MEPDES General Permit superseded the USEPA Multi-Sector General Permit for Maine, which expired on October 30, 2005.

December 20, 2005 – Wyman's notified the Department that it intended to seek coverage for the discharge of storm water from the Deblois facility through an individual MEPDES permit. On January 9, 2006, the Department notified Wyman's that coverage for storm water discharges could be provided through modification of the 12/31/01 WDL.

August 23, 2006 – Wyman's submitted a timely and complete General Application to the Department for renewal of the 12/31/01 WDL. The application included a request to include storm water discharges associated with industrial activity. The application was accepted for processing on August 24, 2006 and was assigned WDL # W007847-5O-C-R/MEPDES #ME0036919.

c. Source Description – Blueberry Process:

The Jasper Wyman & Son processing facility in Deblois, Maine is a blueberry processing facility. Raw product is harvested, received at the facility, cleaned and flash frozen through freezing tunnels, packaged, and labeled. Frozen blueberries are also stored in bulk and packaged for retail sale at a later date. The facility is located on State Route 193 adjacent to the West Blueberry Barren in Deblois. A map created by the Department showing the location of the facility and wastewater spray irrigation fields is included as Attachment A of this fact sheet. The facility processes an average of 600,000 pounds per day of blueberries for a 4-6 week period during the months of July, August and September of each year. A total of approximately 21 million pounds of blueberries are processed at the facility each year.

3. PERMIT SUMMARY (cont'd)

Wyman's utilizes ground water and surface water from an irrigation pond for processing operations at the facility. Process wastewater is generated from two blueberry processing lines (referred to as Processing Lines #1 and #2). Both processing lines incorporate a wastewater minimization/recycling program. Wastewater consists of blueberry wash water, spillage and clean-up water, pre-freezer de-watering water, freezer defrost water, freezer condensate water, blueberry field container wash water, and processing equipment wash water.

Wyman's reported in its General Application that the company may utilize sodium hypochlorite and quantrum yellow for sanitation and disinfection purposes during production or clean-up operations at the facility. Wyman's further reported that the company may utilize chlorothanlon, phosmet, propiconazole, in projects or processing at the facility. Wyman's stated its intent to report to the Department use of any other insecticide, herbicide, or pesticide other than the three listed above.

d. Wastewater Treatment – Blueberry Process:

Facility process wastewater is collected in two 4,000-gallon holding sumps (one for each processing line) and then pumped through a solids separator to a 1.5 million gallon wastewater storage lagoon via subsurface piping. The lagoon measures approximately 300 feet long by 180 feet wide with a mean depth of 5 feet, a maximum depth of 7 feet, and a 2-foot deep clay liner. As lagoon level requires, wastewater is pumped through temporary (seasonally placed) above-ground pipes to two spray irrigation fields. Site #1 is located south of Hatchery Road and consists of 8 lateral lines on 7.5 acres. Site #2 is located north of Hatchery Road and consists of 9 lateral lines on 8.6 acres. The main lines consist of 6-inch diameter piping, while the lateral lines are 2-inch diameter piping. The two spray fields contain 64 spray stations. Each spray day, Wyman's physically places 9-Nelson Series F70P spray guns at various spray stations to insure distribution of the wastewater spray under appropriate conditions over the two fields. Each spray gun distributes waste water over a 140-foot diameter circle at 60 pounds per square inch pressure. Wyman anticipates spraying for 6.5 to 8 hours per application within the requirements specified in the Department License. A facility water use schematic submitted as Attachment 1 of Wyman's General Application is included as Attachment B of this fact sheet.

e. Spray Area Site Conditions: A Class A High Intensity Soil Survey of spray site #1 was conducted by Stephen Howell, a Certified Soil Scientist with Civil Engineering Services in 1989. The spray site is composed of Adams soils with 8 to 12 inches of fine sandy loam and sandy loam over loamy sand with slopes ranging from 0 to 6 percent. The site occurs on a broad outwash plain of coarse-grained glaciomarine deposits on an area mapped as a significant sand and gravel aquifer by the Maine Geologic Survey. Mr. Howell hypothesized that the site's loamy surface reduces soil infiltration and permeability in the upper 8 to 12 inches and may reduce the significance of the soil as an aquifer. The site is currently a grassy field.

3. PERMIT SUMMARY (cont'd)

A Class B High Intensity Soil Survey of spray site #2 was conducted by Paul Corey, a Certified Soil Scientist with S.W. Cole Engineering, Inc., in 1994. The spray site is comprised of Adams soils that are nearly level to gently sloping with slopes ranging from 0 to 8 percent. Permeability in the Adams series is typically in the range of 6 to 20 inches per hour throughout the soil profile. However, due to the sandy loam texture of the surface and upper subsoil, permeability in the upper 15 inches of the site soil is in the range of 2 to 6 inches. This upper soil layer will increase the attenuation time of the wastewater within the most biologically and chemically active portion of the soil, thereby increasing the treatment of the wastewater. The site is a field with herbaceous stage vegetation, devoid of higher vegetative strata.

f. Source Description – Storm Water Associated With Industrial Activity:

On October 11, 2005, the Department issued the Maine Pollutant Discharge Elimination System Multi-Sector General Permit (MSGP) for storm water discharges associated with industrial activities. The storm water discharges from Wyman's Deblois facility qualify for coverage under Sector U, *Food and Kindred Products*, of the MSGP. Wyman's, however, seeks authorization for the storm waste discharges listed in the table below under this individual MEPDES permit. The terms and conditions of this permit are consistent with those established in the MSGP for Sector U.

Based on information provided by Wyman's, discharges of storm water associated with this industrial site are intermittent in nature. Spray application of process waste water does not occur during storm events and spray irrigation activities alone would not result in a discharge to Great Falls Branch. Control measures for storm water discharges include erosion control using vegetation cover, when practical, or other stabilization methods, such as mulching, gravel or stone cover, or soil stabilization fabrics. Wyman's employs best management practices (BMPs) to prevent or mitigate pollution of storm water generated at the site, including employee training, good house-keeping practices (handling and storage of potential polluting materials), dust management (mobilization of suspended solids), minimization of potential for spills including a current Spill Prevention Control and Countermeasures Plan (SPCC), site and perimeter erosion control, and routine visual inspections and corrective action procedures. Additionally, Special Condition G of this permit requires Wyman's to develop (by April 1, 2007), maintain, and update as necessary a Storm Water Pollution Prevention Plan (SWPPP) for the facility. The SWPPP requirements are intended to facilitate a process whereby the permittee thoroughly evaluates potential pollution sources at the blueberry processing facility and selects and implements appropriate measures to prevent or control the discharge of pollutants in storm water runoff. The process involves the following four steps: (1) formation of a team of qualified facility personnel who will be responsible for preparing the SWPPP and assisting the facility manager in its implementation; (2) assessment of potential storm water pollution sources; (3) selection and implementation of appropriate management practices and controls; and (4) periodic evaluation of the effectiveness of the plan to prevent storm water contamination and comply with the terms and conditions of the permit.

3. PERMIT SUMMARY (cont'd)

Based on information contain in Wyman's application, storm water discharges associated with this industrial site are generated as follows:

Outfall No.	Area	Direction of Flow	Total Area Drained	Average Discharge* ** (gallons per day)
007	Storm water drainage from Spray Field #1 and gravel access roads located north of the processing building to a drainage ditch located off of the southeast corner of SF#1	Natural topography carried storm water runoff southeast towards a drainage ditch which eventually carries storm water off-site to the Great Falls Branch	1,462,029 square feet	110,259 GPD
008	Northern side of site between processing building and SF#1 and western side of site (paved and unpaved portions) located between processing building and Route 193	Natural topography, graded surface and catch basin divert storm water both above ground and through buried piping to a drainage ditch which eventually carries storm water off-site to the Great Falls Branch	285,935 square feet	21,564 GPD
009	Southern and eastern sides of site	Natural topography and graded surfaces divert storm water through a series of drainage ditches to wooded land east of the processing building and eventually to the Great Falls Branch	583,898 square feet	44,035 GPD
SF#2	Spray Field #2	Natural topography allows storm water to sheet flow northeast toward the Great Falls Branch with no discernible flow or drainage path observed	8.6 acres	*Storm water discharge rates based on multiplying total area drained by average annual rainfall of 44.2" for Washington County divided by 365 days

** It is noted that this permit does not limit the discharge flow rate for storm water. These average discharge figures are provided for informational purposes only.

3. PERMIT SUMMARY (cont'd)

As noted on USEPA Form 3510-2E included with Wyman's general application for renewal of the 12/31/01 license, the facility performs vehicle washing at their Deblois facility during the months of May through November of each year for a fleet of approximately 32 vehicles. The washing activity occurs on a designated paved area located to the northwest of the maintenance garage. The location of the wash area is limited by available plumbing and external water sources. Vehicles are washed using a high pressure, low volume steam cleaning system. Wyman's estimates that vehicles are washed once per month on average during May through November. Each vehicle wash period is approximately 15 minutes in length and generates approximately 30 gallons of wash wastewater. During the months of July and August, the vehicle wash water is diverted to the irrigation storage lagoon located to the north of the site and not to the storm water collection system identified and referenced to as Outfall #008. Wash water that is not diverted drains from the wash area to the north and into a catch basin. The catch basin sump allows some settling of solids. Wyman's indicated the catch basins will be cleaned at least once per year to allow the sump to function as intended. The catch basin outlet drains to Outfall 008. Flow from the pipe then drains to a densely vegetated ditch which is approximately 300 feet long and then through a vegetated buffer which is approximately 200 feet in width. The direction from the buffer ultimately enters an adjacent wetland area and Great Falls Branch.

Appendix U of the Multi-Sector General Permit, Section 3.a specifies that discharges of vehicle wash water, a non-storm water discharge, are not authorized under the general permit. Maine law, 38 M.R.S.A. §465 (2)(C.) states, *"Except as provided in this paragraph, direct discharges to these waters licensed after January 1, 1986 are permitted only if, in addition to satisfying all the requirements of this article, the discharged effluent will be equal to or better than the existing water quality of the receiving waters. Prior to issuing a discharge license, the department shall require the applicant to objectively demonstrate to the department's satisfaction that the discharge is necessary and that there are no other reasonable alternatives available."* The applicant has not objectively demonstrated to the Department that the discharge is necessary and that there are no other reasonable alternatives available. Therefore, this permit does not authorize the direct discharge of vehicle was wastewater to Great Falls Branch. Vehicle wash activities that may result in a discharge to Great Falls Branch must be altered to prevent an unlicensed discharge and violation of Maine law, 38 M.R.S.A. §413.

g. Sanitary Wastewater: Sanitary wastewater generated at the facility is disposed of in accordance with the Maine Department of Health and Human Services' Subsurface Wastewater Disposal Rules. Wyman's has not applied to the Department for the discharge of sanitary waste waters.

4. CONDITIONS OF PERMITS

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

5. RECEIVING WATER QUALITY STANDARDS

Maine law, 38 M.R.S.A §470 classifies the groundwater at the point of discharge as Class GW-A waters. Maine law, 38 M.R.S.A., §465-C describes the standards for Class GW-A waters as the highest classification of groundwater and shall be of such quality that it can be used for public water supplies. These waters shall be free of radioactive matter or any matter that imparts color, turbidity, taste or odor which would impair the usage of these waters, other than occurring from natural phenomena.

Maine law, 38 M.R.S.A. §467 (6-A)(B) classifies Great Falls Branch as a Class A waterbody. Maine law, 38 M.R.S.A §465 (2) describes the standards for Class A waters.

6. RECEIVING WATER QUALITY CONDITIONS

The State of Maine 2004 Integrated Water Quality Monitoring and Assessment Report, prepared by the Department pursuant to Sections 303(d) and 305(b) of the Federal Water Pollution Control Act, lists a 2.0-mile reach of Great Falls Branch at Deblois (Hydrologic Unit Code #ME00105000209 / Waterbody ID #512R) as, *"Category 5-A: Rivers and Streams Impaired by Pollutants Other Than Those Listed in 5-B Through 5-D (TMDL Required)."* The Report specifies that the Total Maximum Daily Load (TMDL) is scheduled to be completed in calendar year 2012. The Report specifies that the waterbody is impaired for the aquatic life standards for Class A waters, and lists agricultural non-point source pollution as the potential source resulting in the impairment status. The Department has no information that the discharge of storm water runoff associated with Wyman's industrial activity causes or contributes to impairment of the aquatic life standards for Great Falls Branch.

The Report lists all of Maine's fresh waters as, *"Category 4-B-3: Waters Impaired by Atmospheric Deposition of Mercury. Regional or National TMDL may be Required."* Impairment in this context refers to a statewide fish consumption advisory due to elevated levels of mercury in some fish tissues. The Report states, *"the impairment is presumed to be from atmospheric contamination and deposition. The advisory is based on probability data that a stream, river, or lake may contain some fish that exceed the advisory action level. Any freshwater may contain both contaminated and uncontaminated fish depending on size, age and species occurrence in that water."*

7. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

Blueberry Process Waste Waters and Ground Water Monitoring

The two ground water monitoring wells referenced in this permitting action are SF1 which is located south of Hatchery Road in Deblois and SF2 located north of Hatchery Road. These ground water wells shall be monitored in this permitting action.

The Department has established lagoon effluent, spray irrigation, and ground water monitoring parameters in order to provide consistency across similar facilities now licensed by the Department. To be consistent with other similar licenses, groundwater sampling shall now be conducted in May, and October.

Slow rate land irrigation treatment is an environmentally-sound and appropriate technology for best practicable treatment and disposal of wastewater. The theory behind surface wastewater disposal systems is to utilize the top 10-12 inches of organic matter and in-situ soils to attenuate the pollutant loadings in the applied wastewaters. The soils and vegetation within the spray field area will provide adequate filtration and absorption to preserve the integrity of the soil, and both surface and ground water quality in the area.

The permittee shall periodically monitor the lagoon effluent, spray irrigation fields, and ground water monitoring locations on site at the specified frequencies and locations as called for in Special Condition A of this permit.

a. Spray Irrigation Application Rate: The previous licensing action established, and this permitting action is carrying forward, a weekly maximum application rate of 75,600 gallons/acre for the two spray irrigation fields (PCS ID SF1 and SF2), and is eliminating the daily maximum and hourly maximum application rate limitations consistent with the conditions for other blueberry process wastewater discharge licenses in Maine. The weekly average limitation is based on the on the characteristics of in-situ soils and to ensure a margin of safety against hydraulically overloading a spray area on any one given day. This permitting action authorizes the use of the spray irrigation system during the period of April 15 through November 15 of each year, provided compliance with the other terms and conditions of this permit. The irrigation flow rate shall be calculated on a daily basis when the system is in use. This permitting action establishes a monthly total reporting requirement for total gallons of wastewater applied to the two spray sites consistent with the conditions for other blueberry process wastewater discharge licenses in Maine.

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

b. Biochemical Oxygen Demand (BOD_5) and Total Suspended Solids (TSS): The previous licensing action established daily maximum concentration limits of 100 mg/L for BOD_5 and TSS for lagoon effluent (PCS ID #004A) based on a Department best professional judgment (BPJ) of best practicable treatment (BPT) for spray irrigation facilities. BOD_5 is the rate at which organisms use the oxygen in waste water while stabilizing decomposable organic matter under aerobic conditions. BOD_5 measurements indicate the organic strength of wastes in water. TSS consists of both settleable and non-settleable solid materials contained in the wastewater. Monitoring for these parameters yields an indication of the effectiveness of the lagoon treatment process and the condition of the wastewater being applied. In this permitting action, the Department is establishing daily maximum lagoon effluent concentration reporting requirements for BOD_5 and TSS rather than numeric limitations to assist in the development of appropriate technology-based (BPT) limitations for the blueberry processing industry. This permitting action is revising the minimum monitoring frequency requirement to once per month during the months of April, May, August and October of each year.

This permitting action is carrying forward the daily maximum TSS concentration reporting requirement for the ground water monitoring wells (PCS ID #004C, #005, and #006) and is revising the minimum monitoring frequency requirement to twice per year during the months of May and October of each year.

c. pH: The previous licensing action established a daily maximum pH range limitation of 6.0 – 8.5 standard units (SU) for lagoon effluent based on a Department BPJ of BPT for spray irrigation facilities. The Department has since reconsidered the numeric pH range limitation and determined that a report only requirement is appropriate for the discharge of blueberry processing wastewater via spray irrigation, as the soil conditions and blueberry growing medium requires more acidic conditions than typical biologic treatment systems. The permittee is required to report lagoon effluent pH in standard units. pH is considered a "field" parameter meaning that it is measured directly in the field via instrumentation and does not require laboratory analysis. It is considered a surveillance level monitoring parameter that is used as an early-warning indicator of potential ground water contamination. This permitting action is revising the minimum monitoring frequency requirement to once per month during the months of April, May, August and October of each year and to twice per year for monitoring well testing.

This permitting action is carrying forward the daily maximum pH reporting requirement for the ground water monitoring wells and is revising the minimum monitoring frequency requirement to twice per year during the months of May and October of each year.

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

d. Chemical Oxygen Demand (COD): The previous licensing action established daily maximum COD concentration reporting requirements for lagoon effluent, spray irrigation fields, and ground water monitoring wells. The Department has since reconsidered the COD monitoring requirements for spray irrigation facilities and has made a best professional judgment determination based on a review of historical discharge and monitoring values for this parameter that monitoring requirements or limits for COD are not necessary to ensure the discharge receives best practicable treatment and that receiving water quality is protected. Therefore, this permitting action eliminates COD monitoring consistent with the licenses issued for other spray irrigation facilities.

e. Lagoon Freeboard: The previous licensing action established a daily maximum lagoon freeboard limitation of $\geq$1.0 foot as measured to the nearest one tenth ($1/10^{th}$) of a foot. In this permitting action, the Department has established a new condition (Special Condition K of this permit) which requires the permittee to maintain freeboard of the lagoon at design levels or at least 2 feet, whichever is greater.

f. Specific Conductance: The previous licensing action established, and this permitting action is carrying forward, a daily maximum reporting requirement for specific conductance for lagoon effluent and ground water monitoring wells. Specific conductance is considered a "field" parameter, meaning that it is measured directly in the field via instrumentation and does not require laboratory analysis. It is considered a surveillance level monitoring parameter that is used as an early-warning indicator of potential ground water or surface water contamination. This permitting action is revising the minimum monitoring frequency requirement for lagoon effluent to once per month during the months of April, May, August and October of each year and to twice per year during the months of May and October of each year for ground water monitoring wells.

g. Insecticides, Fungicides, Herbicides: The previous licensing action established daily maximum concentration reporting requirements for chlorothalonil, phosmet, and propiconazole in the lagoon effluent. Wyman's stated on Department Form DEPLW1999-19, Food Processing Facilities, included as part of the general application for renewal of the 12/31/01 license, that the facility utilizes chlorothanlon, phosmet, propiconazole in products or processing.

Farmers may utilize insecticides (phosmet), fungicides (chlorothalonil, propiconazole), and other pesticides on the crop at various times during berry producing years. Based on varying persistence of these chemicals in water and soil, in consideration of pre-harvest time of application requirements, and based on the concentration of these chemicals in facility wastewater, the Maine Board of Pesticide Control has recommended that levels of each of these chemicals be monitored in lagoon effluent, and ground water monitoring wells.

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

This permitting action requires the permittee to report to the Department and the Maine Board of Pesticide Control at least 30 days prior to commencing the spray irrigation system each year, any insecticides, fungicides, and herbicides (collectively referred to as pesticides) that have been or may be used during the calendar year on blueberries processed through the facility that are not identified in this permit. Such notification shall include analytical methods available to test for each pesticide. Based on this information, and any other information that may become available, the Department may suspend testing for pesticide(s) if they are not in use or detected in sampling, and may require testing for specific pesticides if warranted. Sampling for specific pesticide parameters shall continue at a frequency of once per month until the effluent concentration is below the Department's reporting limit or the most current Maximum Exposure Guidelines (MEG) for Drinking Water published by the State of Maine Department of Health and Human Services, whichever is less. Analytical result shall be provided to the Department as an attachment to the Discharge Monitoring Report.

This permitting action is revising the minimum monitoring frequency requirement for lagoon effluent to once per month during the months of April, May, August and October of each year.

The previous licensing action established daily maximum concentration reporting requirements for chlorothalonil and propiconazole for ground water monitoring wells during the months of May, August and October of each year. This permitting action is revising the monitoring requirement to once per month during the months of May and October of each year. Additionally, the permittee shall conduct ground water sampling at a minimum frequency of once per month for any pesticide detected at or above the Department's RL or the most current MEG, whichever is less, in lagoon effluent or ground water wells. Ground water monitoring for specific pesticides shall continue at once per month until lagoon effluent and ground water well levels are below the respective RL or MEG.

h. Nitrate-nitrogen, Total Kjeldahl Nitrogen, Total Nitrogen (as N), and Organic Nitrogen: Nitrogen assumes different forms depending upon the oxidation-reduction conditions in the soil and ground water. The presence of a particular form of nitrogen indicates the nutrient attenuation capacity of the spray site. The monitoring requirements included in this permitting action for nitrate nitrogen in the lagoon effluent and total nitrogen are important in determining the effectiveness of the treatment process. The monitoring well sampling can also help identify chronic leakage from the lagoon or overloading of the spray sites. Nitrogen compounds can indicate human health concerns if elevated in a drinking water supply. The 10 mg/l limit for nitrate nitrogen in monitoring wells is based on state and federal drinking water standards.

The Department considers the required monitoring for nitrate-nitrogen in ground water to provide accurate and sufficient analysis of site conditions and effects from the treatment process.

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

This permitting action is establishing a daily maximum nitrate-nitrogen concentration reporting requirement for lagoon effluent and a minimum monitoring frequency requirement of once per month during the months of April, May, August and October.

The previous licensing action established, and this permitting action is eliminating, the daily maximum mass reporting requirement for total nitrogen (as N) for the spray irrigation field. The Department is making a best professional judgment determination that nitrate-nitrogen monitoring in the effluent and ground water wells provides adequate information as to the effectiveness of the treatment system and conditions of receiving waters.

The previous licensing action established, and this permitting action is carrying forward, a daily maximum concentration limitation of 10 mg/L for nitrate-nitrogen and a daily maximum concentration reporting requirement for TKN in the ground water monitoring wells. This permitting action is revising the minimum monitoring frequency requirement twice per year during the months of May and October of each year.

i. Depth to Water Level Below Land Surface: The previous licensing action established, and this permitting action is carrying forward, a daily maximum reporting requirement for depth to water level below land surface at the ground water monitoring wells. This permitting action is revising the minimum monitoring frequency requirement to three times per year during the months of May, August and October of each year. Measurements will be used to monitor representative ground water conditions.

j. Dissolved Oxygen: The previous licensing action established a daily maximum concentration reporting requirement for dissolved oxygen (DO) for ground water monitoring wells. The Department has since reconsidered this monitoring requirement and determined that ground water monitoring for DO at blueberry process wastewater spray irrigation sites is not necessary. Ground water DO monitoring is being eliminated in this permitting action.

k. Temperature: The previous licensing action established, and this permitting action is carrying forward, a daily maximum temperature reporting requirement for ground water monitoring wells. Temperature is considered a "field" parameter, meaning that it is measured directly in the field via instrumentation and does not require laboratory analysis. It is considered a surveillance level monitoring parameter that is used as an early-warning indicator of potential ground water contamination. This permitting action is revising the minimum monitoring frequency requirement to twice per year during the months of May and October of each year. This permitting action is establishing a daily maximum temperature monitoring requirement for lagoon effluent consistent with the monitoring requirements established for other spray irrigation facilities in Maine.

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

1. Soil Sampling: The previous licensing action established daily maximum reporting requirements for nitrate-nitrogen, TKN, organic nitrogen, total phosphorous, potassium, cation exchange capacity, pH, chlorothalonil, phosmet, and propiconazole during the first and fifth years of the license. The Department has since determined routine soils monitoring for blueberry process wastewater discharges via spray irrigation is not necessary and is eliminating these monitoring requirements.

8. STORM WATER POLLUTION PREVENTION PLAN (SWPPP)

With respect to storm water runoff discharged to Great Falls Branch, this permitting action requires the facility to submit to the Department for review and comment, maintain as current, and periodically update a Storm Water Pollution Prevention Plan (SWPPP) for the facility that is consistent with the SWPPP requirements established in the Department's *Multi-Sector General Permit Maine Pollutant Discharge Elimination System Stormwater Discharge Associated with Industrial Activity*, dated October 11, 2005. As the site or any operations conducted on it have changed or are expected to change materially or substantially, the permittee shall modify its SWPPP as necessary to include such changes and notify the Department within 90 days of such modifications to the plan. The permittee shall maintain a copy of the SWPPP and any subsequent revisions at the terminal and shall make the plan available to any Department or USEPA representative upon request.

The SWPPP requirements are intended to facilitate a process whereby the permittee thoroughly evaluates potential pollution sources at the power generating station and selects and implements appropriate measures to prevent or control the discharge of pollutants in storm water runoff. The process involves the following four steps: (1) formation of a team of qualified facility personnel who will be responsible for preparing the SWPPP and assisting the terminal manager in its implementation; (2) assessment of potential storm water pollution sources; (3) selection and implementation of appropriate management practices and controls; and (4) periodic evaluation of the effectiveness of the plan to prevent storm water contamination and comply with the terms and conditions of the permit.

9. DISCHARGE IMPACT ON RECEIVING WATER QUALITY

As permitted, the Department has determined the existing water uses will be maintained and protected and the discharges will not cause or contribute to the failure of the water body to meet standards for Class GW-A (spray irrigation) or Class A (storm water) classifications.

10. PUBLIC COMMENTS

Public notice of this application was made in the *Downeast Coastal Press* newspaper on or about August 22, 2006. 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 shall have at least 30 days in which to submit comments on the draft or to request a public hearing, pursuant to Chapter 522 of the Department's rules.

11. DEPARTMENT CONTACTS

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

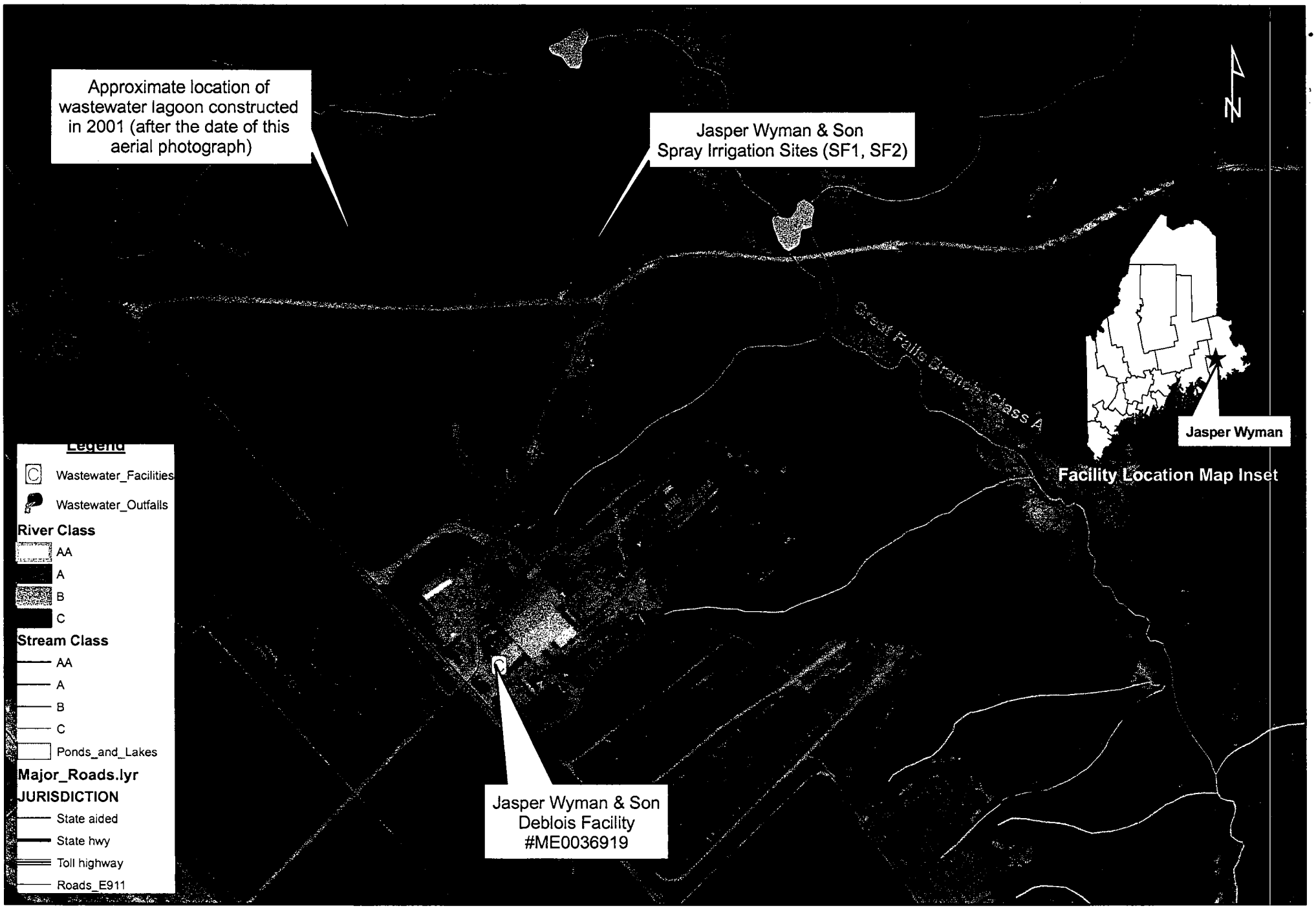
William F. Hinkel
Division of Water Quality Management
Bureau of Land & Water Quality
Department of Environmental Protection
17 State House Station
Augusta, Maine 04333-0017 Telephone: (207) 287-7659 Fax: (207) 287-3435
e-mail: bill.hinkel@maine.gov

12. RESPONSE TO COMMENTS

During the period of January 17, 2007 through February 15, 2007, the Department solicited comments on the proposed draft Maine Pollutant Discharge Elimination System Permit to be issued to Wyman's for the proposed discharge. The Department received no significant comments on the proposed draft permit. However, it came to the attention of the Department during the draft comment period that there were some inconsistencies in the monitoring requirements in draft permit as compared to the requirements established in waste discharge licenses issued for other spray irrigation facilities. Therefore, the following changes were made to the draft permit:

Lagoon effluent, spray field, and ground water well monitoring for Total Kjeldahl Nitrogen (TKN) and Chemical Oxygen Demand (COD) have been eliminated in the final permit. The Department has reviewed discharge and ground water monitoring data for these parameters and has determined that monitoring requirements or limits are not necessary to ensure that the effluent receives best practicable treatment and that receiving water quality will not be adversely impacted. The total nitrogen reporting requirement for the spray fields has been eliminated as the Department has determined that effluent monitoring for nitrate-nitrogen yields an indication of the effectiveness of the lagoon treatment process and the condition of the waste water being applied. A daily maximum temperature reporting requirement was added to lagoon effluent monitoring to assist in demonstrating the effectiveness of the lagoon treatment process and the condition of the waste water being applied.

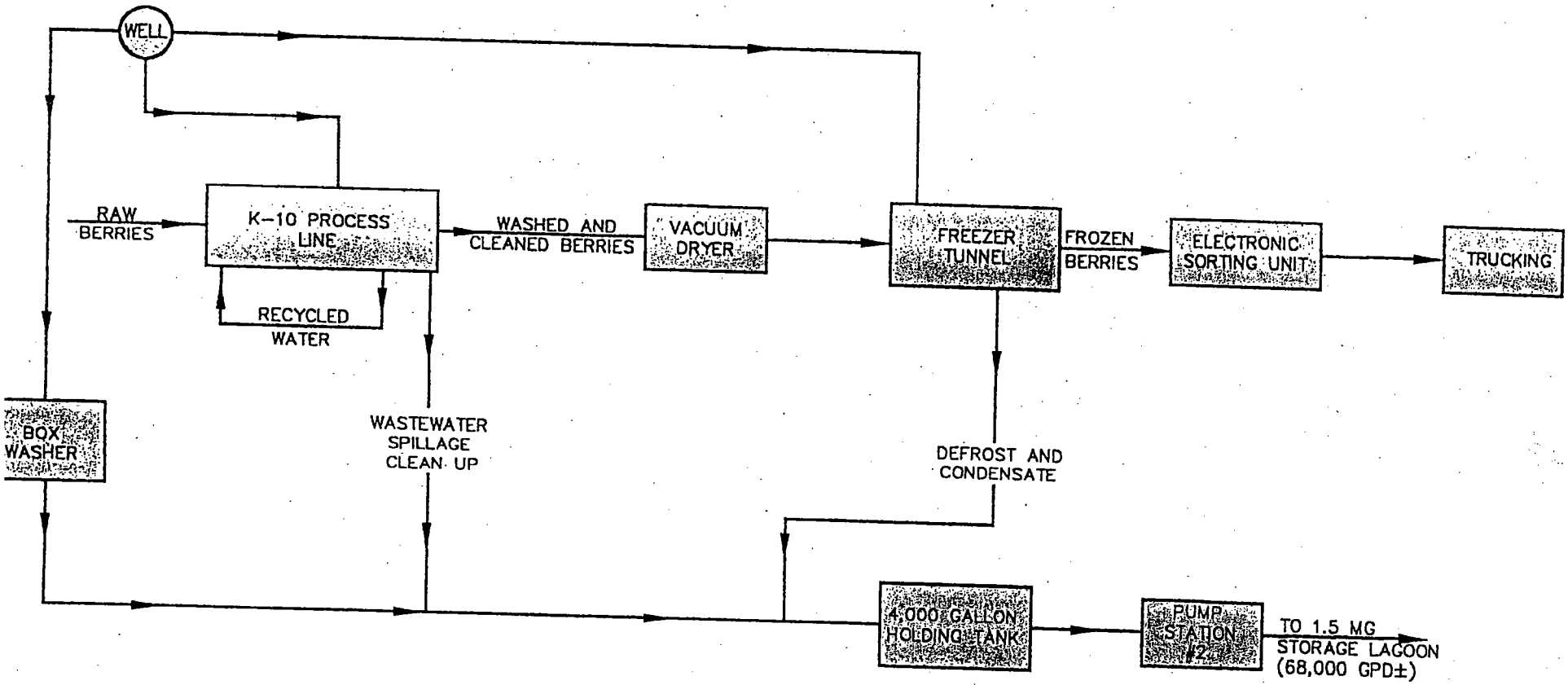
ATTACHMENT A



Deblois, Maine

Map created by Maine DEP
August 10, 2006

ATTACHMENT B



C E S
ENGINEERS · SURVEYORS

Jasper Wyman and Son, Inc.
Deblois Facility - Deblois, Maine

WATER USE SCHEMATIC #2

NEW LINE WITHOUT SUGAR FLOTATION DEVICE

SCALE: NOT TO SCALE
DATE: 6/20/01
JN: 0949

SCH.DWG BH