STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

PAUL R. LEPAGE
GOVERNOR

PATRICIA W. AHO
COMMISSIONER

October 3, 2013

Mr. Gilles R. St. Pierre
Superintendent
Mapleton Sewer District
Mapleton, ME. 04757

RE: Maine Permit Compliance System #MEU508147
Maine Waste Discharge License (WDL) Application #W008147-6B-C-R
Final License

Dear Mr. St. Pierre:

Enclosed please find a copy of your **final** WDL **renewal** which was approved by the Department of Environmental Protection. Please read this license renewal 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 592-7161.

Sincerely,

Cindy L. Dionne
Division of Water Quality Management
Bureau of Land and Water Quality

Enc.
cc: Bill Sheehan, DEP/NMRO
Sandy Mojica, USEPA

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

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

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

PRESQUE ISLE
1235 CENTRAL DRIVE, SKYWAY PARK
PRESQUE ISLE, MAINE 04679
(207) 764-0477 FAX: (207) 760-3143

web site: www.maine.gov/dep

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

DEPARTMENT ORDER

IN THE MATTER OF

MAPLETON SEWER DISTRICT	)	PROTECTION AND IMPROVEMENT
MAPLETON, AROOSTOOK CTY., MAINE	)	OF WATERS
PUBLICLY OWNED TREATMENT WORKS	)	
SURFACE WASTEWATER DISPOSAL SYSTEM)		
#MEU508147	)	WASTE DISCHARGE LICENSE
#W008147-6B-C-R **APPROVAL**	)	**RENEWAL**

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

APPLICATION SUMMARY

MSD submitted a timely and complete application to the Department for renewal of Waste Discharge License (WDL) #W008147-5L-B-R / Permit Compliance System (PCS) tracking #MEU508147 which was issued on July 3, 2008 for a five year term. The 7/3/08 WDL authorized MSD to discharge 40 million gallons annually of treated sanitary wastewater to ground water via spray irrigation to land in Mapleton, Maine.

The Department issued an administrative modification on February 18, 2005 to eliminate all underdrain monitoring requirements with the exception of nitrate nitrogen. Also, the 2/18/05 modification reduced the nitrate-nitrogen sampling frequency to 1/Year, to be conducted in the month of August.

LICENSE SUMMARY

This licensing action is carrying forward all the terms and conditions of the previous license except it is:

1. Eliminating the soil sampling requirement as conditioned in the 7/3/08 license;

2. Removing the requirement to test for Mercury in Storage Lagoon Effluent or monitoring wells;

3. The weekly maximum application rate of wastewater discharged to the Spray Irrigation and Snow Spraying fields will no longer be reported to the Department in gallons per acre. Rather a maximum weekly volume is being established to allow for flexibility in better management of the fields;

4. Eliminating the Special Condition "*Spray Irrigation and Snowmaking Performance Report*"; and

LICENSE SUMMARY (cont'd)

5. Revising the Monthly Operations Log Sheet.

CONCLUSIONS

Based on the findings summarized in the attached Fact Sheet dated October 3, 2013, and subject to the Conditions listed below, the Department makes the following CONCLUSIONS:

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

2. The discharge, either by itself or in combination with other discharges, will not lower the quality of any unclassified body of water below the classification which the Department expects to adopt in accordance with state law.

3. The provisions of the State's antidegradation policy, *Classification of Maine waters*, 38 M.R.S.A. § 464(4)(F), will be met, in that:

   (a) Existing in-stream water uses and the level of water quality necessary to protect and maintain those existing uses will be maintained and protected;

   (b) Where high quality waters of the State constitute an outstanding natural resource, that water quality will be maintained and protected;

   (c) 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 or contribute to the failure of the water body to meet the standards of classification;

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

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

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

This space intentionally left blank.

ACTION

THEREFORE, the Department APPROVES the above noted application of the MAPLETON SEWER DISTRICT to operate a surface wastewater disposal system with a total design capacity of 0.09 MGD, of which the following quantities will be treated and disposed of via spray irrigation:

645,000 gallons per week for Spray Field #SF2 (West, April 1 – November 30); and
663,000 gallons per week for Spray Field #SF3 (East, April 1 – November 30).

A total annual maximum of 24 million gallons will be treated and disposed of at Snowmaking Field #SM1 as identified below:

Unspecified quantity discharged via snowmaking (November 1 – March 31); and
488,700 gallons per week applied by spray irrigation (April 1 – October 31).

All discharge is treated sanitary wastewater to be applied onto land in Mapleton, Maine, SUBJECT TO THE ATTACHED CONDITIONS, and all applicable standards and regulations including:

1. Standard Conditions of Approval for POTW Waste Discharge Licenses dated July 16, 1996, copy attached.

2. The attached Special Conditions, including any effluent limitations and monitoring requirements.

3. This license expires five (5) years from the date of the signature below. If a renewal application is timely submitted and accepted as complete for processing prior to the expiration of this license, the authorization to discharge and the terms and conditions of this license and all modifications and minor revisions thereto remain in effect until a final Department decision on the renewal application becomes effective. [*Maine Administrative Procedure Act*, 5 M.R.S.A. § 10002 and *Rules Concerning the Processing of Applications and Other Administrative Matters*, 06-096 CMR 2(21)(A) (effective April 1, 2003)]

DONE AND DATED AT AUGUSTA, MAINE, THIS 4th DAY OF October 2013.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: Michael Kuhns
For PATRICIA W. AHO, Commissioner

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application: June 7, 2013
Date of application acceptance: June 11, 2013

Date filed with Board of Environmental Protection

Filed
OCT 07 2013
State of Maine
Board of Environmental Protection

This Order prepared by Cindy L. Dionne, BUREAU OF LAND & WATER QUALITY

SPECIAL CONDITIONS

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. The licensee is authorized to discharge treated sanitary wastewater from a storage lagoon to land. The **STORAGE LAGOON EFFLUENT (OUTFALL #001A)** shall be limited and monitored as specified below[1][2].

Effluent Characteristic	Discharge Limitations		Minimum Monitoring Requirements	
	Daily Minimum	Daily Maximum	Measurement Frequency	Sample Type
Biochemical Oxygen Demand *[00310]*	---	100 mg/L *[19]*	1/Month[3] *[01/30]*	Grab *[GR]*
Total Suspended Solids *[00530]*	---	100 mg/L *[19]*	1/Month[3] *[01/30]*	Grab *[GR]*
Nitrate-Nitrogen *[00620]*	---	Report mg/L *[19]*	1/Month[3] *[01/30]*	Grab *[GR]*
pH (Standard Units) *[00400]*	---	Report S.U. *[12]*	1/Month[3] *[01/30]*	Grab *[GR]*
Lagoon Freeboard[4] *[82564]*	Report feet *[27]*	---	1/Week[3] *[01/07]*	Measure *[MS]*
Metals (Total): Arsenic, Cadmium, Chromium, Copper, Lead, Nickel and Zinc *[01002, 01027, 01034, 01042, 01051, 01067, 01092]*	---	Report µg/L *[28]*	1/5 Years[5] *[01/5Y]*	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 through 10 of this license for applicable footnotes.

SPECIAL CONDITIONS

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

2. The application of treated sanitary wastewater to the land at **SPRAY IRRIGATION FIELDS SF#2-West, and SF#3-East (OUTFALLS #SF2A and #SF3A, respectively)** via a spray irrigation system shall be limited to the time period of **April 1 to November 30 of each calendar year** and as specified below:

Effluent Characteristic	Discharge Limitations			Minimum Monitoring Requirements	
	Monthly Total	**Weekly Maximum**	**Daily Maximum**	**Measurement Frequency**	**Sample Type**
SF#2 (West) Application Rate *[51125]*	---	645,000 gallons(6) *[8B]*	---	1/Week *[01/07]*	Calculate *[CA]*
SF#2 (West) Flow *[51500]*	Report Total Gallons *[80]*	---	---	1/Month *[01/30]*	Calculate *[CA]*
SF#3 (East) Application Rate *[51125]*	---	663,000 gallons(6) *[8B]*	---	1/Week *[01/07]*	Calculate *[CA]*
SF#3 (East) Flow *[51500]*	Report Total 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 through 10 of this license for applicable footnotes.

SPECIAL CONDITIONS

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

3. A total annual maximum of 24 million gallons of treated sanitary wastewater shall be applied to the land at **Snowmaking Field (OUTFALL #SM1A)** via a **spray irrigation** system and shall be limited and monitored as specified below:

Effluent Characteristic	Discharge Limitations				Minimum Monitoring Requirements	
	Annual Total	Monthly Total	Weekly Maximum	Daily Maximum	Measurement Frequency	Sample Type
Spray Irrigation (#SM1A) Application Rate *(April 1 – October 31)* *[51125]*	---	---	488,700 gallons(6) *[8B]*	---	1/Week *[01/07]*	Calculate *[CA]*
Snow Making (#SM1A) Application Rate *(November 1 – March 31)* *[51128]*	---	Report (Gallons) *[80]*	---	---	---	---
Flow - Total Gallons Combined Snow and Spray(7) *[51500]*	24 Million Gallons *[57]*	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 through 10 of this license for applicable footnotes.

SPECIAL CONDITIONS

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

4. **GROUNDWATER MONITORING WELLS** MW-1, MW-2, MW-2A, MW-3, MW-3A, MW-4, MW-5, and MW-6 (OUTFALLS # MW1A, MW2A, MW2B, MW3A, MW3B, MW4A, MW5A, and MW6A) shall be limited and monitored as specified below.

Monitoring Characteristic	Limitations	Minimum Monitoring Requirements	
	Daily Maximum	**Measurement Frequency**	**Sample Type**
Depth to Water Level Below Land Surface *[72019]*	Report (feet)[8] *[27]*	2/Year[9] *[02/YR]*	Measure *[MS]*
Nitrate-Nitrogen *[00620]*	10 mg/L *[19]*	2/Year[9] *[02/YR]*	Grab *[GR]*
Specific Conductance [10,11] *[00095]*	Report (umhos/cm) *[11]*	2/Year[9] *[02/YR]*	Grab *[GR]*
Temperature [10] *[00011]*	Report (°C) *[04]*	2/Year[9] *[02/YR]*	Grab *[GR]*
pH (Standard Units) [10] *[00400]*	Report (S.U.) *[12]*	2/Year[9] *[02/YR]*	Grab *[GR]*
Total Suspended Solids *[00530]*	Report (mg/L) *[19]*	2/Year[9] *[02/YR]*	Grab *[GR]*
Metals (Total): Arsenic, Cadmium, Chromium, Copper, Lead, Nickel and Zinc *[01002, 01027, 01034, 01042, 01051, 01067, 01092]*	Report µg/L *[28]*	1/5 Years[5][13] *[01/5Y]*	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 through 10 of this license for applicable footnotes.

SPECIAL CONDITIONS

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

5. Sampling of the LAGOON UNDERDRAIN SYSTEM (OUTFALL #UD1A) shall be conducted as specified below:

Monitoring Characteristic	Limitations		Minimum Monitoring Requirements	
	Weekly Average	Daily Maximum	Measurement Frequency	Sample Type
Nitrate-Nitrogen *[00620]*	---	Report mg/L *[19]*	1/Year[12] *[01/YR]*	Grab *[GR]*

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

FOOTNOTES: See Pages 9 through 10 of this license for applicable footnotes.

SPECIAL CONDITIONS

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

FOOTNOTES

1. **Sampling** – Any change in sampling location must be approved by the Department in writing. The licensee shall conduct sampling and analysis in accordance with; a) methods approved by 40 Code of Federal Regulations (CFR) Part 136, b) alternative methods approved by the Department in accordance with the procedures in 40 CFR Part 136, or c) as otherwise specified by the Department. Samples that are sent out for analysis must be analyzed by a laboratory certified by the State of Maine's Department of Health and Human Services for wastewater. Samples that are sent to a POTW licensed pursuant to *Waste discharge licenses*, 38 M.R.S.A. § 413 are subject to the provisions and restrictions of *Maine Comprehensive and Limited Environmental Laboratory Certification Rules*, 10-144 CMR 263 (last amended February 13, 2000). If the licensee monitors any pollutant more frequently than required by the license using test procedures approved under 40 CFR part 136 or as specified in this license, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the Discharge Monitoring Report.

   All 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 RL achieved by the laboratory for each respective parameter. Reporting a value of <Y that is greater than an established RL or reporting an estimated value ("J" flagged) is not acceptable and will be rejected by the Department. Reporting analytical data and its use in calculations must follow established Department guidelines specified in this license or in available Department guidance documents.

2. **Storage Lagoon Effluent Sampling Location** - Storage lagoon effluent sampling shall be conducted at a point in the operations building prior to being pumped to the spray field(s) or snowmaking field and shall be representative of what is actually being applied to the fields.

3. **Storage Lagoon Effluent Sampling Frequency** - Storage lagoon effluent sampling shall be conducted on a year-round basis. The District is not required to test for the monthly parameters during a month in which no wastewater was disposed of via the disposal system.

4. **Lagoon Freeboard** - Storage lagoon freeboard shall be reported as the mathematical difference between the water level in the lagoon and the lowest elevation point in the lagoon berm. It shall be measured weekly to the nearest one tenth ($1/10^{th}$) of a foot, with the minimum monthly value reported on the Discharge Monitoring Report (DMR). If site conditions prevent safe or accurate measurements, the licensee shall estimate this value and indicate this to the Department.

5. **Screening Level Metals Testing** – The licensee shall conduct one round of testing for the specified metals **during the second or third calendar quarter of the fourth year of the license,** unless otherwise specified by the Department.

SPECIAL CONDITIONS

A. LIMITATIONS AND MONITORING REQUIREMENTS

FOOTNOTES (cont'd)

6. **Weekly Maximum for Spray Irrigation** - "Weekly" is defined as Sunday through Saturday. The licensee shall measure the flow of wastewater to the irrigation area by the use of a flow measuring device that is checked for calibration at least once per calendar year. For DMR reporting purposes, the licensee 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. See Footnote 7 for conditions specific to spray irrigation on the snowmaking field.

7. **Annual Limit** – The snowmaking field is subject to an annual combined snowmaking and spray irrigation application limit of 24 million gallons of wastewater per year. For the purposes of this limit, the "year" shall run from November 1 through October 31. The volume of wastewater allotment remaining after the end of the November 1 through March 31 snowmaking season may be applied through spray irrigation during April 1 through October 31, subject to the application rate and other applicable conditions contained in this license. In addition to the amount of wastewater applied per month via snowmaking and spray irrigation, the licensee shall report the "year's" cumulative amount applied to date.

8. **Depth to Water Level** - Depth to water level shall be 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. **Groundwater Monitoring Frequency** - Groundwater monitoring wells shall be sampled during the months of **May and October** of each year, unless otherwise specified by the Department.

10. **Field Measurements** - 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 licensee is required to test for these parameters whether wastewater was disposed of via the spray-irrigation system or not.

11. **Specific Conductance** - Temperature must be calibrated to 25.0°C. Specific Conductance values are considered to be "field" parameters meaning that they are measured directly in the field via instrumentation and does not require laboratory analysis. However, in certain instances, specific conductance samples may be preserved and forwarded to a laboratory for evaluation. The licensee is required to test for this parameter whether wastewater was disposed of via the spray irrigation system or not. Specific conductance values indicating a statistically significant trend upward or sudden spikes from previous levels may necessitate the need for additional ground water testing requirements.

12. **Lagoon Underdrain Monitoring** - Lagoon underdrain sampling shall be conducted in the month of **August** of each year, unless otherwise specified by the Department. Underdrain samples shall be collected at the manhole structure (MH-B) located just to the northeast corner of the storage lagoon and south of the Operations Building.

SPECIAL CONDITIONS

B. NARRATIVE EFFLUENT LIMITATIONS

1. The effluent shall not contain materials in concentrations or combinations which would impair the usages designated for the classification of the ground water.

2. 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,** Spray Irrigation Treatment System (SITS) certificate a Grade II Biological Treatment System Operator certificate, or a Maine Professional Engineer (PE) certificate pursuant to Title 32 M.R.S.A., Section 4171 et seq. All proposed contracts for facility operation by any person must be approved by the Department before the licensee may engage the services of the contract operator.

D. AUTHORIZED DISCHARGES

The licensee is authorized to discharge only in accordance with: 1) the licensee's General Application for Waste Discharge License, accepted for processing on June 11, 2013; 2) the terms and conditions of this license; and 3) only to the spray irrigation disposal fields identified in the Waste Discharge License application. Discharges of wastewater from any other point source(s) are not authorized under this license, and shall be reported in accordance with Standard Condition B(5), *Bypasses*, of this license.

E. NOTIFICATION REQUIREMENT

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

1. Any introduction of pollutants into the wastewater collection and treatment system from an indirect discharger in a primary industrial category discharging process wastewater; and

2. Any substantial change in the volume or character of pollutants being introduced into the wastewater collection and treatment system by a source introducing pollutants to the system at the time of license issuance. For the purposes of this section, notice regarding substantial change shall include information on:

   (a) the quality and quantity of wastewater introduced to the wastewater collection and treatment system; and

   (b) any anticipated impact caused by the change in the quantity or quality of the wastewater to be discharged from the treatment system.

F. GENERAL OPERATIONAL CONSTRAINTS

1. All wastewater must receive biological treatment through a properly designed, operated and

SPECIAL CONDITIONS

F. GENERAL OPERATIONAL CONSTRAINTS (cont'd)

maintained lagoon system prior to disposal via spray irrigation or snowmaking.

2. The spray irrigation and snowmaking facilities must be effectively maintained and operated at all times so that there is no discharge to surface waters, nor any contamination of groundwater which will render it unsatisfactory for usage as a public drinking water supply.

3. The surface wastewater disposal system shall not cause the lowering of the quality of the groundwater, as measured in the groundwater 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 the groundwater monitoring results indicate adverse effects, the licensee may be required to take immediate remedial action(s), which may include but not be limited to, adjustment of the irrigation schedule or application rates, a reduction of the pollutant loading, or ceasing operation of the system until the Department determines that such actions are no longer required.

4. The Department shall be notified as soon as the licensee becomes aware of any threat to public health, unlicensed discharge of wastewater, sanitary system overflows (SSO's) or any malfunction that threatens the proper operation of the system. Notification shall be made in accordance with the attached Standard Condition #4 of this license. A *sanitary sewer overflow* (SSO) is the release of raw sewage from a sanitary collection system prior to reaching the treatment plant or facility. Spills out of manholes, into basements, onto municipal or private property, etc, and into the waters of the State are all considered to be SSO's.

5. The licensee shall maintain a file on the location of all system components and relevant features. Each component must be mapped and field located sufficiently to allow adequate inspections and monitoring by both the licensee and the Department.

6. All system components including collection pipes, tanks, manholes, pumps, pumping stations, spray / snow disposal fields, and monitoring wells must be identified and referenced by a unique identifier (alphabetic, numeric, or alpha-numeric) in all logs and reports.

7. The licensee must 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 start-up of the spray-irrigation and snowmaking systems**, the licensee must inspect the spray-irrigation and snowmaking site ***or*** have other means to check the system for leakage in the piping system and determine if individual sprayheads and pump(s) are functioning as designed, and verify that application rates are appropriate for the existing site conditions. The procedures used to determine the system is functioning as designed must be described in the facility's O&M manual. Should significant malfunctions or leaks be detected, the licensee must shut down the malfunctioning/leaking sections of the spray and snowmaking system and make necessary repairs before resuming operation. The licensee must cease irrigation if runoff is observed outside the designated boundaries of the spray and snowmaking field(s). The licensee must field calibrate equipment to ensure proper and uniform spray applications when operating. Calibration involves

SPECIAL CONDITIONS

F. GENERAL OPERATIONAL CONSTRAINTS (cont'd)

collecting and measuring application rate at different locations within the application area. A description of the calibration procedures and a log sheet that have been used for recording calibration results must be included as part of the Operations & Maintenance manual.

8. **The licensee must maintain a daily log** of all spray irrigation and snowmaking operations which records the date, weather, rainfall, areas irrigated, volume sprayed (gallons), application rates (daily and weekly), and other relevant observations/comments from daily inspections. The log must be in accordance with the general format of the *"Monthly Operations Log"* form provided as **Attachment A** of this license, or other format approved by the Department. Weekly application rates must be reported in accordance with the general format of the *"Spray Application Report by Week"* form provided as **Attachment B** of this license or other format as approved by the Department. The *Monthly Operations Log and Spray Application Report by Week* for each month must be submitted to the Department as an attachment to the monthly DMRs in a format approved by the Department. Copies will also be maintained on site for Department review and for license operation maintenance purposes.

G. SPRAY IRRIGATION AND SNOWMAKING OPERATIONAL CONSTRAINTS, LOGS, AND REPORTS

1. Suitable vegetative cover must be maintained. Wastewater (as liquid spray irrigation) must not be applied to areas without sufficient vegetation or ground cover as to prevent erosion or surface water runoff outside the designated boundaries of the spray fields. The licensee shall have an updated facilities management plan that includes provisions for maintaining the spray irrigation and snowmaking areas in optimum condition for the uptake of nutrients and moisture holding capacity.

2. At least 10 inches of separation from the ground surface to the ground water table must be present prior to spray irrigating.

3. No wastewater shall be spray irrigated as liquid following a rainfall accumulation exceeding 1.0 inches within the previous 24-hour period. A rain gauge shall be located on site to monitor daily precipitation. The licensee shall also manage application rates by taking into consideration the forecast for rain events in the 48-hour period in the future.

4. No wastewater shall be spray irrigated as liquid where there is snow present on the surface of the ground or there is any evidence of frost or frozen ground within the upper 10 inches of the soil profile.

5. No traffic or equipment shall be allowed in the spray-irrigation and snowmaking field(s) except where installation occurs or where normal operations and maintenance are performed (this shall include forest management operations).

6. Prior to the commencement of spray irrigation for the season, the licensee must notify the Department's compliance inspector in writing that they have verified that soil conditions are

SPECIAL CONDITIONS

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

appropriate (absence of frozen ground, soil conditions, moisture, etc.) for spray irrigation.

7. The licensee must maintain the equivalent of a minimum of one ground water level inspection well per spray field to verify that 10 inches of separation from the ground surface to the observed ground water level is present prior to spraying. Depth to ground water shall be reported in accordance with the general format of *"Monthly Operations Log"* report form provided as **Attachment A** of this license or other format as approved by the Department.

8. Snow from effluent shall only be made when conditions are conducive to snowmaking or ice making as is detailed in the *Ratnik O&M Manual*. When conditions are such that the effluent from the snow guns results in a liquid being sprayed on the site, the operator will cease snowmaking operations until proper conditions exist. Snowmaking will be interrupted to prevent runoff occurring off the site.

H. VEGETATION MANAGEMENT

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

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

I. LAGOON MAINTENANCE

1. The banks of the lagoon shall be inspected periodically during the operating season (at least two times per year) and properly maintained at all times. There shall be no overflow through or over the banks. Any signs of leaks, destructive animal activity or soil erosion of the banks shall be repaired immediately.

2. The banks of the lagoon shall be maintained to keep them free of woody vegetation and other vegetation that may be detrimental to the integrity of the bank and/or lagoon liner. The waters within the lagoon shall be kept free of all vegetation (i.e. grasses, reeds, cattails, etc) that hinders the operation of the lagoon.

3. The licensee shall maintain the lagoon freeboard at a level no higher than design levels.

4. The treatment and storage lagoons shall be dredged as necessary to maintain the proper operating depths in both lagoons that will provide best practicable treatment of the wastewater. All material removed from the lagoon(s) shall be properly disposed of in accordance with all applicable State and Federal rules and regulations.

SPECIAL CONDITIONS

J. INSPECTIONS AND MAINTENANCE

The licensee shall periodically inspect all system components to ensure the facility is being operated and maintained in accordance with the design of the system. Maintenance logs shall be maintained for each major system component including pumps, pump stations, septic tanks, lagoons, spray apparatus, and pipes. At a minimum, the logs shall include the unique identifier [see Special Condition F(6)], the date of maintenance performed, name(s) of person(s) performing the maintenance, and other relevant system observations.

K. GROUNDWATER MONITORING WELLS AND WATER QUALITY MONITORING PLAN DETAILS

1. The licensee must maintain an approved groundwater quality monitoring plan prepared by a professional qualified in water chemistry. Annual reports shall be prepared by the licensee and shall include historical and current (most recent) monitoring data for each monitoring point, represented in tabular and graphical form.

2. All monitoring wells shall be equipped with a cap and lock to limit access and shall be maintained in a secured state at all times. The integrity of the monitoring wells shall also be verified annually in order to ensure representative samples of groundwater quality.

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

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

This facility shall maintain a current written comprehensive Operation & Maintenance (O & M) Plan. The plan shall provide a systematic approach by which the licensee 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 licensee to achieve compliance with the conditions of this license.

By December 31 of each year, or within 90 days of any process changes or minor equipment upgrades, the licensee 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 at all times and made available to the Department personnel upon request.

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

M. PUBLIC ACCESS TO LAND APPLICATION SITES AND SIGNAGE

Public access to the land application sites shall be limited during the season of active site use. The licensee shall install signs measuring at least 8 ½" x 11", in areas of concern around the perimeter of the lagoon and spray irrigation and snowmaking sites that inform the general public that the area is

SPECIAL CONDITIONS

M. PUBLIC ACCESS TO LAND APPLICATION SITES AND SIGNAGE (cont'd)

being used to dispose of sanitary wastewaters. The signs must be constructed of materials that are weather resistant. The licensee must annually inspect and make any necessary repairs to the signage to comply with this condition.

N. DISPOSAL OF SEPTAGE IN WASTEWATER TREATMENT FACILITY

The licensee is prohibited from accepting septage for disposal into any part or parts of the wastewater disposal system. Septage shall mean any waste, refuse, effluent, sludge or other material removed from a septic tank, cesspool, vault privy or similar source which concentrates wastes or to which chemicals have been added.

O. MONITORING AND REPORTING

Monitoring results (**April through November**) shall be summarized for each month and reported on separate DMR forms provided by the Department and **postmarked on or before the thirteenth (13th) day of the month or hand-delivered to the Department's Regional Office** such that the DMR's 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 DMR and all other reports required herein shall be submitted to the following address:

Department of Environmental Protection
Northern Maine Regional Office
Bureau of Land and Water Quality
Division of Water Quality Management
1235 Central Drive
Presque Isle, Maine 04769

Alternatively, if the licensee submits an electronic DMR (eDMR), the completed eDMR must be electronically submitted to the Department by a facility authorized DMR Signatory not later than close of business on the **15th day of the month** following the completed reporting period. Hard copy documentation submitted in support of the eDMR must be postmarked on or before the **thirteenth (13th) day of the month or hand-delivered** to the Department's Regional Office such that it is received by the Department on or before the fifteenth (15th) day of the month following the completed reporting period. Electronic documentation in support of the eDMR must be submitted not later than close of business on the 15th day of the month following the completed reporting period.

P. REOPENING OF LICENSE FOR MODIFICATION

Upon evaluation of the tests results in the Special Conditions of this licensing action, new site specific information, or any other pertinent test results or information obtained during the term of this license, the Department may, at any time and with notice to the licensee, modify this license 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.

Q. SEVERABILITY

In the event that any provision(s), or part thereof, of this license is declared to be unlawful by a reviewing court, the remainder of the license 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

Monthly Operations Log

Mapleton (WDL #W008147-6B-C-R) **(Month/Year)** _____

Spray Field #_____ **Weekly Application Rate:** _____gallons/week

A	B	C	D	E	F	G
Date	Precipitation Previous 24 hours (inches)	Air Temp (°F)	Weather	Wind-Direction Speed (mph)	Depth To GW in Observation well (inches)	Total Gallons Pumped (gallons)
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
16						
17						
18						
19						
20						
21						
22						
23						
24						
25						
26						
27						
28						
29						
30						
31						

Signature of Responsible Official: _____ Date _____

ATTACHMENT B

MAPLETON SEWER DISTRICT **Spray Application Report by Week** (Month/Year) (_____/_____)

#W008147-6B-C-R / #MEU508147; Weekly Application Rate _____ gallons/acre; _____ inches

Field Name/#	Effective Spray Area (Acres, when all used)	Weekly Limit (Gallons)	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		
SF#2	4.3	645,000							
SF#3	5.1	663,000							
SM#1	9.0	488,700*							

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

Total Number of Exceptions

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

* Spray irrigation on field SM#1 is limited to the portion of the annual combined snowmaking and spray irrigation limit of 24 million gallons per year remaining after the November 1 through March 31 snowmaking season.

Signature of Responsible Official: _____, Date _____

MAINE WASTE DISCHARGE LICENSE

FACT SHEET

DATE: **OCTOBER 3, 2013**

LICENSE NUMBER: **#MEU508147**

WASTE DISCHARGE LICENSE: **#W008147-6B-C-R**

NAME AND ADDRESS OF APPLICANT:

MAPLETON SEWER DISTRICT
P.O. BOX 53
MAPLETON, MAINE 04757

COUNTY: **AROOSTOOK**

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

MAPLETON SEWER DISTRICT
1461 MAIN STREET
MAPLETON, MAINE 04757

RECEIVING WATER CLASSIFICATION: **GROUND WATER/CLASS GW-A**

COGNIZANT OFFICIAL CONTACT INFORMATION:

MR. GILLES ST. PIERRE
SUPERINTENDENT
(207) 551-8523
EMAIL: grstp@mfx.net

1. APPLICATION SUMMARY

Application: The Mapleton Sewer District (MSD) has submitted a timely and complete application to the Department of Environmental Protection (Department) for renewal of Waste Discharge License (WDL) #W008174-6B-C-R/Permit Compliance System (PCS) tracking #MEU508147 which was issued on July 3, 2008 for a five year term. The 7/3/08 WDL authorized the operation of a surface wastewater disposal system for the treatment and disposal of up to 40 million gallons per year of sanitary wastewater to ground water via discharge at two spray irrigation and one snowmaking disposal field(s) in Mapleton, Maine. This capacity includes 3 million gallons for annual precipitation. The treatment system was designed for a sanitary wastewater influent flow of 90,000 gallons per day (GPD) (0.09 MGD).

1. APPLICATION SUMMARY

The Department issued an administrative modification on February 18, 2005 to eliminate all underdrain monitoring requirements with the exception of nitrate-nitrogen. Also, the 2/18/05 modification reduced the nitrate-nitrogen sampling frequency to 1/Year, to be conducted in the month of August.

2. LICENSE SUMMARY

a. Terms and Conditions: This licensing action is carrying forward all the terms and conditions of the previous license except it is:

1. Eliminating the soil sampling requirement as conditioned in the 7/3/08 license;

2. Removing the requirement to test for Mercury in Storage Lagoon Effluent or monitoring wells;

3. The weekly maximum application rate of wastewater discharged to the Spray Irrigation and Snow Spraying fields will no longer be reported to the Department in gallons per acre. Rather a maximum weekly volume is being established to allow for flexibility in better management of the fields;

4. Eliminating the Special Condition "*Spray Irrigation and Snowmaking Performance Report*"; and

5. Revising the Monthly Operations Log Sheet.

b. History: The most current relevant regulatory actions include:

January 6, 1991 - The MSD filed an application with the U.S. Environmental Protection Agency (USEPA) to renew National Pollutant Discharge Elimination System (NPDES) permit #ME0101257, which was issued on June 6, 1986 for the MSD's sanitary wastewater discharge to the North Branch of Presque Isle Stream. The USEPA deemed the application complete for processing but did not act to renew the NPDES permit, which was later superseded by State action.

1995 – The Department completed a waste load allocation study that determined that the North Branch of Presque Isle Stream could not meet its Class B stream classification standards due in part to the discharge of the MSD wastewater treatment facility that went on line in 1971. The Department and MSD subsequently worked together to find an alternative to a year round discharge to the stream.

May 12, 1999 - The Department issued WDL #W-000462-5L-B-R to the MSD for the discharge of 0.08 MGD (80,000 GPD) of sanitary wastewater to the North Branch of Presque Isle Stream. The WDL was a renewal of a previous WDL (#W-00462-45-A-N), which was issued on March 20, 1986 for a five-year term. WDL #W-000462-5L-B-R established a 30-month schedule of compliance for removal of the discharge to the North Branch of Presque Isle Stream and had an expiration date of December 1, 2001.

January 12, 2001 – The Department received authorization from the United States Environmental Protection Agency (USEPA) to administer the National Pollution Discharge Elimination System

2. LICENSE SUMMARY (cont'd)

(NPDES) permitting program in Maine, excluding areas of special interest to Maine Indian Tribes. On March 26, 2011, the USEPA authorized the Department to administer the MEPDES program in Indian territories of the Penobscot Nation and Passamaquoddy Tribe.

May 2002 - Construction of MSD's new spray irrigation/snowmaking facility began, with expectations for the new facility to be on-line in the summer of 2003.

November 7, 2002 – The Department issued WDL #W-000462-5L-C-R / MEPDES #ME0101257 to the MSD for the discharge of 0.07 MGD (70,000 GPD) of sanitary wastewater from its activated sludge treatment facility to the North Branch of Presque Isle Stream.

January 27, 2003 – The Department issued WDL #W-008147-5L-A-N to the MSD for the operation of a surface wastewater disposal system for the treatment and disposal of sanitary wastewater to two spray irrigation and one snowmaking disposal fields. The WDL was issued for a five year period.

May 27, 2003 – The Department acknowledged receipt of MSD's groundwater monitoring plan, as required by WDL #W-008147-5L-A-N, Special Condition N.

July 17, 2003 – MSD's surface wastewater treatment and disposal system, licensed pursuant to WDL #W-008147-5L-A-N, became operational.

September 10, 2003 - The Department administratively modified WDL#W-008147-5L-A-N to correct typographical errors in the acreages reported for the two spray irrigation fields.

January 28, 2004 – The Department received and approved MSD's facility Operations and Maintenance Plan. The deadline for submittal of the O&M plan was extended through three Department Administrative Modifications of WDL#W-008147-5L-A-N, on July 2, August 27, and October 31, 2003.

July 12, 2004 - The Department administratively modified WDL #W-008147-5L-A-N to revise requirements for professional review of groundwater monitoring results from annually to the final year of the WDL and to eliminate requirements for spray site soil monitoring. The Department notes that the Special Condition section references in the Administrative Modification are wrong.

February 18, 2005 – The Department administratively modified WDL #W-008147-5L-A-N to eliminate all lagoon underdrain monitoring requirements with the exception of nitrate nitrogen, and to reduce the required sampling frequency to once per year.

January 30, 2007 – The Department approved MSD's workplan for evaluation of increased land application rates to be conducted during the 2007 spray irrigation season.

December 27, 2007 – The MSD submitted a timely application for renewal of its surface wastewater disposal system WDL. The application was assigned WDL #W-008147-5L-B-R / PCS Tracking #MEU508147. The renewal application packet included Olver Associates' evaluation of the 2007 spray irrigation experiment noted above.

2. LICENSE SUMMARY (cont'd)

July 3, 2008 – The Department issued #W-008147-5L-B-R/MEU508147 which authorized the licensee to discharge 40 million gallons of treated wastewater, annually, to land via spray irrigation.

June 7, 2013 – MSD submitted a timely and complete application to the Department for renewal of the 7/3/08 WDL. The application was accepted for processing on June 11, 2013, and was assigned WDL #W008147-6B-C-R / #MEU508147.

c. Source Description: The Mapleton Sewer District (MSD) was created by the State Legislature in the early 1970's and encompasses approximately 0.3 square miles. The MSD receives an average of approximately 64,000 GPD of sanitary wastewater from approximately 700 residential and commercial customers. There are no industrial contributions to the system. The MSD collection system consists of approximately 12,000 linear feet of gravity sewer, which directs wastewater to the village pump station on Pulcifer Road, located at the former activated sludge treatment facility. The pump station has grinding and flow measurement equipment and a 16,000 gallon capacity wet well with a self-priming pump that routes wastewater flows to the MSD treatment facility through an additional 5,800 linear feet of 8-inch diameter force main. The design capacity, including additional loading induced by inflow and infiltration into the system, is 90,000 GPD. The MSD does not, and is not approved to, accept septage from local septage haulers. A map showing the location of the treatment facility is included as Fact Sheet **Attachment A**.

d. Wastewater Treatment: The MSD wastewater treatment facility is designed to treat 20-year projected average daily flows of up to 90,000 GPD. The wastewater treatment and disposal system consists of a facultative biological treatment lagoon, a treated effluent storage lagoon, and a combined summer/winter land application system for the disposal of treated effluent, located on a parcel of land to the northeast of the former activated sludge treatment facility.

The biological treatment process consists of one facultative treatment lagoon and one large storage lagoon. Wastewater entering the MSD facility first enters the treatment lagoon for secondary biological treatment of wastewater. The treatment lagoon has a surface area of approximately 3.5 acres and a working volume of 5.0 million gallons. The treatment lagoon is 6 feet deep, is designed for 3 feet of freeboard, and is constructed with an earthen liner consisting of 24 inches of thick glacial till. At the projected average daily flow rate of 90,000 GPD, the treatment lagoon system provides for an average detention time of 60 days. Treated effluent is then discharged to the approximately 4.5 acre, 14.5-million gallon storage lagoon. The storage lagoon is 10 feet deep, is designed for 4-feet of freeboard, and is lined with a 60-mil high density polyethylene (HDPE) liner over a sand blanket of 12 inches. The storage lagoon provides for a maximum detention time of 120 days until the treated wastewater can either be land applied through spray irrigation from April through November or through "snowmaking" and storage from November through March. Ground water beneath both lagoons is controlled via an underdrain system that daylights approximately 1,000 feet to the southeast of the snow storage area via a 6-inch diameter PVC pipe. The lagoon underdrain is regulated as Outfall #UD-1 and is monitored for evidence of liner leakage.

1. Spray Irrigation - Between April 1st and November 30th of each year, wastewater from the storage lagoon is conveyed to 2 spray fields, spray field SF#2 (4.3-acres, "West field") and SF#3 (5.1-acres, "East field"). Each spray field contains 18 spray heads and each spray head distributes water

2. LICENSE SUMMARY (cont'd)

in a circular pattern measuring 150 feet in diameter or 17,660 square feet. See **Attachment B** of this Fact Sheet for a spray irrigation distribution plan.

Each of the two spray fields is equally divided into two sections for a total of four parcels. The system has been designed such that the operator has the flexibility to rotate the four parcels or two fields in a series pattern. The system also provides sufficient valving to isolate each of the two spray fields, isolate each of the four parcels or isolate individual clusters of spray headers with each spray field.

Each spray field is an open flat field. The spray fields have been designed to accept up to a maximum of 16.0 million gallons per year over a period of 20 weeks each year.

2. Snowmaking: Between November 1st and March 30th of each year, wastewater from the storage lagoon is converted to snow via compressed air and stored in piles on SM#1, a 12.2-acre parcel of land known as the Doyen Site and located on the eastern portion of the MSD site, immediately south of SF#3. Ten snow towers are used to distribute the snow over the parcel, but the system has been designed such that the operator of the system can operate each tower independently. The snow storage area has been designed to accept up to a maximum of 24 million gallons per snowmaking season (November – March). The snow storage area is an open, flat field area. Water from the snow piles is slowly released to the environment via evaporation (assume 15%) during the snowmaking process, sublimation (assume 20%) of the snow piles over time and infiltration into the ground as the snow piles melt in the spring and early summer. As with other sites licensed by the Department, the site has been modeled assuming melting would occur during the months of March (5%), April (15%), May (30%), June (40%) and July (10%). On average, the application rate of 24 million gallons of snow melting water over a period of 22 weeks on 9.0 acres is 4.4 inches/week or 1.1 million gallons per week.

   Based on limited summer spray irrigation during 2006 and 2007 approved by the Department, Olver Associates Inc. has determined that the Doyen Site can also dispose of 16 million gallons per year via spray irrigation. The previous license authorized, and this license is carrying forward a combination of snowmaking and spray irrigation for the Doyen Site (SM#1) not to exceed the approved 24 million gallons per year. From April 1 through October 31 each year, the MSD is allowed to spray irrigate the remainder of the 24 million gallon annual limit left over after the end of snowmaking each year as spray irrigation, not to exceed the levels provided in Special Condition A(3) of this license and pursuant to spray irrigation requirements contained in this licensing action.

   A high intensity Class B soil survey of the site indicates the soils in spray fields and snow storage consist of topsoil, brown till, alluvium, lake silts, a second brown till, gray till and bedrock with 12 inches to the seasonal high water table. These soils are generally well drained soils with permeability rates ranging from $3x10^{-7}$ to $1x10^{-2}$ cm/sec.

3. CONDITIONS OF LICENSE

Conditions of licenses, 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

3. CONDITIONS OF LICENSE (cont'd)

(BPT), be consistent with the U.S. Clean Water Act, and ensure that the receiving waters attain the State water quality standards as described in Maine's Surface Water Classification System.

4. RECEIVING WATER QUALITY STANDARDS

Classification of groundwater, 38 M.R.S.A., § 470 states "All ground water shall be classified as not less than Class GW-A, except as otherwise provided in this section." *Standards of classification of ground* water, 38 M.R.S.A. § 465-C(1) contains the standards for the classification of ground waters. "Class GW-A shall be the highest classification and shall be of such quality that it can be used for public drinking water supplies. These waters shall be free of radioactive matter or any matter that imparts color, turbidity, taste or odor which would impair usages of these waters, other than that occurring from natural phenomena."

5. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

STORAGE LAGOON OUTFALL (OUTFALL #001A)

a. Biochemical Oxygen Demand (BOD_5) and Total Suspended Solids (TSS): Previous licensing action established, and this licensing action is carrying forward, a daily maximum best practicable treatment (BPT) standard of 100 mg/L for BOD_5 and TSS along with a 1/Month monitoring frequency.

The MSD had one excursion above the 100 mg/L daily maximum which occurred in September 2012. The applicant reports that this result was due to low storage lagoon level and an algae bloom.

The Department reviewed 31 DMRs that were submitted for the period January 2010 – June 2013. A review of data indicates the following:

BOD_5 concentration

Value	Limit (mg/L)	Range (mg/L)	Mean (mg/L)
Daily Maximum	100	4 - 119	33

TSS concentration

Value	Limit (mg/L)	Range (mg/L)	Mean (mg/L)
Daily Maximum	100	4 – 47	16

b. Nitrate-nitrogen: Nitrate-nitrogen compounds are by-products of the biological breakdown of ammonia and are inherent in domestic like sanitary wastewater. Because nitrate-nitrogen is weakly absorbed by soil, it functions as a reliable indicator of contamination from waste-disposal sites. Elevated levels of nitrate-nitrogen in the drinking water supply are of human health concern. The limit of 10 mg/L established in the previous license is a National Primary Drinking Water standard and is being carried forward in this licensing action.

The Department reviewed 31 DMRs that were submitted for the period January 2010 – June 2013. A review of data indicates the following:

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

Nitrate-nitrogen concentration

Value	Limit (ml/L)	Range (ml/L)	Average (ml/L)
Daily Maximum	10.0	0.1 - 0.8	0.1

c. pH Previous licensing action established, and this license is carrying forward, a technology-based pH limit of 6.0 – 9.0 standard units (SU), which is based on 06-096 CMR 525(3)(III), and a minimum monitoring frequency requirement of once per month.

The Department reviewed 31 DMRs that were submitted for the period January 2010 – June 2013. A review of data indicates the following:

pH

Value	Limit (SU)	Minimum (SU)	Maximum (SU)
Range	6.0 – 9.0	6.8	8.4

d. Freeboard: Freeboard is the vertical distance from the surface water level in the lagoon to a point that is even with the top of the lagoon dike wall. This licensing action carries forward the reporting requirement to measure and report freeboard in the storage lagoon 1/Week as a demonstration of best management practices.

Note: Due to the slope of the lagoon walls, freeboard measurements are based off of the conversion factor of 5'5" measured = approximately 2' of elevation.

The Department reviewed 22 DMRs that were submitted for the period January 2010 – June 2013. A review of data indicates the following:

Freeboard

Value	Minimum (feet)	Maximum (feet)	Mean (feet)
Report Daily Minimum	11.2	42.0	31

e. Metals (Total): Total metals are required to be analyzed once per 5 years (1/5 Years) to determine the character of the effluent from the storage lagoon.

A summary of the results from grab samples taken on 10/31/2012 indicates the following:

Parameter	Daily Maximum Limit (µg/L)	Result (µg/L)
Arsenic	Report only	2
Cadmium		<.2
Chromium		<2
Copper		<2
Lead		<1
Nickel		<2
Zinc		<2
Mercury		<.2

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

SPRAY IRRIGATION FIELDS (SF#2-WEST AND SF#3-EAST)

f. Application Rate and Flow: The previous licensing action established weekly maximum wastewater application rates for SF#2 of 150,000 gallons per acre and 130,000 gallons per acre for SF#3. With this license, the Department is establishing a weekly maximum application rate in order to allow for

flexibility in managing the spray irrigation fields. Weekly maximum application rates were calculated using the following formula:

SF#2 (West field) 150,000 gallons/acre/week x 4.3 acres = 645,000 gallons/week
SF#3 (East field) 130,000 gallons/acre/week x 5.1 acres = 663,000 gallons/week

The Department reviewed 22 DMRs for spray irrigation fields SF#2 and SF#3 that were submitted for the period April 2010 – June 2013. A review of data indicates the following:

Weekly Application Rate

Field ID	Weekly Maximum (gallons/acre)	Minimum (gallons/acre)	Maximum (gallons/acre)	Mean (gallons/acre)
SF#2	150,000	43,662	148,594	112,327
SF#3	130,000	27,726	128,823	104,282

Total Monthly Flow

Field ID	Monthly Total Limit (gallons)	Minimum (gallons)	Maximum (gallons)	Mean (gallons)
SF#2	Report	315,008	2,856,355	542,924
SF#3	Report	316,428	3,029,521	736,094

SNOWMAKING FIELD (#SM1A)

g. Application Rate and Flow: The previous licensing action established a weekly maximum application rate of 54,300 gallons per acre during spray application season (April 1 to October 31) and a combined snow and spray irrigation annual flow limit of 24 million gallons. With this license, the Department is established a weekly maximum application rate as with the other spray irrigation fields. The combined snow and spray irrigation annual limit of 24 million gallons is being carried forward. The new weekly maximum spray irrigation application rate was calculated using the following formula:

#SM1A (Snowmaking field) 54,300 gallons/acre/week x 9 acres = 488,700 gallons/week

The Department reviewed 22 DMRs for spray irrigation discharge at snowmaking field #SM1A and 9 DMRs for snow-making discharge at #SM1A that were submitted for the period January 2010 – June

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

2013. A review of data indicates the following:

Weekly Application Rate – Spray Irrigation

Field ID	Weekly Maximum (gallons)	Minimum (gallons)	Maximum (gallons)	Mean (gallons)
#SM1A	54,300	39,106	53,602	47,403

Total Monthly Flow

Field ID	Monthly Total Limit (gallons)	Minimum (gallons)	Maximum (gallons)	Mean (gallons)
#SM1A	Report	351,954	2,753,603	1,391,114

Annual Total Gallons Combined Snow and Spray Irrigation

Field ID	Annual Total Limit	Year	Total (gallons)
#SM1A	24 million gallons	2010	5,715,055
		2011	11,201,341
		2012	6,468,860

GROUND WATER MONITORING WELLS

h. Ground water monitoring wells: MW-1, MW-, 2, MW-3, MW-3A, MW-4, MW-5, and MW-6 (Outfalls # MW1A, MW2A, MW2B, MW3A, MW3B, MW4A, MW5A, and MW6A) are monitored for the parameters listed in Special Condition A.4 in the license. These parameters, their monitoring frequency, and their applicable limits are being carried forward in this license. The Department reviewed DMRs for the period of January 2010 – June 2013. Metals (Total) analysis results were non-detect for each parameter (Arsenic <5 µg/L, Cadmium <0.4 µg/L, Chromium <5 µg/L, Copper <3 µg/L, Lead <3 µg/L, Nickel <3 µg/L, Zinc < 10 µg/L). A review of the data

This space intentionally left blank.

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

indicates:

Depth to Water Level Below Land Surface

Monitoring Well ID	Limit	Minimum (feet)	Maximum (feet)	Mean (feet)
MW1A	Report Daily Maximum	4.58	5.15	4.76
MW2A		5.35	5.84	5.56
MW2B		5.94	6.48	6.26
MW3A		6.23	9.30	8.25
MW3B		11.15	12.36	11.97
MW4A		6.70	8.03	7.56
MW5A		7.24	8.30	7.86
MW6A		4.50	6.00	5.15

Nitrate-Nitrogen

Monitoring Well ID	Limit	Minimum (mg/L)	Maximum (mg/L)	Mean (mg/L)
MW1A	10 mg/L	<0.5	1.20	0.7
MW2A		<0.5	<0.5	<0.5
MW2B		<0.5	<0.5	<0.5
MW3A		<0.5	<0.5	<0.5
MW3B		<0.5	<0.5	<0.5
MW4A		<0.5	<0.5	<0.5
MW5A		<0.5	<0.5	<0.5
MW6A		2.50	5.90	4.1

Specific Conductance

Monitoring Well ID	Limit	Minimum (umhos/cm)	Maximum (umhos/cm)	Mean (umhos/cm)
MW1A	Report Daily Maximum	607	725	655
MW2A		485	602	518
MW2B		462	544	492
MW3A		196	196	196
MW3B		242	278	252
MW4A		278	728	422
MW5A		385	541	469
MW6A		467	728	562

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

Temperature

Monitoring Well ID	Limit	Minimum (°C)	Maximum (°C)	Mean (°C)
MW1A	Report Daily Maximum	5.5	10.6	9
MW2A		6.7	10.2	9
MW2B		8.1	9.8	9
MW3A		10	10	10
MW3B		7.5	10.1	9
MW4A		7.8	10.7	9
MW5A		6.3	11.1	9
MW6A		7.2	11.0	9

pH

Monitoring Well ID	Limit	Minimum (S.U.)	Maximum (S.U.)	Mean (S.U.)
MW1A	Report Daily Maximum	6.3	7.7	7
MW2A		6.6	7.2	7
MW2B		6.7	7.2	7
MW3A		7.3	7.3	7
MW3B		7.4	7.6	7
MW4A		6.5	7.0	7
MW5A		6.1	7.0	7
MW6A		6.6	7.8	7

TSS

Monitoring Well ID	Limit	Minimum (mg/L)	Maximum (mg/L)	Mean (mg/L)
MW1A	Report Daily Maximum	1.0	13.0	6
MW2A		1.3	2.8	2
MW2B		3.3	14.0	6
MW3A		8.4	260	96
MW3B		1.0	5.5	3
MW4A		1.0	3.3	2
MW5A		2.5	9.0	5
MW6A		1.0	2.6	2

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

LAGOON UNDERDRAIN SYSTEM

i. Nitrate-Nitrogen: This licensing action carries forward the underdrain monitoring frequency as well as the daily maximum reporting condition. The Department reviewed 3 DMRs for the period April 2010 – June 2013. A review of data indicates that all of the results were <0.1 mg/L.

6. DISCHARGE IMPACT ON RECEIVING WATER QUALITY

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

7. PUBLIC COMMENTS

Public notice of this application was made in the *Star Herald* newspaper on or about June 5, 2013. The Department receives public comments on an application until the date a final agency action is taken on the application. Those persons receiving copies of draft licenses shall have at least 30 days in which to submit comments on the draft or to request a public hearing, pursuant to *Application Processing Procedures for Waste Discharge Licenses,* 06-096 CMR 522 (effective January 12, 2001).

8. RESPONSE TO COMMENTS

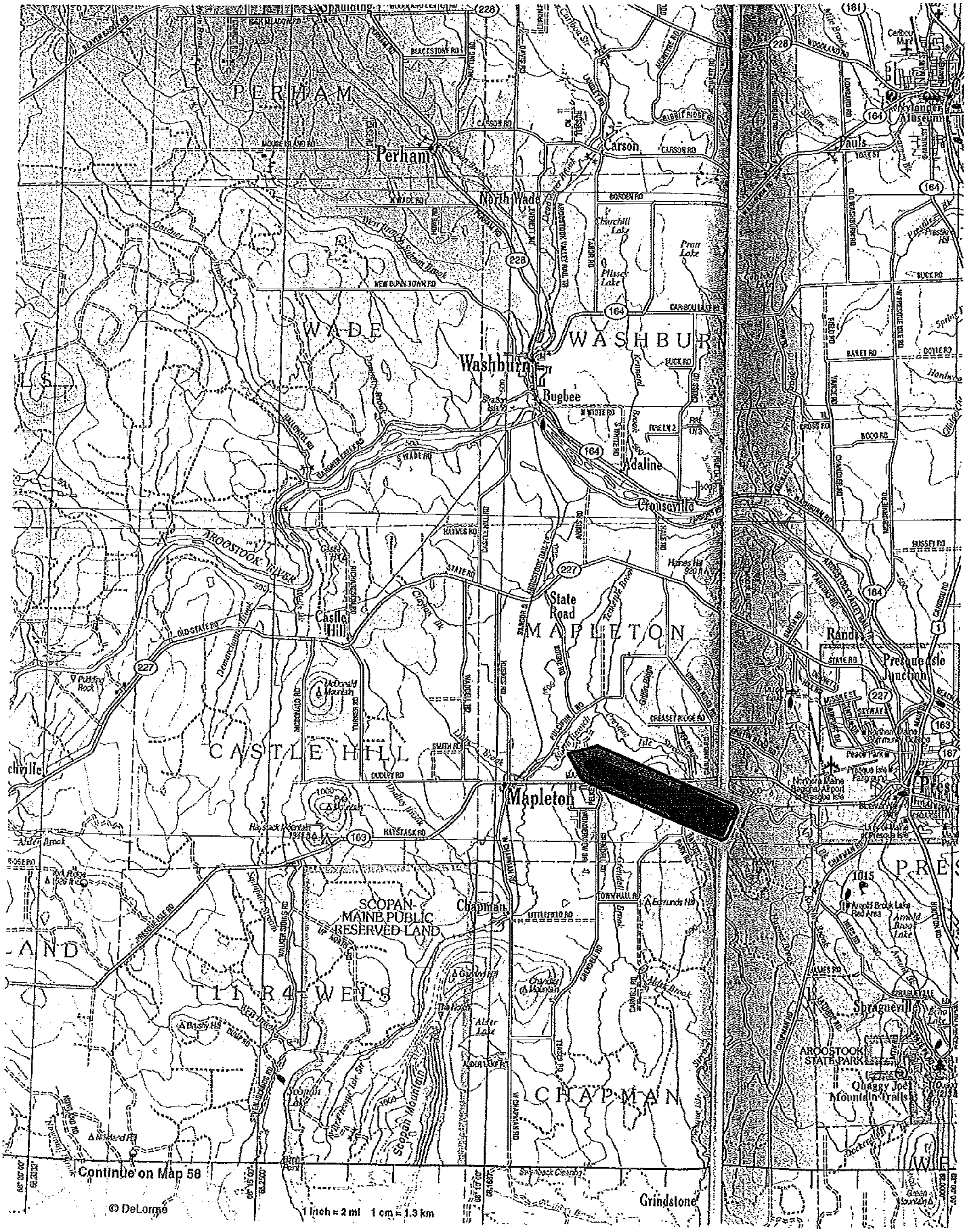
During the period of August 27, 2013 through the issuance of this permit, the Department solicited comments on the proposed draft Waste Discharge License to be issued to the Town of Mapleton for the proposed discharge. The Department did not receive significant comments on the draft permit; therefore, a response to comments was not prepared.

9. DEPARTMENT CONTACTS

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

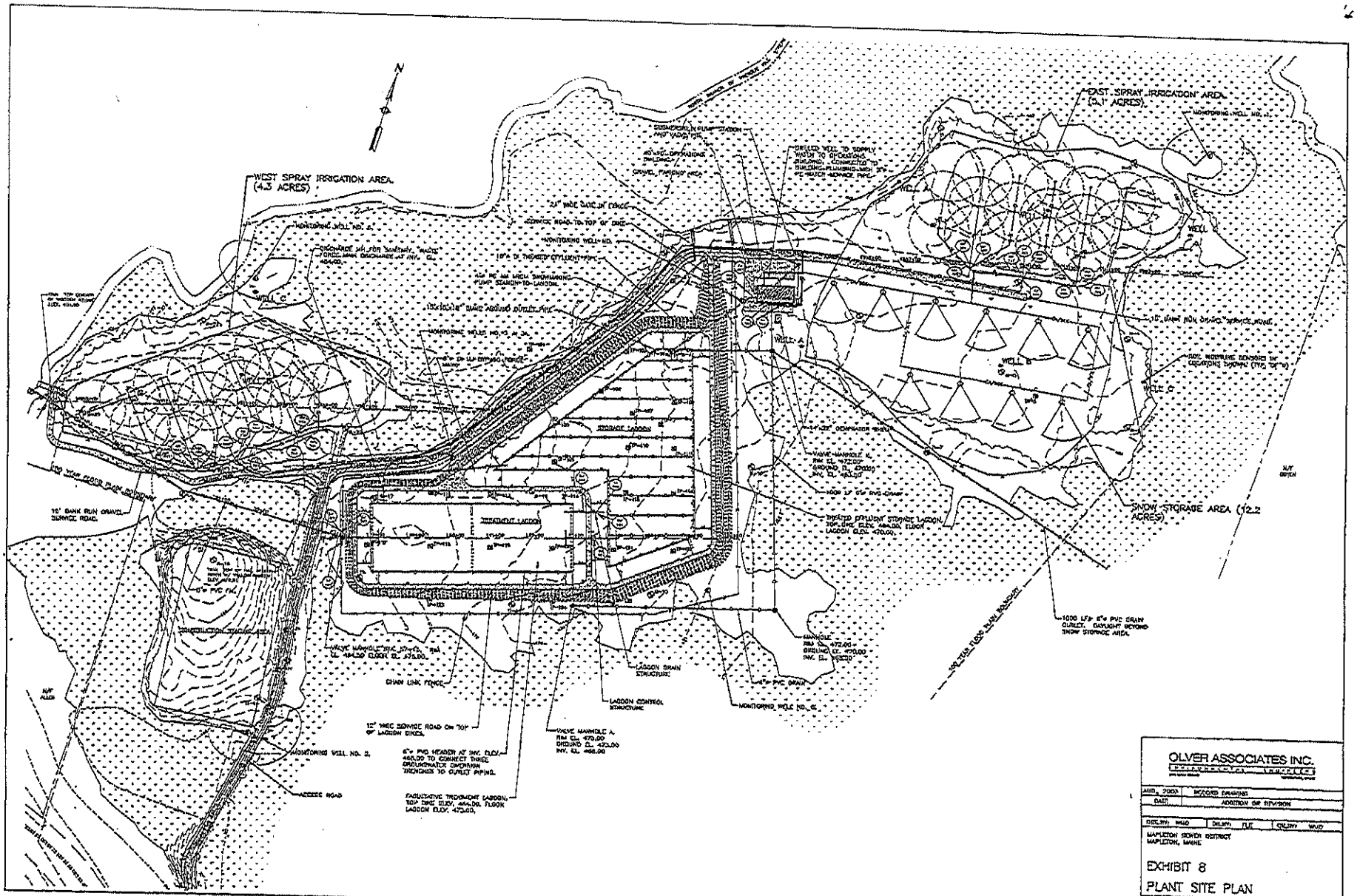
Cindy L. Dionne
Division of Water Quality Management
Bureau of Land & Water Quality
Department of Environmental Protection
17 State House Station
Augusta, Maine 04333-0017 Telephone: (207) 592-7161
e-mail: cindy.l.dionne@maine.gov

ATTACHMENT A



PERHAM
Perham
North Wade
Carson
Pauls
WADE
WASHBURN
Washburn
Bugbee
Adaline
Crouseville
AROOSTOOK RIVER
Castle Hill
State Road
MAPLETON
Presque Isle Junction
CASTLE HILL
Mapleton
McDonald Mountain
Haystack Mountain
SCOPAN-MAINE PUBLIC RESERVED LAND
Chapman
T11 R4 WELS
CHAPMAN
AROOSTOOK STATE PARK
Quaggy Joe Mountain Trails
Spragueville
Scopan Mountain
Scopan Lake
Grindstone
Northern Maine Regional Airport at Presque Isle
Continue on Map 58
© DeLorme
1 inch = 2 mi 1 cm = 1.3 km

ATTACHMENT B


WEST SPRAY IRRIGATION AREA (4.3 ACRES)
EAST SPRAY IRRIGATION AREA (5.1 ACRES)
SNOW STORAGE AREA (12.2 ACRES)
TREATED EFFLUENT STORAGE LAGOON
FACULTATIVE TRIDIMENT LAGOON
OLVER ASSOCIATES INC.
EXHIBIT 8
PLANT SITE PLAN
MAPLETON SEWER DISTRICT
MAPLETON, MAINE
SCALE: 1"=100'
DATE: DECEMBER, 2007

STANDARD CONDITIONS OF PUBLICLY OWNED TREATMENT WORKS (POTW) WASTE DISCHARGE LICENSES

CONTENTS

STANDARD CONDITIONS OF PUBLICLY OWNED TREATMENT WORKS (POTW) WASTE

DISCHARGE LICENSES

1. GENERAL CONDITIONS

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

B. the licensee shall permit the Department of Environmental Protection Staff upon the presentation of proper credentials:

(1) To enter upon licensee's premises where an effluent source is located or in which any records are required to be kept under the terms and conditions of this license;

(2) To have access to and copy any records required to be kept under the terms and conditions of this license;

(3) To inspect any monitoring equipment or monitoring method required in this license; or,

(4) To measure and/or sample at any intake, process or cooling effluent stream, waste water treatment facility and/or outfall.

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

D. This license does not preclude obtaining other required Federal, State, or Municipal permits and does not authorize or approve the construction of any on-shore physical structures or facilities or the undertaking of any work in any navigable waters.

E. The issuance of this license does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to public or private property or any invasion of personal rights nor any infringement of Federal, State or local laws or regulations.

F. Nothing in this license shall be construed to relieve the licensee from civil or criminal penalties for non-compliance, whether or not such non-compliance is due to factors beyond the licensee's control, such as an accident, equipment breakdown, labor disputes or natural disaster.

2. PRETREATMENT REQUIREMENTS

A. The licensee shall comply with all Federal Statutes, regulations, and conditions of permits applicable to its discharge of waste waters, including, but not limited to, those requiring the installation of pretreatment facilities or establishment of pretreatment programs.

B. Municipal or quasi-municipal licenses shall maintain user contracts, permits or ordinances to regulate industrial entities which discharge process waste water to the licensee's treatment facilities in quantities greater than 10% of the facility's design capacity. Such contracts, permits or ordinances shall be submitted to the Department for approval within three months of the effective date of this license or prior to acceptance of new or increased volumes of industrial waste water. All such contracts, permits or ordinances shall be an enforceable part of this license whether or not approved by the Department.

3. WASTE WATER TREATMENT AND SAMPLING FACILITIES

A. The licensee shall collect all waste flows designated by the Department of Environmental Protection as requiring treatment and discharge them into an approved waste treatment facility in such a manner as to maximize removal of pollutants unless authorization to the contrary is obtained from the Department.

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

C. All necessary waste treatment facilities will be installed and operational prior to the discharge of any waste waters.

D. Final plans and specifications must be submitted to the Department of Environmental Protection and approved prior to the construction or modification of any treatment facilities.

E. The licensee shall install flow measuring facilities of a design approved by the Department of Environmental Protection.

F. The licensee must provide an outfall of a design approved by the Department of Environmental Protection which is placed in the receiving waters in such a manner that maximize mixing and dispersion of the waste waters will be achieved as rapidly as possible.

4. NON-COMPLIANCE NOTIFICATION

A. In the event the licensee bypasses collection or treatment facilities or is unable to comply with any of the conditions of this license due, among other reasons, to:

(1) breakdown of waste treatment equipment;

(2) accidents caused by error or negligence;

(3) high strength, high volume or incompatible wastes; or

(4) other causes such as acts of nature,

the licensee shall notify the Department of Environmental Protection verbally as soon as its agents have knowledge of the incident.

B. Within five (5) days of becoming aware of such condition the licensee shall provide the Department of Environmental Protection in writing, the following information:

(1) A description of the discharge and cause of non-compliance; and

(2) The period of non-compliance, including exact dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue, and steps being taken to reduce, eliminate and prevent recurrence of the non-complying discharge.

C. If the licensee knows in advance of changes in licensed facilities or activities which may result in non-compliance or of the need to bypass, it shall submit prior notice at least ten days in advance of such occurrence.

D. In the event of a bypass is due to inflow or infiltration of uncontaminated water into a sewer system, reporting requirements may be adjusted by the Department to a monthly basis.

5. MONITORING AND REPORTING

A. Representative Sampling

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

B. Test Methods

The sampling, preservation, handling, and analytical methods used must conform with Standard Methods for the Examination of Water and Waste Waters, American Public Health Association, 1015 18th Street, N.W., Washington, D.C. 20036, latest approved edition, or methods referenced in 40 CFR Part 136, Guidelines Establishing Test Procedures for Analysis of Pollutants. However, different but equivalent methods are allowable if they receive the prior written approval from the Department of Environmental Protection.

(1) All reports shall be submitted to the Department not later than the fifteenth of the month following the end of the monitoring period.

(2) Any reports or records of monitoring activities and results shall include for all samples: (a) the date, exact place, and time of sampling; (b) the dates and times of analyses; (c) the analytical techniques/methods used, including sampling, handling, and preservation techniques; and (d) the results of all required analyses.

C. All reports shall be signed by:

(1) In the case of corporations, a principal executive officer of at least the level of vice president, or his duly authorized representative, if such representative is responsible for the overall operation of the facility from which the discharge described in the reporting form originates.

(2) In the case of a partnership, a general partner or duly authorized representative.

(3) In the case of a sole proprietorship, the proprietor or duly authorized representative.

(4) In the case of a municipal, State, or other public facility, either a principal executive officer, ranking elected official, or duly authorized employee.

6. CHANGE OF DISCHARGE

The licensee shall notify the Department in writing as soon as it has knowledge of any significant changes or proposed changes in its discharge, including but not limited to:

A. the temporary or permanent termination of the discharge;

B. changes in the waste collection, treatment or disposal facilities;

C. changes in the volume or character of waste water flows;

D. permanent changes in industrial production rates;

E. the proposed addition, directly or indirectly, of toxic pollutants not authorized by the license or reflected in the application filed with the Department;

F. the addition to a municipal or quasi-municipal treatment system of industrial wastes which are categorically regulated by the U.S. EPA pursuant to the agency's pretreatment program.

7. TRANSFER OF OWNERSHIP

In the event that any person possessing a license issued by the Department shall transfer the ownership of the property, facility or structure which is the source of a licensed discharge, without transfer of the license being approved by the Department, the license granted by the Department shall continue to authorize a discharge within the limits and subject to the terms and conditions stated in the license, provided that the parties to the transfer shall be jointly and severally liable for any violation thereof until such times as the Department approves transfer or issuance of a waste discharge license to the new owner. The Department may in its discretion require the new owner to apply for a new license, or may approve transfer of the existing license upon a satisfactory showing that the new owner can abide by its terms and conditions.

8. RECORDS RETENTION

All records and information resulting from the monitoring activities required by this license including all records of analyses performed and calibrations and maintenance of instrumentation shall be retained for a minimum of three (3) years.

9. OTHER MATERIALS

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

A. They are not

(1) designated as toxic or hazardous under the provisions of Sections 307 and 311 respectively, of the Federal Water Pollution Control Act; Title 38, Section 420, Maine Revised Statutes; or other applicable State Law, or

(2) known to be hazardous or toxic by the licensee.

B. The discharge of such materials will not violate applicable water quality standards.

10. REMOVED SUBSTANCES

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

11. BYPASS OF WASTE TREATMENT FACILITIES

The diversion or bypass of any discharge from facilities utilized by the licensee to maintain compliance with the terms and conditions of this license is prohibited, except (1) where unavoidable to prevent loss of life or severe property damage, or (2) where excessive storm drainage or runoff would damage any facilities necessary for compliance with the terms and conditions of this license. The licensee shall notify the Department of Environmental Protection of each such diversion or bypass in accordance with the procedure specified in paragraph 6 above for reporting non-compliance. It is the duty of the licensee to take all feasible steps to prevent, minimize and mitigate bypasses. If infiltration or inflow of stormwater or ground water contribute to bypasses, the licensee shall submit to the Department for approval, a wet weather flow management plan. The plan shall describe measures implemented to maximize the volume of flow through the treatment facilities and the efficiency of the treatment process. Submission of this plan shall not remove any responsibilities of the licensee pursuant to paragraph 6.

12. EMERGENCY ACTION-ELECTRIC POWER FAILURE

Within thirty days after the effective date of this license, the licensee shall notify the Department of Environmental Protection of facilities and plans to be used in the event the primary source of power to its waste water pumping and treatment facilities fails. During power failure, all waste waters which are normally treated shall receive a minimum of primary treatment and disinfection. Unless otherwise approved, alternate power supplies shall be provided for pumping stations and treatment facilities. Alternate power supplies shall be on-site generating units or an outside power source which is separate and independent from sources used for normal operation of the waste water facilities.

STANDARD CONDITIONS OF PUBLICLY OWNED TREATMENT WORKS (POTW) WASTE

DISCHARGE LICENSES

DEFINITIONS

FOR THE PURPOSE OF THIS LICENSE THE FOLLOWING SHALL APPLY

A. Grab Sample: An individual sample collected in a period of less than 15 minutes.

B. Composite Sample: A sample consisting of a minimum of eight grab samples collected at equal intervals during a 24-hour period (or a lesser period if specified in the section on Monitoring and Sampling) and combined proportional to flow or a sample continuously collected proportionally to flow over the same time period.

C. Daily Maximum For Concentration: The maximum value not to be exceeded at any time.

D. Daily Maximum For Quantity: The maximum value not to be exceeded during any day.

E. Weekly or Monthly Average: The sum of all daily samples measurement or test results made during a week or month divided by the number of tests or measurement made during the respective time period. Exception: bacteriological tests shall be calculated as a geometric mean.

F. Bypass: The diversion of waste water, either by act or by design, from any portion of a treatment facility or conveyance system.

DEP INFORMATION SHEET

Appealing a Department Licensing Decision

Dated: March 2012 **Contact: (207) 287-2811**

SUMMARY

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

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

This INFORMATION SHEET, in conjunction with a review of the statutory and regulatory provisions referred to herein, can help a person to understand his or her rights and obligations in filing an administrative or judicial appeal.

I. ADMINISTRATIVE APPEALS TO THE BOARD

LEGAL REFERENCES

The laws concerning the DEP's *Organization and Powers*, 38 M.R.S.A. §§ 341-D(4) & 346, the *Maine Administrative Procedure Act*, 5 M.R.S.A. § 11001, and the DEP's *Rules Concerning the Processing of Applications and Other Administrative Matters* ("Chapter 2"), 06-096 CMR 2 (April 1, 2003).

HOW LONG YOU HAVE TO SUBMIT AN APPEAL TO THE BOARD

The Board must receive a written appeal within 30 days of the date on which the Commissioner's decision was filed with the Board. Appeals filed after 30 calendar days of the date on which the Commissioner's decision was filed with the Board will be rejected.

HOW TO SUBMIT AN APPEAL TO THE BOARD

Signed original appeal documents must be sent to: Chair, Board of Environmental Protection, c/o Department of Environmental Protection, 17 State House Station, Augusta, ME 04333-0017; faxes are acceptable for purposes of meeting the deadline when followed by the Board's receipt of mailed original documents within five (5) working days. Receipt on a particular day must be by 5:00 PM at DEP's offices in Augusta; materials received after 5:00 PM are not considered received until the following day. The person appealing a licensing decision must also send the DEP's Commissioner a copy of the appeal documents and if the person appealing is not the applicant in the license proceeding at issue the applicant must also be sent a copy of the appeal documents. All of the information listed in the next section must be submitted at the time the appeal is filed. Only the extraordinary circumstances described at the end of that section will justify evidence not in the DEP's record at the time of decision being added to the record for consideration by the Board as part of an appeal.

WHAT YOUR APPEAL PAPERWORK MUST CONTAIN

Appeal materials must contain the following information at the time submitted:

1. *Aggrieved Status.* The appeal must explain how the person filing the appeal has standing to maintain an appeal. This requires an explanation of how the person filing the appeal may suffer a particularized injury as a result of the Commissioner's decision.
2. *The findings, conclusions or conditions objected to or believed to be in error.* Specific references and facts regarding the appellant's issues with the decision must be provided in the notice of appeal.
3. *The basis of the objections or challenge.* If possible, specific regulations, statutes or other facts should be referenced. This may include citing omissions of relevant requirements, and errors believed to have been made in interpretations, conclusions, and relevant requirements.
4. *The remedy sought.* This can range from reversal of the Commissioner's decision on the license or permit to changes in specific permit conditions.
5. *All the matters to be contested.* The Board will limit its consideration to those arguments specifically raised in the written notice of appeal.
6. *Request for hearing.* The Board will hear presentations on appeals at its regularly scheduled meetings, unless a public hearing on the appeal is requested and granted. A request for public hearing on an appeal must be filed as part of the notice of appeal.
7. *New or additional evidence to be offered.* The Board may allow new or additional evidence, referred to as supplemental evidence, to be considered by the Board in an appeal only when the evidence is relevant and material and that the person seeking to add information to the record can show due diligence in bringing the evidence to the DEP's attention at the earliest possible time in the licensing process or that the evidence itself is newly discovered and could not have been presented earlier in the process. Specific requirements for additional evidence are found in Chapter 2.

Other Considerations in Appealing a Decision to the Board

1. *Be familiar with all relevant material in the DEP record.* A license application file is public information, subject to any applicable statutory exceptions, made easily accessible by DEP. Upon request, the DEP will make the material available during normal working hours, provide space to review the file, and provide opportunity for photocopying materials. There is a charge for copies or copying services.
2. *Be familiar with the regulations and laws under which the application was processed, and the procedural rules governing your appeal.* DEP staff will provide this information on request and answer questions regarding applicable requirements.
3. *The filing of an appeal does not operate as a stay to any decision.* If a license has been granted and it has been appealed the license normally remains in effect pending the processing of the appeal. A license holder may proceed with a project pending the outcome of an appeal but the license holder runs the risk of the decision being reversed or modified as a result of the appeal.

What to Expect Once You File a Timely Appeal with the Board

The Board will formally acknowledge receipt of an appeal, including the name of the DEP project manager assigned to the specific appeal. The notice of appeal, any materials accepted by the Board Chair as supplementary evidence, and any materials submitted in response to the appeal will be sent to Board members with a recommendation from DEP staff. Persons filing appeals and interested persons are notified in advance of the date set for Board consideration of an appeal or request for public hearing. With or without holding a public hearing, the Board may affirm, amend, or reverse a Commissioner decision or remand the matter to the Commissioner for further proceedings. The Board will notify the appellant, a license holder, and interested persons of its decision.

II. JUDICIAL APPEALS

Maine law generally allows aggrieved persons to appeal final Commissioner or Board licensing decisions to Maine's Superior Court, see 38 M.R.S.A. § 346(1); 06-096 CMR 2; 5 M.R.S.A. § 11001; & M.R. Civ. P 80C. A party's appeal must be filed with the Superior Court within 30 days of receipt of notice of the Board's or the Commissioner's decision. For any other person, an appeal must be filed within 40 days of the date the decision was rendered. Failure to file a timely appeal will result in the Board's or the Commissioner's decision becoming final.

An appeal to court of a license decision regarding an expedited wind energy development, a general permit for an offshore wind energy demonstration project, or a general permit for a tidal energy demonstration project may only be taken directly to the Maine Supreme Judicial Court. See 38 M.R.S.A. § 346(4).

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

ADDITIONAL INFORMATION

If you have questions or need additional information on the appeal process, for administrative appeals contact the Board's Executive Analyst at (207) 287-2452 or for judicial appeals contact the court clerk's office in which your appeal will be filed.

Note: The DEP provides this INFORMATION SHEET for general guidance only; it is not intended for use as a legal reference. Maine law governs an appellant's rights.