STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

PAUL R. LEPAGE
GOVERNOR

PATRICIA W. AHO
COMMISSIONER

August 14, 2015

Mr. Jeff Van Trump
Town of Bar Harbor
138 Ledgelawn Ave.
Bar Harbor, ME 04609
e-mail: *jvantrump@barharbormaine.gov*

RE: Maine Pollutant Discharge Elimination System (MEPDES) Permit #ME0101214
Maine Waste Discharge License (WDL) #W002591-6B-I-R
Proposed Draft Permit – Main Plant

Dear Mr. Van Trump:

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.

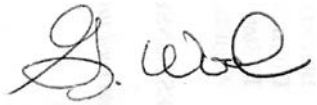
By copy of this letter, the Department is requesting comments on the proposed draft permit from various state and federal agencies, as required by our new regulations, and from any other parties who have notified the Department of their interest in this matter.

All comments must be received in the Department of Environmental Protection office on or before the close of business **Monday, September 14, 2015.** 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 287-7693.

Sincerely,



Gregg Wood
Division of Water Quality Management
Bureau of Water Quality

Enc.

cc: Matt Young, DEP/EMRO
David Webster, USEPA
David Pincumbe, USEPA
Alex Rosenberg, USEPA
Olga Vergara, USEPA
Maine Department of Marine Resources
Maine Department of Inland Fisheries & Wildlife
Ivy Frignoca, CLF

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

DEPARTMENT ORDER

IN THE MATTER OF

TOWN OF BAR HARBOR	)	MAINE POLLUTANT DISCHARGE
BAR HARBOR, HANCOCK COUNTY, MAINE	)	ELIMINATION SYSTEM PERMIT
PUBLICLY OWNED TREATMENT WORKS	)	AND
ME0101214	)	WASTE DISCHARGE LICENSE
W002591-6D-I-R **APPROVAL**	)	**RENEWAL**
MAIN FACILITY		

Pursuant to the provisions of the Federal Water Pollution Control Act, Title 33 USC, Section 1251, *et seq.* and Maine law, 38 M.R.S.A., Section 414-A *et seq.*, and applicable regulations, the Department of Environmental Protection (Department hereinafter) has considered the application of the TOWN OF BAR HARBOR (Town/permittee hereinafter), with its supportive data, agency review comments, and other related materials on file and FINDS THE FOLLOWING FACTS:

APPLICATION SUMMARY

The Town has submitted a timely and complete to the Department for the renewal of combination Maine Pollutant Discharge Elimination System (MEPDES) permit #ME0101214/Maine Waste Discharge License (WDL) #W002591-6D-G-R (permit hereinafter) which was issued by the Department on September 2, 2010, for a five-year term. The 9/2/10 permit authorized the monthly average discharge of up to 2.0 million gallons per day (MGD) of secondary treated sanitary waste water from the Town's Main Plant, and an unspecified quantity of excess combined sanitary and storm water during wet weather events from three (3) combined sewer overflow (CSO) outfalls to the Atlantic Ocean at Frenchman Bay, Class SB, in Bar Harbor, Maine.

PERMIT SUMMARY

This permitting action is carrying forward all the terms and conditions from the 9/2/10 permit except that this permit is;

1. Reducing the monitoring frequencies for biochemical oxygen demand (BOD), total suspended solids (TSS) and fecal coliform bacteria from 3/Week to 2/Week based on a statistical evaluation of test results for the previous three-year period.

2. Reducing the monitoring frequency for settleable solids from 1/Day to 3/Week based on a statistical evaluation for the previous three-year period.

3. Reducing the monitoring frequency for total residual chlorine from 2/Day to 1/Day based on a statistical evaluation for the previous three-year period.

CONCLUSIONS

BASED on the findings in the attached **PROPOSED DRAFT** Fact Sheet dated August 14, 2015, and subject to the Conditions listed below, the Department makes the following conclusions:

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

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

3. The provisions of the State's antidegradation policy, 38 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 (including the three CSO points) will be subject to effluent limitations that require application of best practicable treatment as defined in Maine law, 38 M.R.S.A., §414-A(1)(D).

ACTION

THEREFORE, the Department APPROVES the above noted application of the TOWN OF BAR HARBOR to discharge a monthly average flow of up to 2.0 million gallons per day of secondary treated municipal waste water from the Town's Main Plant to the Atlantic Ocean at Frenchman Bay, Class SB, in Bar Harbor Maine, and an unspecified quantity of untreated excess combined sanitary and storm water from three (3) combined sewer overflow (CSO) points during wet weather events to the Atlantic Ocean at Frenchman Bay, Class SB, and Eddie Brook, Class B, in Bar Harbor Maine, SUBJECT TO THE ATTACHED CONDITIONS, and all applicable standards and regulations including:

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

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

3. This permit becomes effective upon the date of signature below and expires at midnight five (5) years after that date. If a renewal application is timely submitted and accepted as complete for processing prior to the expiration of this permit, the terms and conditions of this permit and all subsequent modifications and minor revisions thereto remain in effect until a final Department decision on the renewal application becomes effective. [*Maine Administrative Procedure Act*, 5 M.R.S.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 ___DAY OF_____, 2015.

COMMISSIONER OF ENVIRONMENTAL PROTECTION

BY:_____
Patricia W. Aho, Commissioner

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application May 29, 2015.

Date of application acceptance May 29, 2015.

Date filed with Board of Environmental Protection _____

This Order prepared by GREGG WOOD, BUREAU OF WATER QUALITY

SPECIAL CONDITIONS

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. The permittee is authorized to discharge secondary treated sanitary waste water from **Outfall #001** to the Atlantic Ocean at Frenchman Bay. 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
Flow *[50050]*	2.0 MGD *[03]*	---	Report, MGD *[03]*	---	---	---	Continuous *[99/99]*	Recorder *[RC]*
BOD_5 *[00310]*	500 lbs/day *[26]*	750 lbs/day *[26]*	834 lbs./day *[26]*	30 mg/L *[19]*	45 mg/L *[19]*	50 mg/L *[19]*	2/Week *[02/07]*	24-Hour Composite *[24]*
BOD_5 Percent Removal[(2)] *[81010]*	---	---	---	85% *[23]*	---	---	1/Month *[01/30]*	Calculate *[CA]*
TSS *[00530]*	500 lbs/day *[26]*	750 lbs/day *[26]*	834 lbs./day *[26]*	30 mg/L *[19]*	45 mg/L *[19]*	50 mg/L *[19]*	2/Week *[02/07]*	24-Hour Composite *[24]*
TSS Percent Removal[(2)] *[81011]*	---	---	---	85% *[23]*	---	---	1/Month *[01/30]*	Calculate *[CA]*
Settleable Solids *[00545]*	---	---	---	---	---	0.3 ml/L *[25]*	3/Week *[03/07]*	Grab *[GR]*
Fecal coliform bacteria[(3)] ***(May 15 – September 30)*** *[31616]*	---	---	---	15/100 ml[(4)] *[13]*	---	50/100 ml *[13]*	2/Week *[02/07]*	Grab *[GR]*
Total Residual Chlorine[(5)] *[50060]*	---	---	---	0.1 mg/L *[19]*	---	0.21 mg/L *[19]*	1/Day *[01/07]*	Grab *[GR]*
Mercury (Total)[(6)] *[71900]*	---	---	---	9.9 ng/L *[3M]*	---	14.8 ng/L *[3M]*	1/Year *[01/YR]*	Grab *[GR]*
pH *[00400]*	---	---	---	---	---	6.0 – 9.0 SU *[12]*	1/Day *[01/01]*	Grab *[GR]*

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

SPECIAL CONDITIONS

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

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 surveillance level testing as follows:

Whole Effluent Toxicity (WET) [7]	**Daily Maximum**	**Minimum Frequency**	**Sample Type**
Acute No Observed Effect Level **(A-NOEL)** Invertebrate-Mysid Shrimp (*Mysidopsis bahia*) *[TDA3E]*	Report *[23]*	1/2 Years *[01/2Y]*	Composite *[24]*
Chronic No Observed Effect Level **(C-NOEL)** Invertebrate-Sea Urchin (*Arbacia punctulata*) *[TBH3A]*	Report% *[23]*	1/2 Years *[01/2Y]*	Composite *[24]*
Analytical Chemistry[8,10] *[51168]*	Report ug/L *[28]*	1/2 Years *[01/2Y]*	Composite/Grab *[24/GR]*

SPECIAL CONDITIONS

A. EFFLUENT LIMITATIONS AND 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, the permittee shall conduct screening level testing as follows:

Whole Effluent Toxicity (WET) [7]	**Daily Maximum**	**Minimum Frequency**	**Sample Type**
Acute No Observed Effect Level **(A-NOEL)**			
Invertebrate-Mysid Shrimp (*Mysidopsis bahia*) *[TDA3E]*	Report *[23]*	2/Year *[02/YR]*	Composite *[24]*
Chronic No Observed Effect Level **(C-NOEL)**			
Invertebrate-Sea Urchin (*Arbacia punctulata*) *[TBH3A]*	Report% *[23]*	2/Year *[02/YR]*	Composite *[24]*
Analytical Chemistry[8,10] *[51668]*	Report ug/L *[28]*	1/Quarter *[01/90]*	Composite/Grab *[24/GR]*
Priority Pollutant[9,10] *[50008]*	Report ug/L *[28]*	1/Year *[01/YR]*	Composite/Grab *[24/GR]*

Footnotes: See pages 8 and 9 of this permit for applicable footnotes

SPECIAL CONDITIONS

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

Footnotes:

1. **Authorized Discharge Points** – The primary discharge pipe, an 18-inch diameter pipe referred to as Outfall #001A, is normally utilized to convey treated municipal wastewater from the Main Plant to Frenchman Bay in Bar Harbor. During periods of high plant flows (> 3.0 MGD), most common in the spring and fall, discharges from Outfall #001A are hydraulically limited. As a result, the waste water treatment facility experiences hydraulic limitations and best practicable treatment of the wastewater is jeopardized. This permit authorizes the facility to discharge from Outfall #001B, a 24-inch diameter pipe that branches off of, and is located approximately 380 feet north of, Outfall #001A. Outfall #001B extends out into the receiving water approximately 1,340 feet to a depth of approximately 28 feet below the surface at mean low water. The discharges from Outfall #001B shall receive the same degree of treatment as discharges from Outfall #001A.

   Monitoring – All influent monitoring shall be conducted at facility headworks following grit removal and influent screening. All effluent monitoring shall be conducted at a location following the last treatment unit in the treatment process as to be representative of end-of-pipe effluent characteristics. Effluent monitoring shall be performed at the effluent end of the chlorine contact chamber following the dechlorination point. 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.

2. **Percent Removal –** The treatment facility shall maintain a minimum of 85 percent removal of both biochemical oxygen demand and total suspended solids for all flows receiving secondary treatment. The percent removal shall be calculated based on influent and effluent concentration values. The percent removal shall be waived when the monthly average influent concentration is less than 200 mg/L. For instances when this occurs, the facility shall report **"NODI-9"** for this parameter on the monthly Discharge Monitoring Report (DMR).

SPECIAL CONDITIONS

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

Footnotes:

3. **Bacteria Limits –** Fecal coliform bacteria limits and monitoring requirements are seasonal and apply between May 15 and September 30 of each year.

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

5. **Total residual chlorine (TRC)** – Limitations and monitoring requirements are applicable whenever elemental chlorine or chlorine based compounds are being used to disinfect the discharge. The permittee shall utilize approved test methods that are capable of bracketing the limitations in this permit.

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 A,** *Effluent Mercury Test Report*, of this permit for the Department's form for reporting mercury test results.

   Compliance with the monthly average limitation established in Special Condition A.1 of this permit will be based on the cumulative arithmetic mean of all mercury tests results that were conducted utilizing sampling Methods 1669 and analysis Method 1631E on file with the Department for this facility.

7. **Whole Effluent Toxicity (WET) Testing** – Definitive WET testing is a multi-concentration testing event (a minimum of five dilutions bracketing the critical acute and chronic thresholds of 6.1% and 3.0%, respectively), which provides a point estimate of toxicity in terms of No Observed Effect Level, commonly referred to as NOEL or NOEC. A-NOEL is defined as the acute no observed effect level with survival as the end point. C-NOEL is defined as the chronic no observed effect level with survival, reproduction and growth as the end points.

   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 surveillance level WET testing at a minimum frequency of once every other year for the mysid shrimp (*Mysidopsis bahia*) and 1/Year on the sea urchin (*Arbacia punctulata).* Each surveillance test shall be conducted in a different calendar quarter than the previous test. Acute tests shall be conducted on the mysid shrimp and chronic tests shall be conducted on the sea urchin.

SPECIAL CONDITIONS

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

Footnotes:

b. **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, the permittee shall conduct screening level WET testing at a minimum frequency of twice per year (2/Year). For screening level tests, one test shall be conducted in the calendar period between January and June and the other test conducted six months later. Acute tests shall be conducted on the mysid shrimp; chronic tests shall be conducted on the sea urchin.

WET 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 exceedences of the critical acute and chronic water quality thresholds of 6.1% and 3.0%, respectively. See **Attachment B** of this permit for a copy of the Department's WET report form.

Toxicity tests must be conducted by an experienced laboratory approved by the Department. The laboratory must follow procedures as described in the following U.S.E.P.A. methods manuals:

a. Short Term Methods for Estimating the Chronic Toxicity of Effluent and Receiving Water to Marine and Estuarine Organisms, Third Edition, October 2002, EPA-821-R-02-014.

b. Methods for Measuring the Acute Toxicity of Effluent and Receiving Waters to Freshwater and Marine Organisms, Fifth Edition, October 2002, EPA-821-R-02-012.

Each time a WET test is performed, the permittee shall sample and analyze for the parameters in the WET Chemistry and the Analytical Chemistry sections of the Department form entitled, *Maine Department of Environmental Protection, WET and Chemical Specific Data Report Form*. See **Attachment C** of this permit.

8. **Analytical chemistry** – Refers to a suite of chemicals in **Attachment C** 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 reduced surveillance level analytical chemistry testing at a minimum frequency of once every other year (1/2 Years).

SPECIAL CONDITIONS

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

Footnotes:

b. **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, the permittee shall conduct screening level analytical chemistry testing at a minimum frequency of once per calendar quarter (1/Quarter).

9. **Priority pollutant testing** – Priority pollutants are those parameters listed in **Attachment C** of this permit.

a. **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, the permittee shall conduct screening level priority pollutant testing at a minimum frequency of once per year (1/Year). It is noted Chapter 530 does not require routine surveillance level priority pollutant testing in the first four years of the term of this permit.

10. **Analytical chemistry and priority pollutant** - Testing shall be conducted on samples collected at the same time as those collected for whole effluent toxicity tests when applicable. 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. See **Attachment C** of this permit for a list of the Department's reporting levels (RLs) of detection.

Priority pollutant and analytical chemistry test results must be submitted to the Department not later than the next DMR required by the permit provided, however, that the permittee may review the toxicity reports for up to 10 business days after receiving the test results from the laboratory before submitting them. The permittee shall evaluate test results being submitted and identify to the Department, possible exceedences of the acute, chronic or human health AWQC as established in Department rule Chapter 584. For the purposes of Discharge Monitoring Report (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 uses designated by the classification of the receiving waters.

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

3. The discharge shall not impart color, taste, turbidity, toxicity, radioactivity or other properties which cause those waters to be unsafe for the designated uses and characteristics ascribed to their classification.

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 **Grade IV** certificate (or higher) or must be a Maine Registered Professional Engineer pursuant to *Sewerage Treatment Operators*, Title 32 M.R.S.A., Sections 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 permittee 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 and report the results to the Department. 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 REQUIREMENT

In accordance with Standard Condition D, the permittee 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 into the system at the time of permit 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. AUTHORIZED DISCHARGES

The permittee is authorized to discharge only in accordance with the terms and conditions of this permit and only from Outfall #001A and Outfall #001B (secondary treated wastewater) and the three (3) combined sewer overflow outfalls (Outfall #004, #006 and #007) listed in Special Condition K, *Combined Sewer Overflows*, of this permit. 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 FLOW MANAGEMENT PLAN

The treatment facility staff shall maintain a current written Wet Weather Flow 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. 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 during the events.

The permittee shall review their plan annually and record any necessary changes to keep the plan up to date.

SPECIAL CONDITIONS

H. OPERATION & MAINTENANCE (O&M) PLAN

The permittee shall maintain a current written comprehensive Operation & Maintenance (O&M) Plan at the facility. 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 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 Department and USEPA personnel upon request.

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

I. DISPOSAL OF TRANSPORTED WASTES IN WASTEWATER TREATMENT FACILITY

During the effective period of this permit, the permittee is authorized to receive and introduce into the treatment process or solids handling stream up to **a maximum of 4,000 gallons per day** of transported wastes, subject to the following terms and conditions.

1. **"**Transported wastes" means any liquid non-hazardous waste delivered to a wastewater treatment facility by a truck or other similar conveyance that has different chemical constituents or a greater strength than the influent described on the facility's application for a waste discharge license. Such wastes may include, but are not limited to septage, industrial wastes or other wastes to which chemicals in quantities potentially harmful to the treatment facility or receiving water have been added.

2. The character and handling of all transported wastes received must be consistent with the information and management plans provided in application materials submitted to the Department.

3. At no time shall the addition of transported wastes cause or contribute to effluent quality violations. Transported wastes may not cause an upset of or pass through the treatment process or have any adverse impact on the sludge disposal practices of the wastewater treatment facility.

   Wastes that contain heavy metals, toxic chemicals, extreme pH, flammable or corrosive materials in concentrations harmful to the treatment operation must be refused. Odors and traffic from the handling of transported wastes may not result in adverse impacts to the surrounding community. If any adverse effects exist, the receipt or introduction of transported wastes into the treatment process or solids handling stream shall be suspended until there is no further risk of adverse effects.

SPECIAL CONDITIONS

I. DISPOSAL OF TRANSPORTED WASTES IN WASTEWATER TREATMENT FACILITY

4. The permittee shall maintain records for each load of transported wastes in a daily log which shall include at a minimum the following.

   (a) The date;
   (b) The volume of transported wastes received;
   (b) The source of the transported wastes;
   (d) The person transporting the transported wastes;
   (e) The results of inspections or testing conducted;
   (f) The volumes of transported wastes added to each treatment stream; and
   (g) The information in (a) through (d) for any transported wastes refused for acceptance.

   These records shall be maintained at the treatment facility for a minimum of five years.

5. The addition of transported wastes into the treatment process or solids handling stream shall not cause the treatment facility's design capacity to be exceeded. If, for any reason, the treatment process or solids handling facilities become overloaded, introduction of transported wastes into the treatment process or solids handling stream shall be reduced or terminated in order to eliminate the overload condition.

6. Holding tank wastewater from domestic sources to which no chemicals in quantities potentially harmful to the treatment process have been added shall not be recorded as transported wastes but should be reported in the treatment facility's influent flow.

7. During wet weather events, transported wastes may be added to the treatment process or solids handling facilities only in accordance with a current Wet Weather Flow Management Plan approved by the Department that provides for full treatment of transported wastes without adverse impacts.

8. In consultation with the Department, chemical analysis is required prior to receiving transported wastes from new sources that are not of the same nature as wastes previously received. The analysis must be specific to the type of source and designed to identify concentrations of pollutants that may pass through, upset or otherwise interfere with the facility's operation.

9. Access to transported waste receiving facilities may be permitted only during the times specified in the application materials and under the control and supervision of the person responsible for the wastewater treatment facility or his/her designated representative.

10. The authorization in is subject to annual review and, with notice to the permittee and other interested parties of record, may be suspended or reduced by the Department as necessary to ensure full compliance with Chapter 555 of the Department's rules and the terms and conditions of this permit.

SPECIAL CONDITIONS

J. COMBINED SEWER OVERFLOWS (CSOs)

Pursuant to Chapter 570 of Department rules, *Combined Sewer Overflow Abatement,* the permittee is authorized to discharge from the following locations of combined sewer overflows (CSOs) (storm water and sanitary wastewater) subject to the conditions and requirements herein.

1. CSO locations

Outfall #	Location	Receiving Water & Class
004	Main Street Pump Station, Corner of Cromwell Harbor Road and Main St.	Frenchman Bay, Class SB
006	Rodrick Street Pump Station Rodrick Street	Frenchman Bay, Class SB
007	West Street Pump Station West Street	Eddie Brook, Class B

2. Prohibited Discharges

   a) The discharge of dry weather flows is prohibited. All such discharges shall be reported to the Department in accordance with Standard Condition D (1) of this permit.

   b) No discharge shall occur as a result of mechanical failure, improper design or inadequate operation or maintenance.

   c) No discharges shall occur at flow rates below the applicable design capacities of the wastewater treatment facility, pumping stations or sewerage system.

3. Narrative Effluent Limitations

   a) The effluent shall not contain a visible oil sheen, settled substances, foam, or floating solids at any time that impair the characteristics and designated uses ascribed to the classification of the receiving waters.

   b) The effluent shall not contain materials in concentrations or combinations that are hazardous or toxic to aquatic life; or which would impair the use designated by the classification of the receiving waters.

   c) The discharge shall not impart color, turbidity, toxicity, radioactivity or other properties that cause the receiving waters to be unsuitable for the designated uses and other characteristics ascribed to their class.

   d) Notwithstanding specific conditions of this permit, the effluent by itself or in combination with other discharges shall 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.

SPECIAL CONDITIONS

K. COMBINED SEWER OVERFLOWS (CSOs)

4. CSO Master Plan (see Sections 2 & 3 of Chapter 570 Department rules)

   The permittee shall implement CSO control projects in accordance with an approved CSO Master Plan and abatement schedule. The CSO Master Plan entitled *Combined Sewer Overflow Master Plan Study for the Town of Bar Harbor, Maine*, dated December 2006 and subsequently revisions through January 2010, was approved by the Department on April 22, 2010.

   Key milestones approved in the most recent abatement schedule that the permittee is required to comply with are:

   On or before June 1, 2020, *[ICIS Code 81699]* the permittee shall reassess wet-weather flows within the downtown area and submit to the Department for review and approval an Updated CSO Master Plan containing future abatement projects and an implementation schedule.

   To modify the dates and or projects specified above, the permittee must file an application with the Department to formally modify this permit. The remaining work items identified in the abatement schedule may be amended from time to time based on mutual agreements between the permittee and the Department. The permittee must notify the Department in writing prior to any proposed changes to the implementation schedule.

5. Nine Minimum Controls (NMC) (see Department rule Chapter 570 Section 5)

   The permittee shall implement and follow the Nine Minimum Control documentation as approved by EPA on January 19, 2000. Work preformed on the Nine Minimum Controls during the year shall be included in the annual CSO Progress Report (see below).

6. CSO Compliance Monitoring Program (see Department rule Chapter 570 Section 6)

   The permittee shall conduct flow monitoring according to an approved *Compliance Monitoring Program* on all CSO points, as part of the CSO Master Plan. Annual flow volumes for all CSO locations shall be determined by actual flow monitoring, by estimation using a model such as EPA's Storm Water Management Model (SWMM) or by some other estimation technique approved by the Department.

SPECIAL CONDITIONS

K. COMBINED SEWER OVERFLOWS (CSOs)

Results shall be submitted annually as part of the annual *CSO Progress Report* (see below), and shall include annual precipitation, CSO volumes (actual or estimated) and any block test data required. Any abnormalities during CSO monitoring shall also be reported. The results shall be reported on the Department form *"CSO Activity and Volumes"* (**Attachment D** of this permit) or similar format and submitted to the Department on diskette.

CSO control projects that have been completed shall be monitored for volume and frequency of overflow to determine the effectiveness of the project toward CSO abatement. This requirement shall not apply to those areas where complete separation has been completed and CSO outfalls have been eliminated.

7. Additions of New Wastewater (see Department rule Chapter 570 Section 8)

Chapter 570 Section 8 lists requirements relating to any proposed addition of wastewater to the combined sewer system. Documentation of the new wastewater additions to the system and associated mitigating measures shall be included in the annual *CSO Progress Report* (see below). Reports must contain the volumes and characteristics of the wastewater added or authorized for addition and descriptions of the sewer system improvements and estimated effectiveness. Any sewer extensions upstream of a CSO must be reviewed and approved by the Department prior to their connection to the collection system. A Sewer Extension/Addition Reporting Form shall be completed and submitted to the Department along with plans and specifications of the proposed extension/addition.

8. Annual CSO Progress Reports (see Department rule Chapter 570 Section 7)

By March 1 of each year ***[PCS Code 11099]***, the permittee shall submit a *CSO Progress Reports* covering the previous calendar year (January 1 to December 31). The CSO Progress Report shall include, but is not necessarily limited to, the following topics as further described in Chapter 570: CSO abatement projects, schedule comparison, progress on inflow sources, costs, flow monitoring results, CSO activity and volumes, nine minimum controls update, sewer extensions, and new commercial or industrial flows.

The CSO Progress Reports shall be completed on a standard form entitled *"Annual CSO Progress Report."* furnished by the Department, and submitted in electronic form, if possible, to the following address:

CSO Coordinator
Department of Environmental Protection
Bureau of Water Quality
Division of Water Quality Management
17 State House Station
Augusta, Maine 04333
e-mail: CSOCoordinator@maine.gov

SPECIAL CONDITIONS

K. COMBINED SEWER OVERFLOWS (CSOs)

9. Signs

If not already installed, the permittee shall install and maintain an identification sign at each CSO location as notification to the public that intermittent discharges of untreated sanitary wastewater occur. The sign must be located at or near the outfall and be easily readable by the public. The sign shall be a minimum of 12" x 18" in size with white lettering against a green background and shall contain the following information:

TOWN OF BAR HARBOR
WET WEATHER
SEWAGE DISCHARGE
CSO# AND NAME

10. Definitions

For the purposes of this permitting action, the following terms are defined as follows:

a. Combined Sewer Overflow - a discharge of excess waste water from a municipal or quasi-municipal sewerage system that conveys both sanitary wastes and storm water in a single pipe system and that is in direct response to a storm event or snowmelt.

b. Dry Weather Flows - flow in a sewerage system that occurs as a result of non-storm events or are caused solely by ground water infiltration.

c. Wet Weather Flows - flow in a sewerage system that occurs as a direct result of a storm event, or snowmelt in combination with dry weather flows.

L. 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 E** 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.

SPECIAL CONDITIONS

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

(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.

Further, the Department may require that annual WET or priority pollutant testing be reinstituted if it determines that there have been changes in the character of the discharge or if annual certifications described above are not submitted.

M. 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 (13^{th}) day of the month or hand-delivered to a Department Regional Office such that the DMRs are received by the Department by the fifteenth (15^{th}) 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 Water Quality
Division of Water Quality Management
106 Hogan Road
Bangor, Maine 04401

Alternatively, if you are submitting 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 15^{th} 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 (13^{th}) 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 (15^{th}) 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 15^{th} day of the month following the completed reporting period.

SPECIAL CONDITIONS

N. REOPENING OF PERMIT FOR MODIFICATIONS

Upon evaluation of the tests results or monitoring requirements specified in 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 effluent or ambient water quality monitoring if results on file are inconclusive; or (3) change monitoring requirements or limitations based on new information.

O. 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 respects as if such unlawful provision, or part thereof, had been omitted, unless otherwise ordered by the court.

ATTACHMENT A

Maine Department of Environmental Protection

Effluent Mercury Test Report

Name of Facility: _____ Federal Permit # ME _____

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

SAMPLE COLLECTION INFORMATION

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

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

ATTACHMENT B

MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION
WHOLE EFFLUENT TOXICITY REPORT
MARINE WATERS

Facility Name _____ MEPDES Permit # _____

Pipe # _____

Facility Representative _____ Signature _____

By signing this form, I attest that to the best of my knowledge that the information provided is true, accurate, and complete.

Facility Telephone # _____ Date Collected _____ Date Tested _____

mm/dd/yy mm/dd/yy

Chlorinated? _____ Dechlorinated? _____

Results **% effluent**

	mysid shrimp	**sea urchin**
A-NOEL		
C-NOEL		

Effluent Limitations

A-NOEL	
C-NOEL	

Data summary

	mysid shrimp	**sea urchin**
	% survival	**% fertilized**
QC standard	**>90**	**>70**
lab control		
receiving water control		
conc. 1 (%)		
conc. 2 (%)		
conc. 3 (%)		
conc. 4 (%)		
conc. 5 (%)		
conc. 6 (%)		
stat test used		

place * next to values statistically different from controls

Salinity Adjustment

brine	
sea salt	
other	

Reference toxicant

	mysid shrimp A-NOEL	sea urchin C-NOEL
toxicant / date		
limits (mg/L)		
results (mg/L)		

Comments _____

Laboratory conducting test

Company Name _____ Company Rep. Name (Printed) _____

Mailing Address _____ Company Rep. Signature _____

City, State, ZIP _____ Company Telephone # _____

Report WET chemistry on DEP Form "ToxSheet (Marine Version), March 2007."

ATTACHMENT C

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

Licensed Flow (MGD)		**Flow for Day (MGD)[1]**		**Flow Avg. for Month (MGD)[2]**	
Acute dilution factor					
Chronic dilution factor		**Date Sample Collected**		Date Sample Analyzed	
Human health dilution factor					
Criteria type: M(arine) or F(resh)	**m**	Laboratory		Telephone	
		Address			
Last Revision - April 24, 2014					
		Lab Contact		Lab ID #	

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

MARINE AND ESTUARY VERSION

Please see the footnotes on the last page.

			Effluent Limits, %			Receiving Water or Ambient	Effluent Concentration (ug/L or as noted)		Possible Exceedence [7]		
	WHOLE EFFLUENT TOXICITY		Acute	Chronic			WET Result, % Do not enter % sign	Reporting Limit Check	Acute	Chronic	
	Mysid Shrimp										
	Sea Urchin										
	WET CHEMISTRY										
	pH (S.U.) (9)										
	Total Organic Carbon (mg/L)					NA					
	Total Solids (mg/L)					NA					
	Total Suspended Solids (mg/L)					NA					
	Salinity (ppt.)										

			Effluent Limits, ug/L						Possible Exceedence [7]		
	ANALYTICAL CHEMISTRY [3]										
	Also do these tests on the effluent with WET. Testing on the receiving water is optional	Reporting Limit	Acute[6]	Chronic[6]	Health[6]			Reporting Limit Check	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)					

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	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
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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
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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.

Maine Department of Environmental Protection
WET and Chemical Specific Data Report Form
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Comments:

ATTACHMENT D

MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION
CSO ACTIVITY AND VOLUMES

MUNICIPALITY OR DISTRICT	MEPDES / NPDES PERMIT NO.
REPORTING YEAR	SIGNED BY:
YEARLY TOTAL PRECIPITATION INCHES	DATE:

CSO EVENT NO.	START DATE OF STORM	PRECIP. DATA		FLOW DATA (GALLONS PER DAY) OR BLOCK ACTIVITY("1")							
		TOTAL INCHES	MAX. HR. INCHES	LOCATION: NUMBER:	LOCATION: NUMBER:	LOCATION: NUMBER:	LOCATION: NUMBER:	LOCATION: NUMBER:	LOCATION: NUMBER:	EVENT OVERFLOW GALLONS	EVENT DURATION HRS
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											
	TOTALS										

Note 1: Flow data should be listed as gallons per day. Storms lasting more than one day should show total flow for each day.

Note 2: Block activity should be shown as a "1" if the block floated away.

CONTENTS

A. GENERAL PROVISIONS

1. **General compliance**. All discharges shall be consistent with the terms and conditions of this permit; 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 permit; it shall be a violation of the terms and conditions of this permit 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 permit.

2. 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

(i) 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
(ii) Known to be hazardous or toxic by the licensee.

(b) The discharge of such materials will not violate applicable water quality standards.

3. Duty to comply. The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of State law and the Clean Water Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application.

(a) The permittee shall comply with effluent standards or prohibitions established under section 307(a) of the Clean Water Act, and 38 MRSA, §420 or Chapter 530.5 for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement.
(b) Any person who violates any provision of the laws administered by the Department, including without limitation, a violation of the terms of any order, rule license, permit, approval or decision of the Board or Commissioner is subject to the penalties set forth in 38 MRSA, §349.

4. Duty to provide information. The permittee shall furnish to the Department, within a reasonable time, any information which the Department may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The permittee shall also furnish to the Department upon request, copies of records required to be kept by this permit.

5. Permit actions. This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

6. Reopener clause. The Department reserves the right to make appropriate revisions to this permit in order to establish any appropriate effluent limitations, schedule of compliance or other provisions which may be authorized under 38 MRSA, §414-A(5).

7. Oil and hazardous substances. Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities or penalties to which the permittee is or may be subject under section 311 of the Federal Clean Water Act; section 106 of the Federal Comprehensive Environmental Response, Compensation and Liability Act of 1980; or 38 MRSA §§ 1301, et. seq.

8. Property rights. This permit does not convey any property rights of any sort, or any exclusive privilege.

9. Confidentiality of records. 38 MRSA §414(6) reads as follows. "Any records, reports or information obtained under this subchapter is available to the public, except that upon a showing satisfactory to the department by any person that any records, reports or information, or particular part or any record, report or information, other than the names and addresses of applicants, license applications, licenses, and effluent data, to which the department has access under this subchapter would, if made public, divulge methods or processes that are entitled to protection as trade secrets, these records, reports or information must be confidential and not available for public inspection or examination. Any records, reports or information may be disclosed to employees or authorized representatives of the State or the United States concerned with carrying out this subchapter or any applicable federal law, and to any party to a hearing held under this section on terms the commissioner may prescribe in order to protect these confidential records, reports and information, as long as this disclosure is material and relevant to any issue under consideration by the department."

10. Duty to reapply. If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit.

11. Other laws. The issuance of this permit does not authorize any injury to persons or property or invasion of other property rights, nor does it relieve the permittee if its obligation to comply with other applicable Federal, State or local laws and regulations.

12. Inspection and entry. The permittee shall allow the Department, or an authorized representative (including an authorized contractor acting as a representative of the EPA Administrator), upon presentation of credentials and other documents as may be required by law, to:

(a) Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
(b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
(c) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
(d) Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act, any substances or parameters at any location.

B. OPERATION AND MAINTENACE OF FACILITIES

1. General facility requirements.

(a) The permittee shall collect all waste flows designated by the Department 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 permittee 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 wastewaters.

(d) Final plans and specifications must be submitted to the Department for review prior to the construction or modification of any treatment facilities.

(e) The permittee shall install flow measuring facilities of a design approved by the Department.

(f) The permittee must provide an outfall of a design approved by the Department which is placed in the receiving waters in such a manner that the maximum mixing and dispersion of the wastewaters will be achieved as rapidly as possible.

2. Proper operation and maintenance. 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. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit.

3. Need to halt or reduce activity not a defense. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

4. Duty to mitigate. The permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

5. Bypasses.

(a) Definitions.

(i) Bypass means the intentional diversion of waste streams from any portion of a treatment facility.

(ii) Severe property damage means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

(b) Bypass not exceeding limitations. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of paragraphs (c) and (d) of this section.

(c) Notice.

(i) Anticipated bypass. If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least ten days before the date of the bypass.

(ii) Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in paragraph D(1)(f), below. (24-hour notice).

(d) Prohibition of bypass.

(i) Bypass is prohibited, and the Department may take enforcement action against a permittee for bypass, unless:

(A) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
(B) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
(C) The permittee submitted notices as required under paragraph (c) of this section.

(ii) The Department may approve an anticipated bypass, after considering its adverse effects, if the Department determines that it will meet the three conditions listed above in paragraph (d)(i) of this section.

6. Upsets.

(a) Definition. Upset means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

(b) Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based permit effluent limitations if the requirements of paragraph (c) of this section are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.

(c) Conditions necessary for a demonstration of upset. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

(i) An upset occurred and that the permittee can identify the cause(s) of the upset;
(ii) The permitted facility was at the time being properly operated; and
(iii) The permittee submitted notice of the upset as required in paragraph D(1)(f) , below. (24 hour notice).
(iv) The permittee complied with any remedial measures required under paragraph B(4).

(d) Burden of proof. In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof.

C. MONITORING AND RECORDS

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

2. 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 permittee 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.

3. Monitoring and records.

(a) Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.

(b) Except for records of monitoring information required by this permit related to the permittee's sewage sludge use and disposal activities, which shall be retained for a period of at least five years, the permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the sample, measurement, report or application. This period may be extended by request of the Department at any time.

(c) Records of monitoring information shall include:

(i) The date, exact place, and time of sampling or measurements;
(ii) The individual(s) who performed the sampling or measurements;
(iii) The date(s) analyses were performed;
(iv) The individual(s) who performed the analyses;
(v) The analytical techniques or methods used; and
(vi) The results of such analyses.

(d) Monitoring results must be conducted according to test procedures approved under 40 CFR part 136, unless other test procedures have been specified in the permit.

(e) State law provides that any person who tampers with or renders inaccurate any monitoring devices or method required by any provision of law, or any order, rule license, permit approval or decision is subject to the penalties set forth in 38 MRSA, §349.

D. REPORTING REQUIREMENTS

1. Reporting requirements.

(a) Planned changes. The permittee shall give notice to the Department as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:

(i) The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR 122.29(b); or

(ii) The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements under Section D(4).

(iii) The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan;

(b) Anticipated noncompliance. The permittee shall give advance notice to the Department of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

(c) Transfers. This permit is not transferable to any person except upon application to and approval of the Department pursuant to 38 MRSA, § 344 and Chapters 2 and 522.

(d) Monitoring reports. Monitoring results shall be reported at the intervals specified elsewhere in this permit.

(i) Monitoring results must be reported on a Discharge Monitoring Report (DMR) or forms provided or specified by the Department for reporting results of monitoring of sludge use or disposal practices.

(ii) 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 the permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR or sludge reporting form specified by the Department.

(iii) Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified by the Department in the permit.

(e) Compliance schedules. Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.

(f) Twenty-four hour reporting.

(i) The permittee shall report any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within 5 days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance

has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

(ii) The following shall be included as information which must be reported within 24 hours under this paragraph.

(A) Any unanticipated bypass which exceeds any effluent limitation in the permit.
(B) Any upset which exceeds any effluent limitation in the permit.
(C) Violation of a maximum daily discharge limitation for any of the pollutants listed by the Department in the permit to be reported within 24 hours.

(iii) The Department may waive the written report on a case-by-case basis for reports under paragraph (f)(ii) of this section if the oral report has been received within 24 hours.

(g) Other noncompliance. The permittee shall report all instances of noncompliance not reported under paragraphs (d), (e), and (f) of this section, at the time monitoring reports are submitted. The reports shall contain the information listed in paragraph (f) of this section.

(h) Other information. Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Department, it shall promptly submit such facts or information.

2. Signatory requirement. All applications, reports, or information submitted to the Department shall be signed and certified as required by Chapter 521, Section 5 of the Department's rules. State law provides that any person who knowingly makes any false statement, representation or certification in any application, record, report, plan or other document filed or required to be maintained by any order, rule, permit, approval or decision of the Board or Commissioner is subject to the penalties set forth in 38 MRSA, §349.

3. Availability of reports. Except for data determined to be confidential under A(9), above, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the Department. As required by State law, effluent data shall not be considered confidential. Knowingly making any false statement on any such report may result in the imposition of criminal sanctions as provided by law.

4. Existing manufacturing, commercial, mining, and silvicultural dischargers. In addition to the reporting requirements under this Section, all existing manufacturing, commercial, mining, and silvicultural dischargers must notify the Department as soon as they know or have reason to believe:

(a) That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":

(i) One hundred micrograms per liter (100 ug/l);
(ii) Two hundred micrograms per liter (200 ug/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 ug/l) for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/l) for antimony;
(iii) Five (5) times the maximum concentration value reported for that pollutant in the permit application in accordance with Chapter 521 Section 4(g)(7); or
(iv) The level established by the Department in accordance with Chapter 523 Section 5(f).

(b) That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following ``notification levels'':

(i) Five hundred micrograms per liter (500 ug/l);
(ii) One milligram per liter (1 mg/l) for antimony;
(iii) Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with Chapter 521 Section 4(g)(7); or
(iv) The level established by the Department in accordance with Chapter 523 Section 5(f).

5. Publicly owned treatment works.

(a) All POTWs must provide adequate notice to the Department of the following:

(i) Any new introduction of pollutants into the POTW from an indirect discharger which would be subject to section 301 or 306 of CWA or Chapter 528 if it were directly discharging those pollutants.
(ii) Any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of issuance of the permit.
(iii) For purposes of this paragraph, adequate notice shall include information on (A) the quality and quantity of effluent introduced into the POTW, and (B) any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW.

(b) When the effluent discharged by a POTW for a period of three consecutive months exceeds 80 percent of the permitted flow, the permittee shall submit to the Department a projection of loadings up to the time when the design capacity of the treatment facility will be reached, and a program for maintaining satisfactory treatment levels consistent with approved water quality management plans.

E. OTHER REQUIREMENTS

1. Emergency action - power failure. Within thirty days after the effective date of this permit, the permittee shall notify the Department of facilities and plans to be used in the event the primary source of power to its wastewater pumping and treatment facilities fails as follows.

(a) For municipal sources. During power failure, all wastewaters 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 wastewater facilities.

(b) For industrial and commercial sources. The permittee shall either maintain an alternative power source sufficient to operate the wastewater pumping and treatment facilities or halt, reduce or otherwise control production and or all discharges upon reduction or loss of power to the wastewater pumping or treatment facilities.

2. Spill prevention. (applicable only to industrial sources) Within six months of the effective date of this permit, the permittee shall submit to the Department for review and approval, with or without conditions, a spill prevention plan. The plan shall delineate methods and measures to be taken to prevent and or contain any spills of pulp, chemicals, oils or other contaminates and shall specify means of disposal and or treatment to be used.

3. **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.

4. **Connection to municipal sewer.** (applicable only to industrial and commercial sources) All wastewaters designated by the Department as treatable in a municipal treatment system will be cosigned to that system when it is available. This permit will expire 90 days after the municipal treatment facility becomes available, unless this time is extended by the Department in writing.

F. DEFINITIONS. For the purposes of this permit, the following definitions shall apply. Other definitions applicable to this permit may be found in Chapters 520 through 529 of the Department's rules

Average means the arithmetic mean of values taken at the frequency required for each parameter over the specified period. For bacteria, the average shall be the geometric mean.

Average monthly discharge limitation means the highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month. Except, however, bacteriological tests may be calculated as a geometric mean.

Average weekly discharge limitation means the highest allowable average of daily discharges over a calendar week, calculated as the sum of all daily discharges measured during a calendar week divided by the number of daily discharges measured during that week.

Best management practices ("BMPs") means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the State. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

Composite sample means a sample consisting of a minimum of eight grab samples collected at equal intervals during a 24 hour period (or a lesser period as specified in the section on monitoring and reporting) and combined proportional to the flow over that same time period.

Continuous discharge means a discharge which occurs without interruption throughout the operating hours of the facility, except for infrequent shutdowns for maintenance, process changes, or other similar activities.

Daily discharge means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the daily discharge is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the daily discharge is calculated as the average measurement of the pollutant over the day.

Discharge Monitoring Report ("DMR") means the EPA uniform national form, including any subsequent additions, revisions, or modifications for the reporting of self-monitoring results by permittees. DMRs must be used by approved States as well as by EPA. EPA will supply DMRs to any approved State upon request. The EPA national forms may be modified to substitute the State Agency name, address, logo, and other similar information, as appropriate, in place of EPA's.

Flow weighted composite sample means a composite sample consisting of a mixture of aliquots collected at a constant time interval, where the volume of each aliquot is proportional to the flow rate of the discharge.

Grab sample means an individual sample collected in a period of less than 15 minutes.

Interference means a Discharge which, alone or in conjunction with a discharge or discharges from other sources, both:

(1) Inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use or disposal; and
(2) Therefore is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued thereunder (or more stringent State or local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), and including State regulations contained in any State sludge management plan prepared pursuant to subtitle D of the SWDA), the Clean Air Act, the Toxic Substances Control Act, and the Marine Protection, Research and Sanctuaries Act.

Maximum daily discharge limitation means the highest allowable daily discharge.

New source means any building, structure, facility, or installation from which there is or may be a discharge of pollutants, the construction of which commenced:

(a) After promulgation of standards of performance under section 306 of CWA which are applicable to such source, or
(b) After proposal of standards of performance in accordance with section 306 of CWA which are applicable to such source, but only if the standards are promulgated in accordance with section 306 within 120 days of their proposal.

Pass through means a discharge which exits the POTW into waters of the State in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation).

Permit means an authorization, license, or equivalent control document issued by EPA or an approved State to implement the requirements of 40 CFR parts 122, 123 and 124. Permit includes an NPDES general permit (Chapter 529). Permit does not include any permit which has not yet been the subject of final agency action, such as a draft permit or a proposed permit.

Person means an individual, firm, corporation, municipality, quasi-municipal corporation, state agency, federal agency or other legal entity.

Point source means any discernible, confined and discrete conveyance, including, but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation or vessel or other floating craft, from which pollutants are or may be discharged.

Pollutant means dredged spoil, solid waste, junk, incinerator residue, sewage, refuse, effluent, garbage, sewage sludge, munitions, chemicals, biological or radiological materials, oil, petroleum products or byproducts, heat, wrecked or discarded equipment, rock, sand, dirt and industrial, municipal, domestic, commercial or agricultural wastes of any kind.

Process wastewater means any water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct, or waste product.

Publicly owned treatment works ("POTW") means any facility for the treatment of pollutants owned by the State or any political subdivision thereof, any municipality, district, quasi-municipal corporation or other public entity.

Septage means, for the purposes of this permit, 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. Septage does not include wastes from a holding tank.

Time weighted composite means a composite sample consisting of a mixture of equal volume aliquots collected over a constant time interval.

Toxic pollutant includes any pollutant listed as toxic under section 307(a)(1) or, in the case of sludge use or disposal practices, any pollutant identified in regulations implementing section 405(d) of the CWA. Toxic pollutant also includes those substances or combination of substances, including disease causing agents, which after discharge or upon exposure, ingestion, inhalation or assimilation into any organism, including humans either directly through the environment or indirectly through ingestion through food chains, will, on the basis of information available to the board either alone or in combination with other substances already in the receiving waters or the discharge, cause death, disease, abnormalities, cancer, genetic mutations, physiological malfunctions, including malfunctions in reproduction, or physical deformations in such organism or their offspring.

Wetlands means those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

Whole effluent toxicity means the aggregate toxic effect of an effluent measured directly by a toxicity test.

MAINE POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT

AND

MAINE WASTE DISCHARGE LICENSE

FACT SHEET

DATE: **August 14, 2015**

PERMIT NUMBER: **ME0101214**

LICENSE NUMBER: **W002591-6D-I-R**

NAME AND ADDRESS OF APPLICANT:

TOWN OF BAR HARBOR
Wastewater Treatment Facility
136 Ledgelawn Avenue
Bar Harbor, Maine 04609

COUNTY: **Hancock County**

NAME AND ADDRESS WHERE DISCHARGE OCCURS:

Main Plant
Bar Harbor, Maine 04609

RECEIVING WATER/CLASSIFICATION: **Frenchman Bay (Atlantic Ocean)/Class SB**

COGNIZANT OFFICIAL AND TELEPHONE NUMBER: **Mr. Jeff Van Trump**
e-mail: jvantrump@barharbormaine.gov
(207) 288-4028

1. APPLICATION SUMMARY

a. Application: The Town of Bar Harbor (Town hereinafter) has submitted a timely and complete to the Department for the renewal of combination Maine Pollutant Discharge Elimination System (MEPDES) permit #ME0101214/Maine Waste Discharge License (WDL) #W002591-6D-G-R (permit hereinafter) which was issued by the Department on September 2, 2010, for a five-year term. The 9/2/10 permit authorized the monthly average discharge of up to 2.0 million gallons per day (MGD) of secondary treated sanitary waste water from the Town's Main Plant, and an unspecified quantity of excess combined sanitary and storm water during wet weather events from three (3) combined sewer overflow (CSO) outfalls to the Atlantic Ocean at Frenchman Bay, Class SB, in Bar Harbor, Maine. A map showing the location of the facility is included as Fact Sheet **Attachment A**.

1. APPLICATION SUMMARY (cont'd)

b. Source Description: The Town's three waste water treatment facilities receive waste water generated by residential and commercial users (approximately 1,450 customer accounts on approximately 1,380 lots) located within the Town of Bar Harbor. The Town does not have specific information as to the exact number of customers connected to each of the three treatment systems. The Main Plant facility receives waste water generated by residential and commercial customers. There are no significant industrial users contributing flows to the facility. The Main Plant collection system is approximately 17.9 miles in length with seven (7) pump stations (Main Street, West Street, Albert Meadow, Canadian National, Rodick Street, Hancock Street, and Harbor One Place). Four of the seven pump stations (Main Street, West Street, Albert Meadow, and Canadian National) are equipped with permanent emergency back-up power sources, while the remaining three are manually pumped down in the event of high water. There are three (3) combined sewer overflow (CSO) points remaining in the collection system.

The previous permitting action authorized the Town to receive and introduce into the treatment process or sludge handling stream up to 4,000 gallons per day (GPD) of septage from local septage haulers pursuant to 06-096 CMR Chapter 555, *Standards For the Addition of Transported Wastes To Waste Water Treatment Facilities*. This permitting action is carrying forward authorization to accept up to 4,000 gpd of residential wastes from local haulers. The septage receiving facility is located adjacent to the aeration basins. The Main Plant facility periodically receives and treats, via sludge digestion and dewatering, septic and aerated sludge wastes from the Towns of Southwest Harbor and Mount Desert wastewater treatment facilities.

c. Wastewater Treatment: The Main Plant facility provides a secondary level of waste water treatment via a conventional activated sludge treatment process. All waste water generated within the collection system is conveyed to the Main Street pump station and from there to the facility headworks. The headworks contains an automated grit removal system and a traveling bar screen. Screened wastewater flows to a flow splitter box and is equally distributed to six (6) approximately 17-foot wide by 40-foot long by 19-foot deep aeration basins fitted with fine bubble aeration. Three of the basins are taken off-line during winter months due to significant decrease in raw wastewater flows. Wastewater is then equally distributed to two (2) 50-foot diameter covered secondary clarifiers. Clarifier supernatant is conveyed to two (2) 150-foot long by 9-foot wide by 3-foot deep chlorine contact chambers for seasonal disinfection using sodium hypochlorite and dechlorination using sodium bisulfite.

1. APPLICATION SUMMARY (cont'd)

Final effluent is conveyed for discharge to Frenchman Bay (Atlantic Ocean) via two separate discharge lines. The primary discharge pipe, Outfall #001A, is located in Compass Harbor and is an 18-inch diameter polyethylene pipe located 150 feet off shore. This outfall is equipped with a diffuser and is submerged to a depth of approximately 10 feet below the surface at mean low tide. During periods of high plant flows (> 3.0 MGD), most common in the spring and fall, discharges from Outfall #001A are hydraulically limited. As a result, the wastewater treatment facility experiences hydraulic limitations and best practicable treatment of the wastewater is jeopardized. Special Condition A of this permit authorizes the facility to discharge from Outfall #001B, a 24-inch diameter pipe that branches off Outfall #001A and is located in Cromwell Cove approximately 380 feet north of Outfall #001A. This outfall pipe is located approximately 1,340 feet off shore to a depth of approximately 28 feet below the surface at mean low water.

Sludge handling equipment at the Main Plant includes a 17-foot wide by 40-foot long by 19-foot deep sludge aerated digester basin and a 2-meter belt filter press for dewatering purposes. The Town hauls dewatered sludge to a licensed composting facility in Plymouth, Maine for final disposal. Typically, all sludge and septic wastes received at the Main Plant are conveyed directly to the sludge digester for treatment prior to dewatering. However, if the sludge pump experiences mechanical problems, the sludge/septic waste can be pumped to the aeration basins.

The Main Plant contains a biofilter designed to minimize odors associated with certain treatment structures. The Main Street pump station also contains a biofilter to reduce the presence of odors in the neighborhood surrounding the station.

A process flow schematic of the Main Plant is included as Fact Sheet **Attachment B.**

2. PERMIT SUMMARY

a. Terms and Conditions – This permitting action is carrying forward all the terms and conditions of the 9/2/10 permit except that this permit;

1. Reducing the monitoring frequencies for biochemical oxygen demand (BOD), total suspended solids (TSS) and fecal coliform bacteria from 3/Week to 2/Week based on a statistical evaluation of test results for the previous three-year period.

2. Reducing the monitoring frequency for settleable solids from 1/Day to 3/Week based on a statistical evaluation for the previous three-year period.

3. Reducing the monitoring frequency for total residual chlorine from 2/Day to 1/Day based on a statistical evaluation for the previous three-year period.

2. PERMIT SUMMARY (cont'd)

b. History: The most recent significant permitting/licensing actions completed for the Town's Main Plant include the following:

June 12, 1990 – The Department issued WDL #W002591-46-C-R to the Town for separate discharges from three wastewater treatment facilities (Main Plant, Hulls Cove Plant and DeGregorie Park Plant). As a matter of convenience and expedience, the Department combined the licensing of the three facilities into the one document. The 6/12/90 WDL superseded the previous WDL issued to the Town on February 10, 1984 for the discharge from the Main Plant facility and a subsequent WDL amendment (to revise bacteria limits from year-round to seasonal) #W002591-46-A-A issued on April 23, 1987.

July 18, 1990 – The Natural Resources Council of Maine (NRCM) filed an appeal with the Board of Environmental Protection (Board) of the 6/12/90 WDL.

February 10, 1993 – The Department issued revised WDL #W002591-46-C-Z to the Town based on a settlement of the appeal filed by NRCM on 7/18/90. The license was modified to contain requirements for the Town to conduct toxicity testing of wastewater discharges, work to eliminate combined sewer overflows (CSOs) at the Main and Hulls Cove facilities, and to eliminate the discharge of chlorine in toxic amounts via construction/reconfiguration of outfall structures that provide adequate dilution for the flows discharged.

May 18, 1993 – The USEPA issued NPDES permit #ME0101214 to the Town for the discharges from the Main Plant, Hulls Cove Plant and DeGregorie Park facilities. The 5/18/93 permit superseded previous NPDES permits issued to the Town for the three facilities. See Page 1 of 11 of the 5/18/93 permit for a complete listing of NPDES permit numbers and their associated effective dates.

November 3, 1997 – The Department issued a letter to the Town, thereby administratively modifying the 2/10/93 WDL, to establish a monthly average concentration limit of 15 colonies/100 ml and to revise the daily maximum concentration limit from 15 colonies/100 ml to 50 colonies/100 ml for fecal coliform bacteria.

December 10, 1997 – The Town of Bar Harbor substantially completed the upgrade of the Main Plant. This upgrade increased the capacity of the treatment facility from a monthly average flow of 1.2 MGD to 2.0 MGD.

July 10, 2000 – Pursuant to Maine law, 38 M.R.S.A. §420 and §413 and Department rule, 06-096 CMR Chapter 519, *Interim Effluent Limitations and Controls for the Discharge of Mercury*, the Department issued a *Notice of Interim Limits for the Discharge of Mercury* to the permittee thereby administratively modifying WDL # W002591-46-C-Z by establishing interim monthly average and daily maximum effluent concentration limits of 9.9 parts per trillion (ppt) and 14.8 ppt, respectively, and a minimum monitoring frequency requirement of 4 tests per year for mercury.

2. PERMIT SUMMARY (cont'd)

December 14, 2000 – The Department issued WDL #W002591-5L-D-R to the Town for the discharge from the Main Plant. It is noted the Town's Hulls Cove and DeGregoire Park wastewater treatment facilities were licensed independently.

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

June 18, 2001 – The Town submitted an application to the Department to modify the 12/14/00 WDL for the Main Plant facility to incorporate the terms and conditions of the MEPDES program.

August 28, 2001 – The Department issued WDL #W002591-5L-E-M / MEPDES permit #ME0101214 to the Town for the monthly average discharge of up to 2.0 MGD from the Main Plant to Frenchman Bay of the Atlantic Ocean. The 8/28/01 WDL Modification/MEPDES permit superseded the 12/14/00 WDL.

November 21, 2005 – The Department issued MEPDES permit #ME01012144/WDL #W002591-5L-F-R for five year term.

April 10, 2006 – The Department initiated a permit modification that modified the monitoring requirements for whole effluent toxicity (WET) and chemical specific test requirements to coincide with the monitoring requirements specified in Department rule 06-096 CMR, Chapter 530, *Surface Water Ambient Toxics Control Program*, promulgated on October 12, 2005.

September 2, 2010 – The Department issued WDL #W002591-6D-G-R/MEPDES permit #ME0101214 for a five-year term.

May 29, 2015 - The Town submitted an application to the Department to renew the MEPDES permit/WDL for the Main Plant.

3. CONDITIONS OF PERMITS

Maine law, 38 M.R.S.A. Section 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., Section 420 and Department rule 06-096 CMR Chapter 530, *Surface Water Toxics Control Program*, require the regulation of toxic substances not to exceed levels set forth in Department rule 06-096 CMR Chapter 584, *Surface Water Quality Criteria for Toxic Pollutants*, and that ensure safe levels for the discharge of toxic pollutants such that existing and designated uses of surface waters are maintained and protected.

4. RECEIVING WATER QUALITY STANDARDS

Maine law, 38 M.R.S.A. §469 classifies all estuarine and marine waters lying within the boundaries of the State and which are not otherwise classified, which includes the Atlantic Ocean at Frenchman Bay at the point of discharge, as Class SB waters. Maine law, 38 M.R.S.A. §465-B(2) describes the standards for Class SB waters as follows:

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

The dissolved oxygen content of Class SB waters must be not less than 85% of saturation. Between May 15th and September 30th, the numbers of enterococcus bacteria of human and domestic animal origin in these waters may not exceed a geometric mean of 8 per 100 milliliters or an instantaneous level of 54 per 100 milliliters. In determining human and domestic animal origin, the department shall assess licensed and unlicensed sources using available diagnostic procedures. The numbers of total coliform bacteria or other specified indicator organisms in samples representative of the waters in shellfish harvesting areas may not exceed the criteria recommended under the National Shellfish Sanitation Program, United States Food and Drug Administration.

Discharges to Class SB waters may not cause adverse impact to estuarine and marine life in that the receiving waters must be of sufficient quality to support all estuarine and marine species indigenous to the receiving water without detrimental changes in the resident biological community. There may be no new discharge to Class SB waters that would cause closure of open shellfish areas by the Department of Marine Resources. For the purpose of allowing the discharge of aquatic pesticides approved by the department for the control of mosquito-borne diseases in the interest of public health and safety, the department may find that the discharged effluent will not cause adverse impact to estuarine and marine life as long as the materials and methods used provide protection for nontarget species. When the department issues a license for the discharge of aquatic pesticides authorized under this paragraph, the department shall notify the municipality in which the application is licensed to occur and post the notice on the department's publicly accessible website.

5. RECEIVING WATER QUALITY CONDITIONS

The State of Maine 2012 Integrated Water Quality Monitoring and Assessment Report, prepared pursuant to Sections 303(d) and 305(b) of the Federal Water Pollution Control Act, lists Bar Harbor (Waterbody # 714-21) as, "*Category 4-A: Estuarine and Marine Waters with Impaired Use. TMDL Completed*" formerly "*Category 5-B-2: Estuarine and Marine Waters Impaired by Bacteria From Combined Sewer Overflows."* This permitting action requires the Town to develop and implement a CSO master plan for the elimination or abatement of all CSO points associated with the Main Plant collection system. As the Town's Main Plant and the sewer collection system are upgraded and maintained in according to the CSO Master Plan and Nine Minimum Controls, there should be reductions in the frequency and volume of CSO activities and, over time, improvement in the quality of the wastewater discharged to the receiving waters.

5. RECEIVING WATER QUALITY CONDITIONS (cont'd)

The Maine Department of Marine Resources (DMR) assesses information on shellfish growing areas to ensure that shellfish harvested are safe for consumption. The DMR has authority to close shellfish harvesting areas wherever there is a pollution source, a potential pollution threat, or poor water quality. The DMR traditionally closes shellfish harvesting areas if there are known sources of discharges with unacceptable bacteria levels (instream thresholds established in the National Shellfish Sanitation Program) or maintains shellfish harvesting closure areas due to lack of updated information regarding ambient water quality conditions. In addition, the DMR prohibits shellfish harvesting in the immediate vicinity of all wastewater treatment outfall pipes as a precautionary measure in the event of a failure in the treatment plant's disinfection system. Thus, shellfish harvesting area #47 is closed to the harvesting of shellfish due to insufficient or limited ambient water quality data to determine that the area meets the standards in the National Shellfish Sanitation Program. The shellfish closure area is identified on the map included as Fact Sheet **Attachment A**. The Department is making the determination that compliance with the fecal coliform bacteria and other secondary wastewater treatment limits established in this permitting action ensure that the discharge of secondary treated wastewater from the Town's Main Plant will not cause or contribute to the failure of the receiving waters to meet the standards of its designated classification.

6. EFFLUENT LIMITATIONS & MONITORING REQUIREMENTS

a. Flow: The previous permitting action established, and this permitting action is carrying forward, a monthly average discharge flow limit of 2.0 million gallons per day (MGD) based on the design capacity of the treatment facility, a daily maximum discharge flow reporting requirement and a "continuous recorder" minimum monitoring frequency requirement.

A review of the monthly DMR data for the period January 2012 – February 2015 indicates the facility has reported values as follows:

Flow (DMRs=38)

Value	Limit (MGD)	Range (MGD)	Mean (MGD)
Monthly average	2.0	0.61 – 1.34	1.00
Daily maximum	Report	0.72 – 4.2	2.6

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

b. Dilution Factors: Department rule, 06-096 CMR Chapter 530 Section 4.A.2..a, *Surface Water Toxics Control Program*, states that, *"For discharges to the ocean, dilution must be calculated as near-field or initial dilution, or that dilution available as the effluent plume rises from the point of discharge to its trapping level, at mean low water level and slack tide for the acute exposure analysis, and at mean tide for the chronic exposure analysis using appropriate models determined by the Department such as MERGE, CORMIX or another predictive model."* Based on the configuration of Outfall #001A and #001B and a discharge flow limit of 2.0 MGD, dilution factors associated with the discharge are as follows:

Acute = 16.5:1 Chronic = 33.3:1 Harmonic mean[1] = 100:1

c. Biochemical Oxygen Demand (BOD_5) and Total Suspended Solids (TSS): The previous permitting action established, and this permitting action is carrying forward, technology-based monthly and weekly average biochemical oxygen demand (BOD5) and total suspended solids (TSS) concentration limits of 30 mg/L and 45 mg/L, respectively, based on secondary treatment requirements as defined in Department rule, 06-096 CMR Chapter 525(3)(III). The previous permitting action established, and this permitting action is carrying forward, technology-based daily maximum BOD_5 and TSS concentration limits of 50 mg/L based on a Department best professional judgement of best practicable treatment. The previous permitting action established, and this permitting action is carrying forward, monthly average, weekly average and daily maximum mass limits based on calculations using the monthly average flow limit of 2.0 MGD and the appropriate concentration limits as follows:

Monthly Average Mass Limit: (30 mg/L)(8.34 lbs./gallon)(2.0 MGD) = 500 lbs./day
Weekly Average Mass Limit: (45 mg/L)(8.34 lbs./day)(2.0 MGD) = 750 lbs./day
Daily Maximum Mass Limit: (50 mg/L)(8.34 lbs./day)(2.0 MGD) = 834 lbs./day

A review of the monthly Discharge Monitoring Report (DMR) data for the period January 2012 – February 2015 indicates the following:

BOD Mass (DMRs=37)

Value	Limit (lbs/day)	Range (lbs/day)	Average (lbs/day)
Monthly Average	500	21 - 81	45
Daily Maximum	834	30 – 210	105

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

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

BOD Concentration (DMRs=38)

Value	Limit (mg/L)	Range (mg/L)	Average (mg/L)
Monthly Average	30	3.8 – 8.3	5
Daily Maximum	50	5.0 – 13.0	7

TSS mass (DMRs=38)

Value	Limit (lbs/day)	Range (lbs/day)	Average (lbs/day)
Monthly Average	500	22 – 64	42
Daily Maximum	834	32 - 224	99

TSS concentration (DMRs=38)

Value	Limit (mg/L)	Range (mg/L)	Average (mg/L)
Monthly Average	30	3.3 – 7.6	5
Daily Maximum	50	5.0 – 13.0	7

The previous permitting action established a minimum monitoring frequency requirement of three times per week (3/Week) for BOD_5 and TSS, which is based on Department guidance for POTWs permitted to discharge between 1.5 and 5.0 MGD, and a "24-hour composite" sample type.

Minimum monitoring frequency requirements in MEPDES permits are prescribed by 06-096 CMR Chapter 523§5(i). The USEPA has published guidance entitled, *Interim Guidance for Performance Based Reductions of NPDES Permit Monitoring Frequencies* (USEPA Guidance April 1996). In addition, the Department has supplemented the EPA guidance with its own guidance entitled, *Performance Based Reduction of Monitoring Frequencies - Modification of EPA Guidance Released April 1996* (Maine DEP May 22, 2014). Both documents are being utilized to evaluate the compliance history for each parameter regulated by the previous permit to determine if a reduction in the monitoring frequencies is justified.

Although EPA's 1996 Guidance recommends evaluation of the most current two-years of effluent data for a parameter, the Department is considering 38 months of data (January 2012 – February 2015). A review of the mass monitoring data for BOD & TSS indicates the ratios (expressed in percent) of the long term effluent average to the monthly average limits can be calculated as 9.0% and 8.5% respectively. According to Table I of the EPA Guidance and Department Guidance, a 3/Week monitoring requirement can be reduced to 2/Week. Therefore, this permitting action is reducing the monitoring frequency for BOD and TSS to 2/Week.

The previous permitting action established, and this permitting action is carrying forward a requirement to achieve a minimum 30-day average removal of 85 percent for BOD_5 and TSS pursuant to Department rule, 06-096 CMR Chapter 525(3)(III)(a&b)(3).

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

A review of the monthly DMR data for the period January 2012 – February 2015 indicates the permittee has reported values as follows:

BOD % Removal (DMRs=38)

Value	Limit (%)	Range (%)	Average (%)
Monthly Average	85	93 - 99	96

TSS % Removal (DMRs=38)

Value	Limit (%)	Range (%)	Average (%)
Monthly Average	85	94 - 99	96

d. Settleable Solids: The previous permitting action established a technology-based daily maximum concentration limit of 0.3 ml/L for settleable solids, which is considered a best practicable treatment limitation (BPT), and a minimum monitoring frequency requirement of once per day (1/Day), which is based on Department guidance for POTWs permitted to discharge between 1.5 and 5.0 MGD, and a "grab" sample type.

A review of the monthly Discharge Monitoring Report (DMR) data for the period January 2012 – February 2015 indicates the following:

Settleable solids (DMRs=37)

Value	Limit (ml/L)	Range (ml/L)	Average (ml/L)
Daily Maximum	0.3	<0.1 - <0.1	<0.1

Although EPA's 1996 Guidance recommends evaluation of the most current two-years of effluent data for a parameter, the Department is considering 38 months of data (January 2012 – February 2015). According to Table I of the EPA Guidance and Department Guidance, a 1/Day monitoring requirement can be reduced to 3/Week. Therefore, this permitting action is reducing the monitoring frequency for settleable solids to 3/Week.

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

e. Fecal Coliform Bacteria: The previous permitting action established a seasonal monthly average and daily maximum concentration limits of 15 colonies/100 ml and 50 colonies/100 ml, respectively, for fecal coliform bacteria, which are consistent with the National Shellfish Sanitation Program, a minimum monitoring frequency requirement of three times per week (3/Week), which is based on Department guidance for POTWs permitted to discharge between 1.5 and 5.0 MGD, and a "grab" sample type. Bacteria limits are seasonal and apply between May 15 and September 30 of each year, however, the Department reserves the right to require year-round disinfection to protect the health, safety and welfare of the public.

A review of the monthly DMR data for the period May 2012 - September 2014 indicates the permittee has reported values as follows:

Fecal coliform bacteria (DMRs=15)

Value	Limit (col/100 ml)	Range (col/100 ml)	Mean (col/100 ml)
Monthly Average	15	5 - 10	7
Daily Maximum	50	12 - 20	16

Although EPA's 1996 Guidance recommends evaluation of the most current two-years of effluent data for a parameter, the Department is considering the most current three seasons months of data (May 2012 – September 2014). A review of the monitoring data for fecal coliform bacteria indicates the ratios (expressed in percent) of the long term effluent average to the monthly average limits can be calculated as 46% respectively. According to Table I of the EPA Guidance and Department Guidance, a 3/Week monitoring requirement can be reduced to 2/Week. Therefore, this permitting action is reducing the monitoring frequency for fecal coliform bacteria to 2/Week.

f. Total Residual Chlorine (TRC): The previous permitting action established technology-based monthly average and water quality-based daily maximum concentration limits of 0.1 mg/L and 0.21 mg/L, respectively, a minimum monitoring frequency requirement of twice per day (2/Day), which is based on Department guidance for POTWs permitted to discharge between 1.5 and 5.0 MGD, and a "grab" sample type for TRC. Limitations on TRC are specified to ensure that ambient water quality standards are maintained and that BPT technology is being applied to the discharge. Department permitting actions impose the more stringent of either a water quality-based or BPT-based limit. With dilution factors as determined above, end-of-pipe (EOP) water quality-based concentration thresholds for TRC may be calculated as follows:

Acute (A) Criterion	Chronic (C) Criterion	A & C Dilution Factors	Calculated Acute Threshold	Chronic Threshold
0.013 mg/L	0.0075 mg/L	16.5:1 (A) 33.3:1 (C)	0.21 mg/L	0.25 mg/L

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

The Department has established a daily maximum BPT limitation of 1.0 mg/L for facilities that disinfect their effluent with elemental chlorine or chlorine-based compounds. For facilities that need to dechlorinate the discharge in order to meet water quality based thresholds, the Department has established daily maximum and monthly average BPT limits of 0.3 mg/L and 0.1 mg/L, respectively. The Town dechlorinates the effluent prior to discharge in order to consistently achieve compliance with the water quality-based thresholds. The calculated acute water quality-based threshold of 0.21 mg/L is more stringent than the daily maximum technology-based standard of 0.3 mg/L and is therefore being carried forward in this permitting action. The monthly average technology-based standard of 0.1 mg/L is more stringent than the calculated chronic water quality-based threshold of 0.25 mg/L and is therefore being carried forward in this permitting action.

A review of the DMR data for the period May 2012 – September 2014 indicates the permittee has been reported as follows:

Total residual chlorine (DMRs=15)

Value	Limit (mg/L)	Range (mg/L)	Mean (mg/L)
Monthly average	0.1	0.03 – 0.05	0.04
Daily maximum	0.3	0.07 – 0.18	0.12

Although EPA's 1996 Guidance recommends evaluation of the most current two-years of effluent data for a parameter, the Department is considering the most current three seasons months of data (May 2012 – September 2014). A review of the monitoring data for total residual chlorine indicates the ratios (expressed in percent) of the long term effluent average to the monthly average limits can be calculated as 40% respectively. According to Table I of the EPA Guidance and Department Guidance, a 2/Day monitoring requirement can be reduced to 1/Day. Therefore, this permitting action is reducing the monitoring frequency for total residual chlorine to 1/Day.

g. pH: The previous permitting action established, and this permitting action is carrying forward, a technology-based pH limit of 6.0 – 9.0 standard units, which is based on Department rule, 06-096 CMR Chapter 525(3)(III), and a minimum monitoring frequency requirement of once per day (1/Day), which is based on Department guidance for POTWs permitted to discharge between 1.5 and 5.0 MGD. A review of the monthly DMR data for the period January 2012 – March 2015 indicates the permittee has been in compliance with said limit(s) 100% of the time with values ranging from 6.0 – 7.4 su.

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

h. Nitrogen - The permittee has not been conducting total nitrogen testing on its discharge to date. However, the USEPA requested the Department evaluate the reasonable potential for the discharge of total nitrogen to cause or contribute to non-attainment of applicable water quality standards in marine waters, namely dissolved oxygen (DO) deficiencies and cultural eutrophication caused by algal blooms or impacts to eelgrass beds. The Department has 50 total nitrogen effluent values with an arithmetic mean of 14.3 mg/L collected from various municipally-owned treatment works that discharge to marine waters of the State. None of the facilities are specifically designed to remove total nitrogen. For the MEPDES permitting program, the Department considers 14.3 mg/L be representative of total nitrogen discharge levels for all facilities discharging to marine waters in the absence of facility specific data.

As of the date of this permitting action, the State of Maine has not promulgated numeric ambient water quality criteria for any of the nitrogen compounds. According to several studies in EPA's Region I, numeric nutrient criteria have been established for relatively few estuaries but the criteria that have been set typically fall between 0.35 mg N/L and 0.50 mg N/L to protect aquatic life in marine waters using dissolved oxygen as the indicator and to control cultural eutrophication effects namely diurnal DO swings and supersaturated DO levels. While the thresholds are site-specific many of the nitrogen thresholds set for the protection of eelgrass habitat are similar and fall between 0.30 mg N/L and 0.39 mg N/L.

Extrapolating estuarine criteria to an exposed coastal marine environment may result in thresholds that are not appropriate given the lower ambient nutrient concentrations expected in the open ocean. Based on studies in EPA Region I and the Department's best professional judgment of thresholds that are protective of Maine water quality standards, the Department is utilizing a threshold of 0.45 mg/L for the protection of aquatic life in marine waters using dissolved oxygen as the indicator and 0.32 mg/L for the protection of eelgrass beds in the vicinity of discharge outfalls. There are eelgrass beds present in the vicinity of the permittee's outfall pipe.

Except for ammonia other nitrogen species are not acutely toxic, the Department is considering a far-field dilution to be more appropriate when evaluating impacts of total nitrogen to a marine environment. The permittee's facility has a chronic near field dilution factor of 33:1. Far field dilutions are significantly higher than the near-field dilution, ranging from 100 – 10,000 times higher depending on the location of the outfall pipe. With open ocean discharges, far field dilutions would tend to be 1,000 – 10,000 times higher.

6. EFFLUENT LIMITATIONS & MONITORING REQUIREMENTS

With outfalls located in protected coves or small embayments without significant flushing, the far field dilutions factors would tend to be on the order of 100 times higher. Outfall #001A, is located in Compass Harbor and is an 18-inch diameter polyethylene pipe located 150 feet off shore. This outfall is equipped with a diffuser and is submerged to a depth of approximately 10 feet below the surface at mean low tide. The diffuser is located in open water with significant tidal flushing, thus, the far field dilution factor would likely be not less than 1,000 times higher. Applying this most protective far field dilution multiplier of 1,000 times to the near field dilution factor of 33:1 results in a far-field dilution factor of 33,000:1. By this analysis, the increase in the ambient total nitrogen due to permittee's effluent discharge is as follows:

Total nitrogen concentrations in effluent = 14.3 mg/L
Chronic dilution factor = 33,000:1

In-stream concentration after dilution: $\frac{14.3 \text{ mg/L}}{33{,}000} = 0.0004$ mg/L

The Department has been collecting ambient total nitrogen data in close proximity to the Maine coastline to support an effort to develop statewide nutrient criteria for marine waters. For the permittee's facility, the Department calculated a mean background concentration of 0.22 mg/l based on the ambient data collected to date. As a result, after reasonable opportunity for far field mixing, the increase in the concentration of total nitrogen in the receiving water due to the discharge from the permittee's facility will not be measureable thus, the instream concentration of total nitrogen will remain at 0.22 mg/L. This concentration is lower than the Department's and EPA's best professional judgment of a critical threshold of 0.32 mg/L for the protection of eelgrass beds in the vicinity of the permittee's outfall pipe. Therefore, the Department is making a best professional judgment determination that the discharge of total nitrogen from the permittee's facility does not exhibit a reasonable potential to exceed applicable water quality standards for Class SB waters.

In order to obtain more accurate ambient and effluent total nitrogen data for permittee's that discharge to the marine environment, the Town of Bar Harbor has agreed to participate in a voluntary sampling program during the summer of 2015. Dischargers have been asked to collect 24-hour composite samples during the first week of June, July, August September and October. The data will be utilized to assess the potential impact (or lack thereof) of the discharge. Once the testing is completed, the Department will evaluate the discharge's reasonable potential exceed applicable water quality standards, the necessity to establish water quality based limits and the appropriate monitoring requirements for the remainder of the term of the permit.

6. EFFLUENT LIMITATIONS & MONITORING REQUIREMENTS

i. Whole Effluent Toxicity (WET), Priority Pollutant, and Analytical Chemistry Testing: Maine law, 38 M.R.S.A., §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 rule, 06-096 CMR Chapter 530, *Surface Water Toxics Control Program* (toxics rule) sets forth effluent monitoring requirements and procedures to establish safe levels for the discharge of toxic pollutants such that existing and designated uses of surface waters are maintained and protected and narrative and numeric water quality criteria are met. Department rule 06-096 CMR Chapter 584, *Surface Water Quality Criteria for Toxic Pollutants*, sets forth ambient water quality criteria (AWQC) for toxic pollutants and procedures necessary to control levels of toxic pollutants in surface waters.

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 Chapter 584.

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 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 Chapter 530 criteria, the permittee's facility falls into the Level II frequency category as the facility has a chronic dilution factor of >20:1 but <100:1. Chapter 530(1)(D)(1) specifies that routine screening and surveillance level testing requirements are as follows:

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
II	2 per year	1 per year	4 per year

6. EFFLUENT LIMITATIONS & MONITORING REQUIREMENTS

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
II	1 per year	None required	2 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 the former Chapter 530. See **Attachment C** of this Fact Sheet for dates and test results for WET and **Attachment D** of this Fact Sheet for chemical specific testing dates.

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

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.*"

Chapter 530 §3 states, "*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."*

WET Evaluation – The previous permitting action established a C-NOEL limit of 3% for the sea urchin as a statistical evaluation at that time indicated the discharge had a reasonable potential to exceed critical chronic WET threshold of 3.0%. For this permitting action, a statistical evaluation was conducted on 4/21/15 that indicates the discharge does not have any WET test results that exceed or have a reasonable potential to exceed the critical acute or chronic water quality thresholds of 6.1% and 3.0% respectively.

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

As a result, the permittee qualifies for the reduced surveillance level testing of 1/2 Years 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) pursuant to 06-096 CMR Chapter 530(D)(3)(c).

Surveillance level testing

Level	WET Testing
II	1 per year

Department rule Chapter 530 Section (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.

Special Condition L of this permit requires the certification to be submitted to the Department annually. See **Attachment E** of the Fact Sheet of this permit for an acceptable certification form to satisfy this Special Condition

As for screening level WET testing, Chapter 530 establishes a frequency of two times per year 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.

Screening level

Level	WET Testing
II	2 per year

It is noted, however, that if future WET testing indicates the discharge exceeds critical water quality thresholds, this permit will be reopened pursuant to Special Condition N, *Reopening of Permit For Modification*, of this permit to establish applicable limitations and monitoring requirements.

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

Chemical Specific

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 no information on the background levels of metals in the water column in Frenchman's Bay 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.

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."* Because the facility discharges directly to marine waters, the Department is not reserving 15% of the applicable water quality criteria in the calculations of this permitting action.

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."*

As with WET test results, on 4/21/15 the Department conducted a statistical evaluation on the chemical specific test results submitted to the Department for the last 60 months. The evaluation indicates the discharge does not have any test results that exceed or have a reasonable potential to exceed applicable AWQC. As a result, the permittee qualifies for the reduced surveillance level testing of 1/2 Years 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) pursuant to 06-096 CMR Chapter 530(D)(3)(c).

Surveillance testing

Level	Priority pollutant testing	Analytical chemistry
II	Not required	1/2 Years

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

Pursuant to Chapter 530(2)(D)(4), Special Condition L of this permit requires the permittee to file an annual certification regarding any changes or lack thereof in the characteristics of the discharge. See **Attachment E** of the Fact Sheet of this permit for an acceptable certification form to satisfy this Special Condition.

As for screening level WET testing, Chapter 530 establishes a frequency of four times per year for analytical chemistry and once per year for priority pollutant 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.

Screening testing

Level	Priority pollutant testing	Analytical chemistry
II	1/Year	4/ Year

j. Mercury: Pursuant to *Certain deposits and discharges prohibited*, Maine law, 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 on July 10, 2000, thereby administratively modifying MEPDES ME0101214/WDL W002591-5L-F-R by establishing interim monthly average and daily maximum effluent concentration limits of 9.9 parts per trillion (ppt) and 14.8 ppt, respectively, and a minimum monitoring frequency requirement of four (4) tests per year for mercury. The interim mercury limits were scheduled to expire on October 1, 2001. However, effective June 15, 2001, the Maine Legislature enacted Maine law, 38 M.R.S.A. §413, sub-§11 specifying that interim mercury limits and monitoring requirements remain in effect.

On February 6, 2012, the Department issued a minor revision of the permit by reducing the monitoring frequency to 1/Year. The mercury effluent limitations and monitoring requirement of 1/Year are being incorporated into Special Condition A, *Effluent Limitations And Monitoring Requirements*, of this permit.

Maine law 38 M.R.S.A., §420 1-B,(B)(1) states that a facility is not in violation of the AWQC for mercury if the facility is in compliance with an interim discharge limit established by the Department pursuant to section 413, subsection 11. A review of the Department's database for the previous 60-month period indicates mercury test results reported have ranged from 1.6 ppt to 6.2 ppt with an arithmetic mean (n=10) of 3.3 ppt.

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

k. Septage/Transported Wastes – The previous permitting action authorized the District to receive up to 4,000 gpd of septage. Department rule Chapter 555, *Standards For The Addition of Transported Wastes to Wastewater Treatment Facilities*, limits the quantity of septage received at a facility to 1% of the design capacity of treatment facility if the facility utilizes a side stream or storage method of introduction into the influent flow, or 0.5% of the design capacity of the facility if the facility does not utilize the side stream or storage method of introduction into the influent flow. A facility may receive more than 1% of the design capacity on a case-by-case basis. In their application for permit renewal, the Town has requested the Department carry forward the daily quantity of transported waste it is authorized to receive and treat (up to 4,000 gpd) as it does utilize the side stream/storage method of metering wastes into the facility's influent flow. With a design capacity of 2.0 MGD, 4,000 gpd only represents 0.2% of said capacity.

The Department has determined that under normal operating conditions, the receipt and treatment of 4,000 gpd of transported waste into the facility will not cause or contribute to upset conditions of the treatment process.

7. DISCHARGE IMPACT ON RECEIVING WATER QUALITY

As permitted, the Department has determined the existing water uses will be maintained and protected and the discharge will not cause or contribute to the failure of the Atlantic Ocean (Frenchman Bay) to meet standards for Class SB classification.

8. PUBLIC COMMENTS

Public notice of this application was made in the *Mount Desert Islander* newspaper on or about May 21, 2015. The Department receives public comments on an application until the date a final agency action is taken on the application. Those persons receiving copies of draft permits shall have at least 30 days in which to submit comments on the draft or to request a public hearing, pursuant to Chapter 522 of the Department's rules.

9. DEPARTMENT CONTACTS

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

Gregg Wood
Division of Water Quality Management
Bureau of Water Quality
Department of Environmental Protection
17 State House Station
Augusta, Maine 04333-0017 Telephone: (207) 287-7693
e-mail: gregg.wood@maine.gov

10. RESPONSE TO COMMENTS

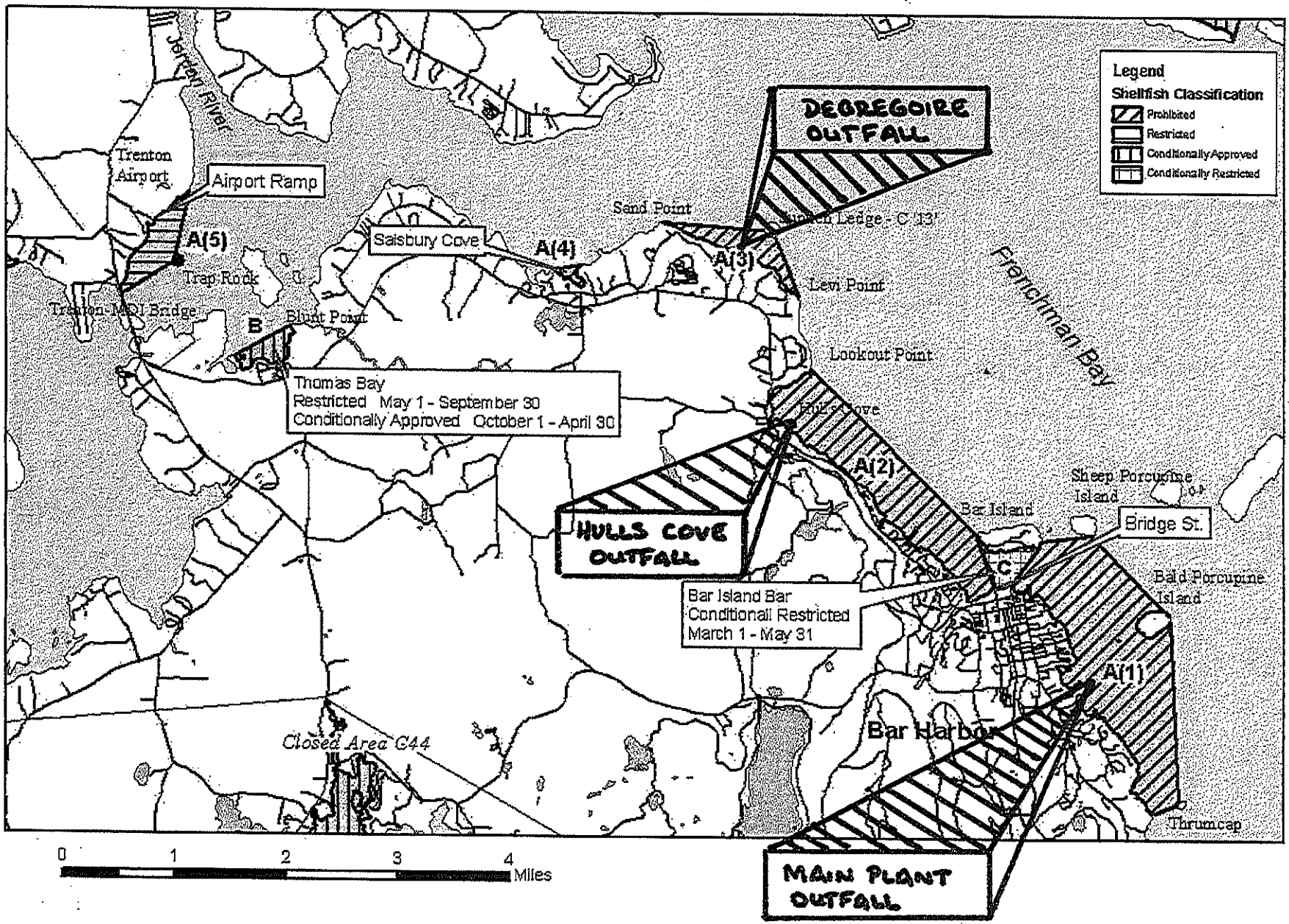
Reserved until the close of the formal 30-day public comment period.

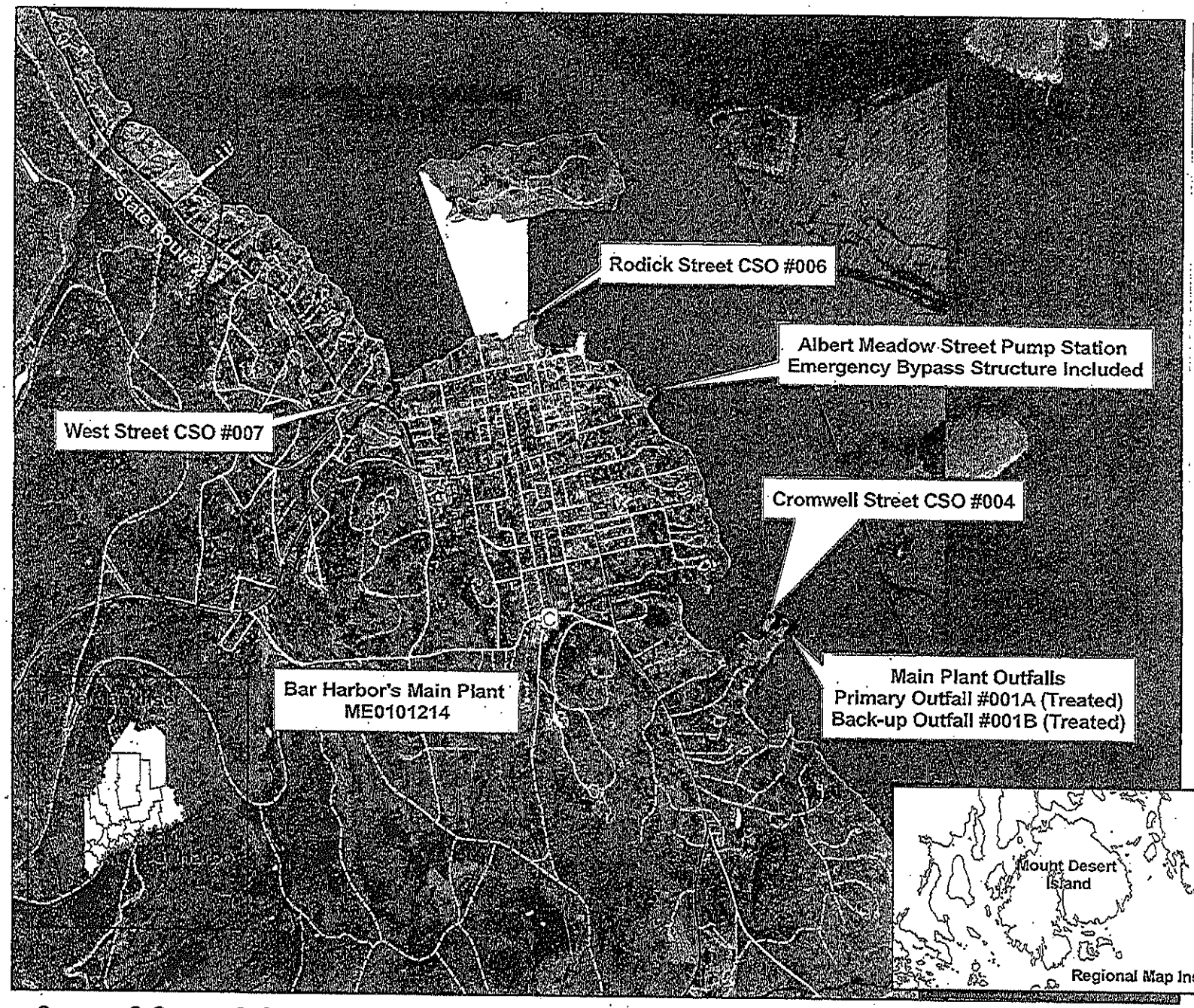
ATTACHMENT A

Maine Department of Marine Resources

Pollution Area No. 47

Bar Harbor to Hulls Cove, Sand Point, Salisbury Cove,
Thomas Bay and Trenton Airport (Bar Harbor, Gouldsboro, Trenton) 4/17/2008





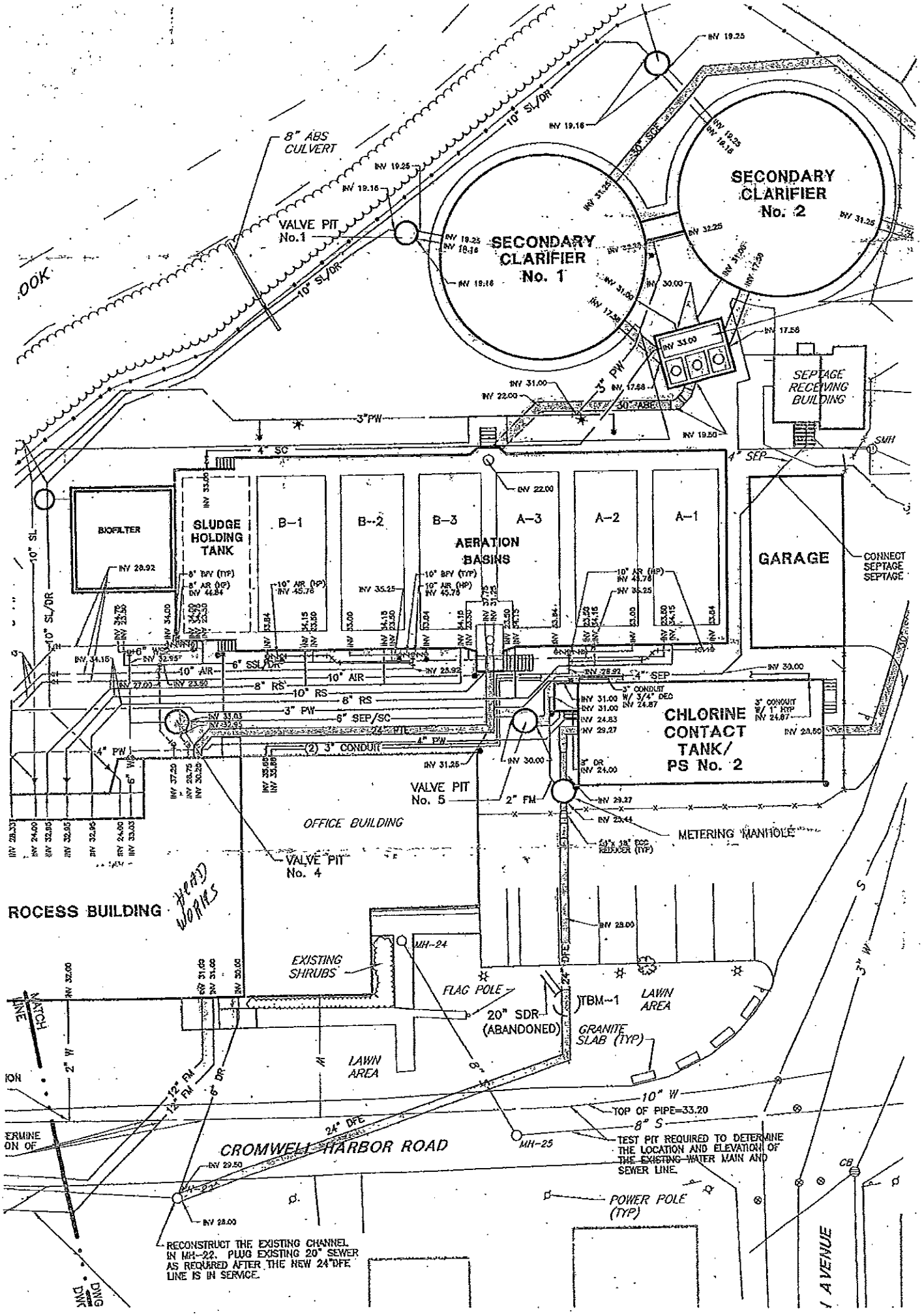
Bar Harbor, Maine

Map created by Bill Hinkel
Division of Water Resource Regulation
Maine Department of Environmental Protection
July 12, 2005

Bar Harbor Main Treatment Plant
Attachment to Item #2 of Form DEPLW1999-17, Outfall Information

DEPARTMENT OF ENVIRONMENTAL PROTECTION
STATE OF MAINE

ATTACHMENT B


SECONDARY CLARIFIER No. 1
SECONDARY CLARIFIER No. 2
8" ABS CULVERT
VALVE PIT No.1
10" SL/DR
SEPTAGE RECEIVING BUILDING
3"PW
4" SC
BIOFILTER
SLUDGE HOLDING TANK
B-1
B-2
B-3
A-3
A-2
A-1
AERATION BASINS
GARAGE
CONNECT SEPTAGE SEPTAGE
CHLORINE CONTACT TANK/ PS No. 2
VALVE PIT No. 5
OFFICE BUILDING
VALVE PIT No. 4
METERING MANHOLE
ROCESS BUILDING
HEAD WORKS
EXISTING SHRUBS
MH-24
FLAG POLE
20" SDR (ABANDONED)
TBM-1
LAWN AREA
GRANITE SLAB (TYP)
MATCH LINE
10" W
TOP OF PIPE=33.20
8" S
MH-25
CROMWELL HARBOR ROAD
TEST PIT REQUIRED TO DETERMINE THE LOCATION AND ELEVATION OF THE EXISTING WATER MAIN AND SEWER LINE.
POWER POLE (TYP)
RECONSTRUCT THE EXISTING CHANNEL IN MH-22. PLUG EXISTING 20" SEWER AS REQUIRED AFTER THE NEW 24"DFE LINE IS IN SERVICE.
AVENUE

ATTACHMENT C

WET TEST REPORT

Data for tests conducted for the period

16/Jul/2010 -16/Jul/2015

BAR HARBOR (MAIN PLANT) NPDES= ME010121 Effluent Limit: Acute (%) = 6.061 Chronic (%) = 3.003

Species	Test	Percent	Sample date	Critical %	Exception	RP
MYSID SHRIMP	A_NOEL	100	11/01/2010	6.061		
MYSID SHRIMP	A_NOEL	100	03/12/2012	6.061		
MYSID SHRIMP	A_NOEL	100	04/07/2013	6.061		
SEA URCHIN	C_NOEL	25	11/01/2010	3.003		
SEA URCHIN	C_NOEL	100	03/12/2012	3.003		
SEA URCHIN	C_NOEL	10	04/07/2013	3.003		

ATTACHMENT D

PRIORITY POLLUTANT DATA SUMMARY

Date Range: 16/Jul/2010 - 16/Jul/2015

Facility Name: **BAR HARBOR (MAIN PLANT)** NPDES: **ME0101214**

Test Date	Monthly (Flow MGD)	Daily (Flow MGD)	Total Test Number	Test # By Group M	V	BN	P	O	A	Clean	Hg
08/03/2010	0.90	0.97	11	10	0	0	0	1	0	F	0
11/01/2010	1.25	0.84	17	10	0	0	0	7	0	F	0
03/12/2012	0.89	0.85	16	9	0	0	0	7	0	F	0
04/07/2013	1.11	0.83	16	10	0	0	0	6	0	F	0
11/16/2014	1.26	0.67	16	10	0	0	0	6	0	F	0

Key:

A = Acid O = Others P = Pesticides

BN = Base Neutral M = Metals V = Volatiles

ATTACHMENT E

STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

CHAPTER 530.2(D)(4) CERTIFICATION

PAUL R. LEPAGE
GOVERNOR

PATRICIA W. AHO
Commissioner

MEPDES#_____Facility Name_____

Since the effective date of your permit, have there been;		NO	YES Describe in comments section
1	Increases in the number, types, and flows of industrial, commercial, or domestic discharges to the facility that in the judgment of the Department may cause the receiving water to become toxic?	☐	☐
2	Changes in the condition or operations of the facility that may increase the toxicity of the discharge?	☐	☐
3	Changes in storm water collection or inflow/infiltration affecting the facility that may increase the toxicity of the discharge?	☐	☐
4	Increases in the type or volume of hauled wastes accepted by the facility?	☐	☐

COMMENTS:

Name (printed): _____

Signature: _____ Date: _____

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

This form may be used to meet the requirements of Chapter 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.

Scheduled Toxicity Testing for the next calendar year

Test Conducted	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
WET Testing	□	□	□	□
Priority Pollutant Testing	□	□	□	□
Analytical Chemistry	□	□	□	□
Other toxic parameters [1]	□	□	□	□

Please place an "X" in each of the boxes that apply to when you will be conducting any one of the three test types during the next calendar year.

1 This only applies to parameters where testing is required at a rate less frequently than quarterly.

AUGUSTA
17 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0017
(207) 287-7688 FAX: (207) 287-7826
RAY BLDG., HOSPITAL ST.

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 04769-2094
(207) 764-0477 FAX: (207)760-3143

web site: www.maine.gov/dep