STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

PAUL R. LEPAGE
GOVERNOR

PATRICIA W. AHO
COMMISSIONER

October 16, 2014

Mr. Dan Stevens
Newport Sanitary District
106 Martin Stream Rd.
Newport, Me. 04953
dannsd@myfairpoint.net

RE: Maine Pollutant Discharge Elimination System (MEPDES) Permit #ME**0100447**
Maine Waste Discharge License (WDL) Application #W000865-6C-I-R
Proposed Draft Permit

Dear Mr. Stevens:

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

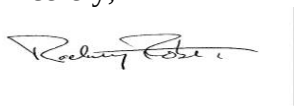
By copy of this letter, the Department is requesting comments on the proposed draft permit from various state and federal agencies, as required by our new regulations, and from any other parties who have notified the Department of their interest in this matter.

All comments must be received in the Department of Environmental Protection office on or before the close of business **Monday November 17, 2014.** Failure to submit comments in a timely fashion will result in the final document being issued as drafted. Comments in writing should be submitted to my attention at the following address:

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

If you have any questions regarding the matter, please feel free to call me at 446-1875.

Sincerely,



Rod Robert
Division of Water Quality Management
Bureau of Land and Water Quality

Enc.

cc: Clarissa Trask, DEP/EMRO
Barry Mower, DEP/CMRO
Pam Parker, DEP/CRMO
Lori Mitchell, DEP/CMRO
Oliver Cox, DMR
Environmental Review, DMR
Environmental Review, DIFW
Kathleen Leyden, DACF
David Webster, USEPA
David Pincumbe, USEPA
Alex Rosenburg, USEPA
Olga Vergara, USEPA
Ivy Frignoca, CLF

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

DEPARTMENT ORDER

IN THE MATTER OF

NEWPORT SANITARY DISTRICT		) MAINE POLLUTANT DISCHARGE
NEWPORT, PENOBSCOT COUNTY, MAINE		) ELIMINATION SYSTEM PERMIT
PUBLICLY OWNED TREATMENT WORKS		) AND
#ME0100447		) WASTE DISCHARGE LICENSE
#W000865-6C-I-R	**APPROVAL**	) **RENEWAL**

In compliance with the applicable provisions of Pollution Control, 38 M.R.S.A. §§ 411 – 424-B, Water Classification Program, 38 M.R.S.A. §§ 464 – 470 and Federal Water Pollution Control Act, Title 33 U.S.C. § 1251, and applicable rules of the Department of Environmental Protection (Department), the Department has considered the application of the Newport Sanitary District (District) with its supportive data, agency review comments, and other related materials on file and FINDS THE FOLLOWING FACTS:

APPLICATION SUMMARY

On April 29, 2014, the Department accepted as complete for processing, a renewal application for Maine Pollutant Discharge Elimination System (MEPDES) #ME0100447 /Waste Discharge License (WDL) #W000865-6C-H-R, which was issued on September 18, 2009 for a five-year term. The 9/18/09 MEPDES permit authorized the monthly average discharge of 0.524 million gallons per day (MGD) of secondary treated municipal wastewaters to the East Branch of the Sebasticook River, Class C, in Newport, Maine.

PERMIT SUMMARY

This permitting action is carrying forward all the terms and conditions of the 9/18/09 permitting action, except that it is:

1. Eliminating the monthly average, water quality-based effluent concentration and mass limitations for Ammonia, Cadmium and Lead given the results of a current statistical evaluation indicates these parameters no longer exceed or have a reasonable potential to exceed applicable ambient water quality criteria, and;

2. Eliminating the option for the facility when calculating percent removal to report the NODI 9 code on the Discharge Monitoring Report (DMR) when the average influent concentration is less than 200 mg/L based on guidance from the U.S. Environmental Protection Agency (EPA).

3. Incorporating previously established average and maximum technology based concentration limits for total mercury so the results can be tracked in the federal Integrated Compliance Information System (ICIS).

CONCLUSIONS

BASED on the findings in the attached **PROPOSED DRAFT** Fact Sheet dated October 16, 2014, and subject to the Conditions listed below, the Department makes the following conclusions:

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

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

3. The provisions of the State's antidegradation policy, *Classification of Maine waters*, 38 M.R.S.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 national resource, that water quality will be maintained and protected;

   (c) Where the standards of classification of the receiving water body are not met, the discharge will not cause or contribute to the failure of the water body to meet the standards of classification;

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

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

4. The discharge 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).

ACTION

Based on the findings and conclusions as stated above, the Department APPROVES the above noted application of the NEWPORT SANITARY DISTRICT to discharge a monthly average of 0.524 MGD of secondary treated municipal wastewater to the East Branch of the Sebasticook River, Class C, via Outfall #001A in Newport, Maine, SUBJECT TO THE ATTACHED CONDITIONS, and all applicable standards and regulations including:

1. *Maine Pollutant Discharge Elimination System Permit Standard Conditions Applicable To All Permits*, revised July 1, 2002, copy attached.

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

3. This permit and the authorization to discharge become effective upon the date of signature below and expire at midnight five (5) years from the effective date. If a renewal application is timely submitted and accepted as complete for processing prior to the expiration of this permit, the authorization to discharge and the terms and conditions of this permit 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) (amended August 25, 2013)]

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

DONE AND DATED AT AUGUSTA, MAINE THIS __DAY OF_____, 2014

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY:_____
PATRICIA W. AHO, Commissioner

Date filed with Board of Environmental Protection_____.

Date of initial receipt of application: April 29, 2014
Date of application acceptance: April 29. 2014

This Order prepared by Rod Robert, BUREAU OF LAND & WATER QUALITY

SPECIAL CONDITIONS

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. The permittee is authorized to discharge **secondary treated municipal waste waters via Outfall #001A** to the East Branch of the Sebasticook River. Such discharges shall be limited and monitored by the permittee as specified below[(1)]:

Effluent Characteristic	Discharge Limitations						Minimum Monitoring Requirements	
	Monthly Average	Weekly Average	Daily Maximum	Monthly Average	Weekly Average	Daily Maximum	Measurement Frequency	Sample Type
	as specified	as specified	as specified	as specified	as specified	as specified	as specified	as specified
Flow *[50050]*	0.524 MGD *[03]*	---	Report MGD *[03]*	---	---	---	Continuous *[99/99]*	Recorder *[RC]*
BOD_5 *[00310]*	131 lbs./day *[26]*	197 lbs./day *[26]*	219 lbs./day *[26]*	30 mg/L *[19]*	45 mg/L *[19]*	50 mg/L *[19]*	1/Week *[01/07]*	Composite *[24]*
BOD_5 Percent Removal[(2)] *[81010]*	---	---	---	85% *[23]*	---	---	1/Month *[01/30]*	Calculate *[CA]*
TSS *[00530]*	131 lbs./day *[26]*	197 lbs./day *[26]*	219 lbs./day *[26]*	30 mg/L *[19]*	45 mg/L *[19]*	50 mg/L *[19]*	1/Week *[01/07]*	Composite *[24]*
TSS Percent Removal[(2)] *[81011]*	---	---	---	85% *[23]*	---	---	1/Month *[01/30]*	Calculate *[CA]*
E. coli Bacteria[(3)] *[31633]*	---	---	---	126 col/100 ml [(4)] *[13]*	---	949 col/100 ml *[13]*	1/Week *[01/07]*	Grab *[GR]*
pH *[00400]*	---	---	---	---	---	6.0-9.0 SU *[12]*	3/Week *[03/07]*	Grab *[GR]*
Copper (Total)[(5)] *[01042]*	---	---	0.06 lbs./day *[26]*	---	---	Report ug/L *[28]*	1/ Year *[01/YR]*	Composite *[24]*
Mercury (Total) [(6)] *[71900]*	---	---	---	6.8 ng/L *[3M]*	---	10.2 ng/L *[3M]*	1/Year *[01/YR]*	Grab *[GR]*

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

FOOTNOTES: See Pages 6-8 of this permit for the applicable footnotes.

SPECIAL CONDITIONS

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

2. Analytical chemistry and priority pollutant testing requirements for **Outfall #001A** [(1)].

SURVEILLANCE LEVEL **-** Beginning upon permit issuance and lasting through 24 months prior to permit expiration (Years 1, 2 & 3 of the term of the permit) and commencing again 12 months prior to permit expiration (Year 5 of the term of the permit), the permittee shall conduct surveillance level testing as follows:

(REDUCED TESTING).

Effluent Characteristic	Discharge Limitations				Minimum Monitoring Requirements	
	Monthly Average	Daily Maximum	Monthly Average	Daily Maximum	Measurement Frequency	Sample Type
Analytical Chemistry [(7)] *[51477]*	---	---	---	Report ug/L *[28]*	1/ Year *[01/YR]*	Composite / Grab *[24/GR]*

SCREENING LEVEL **-** During the period beginning 24 months prior to permit expiration and lasting through 12 months prior to permit expiration (Year 4 of the term of the permit) and every five years thereafter if a timely request for renewal has been made and the permit continues in force, or is replaced by a permit renewal containing this requirement, the permittee shall conduct surveillance level testing as follows:

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Effluent Characteristic	Discharge Limitations				Minimum Monitoring Requirements	
	Monthly Average	Daily Maximum	Monthly Average	Daily Maximum	Measurement Frequency	Sample Type
Analytical Chemistry [(7)] *[51477]*	---	---	---	Report ug/L *[28]*	1/ Quarter *[01/90]*	Composite / Grab *[24/GR]*
Priority Pollutant [(8)] *[50008]*	---	---	---	Report ug/L *[28]*	1/ Year *[01/YR]*	Composite / Grab *[24/GR]*

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

FOOTNOTES: See Pages 6-8 of this permit for applicable footnotes.

SPECIAL CONDITIONS

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

FOOTNOTES:

1. **Sampling** – All effluent monitoring must be conducted at a location following the last treatment unit in the treatment process, as to be representative of end-of-pipe effluent characteristics. Any change in sampling location must be approved by the Department in writing. The permittee must conduct sampling and analysis in accordance with; a) methods approved by 40 Code of Federal Regulations (CFR) Part 136, b) alternative methods approved by the Department in accordance with the procedures in 40 CFR Part 136, or c) as otherwise specified by the Department. Samples that are sent out for analysis must be analyzed by a laboratory certified by the State of Maine's Department of Health and Human Services for wastewater. Samples that are 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 (effective April 1, 2010). If the permittee monitors any pollutant more frequently than required by the permit using test procedures approved under 40 CFR Part 136 or as specified in this permit, the results of this monitoring must be included in the calculation and reporting of the data submitted in the Discharge Monitoring Report.

   All analytical test results must 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. See **Attachment A** of this permit for a list of the Department's current RLs. If a non-detect analytical test result is below the respective RL, the concentration result must 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 permit or in available Department guidance documents.

2. **Percent Removal –** The permittee must achieve a minimum of 85 percent removal of both total suspended solids and biochemical oxygen demand for all flows receiving secondary treatment. The percent removal is calculated based on influent and effluent concentration values. During periods of freezing weather, the percent removal may be calculated based on assumed BOD5 and TSS influent values of 286 mg/L and actual effluent concentration values. The treatment facility shall maintain a minimum of 85 percent removal of both BOD_5 and TSS for all flows receiving secondary treatment during all months that the facility discharges. Compliance with the limitation shall be based on a twelve-month rolling influent and twelve-month rolling effluent averages. Calendar monthly percent removal values, as reported in the monthly Discharge Monitoring Report, shall be calculated using the current twelve-month rolling average influent and twelve-month rolling average effluent concentrations. For the purposes of this permitting action, the twelve-month rolling average calculation is based on the most recent twelve-month period.

SPECIAL CONDITIONS

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

FOOTNOTES:

3. **Bacteria Limits –** *E. coli* bacteria limits and monitoring requirements are seasonal and apply between May 15 and September 30 of each year. The Department reserves the right to reopen this permit in accordance with Special Condition K, *Reopening of Permit for Modifications*, to establish year-round bacteria limitations to protect the health, safety and welfare of the public.

4. **Bacteria Reporting** – The monthly average *E. coli* bacteria limitation is a geometric mean limitation and sample results shall be reported as such.

5. **Copper Monitoring** – All analytical test results shall be reported to the Department including results which are detected below the reporting limit (RL) specified by the Department. Compliance with the concentration limit for copper shall be based on the RL of 3.0 µg/L. Effluent monitoring for total copper shall be conducted once per year in a different calendar quarter for the first 4 years then in any quarter in the fifth year.

6. **Mercury –** All mercury sampling (1/Year) required to determine compliance with interim limitations established pursuant to *Interim Effluent Limitations and Controls for the Discharge of Mercury*, 06-096 CMR 519 (last amended October 6, 2001) shall be conducted in accordance with EPA's "clean sampling techniques" found in EPA Method 1669, Sampling Ambient Water For Trace Metals At EPA Water Quality Criteria Levels. All mercury analyses shall be conducted in accordance with EPA Method 1631E, Determination of Mercury in Water by Oxidation, Purge and Trap, and Cold Vapor Fluorescence Spectrometry. See **Attachment B,** *Effluent Mercury Test Report*, of this permit for the Department's form for reporting mercury test results.

   The limitation in the monthly average column in table Special Condition A of this permit is defined as the arithmetic mean of all the mercury tests ever conducted for the facility utilizing sampling Methods 1669 and analysis Method 1631E.

7. **Analytical chemistry** – Refers to a suite of parameters listed in **Attachment A** of this permit.

   a. **Surveillance-level testing** – Beginning upon permit issuance and lasting through 24 months prior to permit expiration (Years 1, 2 & 3 of the term of the permit) and commencing again 12 months prior to permit expiration (Year 5 of the term of the permit), the permittee shall conduct analytical chemistry testing at a minimum frequency of once per year.

SPECIAL CONDITIONS

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

FOOTNOTES:

b. **Screening-level testing** – During the period beginning 24 months prior to permit expiration and lasting through 12 months prior to permit expiration (Year 4 of the term of the permit) and every five years thereafter if a timely request for renewal has been made and the permit continues in force, or is replaced by a permit renewal containing this requirement, the permittee shall conduct analytical chemistry testing at a minimum frequency of once per calendar quarter for four consecutive calendar quarters.

8. **Priority pollutant testing** – Refers to a suite of parameters listed in **Attachment A** of this permit.

   S**creening level testing** – During the period beginning 24 months prior to permit expiration and lasting through 12 months prior to permit expiration (Year 4 of the term of the permit) and every five years thereafter if a timely request for renewal has been made and the permit continues in force, or is replaced by a permit renewal containing this requirement, the permittee shall conduct priority pollutant testing at a minimum frequency of once per year.

   Priority pollutant and analytical chemistry testing shall be conducted using methods that permit detection of a pollutant at existing levels in the effluent or that achieve minimum reporting levels of detection as specified by the Department.

   Test results must be submitted to the Department not later than the next Discharge Monitoring Report (DMR) required by the permit, provided, however, that the permittee may review the toxicity reports for up to 10 business days of their availability before submitting them. The permittee shall evaluate test results being submitted and identify to the Department, possible exceedances of the acute, chronic or human health AWQC as established in *Surface Water Quality Criteria for Toxic Pollutants*, 06-096 CMR 584 (effective October 9, 2005). For the purposes of DMR reporting, enter a "1" for yes, testing done this monitoring period or "NODI-9" monitoring not required this period.

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

D. LIMITATIONS FOR INDUSTRIAL USERS

Pollutants introduced into the waste water collection and treatment system by a non-domestic source (user) shall not pass through or interfere with the operation of the treatment system. The licensee shall conduct an Industrial Waste Survey (IWS) at any time a new industrial user proposes to discharge within its jurisdiction; an existing user proposes to make a significant change in its discharge, or, at an alternative minimum, once every permit cycle. The IWS shall identify, in terms of character and volume of pollutants, any Significant Industrial Users discharging into the POTW subject to Pretreatment Standards under section 307(b) of the federal Clean Water Act, 40 CFR Part 403 (general pretreatment regulations) or *Pretreatment Program*, 06-096 CMR 528 (last amended March 17, 2008).

SPECIAL CONDITIONS

E. NOTIFICATION REQUIREMENTS

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

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

2. 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.

3. 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.

F. AUTHORIZED DISCHARGES

The permittee is authorized to discharge only: 1) in accordance with the permittee's General Application for Waste Discharge License, accepted for processing on April 29, 2014; 2) in accordance with the terms and conditions of this permit; and 3) via Outfall #001A. Discharges of wastewater from any other point source are not authorized under this permit, and shall be reported in accordance with Standard Condition B(5), *Bypasses*, of this permit.

G. WET WEATHER MANAGEMENT PLAN

The treatment facility staff shall maintain a Wet Weather Management Plan to direct the staff on how to operate the facility effectively during periods of high flow. The Department acknowledges that the existing collection system may deliver flows in excess of the monthly average design capacity of the treatment plant during periods of high infiltration and rainfall. A specific objective of the plan shall be to maximize the volume of wastewater receiving secondary treatment under all operating conditions. The revised plan shall include operating procedures for a range of intensities, address solids handling procedures (including septic waste and other high strength wastes if applicable) and provide written operating and maintenance procedures for before, during and after the events.

Once the Wet Weather Management Plan has been approved, the permittee shall review their plan at least annually and record any necessary changes to keep the plan up to date. The Department may require review and update of the plan as it is determined to be necessary.

SPECIAL CONDITIONS

H. OPERATIONS AND MAINTENANCE (O&M) PLAN

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 systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit.

By December 31 of each year, **or within 90 days of any process changes or minor equipment upgrades,** the permittee shall evaluate and modify the O&M Plan including site plan(s) and schematic(s) for the waste water 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 Department and USEPA personnel upon request.

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

I. 06-096 CMR 530(2)(D)(4) STATEMENT FOR REDUCED/WAIVED TOXICS TESTING

By December 31 of each calendar year, the permittee shall provide the Department with a certification describing any of the following that have occurred since the effective date of this permit ***[ICIS Code 75305]***: See **Attachment _B_** of the Fact Sheet of this permit for an acceptable certification form to satisfy this Special Condition.

(a) Changes in the number or types of non-domestic wastes contributed directly or indirectly to the wastewater treatment works that may increase the toxicity of the discharge;

(b) Changes in the operation of the treatment works that may increase the toxicity of the discharge; and

(c) Changes in industrial manufacturing processes contributing wastewater to the treatment works that may increase the toxicity of the discharge.

In addition, in the comments section of the certification form, the permittee shall provide the Department with statements describing;

(d) Changes in storm water collection or inflow/infiltration affecting the facility that may increase the toxicity of the discharge.

(e) Increases in the type or volume of hauled wastes accepted by the facility.

The Department reserves the right to reinstate annual (surveillance level) testing or other toxicity testing if new information becomes available that indicates the discharge may cause or have a reasonable potential to cause exceedences of ambient water quality criteria/thresholds.

SPECIAL CONDITIONS

J. MONITORING AND REPORTING

Monitoring results obtained during the previous month shall be summarized for each month and reported on separate Discharge Monitoring Report (DMR) forms provided by the Department and shall be postmarked by the thirteenth (13th) day of the month or hand-delivered to a Department Regional Office such that the DMRs are received by the Department by 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, unless otherwise specified, to the Department's facility inspector at:

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

Alternatively, if you are submitting an electronic Discharge Monitoring Report (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.

K. REOPENING OF PERMIT FOR MODIFICATION

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.

L. SEVERABILITY

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

Printed 5/5/2014

Maine Department of Environmental Protection
WET and Chemical Specific Data Report Form
This form is for reporting laboratory data and facility information. Official compliance reviews will be done by DEP.

Facility Name _____ **MEPDES #** _____ **Pipe #** _____

Facility Representative Signature _____
To the best of my knowledge this information is true, accurate and complete.

Licensed Flow (MGD)	
Acute dilution factor	
Chronic dilution factor	
Human health dilution factor	
Criteria type: M(arine) or F(resh)	f

Flow for Day (MGD)[1] _____ **Flow Avg. for Month (MGD)**[2] _____

Date Sample Collected _____ Date Sample Analyzed _____

Laboratory _____ Telephone _____
Address _____
Lab Contact _____ Lab ID # _____

Last Revision - April 24, 2014

ERROR WARNING ! Essential facility information is missing. Please check required entries in bold above.

FRESH WATER VERSION

Please see the footnotes on the last page.

			Effluent Limits, %			Receiving Water or Ambient	**Effluent Concentration (ug/L or as noted)** WET Result, % Do not enter % sign	Reporting Limit Check	**Possible Exceedence** [7]		
	WHOLE EFFLUENT TOXICITY		Acute	Chronic					Acute	Chronic	
	Trout - Acute										
	Trout - Chronic										
	Water Flea - Acute										
	Water Flea - Chronic										
	WET CHEMISTRY										
	pH (S.U.) (9)										
	Total Organic Carbon (mg/L)					(8)					
	Total Solids (mg/L)										
	Total Suspended Solids (mg/L)										
	Alkalinity (mg/L)					(8)					
	Specific Conductance (umhos)										
	Total Hardness (mg/L)					(8)					
	Total Magnesium (mg/L)					(8)					
	Total Calcium (mg/L)					(8)					
	ANALYTICAL CHEMISTRY [3]										
	Also do these tests on the effluent with WET. Testing on the receiving water is optional	Reporting Limit	Effluent Limits, ug/L Acute[6]	Chronic[6]	Health[6]			Reporting Limit Check	**Possible Exceedence** [7] Acute	Chronic	Health
	TOTAL RESIDUAL CHLORINE (mg/L) (9)	0.05				NA					
	AMMONIA	NA				(8)					
M	ALUMINUM	NA				(8)					
M	ARSENIC	5				(8)					
M	CADMIUM	1				(8)					
M	CHROMIUM	10				(8)					
M	COPPER	3				(8)					
M	CYANIDE, TOTAL	5				(8)					
	CYANIDE, AVAILABLE [3a]	5				(8)					
M	LEAD	3				(8)					
M	NICKEL	5				(8)					
M	SILVER	1				(8)					
M	ZINC	5				(8)					

Maine Department of Environmental Protection
WET and Chemical Specific Data Report Form
This form is for reporting laboratory data and facility information. Official compliance reviews will be done by DEP.

	PRIORITY POLLUTANTS [4]		Effluent Limits					Reporting Limit Check	Possible Exceedence [7]		
		Reporting Limit	Acute[6]	Chronic[6]	Health[6]				Acute	Chronic	Health
M	ANTIMONY	5									
M	BERYLLIUM	2									
M	MERCURY (5)	0.2									
M	SELENIUM	5									
M	THALLIUM	4									
A	2,4,6-TRICHLOROPHENOL	5									
A	2,4-DICHLOROPHENOL	5									
A	2,4-DIMETHYLPHENOL	5									
A	2,4-DINITROPHENOL	45									
A	2-CHLOROPHENOL	5									
A	2-NITROPHENOL	5									
A	4,6 DINITRO-O-CRESOL (2-Methyl-4,6-dinitrophenol)	25									
A	4-NITROPHENOL	20									
A	P-CHLORO-M-CRESOL (3-methyl-4-chlorophenol)+B80	5									
A	PENTACHLOROPHENOL	20									
A	PHENOL	5									
BN	1,2,4-TRICHLOROBENZENE	5									
BN	1,2-(O)DICHLOROBENZENE	5									
BN	1,2-DIPHENYLHYDRAZINE	20									
BN	1,3-(M)DICHLOROBENZENE	5									
BN	1,4-(P)DICHLOROBENZENE	5									
BN	2,4-DINITROTOLUENE	6									
BN	2,6-DINITROTOLUENE	5									
BN	2-CHLORONAPHTHALENE	5									
BN	3,3'-DICHLOROBENZIDINE	16.5									
BN	3,4-BENZO(B)FLUORANTHENE	5									
BN	4-BROMOPHENYLPHENYL ETHER	5									
BN	4-CHLOROPHENYL PHENYL ETHER	5									
BN	ACENAPHTHENE	5									
BN	ACENAPHTHYLENE	5									
BN	ANTHRACENE	5									
BN	BENZIDINE	45									
BN	BENZO(A)ANTHRACENE	8									
BN	BENZO(A)PYRENE	5									
BN	BENZO(G,H,I)PERYLENE	5									
BN	BENZO(K)FLUORANTHENE	5									
BN	BIS(2-CHLOROETHOXY)METHANE	5									
BN	BIS(2-CHLOROETHYL)ETHER	6									
BN	BIS(2-CHLOROISOPROPYL)ETHER	6									
BN	BIS(2-ETHYLHEXYL)PHTHALATE	10									
BN	BUTYLBENZYL PHTHALATE	5									
BN	CHRYSENE	5									
BN	DI-N-BUTYL PHTHALATE	5									
BN	DI-N-OCTYL PHTHALATE	5									
BN	DIBENZO(A,H)ANTHRACENE	5									
BN	DIETHYL PHTHALATE	5									
BN	DIMETHYL PHTHALATE	5									

Maine Department of Environmental Protection
WET and Chemical Specific Data Report Form
This form is for reporting laboratory data and facility information. Official compliance reviews will be done by DEP.

BN	FLUORANTHENE	5									
BN	FLUORENE	5									
BN	HEXACHLOROBENZENE	5									
BN	HEXACHLOROBUTADIENE	5									
BN	HEXACHLOROCYCLOPENTADIENE	10									
BN	HEXACHLOROETHANE	5									
BN	INDENO(1,2,3-CD)PYRENE	5									
BN	ISOPHORONE	5									
BN	N-NITROSODI-N-PROPYLAMINE	10									
BN	N-NITROSODIMETHYLAMINE	5									
BN	N-NITROSODIPHENYLAMINE	5									
BN	NAPHTHALENE	5									
BN	NITROBENZENE	5									
BN	PHENANTHRENE	5									
BN	PYRENE	5									
P	4,4'-DDD	0.05									
P	4,4'-DDE	0.05									
P	4,4'-DDT	0.05									
P	A-BHC	0.2									
P	A-ENDOSULFAN	0.05									
P	ALDRIN	0.15									
P	B-BHC	0.05									
P	B-ENDOSULFAN	0.05									
P	CHLORDANE	0.1									
P	D-BHC	0.05									
P	DIELDRIN	0.05									
P	ENDOSULFAN SULFATE	0.1									
P	ENDRIN	0.05									
P	ENDRIN ALDEHYDE	0.05									
P	G-BHC	0.15									
P	HEPTACHLOR	0.15									
P	HEPTACHLOR EPOXIDE	0.1									
P	PCB-1016	0.3									
P	PCB-1221	0.3									
P	PCB-1232	0.3									
P	PCB-1242	0.3									
P	PCB-1248	0.3									
P	PCB-1254	0.3									
P	PCB-1260	0.2									
P	TOXAPHENE	1									
V	1,1,1-TRICHLOROETHANE	5									
V	1,1,2,2-TETRACHLOROETHANE	7									
V	1,1,2-TRICHLOROETHANE	5									
V	1,1-DICHLOROETHANE	5									
V	1,1-DICHLOROETHYLENE (1,1-dichloroethene)	3									
V	1,2-DICHLOROETHANE	3									
V	1,2-DICHLOROPROPANE	6									
V	1,2-TRANS-DICHLOROETHYLENE (1,2-trans-dichloroethene)	5									
V	1,3-DICHLOROPROPYLENE (1,3-dichloropropene)	5									
V	2-CHLOROETHYLVINYL ETHER	20									

Maine Department of Environmental Protection
WET and Chemical Specific Data Report Form
This form is for reporting laboratory data and facility information. Official compliance reviews will be done by DEP.

V	ACROLEIN	NA									
V	ACRYLONITRILE	NA									
V	BENZENE	5									
V	BROMOFORM	5									
V	CARBON TETRACHLORIDE	5									
V	CHLOROBENZENE	6									
V	CHLORODIBROMOMETHANE	3									
V	CHLOROETHANE	5									
V	CHLOROFORM	5									
V	DICHLOROBROMOMETHANE	3									
V	ETHYLBENZENE	10									
V	METHYL BROMIDE (Bromomethane)	5									
V	METHYL CHLORIDE (Chloromethane)	5									
V	METHYLENE CHLORIDE	5									
V	TETRACHLOROETHYLENE (Perchloroethylene or Tetrachloroethene)	5									
V	TOLUENE	5									
V	TRICHLOROETHYLENE (Trichloroethene)	3									
V	VINYL CHLORIDE	5									

Notes:

(1) Flow average for day pertains to WET/PP composite sample day.

(2) Flow average for month is for month in which WET/PP sample was taken.

(3) Analytical chemistry parameters must be done as part of the WET test chemistry.

(3a) Cyanide, Available (Cyanide Amenable to Chlorination) is not an analytical chemistry parameter, but may be required by certain discharge permits .

(4) Priority Pollutants should be reported in micrograms per liter (ug/L).

(5) Mercury is often reported in nanograms per liter (ng/L) by the contract laboratory, so be sure to convert to micrograms per liter on this spreadsheet.

(6) Effluent Limits are calculated based on dilution factor, background allocation (10%) and water quality reserves (15% - to allow for new or changed discharges or non-point sources).

(7) Possible Exceedence determinations are done for a single sample only on a mass basis using the actual pounds discharged. This analysis does not consider watershed wide allocations for fresh water discharges.

(8) These tests are optional for the receiving water. However, where possible samples of the receiving water should be preserved and saved for the duration of the WET test. In the event of questions about the receiving water's possible effect on the WET results, chemistry tests should then be conducted.

(9) pH and Total Residual Chlorine must be conducted at the time of sample collection. Tests for Total Residual Chlorine need be conducted only when an effluent has been chlorinated or residual chlorine is believed to be present for any other reason.

ATTACHMENT B

Maine Department of Environmental Protection

Effluent Mercury Test Report

Name of Facility: _____ Federal Permit # ME _____

Pipe # _____

Purpose of this test: ☐ Initial limit determination
☐ Compliance monitoring for: year _____ calendar quarter _____
☐ Supplemental or extra test

SAMPLE COLLECTION INFORMATION

Sampling Date: ___ ___ _____ Sampling time: _____ AM/PM
mm dd yy

Sampling Location:

Weather Conditions: _____

Please describe any unusual conditions with the influent or at the facility during or preceding the time of sample collection:

Optional test - not required but recommended where possible to allow for the most meaningful evaluation of mercury results:

Suspended Solids _____ mg/L Sample type: _____ Grab (recommended) or
_____ Composite

ANALYTICAL RESULT FOR EFFLUENT MERCURY

Name of Laboratory: _____

Date of analysis: _____ **Result:** _____ **ng/L (PPT)**

Please Enter Effluent Limits for your facility

Effluent Limits: **Average =** _____ ng/L **Maximum =** _____ ng/L

Please attach any remarks or comments from the laboratory that may have a bearing on the results or their interpretation. If duplicate samples were taken at the same time please report the average.

CERTIFICATION

I certifiy that to the best of my knowledge the foregoing information is correct and representative of conditions at the time of sample collection. The sample for mercury was collected and analyzed using EPA Methods 1669 (clean sampling) and 1631 (trace level analysis) in accordance with instructions from the DEP.

By: _____ Date: _____

Title: _____

PLEASE MAIL THIS FORM TO YOUR ASSIGNED INSPECTOR

MAINE POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT
AND
MAINE WASTE DISCHARGE LICENSE

PROPOSED DRAFT FACT SHEET

DATE: **OCTOBER 16, 2014**

MEPDES PERMIT NUMBER: **ME0100447**
WASTE DISCHARGE LICENSE: **W000865-6C-I-R**

NAME AND ADDRESS OF APPLICANT:

NEWPORT SANITARY DISTRICT
P.O. BOX 157, 106 MARTIN STREAM ROAD
NEWPORT, MAINE 04953

COUNTY: **PENOBSCOT**

NAME AND ADDRESS WHERE DISCHARGE OCCURS:

NEWPORT SANITARY DISTRICT
106 MARTIN STREAM ROAD
NEWPORT, MAINE 04953

RECEIVING WATER / CLASSIFICATION: **EAST BRANCH OF THE SEBASTICOOK RIVER / CLASS C**

COGNIZANT OFFICIAL AND TELEPHONE NUMBER: **MR. DANIEL STEVENS**
dannsd@myfairpoint.net
(207) 368-5129

1. APPLICATION SUMMARY

a. Application: On April 29, 2014, the Department accepted as complete for processing, a renewal application for Maine Pollutant Discharge Elimination System (MEPDES) #ME0100447 /Waste Discharge License (WDL) #W000865-6C-H-R, which was issued on September 18, 2009 for a five-year term. The 9/18/09 MEPDES permit authorized the year round, monthly average discharge of 0.524 million gallons per day (MGD) of secondary treated municipal wastewaters to the East Branch of the Sebasticook River, Class C, in Newport, Maine .

2. PERMIT SUMMARY

a. Terms and Conditions **This permitting action is carrying forward all the terms and conditions of the 9/18/09 permitting action, except that it is:**

1. Eliminating the monthly average, water quality-based effluent concentration and mass limitations for Ammonia, Cadmium and Lead given the results of a current statistical evaluation indicates these parameters no longer exceed or have a reasonable potential to exceed applicable ambient water quality criteria, and;

2. Eliminating the option for the facility when calculating percent removal to report the NODI 9 code on the Discharge Monitoring Report (DMR) when the average influent concentration is less than 200 mg/L based on guidance from the U.S. Environmental Protection Agency (EPA).

3. Incorporating previously established average and maximum technology based concentration limits for total mercury so the results can be tracked in the federal Integrated Compliance Information System (ICIS).

b. History: This section provides a summary of recent, relevant licensing/permitting actions that have been completed for the Newport Sanitary District.

September 2, 1987 – The U.S. Environmental Protection Agency (USEPA) issued National Pollutant Discharge Elimination System (NPDES) permit #ME0100447 to the District for the discharge of an unspecified quantity of secondary treated sanitary wastewater to the East Branch of the Sebasticook River. This permitting action superseded the previous NPDES permit issued on June 21, 1977.

May 23, 2000 – Pursuant to *Certain deposits and discharges prohibited*, 38 M.R.S.A. § 420 and *Waste discharge licenses*, 38 M.R.S.A. § 413 and *Interim Effluent Limitations and Controls for the Discharge of Mercury*, 06-096 CMR 519 (last amended October 6, 2001), the Department issued a *Notice of Interim Limits for the Discharge of Mercury* to the permittee thereby administratively modifying WDL #W000865-5L-E-R by establishing interim monthly average and daily maximum effluent concentration limits of 6.8 parts per trillion (ppt) and 10.2 ppt, respectively, and a minimum monitoring frequency requirement of 2 tests per year for mercury. It is noted the limitations have not been incorporated into Special Condition A, *Effluent Limitations And Monitoring Requirements*, of this permit as limitations and monitoring

2. PERMIT SUMMARY (cont'd)

frequencies are regulated separately through 38 M.R.S.A. § 413 and 06-096 CMR 519. However, the interim limitations remain in effect and enforceable and any modifications to the limits and or monitoring requirements will be formalized outside of this permitting document.

January 12, 2001 – The Department received authorization from the USEPA to administer the 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 MEPDES program, and MEPDES permit #ME0100447 has been utilized as the primary reference number for the Newport Sanitary District.

July 1, 2004 – The Department issued WDL #W000865-5L-F-R / MEPDES permit #ME0100447 to the District for a five-year term. The 7/1/04 permit superseded WDL #W000865-5L-E-R issued on 1/4/99, WDL #W000865-46-D-R issued on 6/18/90, WDL #W00865-47-C-A (an administrative amendment) issued on 4/27/88, WDL #865 issued on 3/28/84 and WDL #865 issued on 1/16/80.

April 10, 2006 – The Department amended the 7/1/04 permit to incorporate testing requirements of 06-096 CMR 530.

July 1, 2009 – The District submitted a timely and complete General Application to the Department for renewal of the 7/1/04 MEPDES permit. The application was accepted for processing on July 1, 2009, and was assigned WDL #W000865-6C-G-R / MEPDES #ME0100447.

September 18, 2009 – The Department issued WDL #W000865-6C-G-R / MEPDES #ME0100447 to the District for a five year term.

April 29, 2014 - The District submitted a timely and complete General Application to the Department for renewal of the 9/18/09 MEPDES permit. The application was accepted for processing on April 29, 2014, and was assigned WDL #W000865-6C-I-R / MEPDES #ME0100447.

c. Source Description: The Newport Sanitary District is a quasi-municipal wastewater treatment facility located on the Martin Stream Road in Newport, Maine. The facility has been in operation since 1985 and currently serves a population of approximately 560 residential and commercial customers with a total population of approximately 3,000 people. There are no industrial users and no combined sewer overflow (CSO) points associated with the collection system, and the facility is not required to implement a formal pretreatment program. The sewage collection system is 100% separated (storm water and sanitary wastewater) and consists of approximately 14 miles of sewer lines and two pump stations. In the last permitting cycle (2009-2014) the District completed an upgrade on the main pump station and replaced and/or lined approximately 10,000 lineal feet of clay tile line. The District currently receives between 1,500 and 15,000 gallons per month of holding tank waste on a seasonal basis during the months of March through September. A map showing the location of the treatment facility and receiving waters is included as **Attachment A** of this fact sheet.

2. PERMIT SUMMARY (cont'd)

d. Wastewater Treatment: The District provides a secondary level of treatment via a facultative lagoon system operated in series. All sanitary wastewater flows are collected in the District's sewer collection system and conveyed by gravity and the Birch Street pump station through a comminutor located at a pump station on Spring Street in Newport. The screened flow is conveyed to the treatment facility via a 12-inch diameter force main. The flow is conveyed to a 9-foot deep by 6-foot diameter circular grit removal chamber located adjacent to the first treatment lagoon and then to the first and largest of three biological treatment lagoons operated in series. All three lagoons contain diffused aeration to enhance treatment and are lined with an impermeable geotextile liner to prevent infiltration. The first lagoon in series measures approximately 200 feet wide by 420 feet long, and the second and third lagoons measure approximately 150 feet wide by 310 feet long each. All three lagoons are operated at a working depth of approximately 14 feet. The entire lagoon system provides a total detention time of approximately 55 to 80 days and has a total capacity of approximately 28.7 million gallons. The District reported that the detention time of the lagoons allows the facility to discharge effluent on a continuous basis without disinfection and in compliance with the *Escherichia coli* bacteria effluent limitations. The lagoon system was constructed with a lagoon underdrain collection system designed to capture wastewater in the event of a structural failure of the lagoon liners. The underdrain system is tied into a lagoon perimeter underdrain collection system that is designed to prevent ground water infiltration into the lagoon system. The perimeter underdrain system is tied into the facility's outfall pipe. The District reported that they have no evidence that the lagoon liners have or are failing and do not anticipate wastewater flow entering the underdrain collection system. Further, the District reported that opening a closed valve on the lagoon underdrain system could undermine the integrity of the liners and the valve. Therefore, the Department is not requiring monitoring of the underdrain system at this time on the basis that any substantial discharge of partially treated wastewater from tears in the lagoon liner would be detected through effluent monitoring.

The District completed construction of a 20-foot wide by 80-foot long reed (*Phragmites australis*) bed in the summer of 2002 to assist in the biological decomposition and assimilation of sludge generated by wastewater settling processes. Sludge is pumped from the bottom of each lagoon cell to one of four (4) separate introduction points within the reed bed system. The reed bed was constructed with an underdrain leachate collection system consisting of a geotextile liner, a manhole and a pump system that returns leachate to the first lagoon cell for additional treatment. The District cuts back and burns the vegetative portions of the reed grass during the spring of each year to promote the healthy growth of new plants. A ground water collection system was constructed under the reed bed to prevent infiltration through the reed bed, and ground water entering the collection system is pumped to the first lagoon cell for treatment prior to discharge. The reed bed is surrounded by a six to eight-foot wide covering of crushed rock on three sides and a vegetated (upland grass species) slope on the fourth that is mowed during summer months.

Final effluent flow from the lagoon system is measured using a 6-inch diameter Parshall flume installed at the outlet of the third lagoon cell and all effluent sampling for compliance demonstration is performed at this point.

2. PERMIT SUMMARY (cont'd)

Final effluent is conveyed for discharge approximately 2,000 linear feet from the treatment lagoons to a palustrine emergent wetland via a 16-inch diameter outfall pipe identified as Outfall #001A. The District reported that the end of the outfall pipe is submerged during all seasons to a depth of five feet. The wetland serves as a conveyance to the East Branch of the Sebasticook River entering the river as surface flow. During construction of the facility in 1985, a dissipation pool, which now measures approximately 0.25 acres in surface area, was excavated in the wetland immediately off the end of the outfall pipe for the purpose of flow energy reduction and to promote the even distribution of flow into the surrounding vegetated wetland area. The wetland complex is directly associated with the East Branch of the Sebasticook River through ground water and surface water exchanges, and wastewater that is not assimilated within the wetland is expected to enter the river which is located approximately 1,000 linear feet south of the end-of-pipe location.

The District reported that they mechanically remove settled solids from the two grit chambers located at the treatment plant and on Spring Street and dispose of the material by land applying on a portion of the District's 120-acre property.

3. CONDITIONS OF PERMITS

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 (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 06-096 CMR 530 require the regulation of toxic substances not to exceed levels set forth in *Surface Water Quality Criteria for Toxic Pollutants*, 06-096 CMR 584 (effective October 9, 2005), and that ensure safe levels for the discharge of toxic pollutants such that existing and designated uses of surface waters are maintained and protected.

4. RECEIVING WATER QUALITY STANDARDS

Classification of major river basins, 38 M.R.S.A. §467(4)(H)(2)(a) classifies the East Branch of the Sebasticook River at the point of discharge as a Class C waterway. The freshwater wetland at the point of discharge is hydrologically connected to the East Branch of the Sebasticook River via surface and ground water flows and is also considered to be a Class C waterbody in lieu of specific water quality standards established for freshwater wetlands. *Standards for classification of fresh surface waters,* 38 M.R.S.A. § 465(4) describes the standards for Class C waters as follows:

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

4. RECEIVING WATER QUALITY STANDARDS (cont'd)

B. The dissolved oxygen content of Class C water may be not less than 5 parts per million or 60% of saturation, whichever is higher, except that in identified salmonid spawning areas where water quality is sufficient to ensure spawning, egg incubation and survival of early life stages, that water quality sufficient for these purposes must be maintained. In order to provide additional protection for the growth of indigenous fish, the following standards apply.

(1) The 30-day average dissolved oxygen criterion of a Class C water is 6.5 parts per million using a temperature of 22 degrees centigrade or the ambient temperature of the water body, whichever is less, if:

(a) A license or water quality certificate other than a general permit was issued prior to March 16, 2004 for the Class C water and was not based on a 6.5 parts per million 30-day average dissolved oxygen criterion; or

(b) A discharge or a hydropower project was in existence on March 16, 2005 and required but did not have a license or water quality certificate other than a general permit for the Class C water.

This criterion for the water body applies to licenses and water quality certificates issued on or after March 16, 2004.

(2) In Class C waters not governed by subparagraph (1), dissolved oxygen may not be less than 6.5 parts per million as a 30-day average based upon a temperature of 24 degrees centigrade or the ambient temperature of the water body, whichever is less. This criterion for the water body applies to licenses and water quality certificates issued on or after March 16, 2004.

The department may negotiate and enter into agreements with licensees and water quality certificate holders in order to provide further protection for the growth of indigenous fish. Agreements entered into under this paragraph are enforceable as department orders according to the provisions of sections 347-A to 349.

Between May 15th and September 30th, the number of Escherichia coli bacteria of human and domestic animal origin in Class C waters may not exceed a geometric mean of 126 per 100 milliliters or an instantaneous level of 236 per 100 milliliters. In determining human and domestic animal origin, the department shall assess licensed and unlicensed sources using available diagnostic procedures. The board shall adopt rules governing the procedure for designation of spawning areas. Those rules must include provision for periodic review of designated spawning areas and consultation with affected persons prior to designation of a stretch of water as a spawning area.

4. RECEIVING WATER QUALITY STANDARDS (cont'd)

C. Discharges to Class C waters may cause some changes to aquatic life, except that the receiving waters must be of sufficient quality to support all species of fish indigenous to the receiving waters and maintain the structure and function of the resident biological community. This paragraph does not apply to aquatic pesticide or chemical discharges approved by the department and conducted by the department, the Department of Inland Fisheries and Wildlife or an agent of either agency for the purpose of restoring biological communities affected by an invasive species.

5. RECEIVING WATER QUALITY CONDITIONS

1. The State of Maine 2012 Integrated Water Quality Monitoring and Assessment Report, (Report) prepared by the Department pursuant to Sections 303(d) and 305(b) of the Federal Water Pollution Control Act, lists relevant segments of the East Branch of the Sebasticook River as *"Category 5-A: Rivers and Streams Impaired by Pollutants Other Than Those Listed in 5-B Through 5-D (TMDL Required)."* Impairment in this context refers to the dissolved oxygen (DO) criteria for Class C waters. The Report states that the source of the non-attaining dissolved oxygen condition and Total Phosphorus (TP) is eutrophic lake conditions in Sebasticook Lake for which a total maximum daily load has been completed. In the past decade (since approval of lake TMDL in 2001) TP and Chlorophyll levels in the lake have decreased, Secchi disk transparency has increased; expect TP and DO situation in river to improve over time.

2. The 2012 Report also lists the same segment of East Branch of the Sebasticook River as *"Category 5-D: Rivers and Streams Impaired by Legacy Pollutants."* Impairment in this context refers to the presence of dioxins/furans and polychlorinated biphenyls (PCBs) in some fish tissues. The presence of PCBs has not always been associated with any identifiable source but may be a result of atmospheric deposition and or a legacy of practices that predate the national ban on the use of PCB in 1979.

3. The 2012 Report also lists Maine's fresh waters as *"Category 4-A: Rivers and Streams with Impaired Use, TMDL Completed."* All freshwaters formerly listed in Category 5-C were moved to Category 4-A (TMDL Completed) in 2008 due to US EPA approval of a Regional Mercury TMDL. Impairment in this context refers to a statewide fish consumption advisory due to elevated levels of mercury in some fish tissues. The Report states, *"Impairment caused by atmospheric deposition of mercury; a regional scale TMDL has been approved. Maine has a fish consumption advisory for fish taken from all freshwaters due to mercury. Many waters, and many fish from any given water, do not exceed the action level for mercury. However, because it is impossible for someone consuming a fish to know whether the mercury level exceeds the action level, the Maine Department of Human Services decided to establish a statewide advisory for all freshwater fish that recommends limits on consumption. Maine has already instituted statewide programs for removal and reduction of mercury sources."* Pursuant to 38 M.R.S.A. § 420(1-B)(B), *"a facility is not in violation of the ambient criteria for mercury if the facility is in compliance with an interim discharge limit established by the Department pursuant to section 413 subsection 11."* The Department has established interim monthly average and daily maximum mercury concentration limits and reporting requirements for this facility pursuant to 06-096 CMR 519.

5. RECEIVING WATER QUALITY CONDITIONS (cont'd)

The Department has no information at this time that the discharge from the Newport Sanitary District, as permitted, will cause or contribute to non-attainment of dissolved oxygen standards for Class C waters, contributing to the presence of PCBs or dioxins/furans or the fish consumption advisory due to elevated mercury in fish tissue.

6. EFFLUENT LIMITATIONS & MONITORING REQUIREMENTS

a. Flow: The previous permitting action established a year round monthly average discharge flow limitation of 0.524 MGD. The flow limit of 0.524 MGD is based on the average dry weather design criterion. This permitting action is carrying forward the daily maximum discharge flow reporting requirement to assist in compliance evaluations.

A summary of the discharge flow data as reported on the Discharge Monitoring Reports (DMRs) submitted to the Department for Outfall #001A for the period June 2009 through June 2014 is as follows:

Discharge Flow	Minimum	Maximum	Arithmetic Mean	# DMRs
Monthly Average	0.045 MGD	0.710 MGD	0.3139 MGD	56

b. Dilution Factors: Dilution factors associated with the discharge were derived in accordance with 06-096 CMR 530(4)(A) and were calculated as follows:

Acute: 1Q10 = 3.4 cfs $\Rightarrow \frac{(3.4 \text{ cfs})(0.6464) + 0.524 \text{ MGD}}{0.524 \text{ MGD}} =$ 5.2:1

Chronic: 7Q10 = 7.4 cfs $\Rightarrow \frac{(7.4 \text{ cfs})(0.6464) + 0.524 \text{ MGD}}{0.524 \text{ MGD}} =$ 10.1:1

Harmonic Mean = 49.1 cfs $\Rightarrow \frac{(49.1 \text{ cfs})(0.6464) + 0.524 \text{ MGD}}{0.524 \text{ MGD}} =$ 61.6:1

06-096 CMR 530(4)(B)(1) states - *Analyses using numerical acute criteria for aquatic life must be based on 1/4 of the 1Q10 stream design flow to prevent substantial acute toxicity within any mixing zone and to ensure a zone of passage of at least 3/4 of the cross-sectional area of any stream as required by Chapter 581. Where it can be demonstrated that a discharge achieves rapid and complete mixing with the receiving water by way of an efficient diffuser or other effective method, analyses may use a greater proportion of the stream design flow, up to and including all of it, as long as the required zone of passage is maintained.*

Due to uncertainties of the impacts and available mixing within the wetland, the Department is making a best professional judgment determination to utilize the full 1Q10 stream design flow recognizing that, at least in terms of the river, there is likely additional dilution from the wetland.

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

c. Biochemical Oxygen Demand (BOD_5) and Total Suspended Solids (TSS): This permitting action is carrying forward, monthly average and weekly average and daily maximum technology-based concentration limits of 30 mg/L and 45 mg/L, respectively, for BOD_5 and TSS based on the secondary treatment requirements specified at *Effluent Guidelines and Standards*, 06-096 CMR 525(3)(III) (effective January 12, 2001), and a daily maximum concentration limit of 50 mg/L, which is based on a Department best professional judgment of best practicable treatment for secondary treated municipal wastewater. The technology-based monthly average, weekly average and daily maximum mass limits of 131 lbs./day, 197 lbs./day and 219 lbs./day, respectively, established previously, for BOD_5 and TSS are also being carried forward in this permitting action.

This permitting action is carrying forward a requirement for a minimum of 85% removal of BOD_5 & TSS pursuant to 06-096 CMR 525(3)(III)(a&b)(3) for all flows receiving secondary treatment. Percent removal is based on a rolling average calculation as described in Special Condition A, Footnote #2 of the permit.

A summary of the effluent BOD_5 and TSS data as reported on the DMRs submitted to the Department for the period June 2009 through June 2014 is as follows:

BOD_5	**Minimum**	**Maximum**	**Arithmetic Mean**	**# DMRs**
Monthly Average	7 lbs./day	86 lbs./day	28 lbs./day	56
	4 mg/L	18 mg/L	10 mg/L	56
Weekly Average	7 lbs./day	150 lbs./day	45 lbs./day	56
	4 mg/L	26 mg/L	13 mg/L	56
Daily Maximum	7 lbs./day	150 lbs./day	45 lbs./day	56
	4 mg/L	26 mg/L	13 mg/L	56

TSS	**Minimum**	**Maximum**	**Arithmetic Mean**	**# DMRs**
Monthly Average	5 lbs./day	62 lbs./day	17 lbs./day	56
	3 mg/L	13 mg/L	6 mg/L	56
Weekly Average	6 lbs./day	96 lbs./day	27 lbs./day	56
	3 mg/L	18 mg/L	8 mg/L	56
Daily Maximum	6 lbs./day	96 lbs./day	27 lbs./day	56
	3 mg/L	18 mg/L	8 mg/L	56

This permitting action is carrying forward the minimum monitoring frequency requirement of once per week for BOD_5 and TSS based on Department best professional judgment.

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

d. *Escherichia coli* bacteria: The previous permitting action established seasonal (May 15-September 30 of each year) monthly average and daily maximum *E. coli* bacteria concentration limits of 126 colonies/100 ml and 949 colonies/100 ml, respectively. This permitting action is carrying forward these monthly average (geometric mean) and daily maximum limitations for *E. coli* bacteria. Maine Law, 38 M.R.S.A. § 465(4), requires that the *E. coli* bacteria of human and domestic animal origin in Class C waters may not exceed an instantaneous level (daily maximum) of 236 colonies/100 ml. The Department has determined that end-of-pipe limitations for the instantaneous concentration standard of 236 colonies/100 ml will be achieved through available dilution of the effluent with the receiving waters and need not be revised in MEPDES permits for facilities with adequate dilution, such as that for the Newport Sanitary District.

A summary of the *E. coli* bacteria data as reported on the DMRs submitted to the Department for Outfall #001A for the period of June 2009 – June 2014 (applicable months when bacteria limits are in effect only) is as follows:

***E. coli* bacteria**	**Minimum**	**Maximum**	**Arithmetic Mean**	**# DMRs**
Monthly Average	1.6 col / 100 ml	112 col / 100 ml	14.51 col / 100 ml	25
Daily Maximum	2 col / 100 ml	365 col / 100 ml	63.8 col / 100 ml	25

This permitting action is carrying forward a minimum monitoring frequency requirement of once per week for *E. coli* bacteria (during the applicable period) based on best professional judgment.

e. Total Residual Chlorine (TRC): The District has determined that treated wastewater does not require disinfection prior to discharge in order to meet the *E. coli* limits established in the permit and does not utilize or stock any chlorine-based compounds at the treatment facility. Therefore, this permitting action is not establishing effluent limitations for TRC. If at any time the District determines that elemental chlorine or chlorine-based compounds must be utilized for effluent disinfection, the Department must be notified in accordance with Special Condition F of the permit, *Notification Requirements*, at which time the Department will evaluate the final effluent TRC levels and establish limits as necessary to ensure compliance with applicable water quality standards.

f. pH: This permitting action is carrying forward the previously established technology-based pH limit of 6.0 – 9.0 standard units, which is based on 06-096 CMR 525(3)(III). This permitting action also carries forward the minimum monitoring frequency of three times per week based on a Department best professional judgment.

A summary of pH data as reported on the monthly DMRs for the period of June 2009 through June 2014 (# DMRs = 56) indicates the effluent pH has been in compliance with the pH range limitation 100% of the time.

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

g. Whole Effluent Toxicity (WET), Priority Pollutant, and Analytical Chemistry Testing: Maine law, 38 M.R.S.A., Sections 414-A and 420, prohibit the discharge of effluents containing substances in amounts that would cause the surface waters of the State to contain toxic substances above levels set forth in Federal Water Quality Criteria as established by the USEPA. Department Rules, 06-096 CMR Chapter 530, *Surface Water Toxics Control Program*, and Chapter 584, *Surface Water Quality Criteria for Toxic Pollutants* set forth ambient water quality criteria (AWQC) for toxic pollutants and procedures necessary to control levels of toxic pollutants in surface waters.

WET, priority pollutant and analytical chemistry testing as required by Department rule 06-096 CMR Chapter 530, is included in this permit in order to fully characterize the effluent. This permit also provides for reconsideration of effluent limits and monitoring schedules after evaluation of toxicity testing results. The monitoring schedule includes consideration of results currently on file, the nature of the wastewater, existing treatment and receiving water characteristics.

WET monitoring is required to assess and protect against impacts upon water quality and designated uses caused by the aggregate effect of the discharge on specific aquatic organisms. Acute and chronic WET tests are performed on invertebrate and vertebrate species. Priority pollutant and analytical chemistry testing is required to assess the levels of individual toxic pollutants in the discharge, comparing each pollutant to acute, chronic, and human health AWQC as established in Department rule 06-096 CMR Chapter 584.

Department rule 06-096 CMR Chapter 530 establishes four categories of testing requirements based predominately on the chronic dilution factor. The categories are as follows:

1) Level I – chronic dilution factor of <20:1.
2) Level II – chronic dilution factor of ≥20:1 but <100:1.
3) Level III – chronic dilution factor ≥100:1 but <500:1 or >500:1 and Q ≥1.0 MGD
4) Level IV – chronic dilution >500:1 and Q ≤1.0 MGD

Department rule 06-096 CMR Chapter 530 (1)(D) specifies the criteria to be used in determining the minimum monitoring frequency requirements for WET, priority pollutant and analytical chemistry testing. Based on the Department rule 06-096 CMR Chapter 530 criteria, the permittee's facility falls into the Level I frequency category as the facility has a chronic dilution factor of <20:1. Department rule 06-096 CMR Chapter 530(1)(D)(1) specifies that routine screening and surveillance level testing requirements are as follows:

Surveillance level testing – Beginning upon permit issuance and lasting through 24 months prior to permit expiration (Years 1, 2 & 3 of the term of the permit) and commencing again 12 months prior to permit expiration (Year 5 of the term of the permit).

Level	WET Testing	Priority pollutant testing	Analytical chemistry
I	2 per year	None required	4 per year

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

Screening level testing – Beginning 24 months prior to permit expiration and lasting through 12 months prior to permit expiration (Year 4 of the term of the permit) and every five years thereafter if a timely request for renewal has been made and the permit continues in force, or is replaced by a permit renewal containing this requirement.

Level	WET Testing	Priority pollutant testing	Analytical chemistry
I	4 per year	1 per year	4 per year

A review of the data on file with the Department indicates that to date, the permittee has fulfilled the WET and chemical-specific testing requirements of Department rule 06-096 CMR Chapter 530. See **Attachment C** of this Fact Sheet for dates and test results for chemical specific testing dates and results of pollutants of concern.

Department rule 06-096 CMR Chapter 530 §(3)(E) states "*For effluent monitoring data and the variability of the pollutant in the effluent, the Department shall apply the statistical approach in Section 3.3.2 and Table 3-2 of USEPA's "Technical Support Document for Water Quality-Based Toxics Control" (USEPA Publication 505/2-90-001, March, 1991, EPA, Office of Water, Washington, D.C.) to data to determine whether water-quality based effluent limits must be included in a waste discharge license. Where it is determined through this approach that a discharge contains pollutants or WET at levels that have a reasonable potential to cause or contribute to an exceedence of water quality criteria, appropriate water quality-based limits must be established in any licensing action.*"

Department rule 06-096 CMR Chapter 530 §3 states, *"The Department shall establish appropriate discharge prohibitions, effluent limits and monitoring requirements in waste discharge licenses if a discharge contains pollutants that are or may be discharged at levels that cause, have reasonable potential to cause, or contribute to an ambient excursion in excess of a numeric or narrative water quality criteria or that may impair existing or designated uses. The licensee must also control whole effluent toxicity (WET) when discharges cause, have a reasonable potential to cause, or contribute to an ambient excursion above the narrative water quality criteria. "In determining if effluent limits are required, the Department shall consider all information on file and effluent testing conducted during the preceding 60 months. However, testing done in the performance of a Toxicity Reduction Evaluation (TRE) approved by the Department may be excluded from such evaluations."*

Department rule 06-096 CMR Chapter 530(D)(3)(c) states in part *"Dischargers in Level I may reduce surveillance testing to one WET or specific chemical series per year provided that testing in the preceding 60 months does not indicate any reasonable potential for exceedence as calculated pursuant to section 3(E).*"

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

WET Evaluation

Since this discharge is directed into a freshwater wetland adjacent to the East Branch of the Sebasticook River, the Department has previously waived WET testing for the Newport Sanitary District. This permitting action is carrying forward the previous determination to waive WET testing for this facility. The Department does, however, reserve the right to impose WET testing requirements at any time if deemed necessary and appropriate to protect water quality or aquatic life.

Analytical chemistry and priority pollutant testing

Department rule 06-096 CMR Chapter 530 §4(C), states "*The background concentration of specific chemicals must be included in all calculations using the following procedures. The Department may publish and periodically update a list of default background concentrations for specific pollutants on a regional, watershed or statewide basis. In doing so, the Department shall use data collected from reference sites that are measured at points not significantly affected by point and non-point discharges and best calculated to accurately represent ambient water quality conditions The Department shall use the same general methods as those in section 4(D) to determine background concentrations. For pollutants not listed by the Department, an assumed concentration of 10% of the applicable water quality criteria must be used in calculations."* The Department has limited information on the background levels of metals in the water column in the East Branch of the Sebasticook River in the vicinity of the permittee's outfall. Therefore, a default background concentration of 10% of the applicable water quality criteria is being used in the calculations of this permitting action.

Department rule 06-096 CMR Chapter 530 4(E), states "*In allocating assimilative capacity for toxic pollutants, the Department shall hold a portion of the total capacity in an unallocated reserve to allow for new or changed discharges and non-point source contributions. The unallocated reserve must be reviewed and restored as necessary at intervals of not more than five years. The water quality reserve must be not less than 15% of the total assimilative quantity.* However, in May 2012, Maine law 38 M.R.S.A. §464, ¶¶ J was enacted which reads as follows, *"For the purpose of calculating waste discharge license limits for toxic substances, the department may use any unallocated assimilative capacity that the department has set aside for future growth if the use of that unallocated assimilative capacity would avoid an exceedance of applicable ambient water quality criteria or a determination by the department of a reasonable potential to exceed ambient water quality criteria.."*

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

Department rule 06-096 CMR Chapter 530 §(3)(E) states *"... that a discharge contains pollutants or WET at levels that have a reasonable potential to cause or contribute to an exceedence of water quality criteria, appropriate water quality-based limits must be established in any licensing action."*

Department rule 06-096 CMR Chapter 530 §4(F) states in part **"***Where there is more than one discharge into the same fresh or estuarine receiving water or watershed, the Department shall consider the cumulative effects of those discharges when determining the need for and establishment of the level of effluent limits. The Department shall calculate the total allowable discharge quantity for specific pollutants, less the water quality reserve and background concentration, necessary to achieve or maintain water quality criteria at all points of discharge, and in the entire watershed. The total allowable discharge quantity for pollutants must be allocated consistent with the following principles.*

Evaluations must be done for individual pollutants of concern in each watershed or segment to assure that water quality criteria are met at all points in the watershed and, if appropriate, within tributaries of a larger river.

The total assimilative capacity, less the water quality reserve and background concentration, may be allocated among the discharges according to the past discharge quantities for each as a percentage of the total quantity of discharges, or another comparable method appropriate for a specific situation and pollutant. Past discharges of pollutants must be determined using the average concentration discharged during the past five years and the facility's licensed flow.

The amount of allowable discharge quantity may be no more than the past discharge quantity calculated using the statistical approach referred to in section 3(E) [Section 3.3.2 and Table 3-2 of USEPA's "Technical Support Document for Water Quality-Based Toxics Control"] of the rule, but in no event may allocations cause the water quality reserve amount to fall below the minimum referred to in 4(E) [15% of the total assimilative capacity]. Any difference between the total allowable discharge quantity and that allocated to existing dischargers must be added to the reserve.

On July 30, 2014, the Department conducted a statistical evaluation (Report ID 701) on the most recent 60 months of chemical-specific tests results on file with the Department for the District in accordance with the statistical approach outlined above. The results of the statistical evaluation were compared to 06-096 CMR 584 and the Ambient Water Quality Criteria (AWQC) specified in Appendix A of the rule. Based on the 7/3014 statistical evaluation, the Department has identified that the discharge has:

- on one occasion (test result of 8.1 μg/L on 12/14/11) demonstrated RP to exceed the acute AWQC for copper. See **Attachment C** of this fact sheet for a summary of priority pollutant test dates and test results for copper.

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

Copper (Total)

On July 30, 2014, the Department conducted statistical evaluations based on 15% of the ambient water quality criteria reserve being withheld (Report ID 702) and 0% of the reserve of the criteria being withheld (Report ID #701) to determine if the unallocated assimilative capacity would avoid an exceedance or reasonable potential to exceed applicable ambient water quality criteria for toxic pollutants. Report ID #701 indicates allocating the 15% reserve does avoid a number of reasonable potentials to exceed applicable AWQC for the parameters of concern for dischargers in the Kennebec and or Sebasticook River watersheds. Therefore, the department is utilizing the full 15% of the unallocated assimilative capacity in the statistical evaluation when establishing limits for toxic pollutants in waste discharge licenses for facilities in the Sebasticook River watershed.

Water quality-based concentration and mass limits for total copper may be calculated using the following formulas:

Concentration Limit Formula =

$$[(\text{Dilution Factor})(0.75)(\text{criterion})] + (0.25)(\text{criterion})$$

Mass Limit Formula =

$$\frac{(\text{Conc. Limit, } \mu g/L)(8.34 \text{ lbs./gallon})(\text{flow limit, MGD})}{1000 \ \mu g/mg}$$

The previous permitting action established daily maximum concentration and mass limits of 12.8 µg/L and 0.06 lbs./day, respectively, and monthly average concentration and mass limits of 18.5 µg/L and 0.13 lbs./day, respectively, for total copper. End-of-pipe (EOP), water quality-based daily maximum and monthly average concentration and mass limits for copper (total) may be calculated and are being established in this permitting action as follows:

Daily Maximum Conc. $= [(5.2)(0.9)(3.07 \ \mu g/L)] + (0.1)(3.07 \ \mu g/L)$
$= 12.0 + 0.8$
$= 14.7 \ \mu g/L$

Daily Maximum Mass $= \frac{(14.7 \ \mu g/L)(8.34 \text{ lbs./gallon})(0.524 \text{ MGD})}{1000 \ \mu g/mg} =$ **0.06 lbs./day**

This permitting action is carrying forward a minimum monitoring frequency requirement of once per calendar quarter for copper from the 9/18/09 permit based on the default analytical chemistry testing frequency prescribed by 06-096 CMR 530(2)(D) and in consideration of the timing, frequency and severity of test results on file.

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

The 7/30/14 statistical evaluation indicates that the discharge does not exceed or demonstrate RP for any other pollutants tested. Therefore, this permitting action is:

- eliminating the monthly average concentration and mass limits for ammonia;
- eliminating the monthly average concentration and mass limits for total cadmium;
- eliminating the monthly average concentration and mass limits for total lead; and
- carrying forward the daily maximum mass limits for total copper.

06-096 CMR 530(2)(D)(3)(c) states, in part, *"Dischargers in Level I may reduce surveillance testing to one WET or specific chemical series per year provided that testing in the preceding 60 months does not indicate any reasonable potential for exceedence as calculated pursuant to section 3(E)."* Therefore, this permitting action is carrying forward reduced surveillance level analytical chemistry testing at a minimum frequency of once per year for all parameters except, copper, which must be monitored quarterly. This permitting action is carrying forward the routine screening level priority pollutant and analytical chemistry testing requirements as specified in the table above and 06-096 CMR 530(2)(D).

06-096 CMR 530(2)(D)(4) states, *"All dischargers having waived or reduced testing must file statements with the Department on or before December 31 of each year describing the following.*

(a) Changes in the number or types of non-domestic wastes contributed directly or indirectly to the wastewater treatment works that may increase the toxicity of the discharge;

(b) Changes in the operation of the treatment works that may increase the toxicity of the discharge; and

(c) Changes in industrial manufacturing processes contributing wastewater to the treatment works that may increase the toxicity of the discharge."

The 9/18/09 fact sheet discussed above specified that the facility must comply with this annual notification statement to continue reduced surveillance level testing. This permitting action is carrying forward the notification requirement in this permitting action as Special Condition I, *06-096 CMR 530(2)(D)(4) Statement for Reduced/Waived Toxicity Testing*. This permit provides for reconsideration of testing requirements, including the imposition of certain testing, in consideration of the nature of the wastewater discharged, existing wastewater treatment, receiving water characteristics, and results of testing.

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

h. Total Phosphorus: Wetlands are known for their ability to remove and transform nutrients. The discharge from the Newport facility meanders through approximately 1000 linear feet of palustrine scrub-shrub wetland before entering the East Branch of the Sebasticook River. Given that there are no nutrient criteria for wetlands and the distance to the East Branch of the Sebasticook River, the Department is making a best professional judgment determination that the discharge does not have a reasonable potential to exceed the national in stream total phosphorus goal of 100 ug/L and therefore not requiring phosphorous sampling at this time. The Department does, however, reserve the right to impose phosphorous testing requirements at any time if deemed necessary and appropriate to protect water quality or aquatic life.

7. DISCHARGE IMPACT ON RECEIVING WATER QUALITY

Based on information to date, the Department has determined the existing water uses will be maintained and protected provided the permittee complies with the terms and conditions established herein.

8. PUBLIC COMMENTS

Public notice of this application was made in the *Rolling Thunder Express* newspaper on or about April 07, 2014. 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 *Application Processing Procedures for Waste Discharge Licenses,* 06-096 CMR 522 (effective January 12, 2001).

9. DEPARTMENT CONTACTS

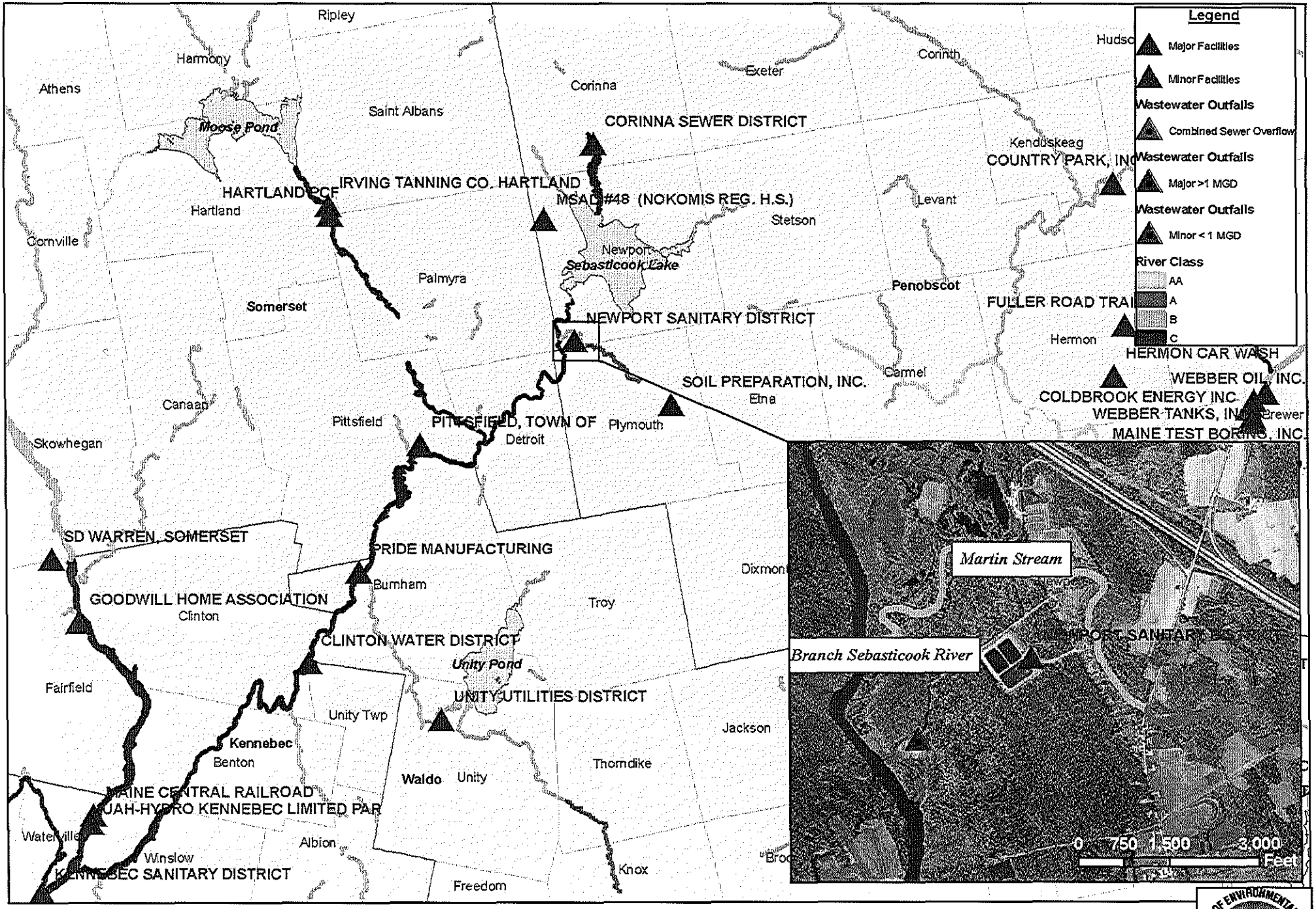
Additional information concerning this permitting action may be obtained from, and written comments sent to:

Rod Robert
Division of Water Quality Management
Bureau of Land & Water Quality
Department of Environmental Protection
17 State House Station
Augusta, Maine 04333-0017 Telephone: (207) 446-1875 Fax: (207) 287-3435
e-mail: rodney.robert@maine.gov

10. RESPONSE TO COMMENTS

Reserved until the end of the formal draft period.

ATTACHMENT A



Newport Sanitary District
Newport, Maine

Map created by Maine DEP
July 2009

ATTACHMENT B

CHAPTER 530(2)(D)(4) CERTIFICATION

MEPDES# _____ Facility Name _____

Since the effective date of your permit have there been:	NO	YES (Describe in Comments)
1. changes in the number or types of non-domestic wastes contributed directly or indirectly to the wastewater treatment works that may **increase** the toxicity of the discharge?		
2. changes in the operation of the treatment works that may **increase** the toxicity of the discharge?		
3. changes in industrial manufacturing processes contributing wastewater to the treatment works that may **increase** the toxicity of the discharge?		

COMMENTS:

Name(print) _____

Signature _____ Date _____

This document must be signed by the permittee or their legal representative.

This form may be used to meet the requirements of Chap 530(2)(D)(4). This Chapter requires all dischargers having waived or reduced Toxic testing to file a statement with the Department describing changes to the waste being contributed to their system as outlined above. As an alternative the discharger may submit a signed letter containing the same information.

ATTACHMENT C

PRIORITY POLLUTANT DATA SUMMARY

Date Range: 19/Sep/2009-19/Sep/2014

Facility Name: **NEWPORT** NPDES: **ME0100447**

Test Date	Monthly (Flow MGD)	Daily (Flow MGD)	Total Test Number	Test # By Group M	V	BN	P	O	A	Clean	Hg
09/30/2009	0.19	0.19	2	2	0	0	0	0	0	F	0
08/16/2010	0.14	0.14	11	10	0	0	0	1	0	F	0
12/14/2011	0.29	0.27	11	10	0	0	0	1	0	F	0
03/20/2012	0.37	0.48	11	10	0	0	0	1	0	F	0
06/13/2013	0.38	0.68	11	10	0	0	0	1	0	F	0
12/17/2013	0.25	0.22	11	10	0	0	0	1	0	F	0
03/04/2014	0.25	0.15	125	14	28	46	25	1	11	F	0
06/03/2014	0.24	0.18	11	10	0	0	0	1	0	F	0

Key:

A = Acid O = Others P = Pesticides

BN = Base Neutral M = Metals V = Volatiles

FACILITY PRIORITY POLLUTANT DATA REPORT

Data Date Range: 19/Sep/2009-19/Sep/2014

Facility name: **NEWPORT** Permit Number: **ME0100447**

Parameter: COPPER

Test date	Result (ug/l)	Lsthan
09/30/2009	6.000	N
08/16/2010	5.000	N
12/14/2011	8.000	N
03/20/2012	4.000	N
06/13/2013	3.160	N
12/17/2013	3.030	N
03/04/2014	4.190	N
06/03/2014	3.000	Y