



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

JOHN ELIAS BALDACCI
GOVERNOR

DAVID P. LITTELL
COMMISSIONER

May 7, 2007

Mr. Robert Berry
Director, Physical Plant
Goodwill Hinckley School
P.O. Box 159
Hinckley, Maine 04944

RE: Maine Pollutant Discharge Elimination System (MEPDES) Permit # ME0022659
Maine Waste Discharge License (WDL) Application #W001284-5C-C-R
Final Permit

Dear Mr. Berry:

Enclosed please find a copy of your **final** MEPDES permit and Maine WDL **renewal** which was approved by the Department of Environmental Protection. This permit/license replaces the National Pollutant Discharge Elimination System (NPDES) permit #ME0022659, last issued by the Environmental Protection Agency (EPA) on September 9, 1996. Please read the permit/license renewal and its attached conditions carefully. You must follow the conditions in the order to satisfy the requirements of law. Any discharge not receiving adequate treatment is in violation of State Law and is subject to enforcement action.

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

If you have any questions regarding the matter, please feel free to call me at 287-7693.

Sincerely,

Gregg Wood
Division of Water Quality Management
Bureau of Land and Water Quality

Enc.

cc: Christopher Johnson, DEP/CMRO
Sandy Lao, USEPA

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

BANGOR
106 HOGAN ROAD
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



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

DEPARTMENT ORDER

IN THE MATTER OF

GOODWILL HINCKLEY SCHOOL)	MAINE POLLUTANT DISCHARGE
FAIRFIELD, KENNEBEC COUNTY, MAINE)	ELIMINATION SYSTEM PERMIT
OVERBOARD DISCHARGE)	AND
#ME0022659)	WASTE DISCHARGE LICENSE
#W001284-5C-C-R APPROVAL)	RENEWAL

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 GOODWILL HINCKLEY SCHOOL (GHS hereinafter), with its supportive data, agency review comments, and other related materials on file and FINDS THE FOLLOWING FACTS:

APPLICATION SUMMARY

The GHS has applied to the Department for renewal of overboard discharge (OBD) Waste Discharge License (WDL) #W001284-ZC-B-R which was issued by the Department on September 17, 1996, and expired on September 17, 2006. The WDL authorized a year-round monthly average discharge of up to 20,000 gallons per day of secondary treated waste waters to the Kennebec River, Class C in Fairfield, Maine. It is noted the U.S. Environmental Protection Agency's (EPA) records indicate National Pollutant Discharge Elimination System (NPDES) permit #ME0022659 was last issued by the EPA on September 9, 1996 and expired on September 9, 2001.

PERMIT SUMMARY

- a. Regulatory - On January 12, 2001, the Department received authorization from the EPA to administer the NPDES permit program in Maine, excluding areas of special interest to Maine Indian Tribes. From that point forward, the program has been referred to as the Maine Pollutant Discharge Elimination System (MEPDES) permit program, and permit #ME0022659 (same as the NPDES permit number) will be utilized as the primary reference number for the GHS facility.

PERMIT SUMMARY

b. Terms and conditions

This permitting action is similar to the 9/17/96 licensing action in that it is:

1. Carrying forward the monthly average discharge flow limitation of 20,000 GPD of secondary treated sanitary wastewater on a year-round basis;
2. Carrying forward the monthly average and daily maximum technology-based concentration limitations for biochemical oxygen demand (BOD₅) and total suspended solids (TSS);
3. Carrying forward the daily maximum technology based limitation for total residual chlorine.
4. Carrying for the NPDES permit number of ME0022659.

This permitting action is different from the 9/17/96 licensing action in that it is:

5. Establishing a daily maximum discharge flow reporting requirement;
6. Establishing weekly average technology based concentration limits for BOD and TSS.
7. Establishing monthly average, weekly average, and daily maximum technology-based mass limitations for BOD₅ and TSS;
8. Establishing a requirement to achieve a minimum 30-day average of 85 percent removal for BOD₅ and TSS;
9. Establishing more stringent water quality based monthly average (geometric mean) and daily maximum *E. coli* bacteria limitations due to the re-classification of the Kennebec River subsequent to issuance of the 9/17/96 licensing action. The limitations apply seasonally (May 15th – September 30th) rather than year-round as was the case in the previous WDL.
10. Revising the minimum monitoring frequency requirements for BOD₅, TSS, *E. coli* bacteria, total residual chlorine and pH.
11. Establishing a requirement for the permittee to have a site evaluation performed by a licensed site evaluator with experience in designing systems for the replacement of overboard discharge systems prior the expiration date of the permit.
12. Establishing a requirement for the permittee to pump all septic tanks at a minimum of once every three years.
13. Establishing a requirement for the permittee to develop and keep current, an Operations and Maintenance (O&M) plan for the waste treatment system and appurtenances.

CONCLUSIONS

BASED on the findings in the attached Fact Sheet dated March 21, 2007, and subject to the Conditions listed below, the Department makes the following CONCLUSIONS:

1. The discharge, either by itself or in combination with other discharges, will not lower the quality of any classified body of water below such classification.
2. The discharge, either by itself or in combination with other discharges, will not lower the quality of any unclassified body of water below the classification which the Department expects to adopt in accordance with State law.
3. The provisions of the State's antidegradation policy, 38 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) The standards of classification of the receiving water body are met or, where the standards of classification of the receiving water body are not met, the discharge will not cause or contribute to the failure of the water body to meet the standards of classification;
 - (d) Where the actual quality of any classified receiving water body exceeds the minimum standards of the next highest classification that higher water quality will be maintained and protected; and
 - (e) Where a discharge will result in lowering the existing water quality of any water body, the Department has made the finding, following opportunity for public participation, that this action is necessary to achieve important economic or social benefits to the State.
4. The discharges will be subject to effluent limitations that require application of best practicable treatment as defined in Maine law, 38 M.R.S.A., §414-A(1)(D).
5. The overboard discharge system was in continuing existence for the 12 months preceding June 1, 1987.
6. A subsurface wastewater disposal system can be installed in compliance with the Maine Subsurface Waste Water Disposal Rules at the time the renewal application was accepted by the Department but the Department has not offered the permittee funding to eliminate the discharge.
7. A publicly owned sewer line is not located on or abutting land owned or controlled by the permittee or is not available for the permittee's use.
8. The discharge is not located within the boundaries of a sanitary district or sewer district.

ACTION

THEREFORE, the Department APPROVES the above noted application of the GOODWILL HINCKLEY SCHOOL to discharge a monthly average flow of up to 20,000 GPD of secondary treated sanitary wastewater to the Kennebec River, Class C, in Fairfield, 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 expires five (5) years from the date of signature below.

DONE AND DATED AT AUGUSTA, MAINE, THIS 8TH DAY OF May, 2007.

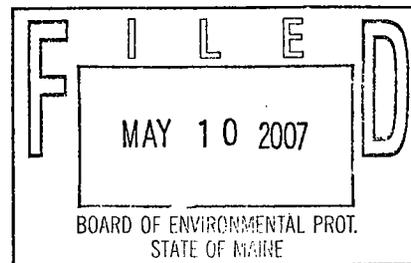
DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: 
DAVID P. LITTELL, Commissioner

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application: January 24, 2007

Date of application acceptance: February 7, 2007



Date filed with Board of Environmental Protection: _____

This Order prepared by Gregg Wood, BUREAU OF LAND & WATER QUALITY

W12845CC 5/7/07

SPECIAL CONDITIONS

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

- The permittee is authorized to discharge secondary treated sanitary wastewater from Outfall #001A to the Kennebec River. Such discharges shall be limited and monitored by the permittee as specified below⁽¹⁾.

Effluent Characteristic	Discharge Limitations					Monitoring Requirements		
	Monthly Average	Weekly Average	Daily Maximum	Monthly Average	Weekly Average	Daily Maximum	Measurement Frequency ⁽⁵⁾	Sample Type ⁽⁶⁾
Flow [50050]	20,000 GPD [07]	---	Report GPD [07]	---	---	---	1/Week [01/07]	Measured [MS]
BOD ₅ [00310]	5.0 lbs/day [26]	7.5 lbs/day [26]	8.3 lbs/day [26]	30 mg/L [19]	45 mg/L [19]	50 mg/L [19]	1/Month [01/30]	Grab [GR]
BOD ₅ Percent Removal ⁽²⁾ [81010]	---	---	---	85% [23]	---	---	1/Month [01/30]	Calculate [CA]
TSS [00530]	5.0 lbs/day [26]	7.5 lbs/day [26]	8.3 lbs/day [26]	30 mg/L [19]	45 mg/L [19]	50 mg/L [19]	1/Month [01/30]	Grab [GR]
TSS Percent Removal ⁽²⁾ [81011]	---	---	---	85% [23]	---	---	1/Month [01/30]	Calculate [CA]
Settleable Solids [00545]	---	---	---	---	---	0.3 ml/L [25]	1/Month [01/30]	Grab [GR]
<i>E. Coli.</i> ⁽³⁾ [31633]	---	---	---	142/100 ml ⁽⁴⁾ [13]	---	949/100 ml [13]	1/Month [01/30]	Grab [GR]
Total Residual Chlorine [50060]	---	---	---	---	---	1.0 mg/L [19]	3/Week [03/07]	Grab [GR]
pH [00400]	---	---	---	---	---	6.0 -- 9.0 SU [12]	---	---

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

FOOTNOTES: See Page 6 of this permit for applicable footnotes.

SPECIAL CONDITIONS

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

FOOTNOTES:

1. **Monitoring** – All effluent monitoring shall be conducted at a location following the last treatment unit in the treatment process. Sampling and analysis must be conducted in accordance with: a) methods approved by 40 Code of Federal Regulations (CFR) Part 136; b) alternative methods approved by the Department in accordance with the procedures in 40 CFR Part 136; or c) as otherwise specified by the Department. Samples that are sent out for analysis shall be analyzed by a laboratory certified by the State of Maine's Department of Health and Human Services.

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

2. **Percent Removal** – The treatment facility shall maintain a minimum of 85 percent removal of both BOD₅ and TSS for all flows receiving secondary treatment. The percent removal shall be calculated based on an assumed influent value of 286 mg/L or measured effluent concentration values. Percent removal limitations are not applicable if a measured influent used to calculate the removal is <200 mg/L.
3. **Bacteria Limits** – *E. coli* bacteria limits and monitoring requirements are seasonal and apply between May 15th and September 30th of each year. The Department reserves the right to impose bacteria limits on a year-round basis to protect the health, safety, and welfare of the public.
4. **Bacteria Reporting** – The monthly average *E. coli* bacteria limitation is a geometric mean limitation and sample results shall be reported as such.
5. **2/Months sampling** – There shall be at least 14 days between sampling events.
6. **Samples Types** – Where grab sampling is specified, the applicant may choose to obtain a composite sample instead provided the alternate sampling is noted on the DMR.

B. ANNUAL DISCHARGE FEES

Pursuant to Maine law, 38 M.R.S.A. §353-B, the permittee is required to pay an applicable annual fee for discharges authorized by this permit. Failure to pay an annual fee within 30 days of the billing date of a license/permit is sufficient grounds for revocation of the license, permit or privilege under Maine law, 38 M.R.S.A. §341-D, subsection 3.

SPECIAL CONDITIONS

C. NARRATIVE EFFLUENT LIMITATIONS

1. The effluent shall not contain a visible oil sheen, foam or floating solids at any time which would impair the usages designated by the classification of the receiving waters.
2. The effluent shall not contain materials in concentrations or combinations which are hazardous or toxic to aquatic life, or which would impair the usages designated by the classification of the receiving waters.
3. The discharges shall not cause visible discoloration or turbidity in the receiving waters which would impair the usages designated by the classification of the receiving waters.
4. Notwithstanding specific conditions of this permit, the effluent must not lower the quality of any classified body of water below such classification, or lower the existing quality of any body of water if the existing quality is higher than the classification.

D. DISINFECTION

If chlorination is used as the means of disinfection, an approved chlorine contact tank providing the proper detention time consistent with good engineering practice must be utilized followed by a dechlorination system if the imposed total residual chlorine (TRC) limit cannot be achieved by dissipation in the detention tank. The total residual chlorine in the effluent shall at no time cause any demonstrable harm to aquatic life in the receiving waters. The dose of chlorine applied shall provide a TRC concentration that will effectively reduce fecal coliform bacteria levels to or below those specified in Special Condition A, "*Effluent Limitation and Monitoring Requirements*," of this permit.

E. TREATMENT PLANT OPERATOR

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

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. Discharges of wastewater from any other point source not identified in the 2/07 application permit renewal are not authorized under this permit, and shall be reported in accordance with Standard Condition B(5), *Bypasses*, of this permit.

SPECIAL CONDITIONS

G. NOTIFICATION REQUIREMENT

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

1. Any substantial change or proposed 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.

H. SITE EVALUATION FOR TRANSFERRED AND RENEWED PERMITS

Prior to permit transfer or transfer of the property occupying the permitted overboard discharge system **or renewal of this permit**, a site evaluation must be performed by a licensed site evaluator with experience in designing systems for the replacement of overboard discharge systems. The Department may not grant approval for permit transfer or renewal if the site evaluation concludes that a non-discharging wastewater disposal system designed in compliance with the Maine Subsurface Waste Water Disposal Rules administered by the Maine Department of Health and Human Services, Division of Health Engineering can be installed as a replacement system for the overboard discharge.

I. OPERATION & MAINTENANCE (O&M) PLAN

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

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

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

SPECIAL CONDITIONS

J. MONITORING AND REPORTING

Monitoring results obtained during the previous month shall be summarized for each month and reported on separate Discharge Monitoring Report (DMR) forms provided by the Department and **postmarked on or before the thirteenth (13th) day of the month or hand-delivered to the Department's Regional Office such that the DMR's are received by the Department on or before the fifteenth (15th) day of the month** following the completed reporting period. A signed copy of the DMR and all other reports required herein shall be submitted to the following address:

Overboard Discharge Inspector
Department of Environmental Protection
Bureau of Land and Water Quality
Division of Water Quality Management
17 State House Station
Augusta, Maine 04333-0017

K. 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.

L. SEVERABILITY

In the event that any provision or part thereof, of this permit is declared to be unlawful by a reviewing court, the remainder of the permit shall remain in full force and effect, and shall be construed and enforced in all aspects as if such unlawful provision, or part thereof, had been omitted, unless otherwise ordered by the court.

**MAINE POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT
AND
WASTE DISCHARGE LICENSE**

FACT SHEET

Date: **March 21, 2007**

MEPDES PERMIT: #ME0022659
WASTE DISCHARGE LICENSE: #W001284-5C-C-R

NAME AND ADDRESS OF APPLICANT:

**GOODWILL HINCKLEY SCHOOL
P.O. Box 159
Hinckley, Maine 04944**

COUNTY: **Kennebec County**

NAME AND ADDRESS WHERE DISCHARGE OCCURS:

**Easterly side of Route #201
Fairfield, Maine**

RECEIVING WATER / CLASSIFICATION: **Kennebec River/Class C**

COGNIZANT OFFICIAL AND TELEPHONE NUMBER: **Mr. Robert Berry
Director of Physical Plant
(207) 238-4183**

1. APPLICATION SUMMARY

The GHS has applied to the Department for renewal of overboard discharge (OBD) Waste Discharge License (WDL) #W001284-ZC-B-R which was issued by the Department on September 17, 1996, and expired on September 17, 2006. The WDL authorized a year-round monthly average discharge of up to 20,000 gallons per day of secondary treated waste waters to the Kennebec River, Class C in Fairfield, Maine. See Attachment A of this Fact Sheet for a location map of the school campus. It is noted the U.S. Environmental Protection Agency's (EPA) records indicate National Pollutant Discharge Elimination System (NPDES) permit #ME0022659 was last issued by the EPA on September 9, 1996 and expired on September 9, 2001.

2. PERMIT SUMMARY

- a. Regulatory - On January 12, 2001, the Department received authorization from the EPA to administer the NPDES permit program in Maine, excluding areas of special interest to Maine Indian Tribes. From that point forward, the program has been referred to as the Maine Pollutant Discharge Elimination System (MEPDES) permit program, and permit #ME0022659 (same as the NPDES permit number) will be utilized as the primary reference number for the GHS facility.

2. PERMIT SUMMARY (cont'd)

b. Terms and conditions

This permitting action is similar to the 9/17/96 licensing action in that it is:

1. Carrying forward the monthly average discharge flow limitation of 20,000 GPD of secondary treated sanitary wastewater on a year-round basis;
2. Carrying forward the monthly average and daily maximum technology-based concentration limitations for biochemical oxygen demand (BOD₅) and total suspended solids (TSS);
3. Carrying forward the daily maximum technology based limitation for total residual chlorine.
4. Carrying for the NPDES permit number of ME0022659.

This permitting action is different from the 9/17/96 licensing action in that it is:

5. Establishing a daily maximum discharge flow reporting requirement;
6. Establishing weekly average technology based concentration limits for BOD and TSS.
7. Establishing monthly average, weekly average, and daily maximum technology-based mass limitations for BOD₅ and TSS;
8. Establishing a requirement to achieve a minimum 30-day average of 85 percent removal for BOD₅ and TSS;
9. Establishing more stringent water quality based monthly average (geometric mean) and daily maximum *E. coli* bacteria limitations due to the re-classification of the Kennebec River subsequent to issuance of the 9/17/96 licensing action. The limitations apply seasonally (May 15th – September 30th) rather than year-round as was the case in the previous WDL.
10. Revising the minimum monitoring frequency requirements for BOD₅, TSS, *E. coli* bacteria, total residual chlorine and pH.
11. Establishing a requirement for the permittee have a site evaluation performed by a licensed site evaluator with experience in designing systems for the replacement of overboard discharge systems prior the expiration date of the permit.
12. Establishing a requirement for the permitte to pump all septic tanks at a minimum of once every three years.
13. Establishing a requirement for the permittee to develop and keep current, a Operations and Maintenance (O&M) plan for the waste treatment system and appurtenances

2. PERMIT SUMMARY (cont'd)

- c. Facility History: This section provides a summary of the most significant regulatory actions for the GHS.

April 6, 1977 - The Department issued WDL #W1284 to the Good Will Home Association for a five-year term.

March, 1978 - The EPA issued NPDES permit #ME0022659 to the Good Will Home Association for a five-year term.

July 13, 1983 - The Department issued WDL #1284 renewal to the Good Will Home Association for a five-year term.

June 6, 1990 - The Department issued WDL renewal #W001284-58-A-R to the Good Will Home Association for a five-year term.

September 17, 1996 - The Department issued WDL renewal #W001284-ZC-B-R to the Good Will Hinckley School for a ten-year term.

January 24, 2007 - The Good Will Hinckley School submitted a complete application to the Department to renew the WDL for its waste water treatment facility.

- d. Source Description: The discharge is from a year-round boarding school complex for children with approximately 80 students and 100 staff. A total of 18 buildings including two dormitories, eight cottages, three single family dwellings, visitors center, library and recreation center are connected to the waste water collection and treatment system regulated by this permitting action. See Attachment A of this fact sheet for a layout of the school campus.
- e. Wastewater Treatment: Residential like waste water generated at the school receives a secondary level of treatment via a series of two tanks and a sand filter bed treatment system. The wastewater is generated by the buildings cited above. The wastewater is conveyed to a sewer collection pipe system which terminates at two larger septic tanks west side of Rt. 201. The first 9,000-gallon septic tank stops and collects all solids. The second 9,000-gallon septic tank which is in series with the first is used to skim off any remaining smaller particles that may get by the first. The remaining gray water is then gravity fed to a wet well pump station. This pump station is located on the east side of Rt. 201. The pump station consists of a wet well with a volume of 2,000 gallons and two one horsepower sewer pumps. These two pumps are rated at 50 GPM at 45' head. At last calculation one pump was pumping at 40 gpm and the other at 45 gpm. The two pumps run simultaneously to feed two 88' X 100' for a total of 17,600 square feet sand filters. One sand filter receives a little more gray water than the other does over the course of a year. Secondary treated effluent from the two filter beds flows by gravity to a tablet chlorinator for seasonal disinfection. Final effluent is conveyed to the Kennebec River via a 6-inch diameter outfall pipe designated as Outfall #001 in this permitting action. The outfall pipe extends out into the receiving waters approximately 50 feet with approximately two feet of water over the crown of the pipe at summer low flow condition. See Attachment B of this Fact Sheet for a layout of the collection system and the locations of the septic tanks, pump station and sand filter beds.

2. PERMIT SUMMARY (cont'd)

- f. Replacement Options: The GHS has submitted documentation with the 2/07 application indicating that replacement options are feasible at this location. The replacement system(s) would consist of 12 sub-surface systems (clustered on a 5-acre area just south of the existing sandfilter) at an estimated cost of \$500,000. Department rule Chapter 596, *Overboard Discharges: Licensing and Abandonment*, Section 5(A)(2) state in part "...the Department may approve an overboard discharge only if all of the following criteria are met." "...a subsurface wastewater disposal system can be installed on land owned or controlled by the applicant and the applicant is eligible for grant funding pursuant to 38 M.R.S.A., §411-A but no funding is available." The Department has determined no funding is available for the replacement system(s) identified in the 1/24/07 application.

3. CONDITIONS OF PERMIT

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. §467(4)(A)(10) states that the Kennebec River from the Fairfield-Skowhegan boundary to its confluence with Messalonskee Stream, including all impoundments, is classified as a Class C waterbody. Maine law 38 M.R.S.A. §465(4) contains the classification standards for Class C waterbodies.

5. RECEIVING WATER QUALITY CONDITIONS

The State of Maine 2004 Integrated Water Quality Monitoring and Assessment Report, prepared by the Department pursuant to Sections 303(d) and 305(b) of the Federal Water Pollution Control Act, lists a 14.7-mile Class C reach of the Kennebec River, main stem, from the Fairfield-Skowhegan boundary to the confluence of the Sebasticook River in Winslow (Hydrologic Unit Code #ME0103000306 / Waterbody ID #339R) as, "*Category 4-B-1: Rivers and Streams Impaired by Pollutants – Pollution Control Requirements Reasonably Expected to Result in Attainment.*" Impairment in this context refers to the designated use of fishing and a fish consumption advisory due to the presence of dioxin in fish tissues. The "pollution control reasonably expected to result in attainment" refers to the change in the bleaching technology installed in the mid-1990's at S.D. Warren's kraft pulp and paper mill located less than five miles upstream of the discharge from the GHS. It is noted a document entitled, Dioxin Monitoring Program, 2005 Final Report (April 2006) contains the following statements "... Results of the Above/Below (A/B) test had indicated by 2004 that there was no longer a discharge of dioxin from the NewPage mill in Rumford, the International Paper mill in Jay, the SAPPI-Somerset mill in Skowhegan, or the Georgia Pacific mill in Old Town." "Continued compliance in 2005 was demonstrated for the NewPage mill in Rumford (formerly MeadWestvaco), International Paper mill in Jay and SAPPI Somerset mill in Skowhegan by dioxin/furan certification of bleach plant operation and bleach plant effluent data."

5. RECEIVING WATER QUALITY CONDITIONS (cont'd)

The 305b Report lists all of Maine's fresh waters as, "*Category 4-B-3: Waters Impaired by Atmospheric Deposition of Mercury. Regional or National TMDL may be Required.*" Impairment in this context refers to a statewide fish consumption advisory due to elevated levels of mercury in some fish tissues. Department rule Chapter 519, *Interim Effluent Limitations and Controls for the Discharge of Mercury*, establishes controls on the discharge of mercury to the surface waters of the State through interim effluent limits and implementation of pollution prevention plans. However, Section 1(A)(1) of the Chapter 519 rule states in part:

"This rule applies to all persons licensed or permitted pursuant to 38 MRSA §413 to discharge pollutants to the surface waters of the State except as described below. For the purposes of this rule, the term licensee also means permittee.

- (1) Categorical exclusions. This rule does not apply to the following categories of licensees: combined sewer overflows, snow dumps, pesticide applications, and over board discharges licensed pursuant to 38 MRSA §413.[emphasis added] Except, however, specific members of these categories may be required by the department to comply with this rule on a case by case basis..."

The Department has no information at this time that the discharge from the GHS causes or contributes to the impairment status of the receiving waterbody.

6. EFFLUENT LIMITATIONS & MONITORING REQUIREMENTS

- a. Best Practicable Treatment (BPT) - Overboard discharges may be permitted only where no technologically proven alternative exists. Overboard discharge treatment systems must be capable of meeting secondary treatment standards as described in CMR Chapter 525, Section 3 and Chapter 596 section 9, unless the Department finds that alternate limits are appropriate. After accepting a renewal application as complete for processing, the Department shall approve an overboard waste discharge license only if all of the following criteria are met.
 - (1) A publicly owned sewer line is not located on or abutting land owned or controlled by the applicant or is not available for the applicant's use.
 - (2) A subsurface wastewater disposal system cannot be installed in compliance with the Subsurface Rules, 10-144 CMR 241, on land owned or controlled by the applicant. Or, a subsurface wastewater disposal system can be installed on land owned or controlled by the applicant and the applicant is eligible for grant funding pursuant to 38 M.R.S.A § 411-A but no funding is available.
 - (3) The discharge is not located within the boundaries of a sanitary or sewer district and the district has not agreed to service and maintain a holding tank at an annual fee that does not exceed those fees charged to other similar users of the district's services who are physically connected to the sewers of the district.

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

- (4) For a school such as the GHS facility, the volume or quantity of waste water that is discharged does not exceed;
 - (a) the limit imposed by the previous license
 - (b) the actual or estimated flow at the time of current application if a license volume increase is necessary.
- (5) The receiving water is not:
 - (a) A Class GPA, AA, A, or SA water;
 - (b) A tributary to Class GPA water; or
 - (c) A waterbody with a drainage area of less than 10 square miles,
- (6) The discharge meets the requirements of *Maine's Pollution Control Laws* 38 M.R.S.A. §414-A, and *Maine's Water Classification Laws* 38 M.R.S.A. §§ 464 to 469.
- (7) The discharge receives best practicable treatment consistent with requirements in Section 9 of Department rule Chapter 596.

- b. Flow: The previous licensing action established a monthly average discharge flow limitation of 20,000 gallons per day (gpd) based on the design flow for the treatment system. The design flow is calculated using a sand filter bed loading factor of 1.05 gallons per day per square foot of filter bed and a total sand filter bed area of approximately 17,600 square feet.

Department rule, 06-096 CMR Chapter 523 Section 6(b)(1), specifies, "*effluent limitations, standards, or prohibitions shall be calculated based on design flow.*" A review of the monthly discharge flow data as reported on the Discharge Monitoring Reports (DMRs) submitted to the Department for the period November 2001 – October 2006 indicates the monthly average flow has ranged from 1,840 gpd to 43,470 gpd with an arithmetic mean (n=60) of 15,860 GPD. This permitting action is carrying forward the monthly average discharge flow limit of 20,000 GPD, which is considered representative of the design flow for the facility, and is establishing a daily maximum discharge flow reporting requirement to assist in compliance evaluations.

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

- c. Dilution Factors - The Department has made the determination that the dilution factors associated with the discharge shall be calculated in accordance with freshwater protocols established in Department Regulation Chapter 530, Surface Water Toxics Control Program, October 2005. With a permit flow limit of 20,000 gpd (0.020 MGD) and the 7Q10 and 1Q10 low flow values for the Kennebec River, the dilution factors are:

$$\text{Modified Acute: } 1\text{Q}10 = 487 \text{ cfs}^{(1)} \Rightarrow \frac{(487 \text{ cfs})(0.6464) + (0.020 \text{ MGD})}{(0.020 \text{ MGD})} = 15,741:1$$

$$\text{Acute: } 1\text{Q}10 = 1,947 \text{ cfs} \Rightarrow \frac{(1,947 \text{ cfs})(0.6464) + (0.020 \text{ MGD})}{(0.020 \text{ MGD})} = 62,928:1$$

$$\text{Chronic: } 7\text{Q}10 = 2,388 \text{ cfs} \Rightarrow \frac{(2,388 \text{ cfs})(0.6464) + (0.020 \text{ MGD})}{(0.020 \text{ MGD})} = 77,181:1$$

$$\text{Harmonic Mean: } = 4,034 \text{ cfs}^{(2)} \Rightarrow \frac{(4,034 \text{ cfs})(0.6464) + (0.020 \text{ MGD})}{(0.020 \text{ MGD})} = 130,380:1$$

Footnotes:

- (1) Chapter 530 (4)(B)(1) states that analyses using numeric acute criteria for aquatic life must be based on 1/4 of the 1Q10 stream design flow to prevent substantial acute toxicity within any mixing zone. The 1Q10 is the lowest one-day flow over a ten-year recurrence interval. The regulation goes on to say that where it can be demonstrated that a discharge achieves rapid and complete mixing with the receiving water by way of an efficient diffuser or other effective method, analyses may use a greater proportion of the stream design, up to including all of it. Based on information provided by the permittee as to the configuration and location of the outfall pipe the Department has made the determination that the discharge does not receive rapid and complete mixing with the receiving water, therefore the default stream flow of 1/4 of the 1Q10 is applicable in acute statistical evaluations pursuant to Chapter 530
- (2) The harmonic mean flow of the Kennebec River established in this permitting action is based on a 1/9/91 statistical evaluation developed by Walter M. Grayman, a consulting engineer for the US EPA 1990 Risk Assessment for Dioxin.

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

- d. Biochemical Oxygen Demand (BOD₅) and Total Suspended Solids (TSS): The previous licensing action established, and this permitting action is carrying forward, technology-based monthly average and daily maximum BOD₅ and TSS concentration limits of 30 mg/L and 50 mg/L, respectively. The monthly average concentration limit is based on secondary treatment requirements of the Clean Water Act of 1977 §301(b)(1)(B), as defined in Department rule, 06-096 CMR Chapter 525(3)(III). The daily maximum BOD₅ and TSS concentration limits of 50 mg/L were based on a Department best professional judgment (BPJ) of best practicable treatment (BPT). This permitting action is carrying forward both technology based concentration limitations. In addition, pursuant to Department rule, 06-096 CMR Chapter 525(3)(III), this permitting action is establishing a weekly average BPT concentration limit of 45 mg/L.

The previous licensing action did not establish mass limitations for BOD₅ and TSS. Department rule Chapter 523, *Waste Discharge License Conditions*, Section 6, *Calculating NPDES permit conditions*, sub-section f(1) states that, "all pollutants limited in permits shall have limitations, standards or prohibitions expressed in terms of mass...." Therefore, this permitting action is establishing monthly average, weekly average and daily maximum BOD₅ and TSS mass limitations based on calculations using the design flow for the facility of 20,000 gpd (0.020 MGD) and the applicable concentration limits as follows:

Monthly Average Mass Limit: $(30 \text{ mg/L})(8.34 \text{ lbs./gallon})(0.020 \text{ MGD}) = 5.0 \text{ lbs/day}$

Weekly Average Mass Limit: $(45 \text{ mg/L})(8.34 \text{ lbs./day})(0.020 \text{ MGD}) = 7.5 \text{ lbs/day}$

Daily Maximum Mass Limit: $(50 \text{ mg/L})(8.34 \text{ lbs./day})(0.020 \text{ MGD}) = 8.3 \text{ lbs/day}$

The previous licensing action established a minimum monitoring frequency requirement of once every other month for BOD₅ and TSS. This permitting action is revising the minimum monitoring frequency requirement to once per month (1/Month) for BOD₅ and TSS based on a Department best professional judgment of a sample frequency that is adequate to determine on-going compliance with this permit.

This permitting action is also establishing a new requirement for a minimum of 85% removal of BOD₅ and TSS pursuant to Chapter 525(3)(III)(a)(3) and (b)(3) of the Department's rules. The GHS waste water treatment system does not have an influent sampling location that is representative of raw waste water conditions. According to the USEPA's Onsite Wastewater Treatment Systems Manual, dated February 2002, table 3-7 entitled "*Constituent Mass Loadings and Concentrations in Typical Residential Wastewater*" a reasonable influent value for BOD₅ and TSS may be assumed to be 286 mg/L. Therefore, this permitting action authorizes the permittee to assume an influent BOD₅ and TSS concentration value of 286 mg/L for purposes of calculating the monthly percent removal value until such time that the infrastructure is modified or replaced such that collection of a representative raw influent sample is practical.

For BOD₅, a review of the monthly average effluent concentration data as reported on the Discharge Monitoring Reports (DMRs) submitted to the Department for the period November 2001 – October 2006 indicates the monthly average BOD₅ concentration discharged has ranged from 2 mg/L to 25 mg/L with an arithmetic mean (n=27) of 4.8 mg/L. The facility has been in compliance with the monthly average limitation of 30 mg/L 100% of the time during said reporting period. For TSS, a review of the

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

monthly average effluent concentration data as reported on the DMRs submitted to the Department for the period November 2001 – October 2006 indicates the monthly average TSS concentration discharged has ranged from 1 mg/L to 41 mg/L with an arithmetic mean (n=30) of 6.5 mg/L. The facility has been in compliance with the monthly average limitation of 30 mg/L 90% of the time during said reporting period.

- e. Settleable Solids: The previous licensing action did not establish any limits for settleable solids. The Department has since reconsidered its position on the imposition for settleable solids for OBD's and to be consistent with BPT limits established for all other MEPDES permits issued for like discharges, the Department has concluded that a daily maximum concentration limit of 0.3 ml/L is an appropriate BPT limitation. Therefore, this permitting action is establishing a daily maximum limit to 0.3 ml/L and establishing a 1/Month monitoring requirement consistent with the frequency for BOD and TSS.

- f. Escherichia coli Bacteria: The pervious licensing action established year-round monthly average and daily maximum concentration limits for *E. coli* bacteria of 142 colonies/100 ml (geometric mean) and 949 colonies/100 ml (instantaneous level), respectively, which were based on the State of Maine Water Classification Program criteria for Class C waters found at 38 M.R.S.A. §465(4)(B), and a minimum monitoring frequency requirements of once every other month. These limitations are being carried forward in this permitting action with a once per month (1/Month) based on Department best professional judgment of a sample frequency that is adequate to determine on-going compliance with this permit. The bacteria limitations established in this permitting action are being reduced from year-round to seasonal and apply between May 15 and September 30 of each year to be consistent with the time frame established in Maine law, 38 M.R.S.A., §465(C). Although *E. coli* bacteria limits are seasonal, the Department reserves the right to impose year-round bacteria limits if deemed necessary to protect the health, safety and welfare of the public.

A review of the monthly average and daily maximum data as reported on the DMRs submitted to the Department for the period November 2001 – October 2006 indicates the monthly (geometric mean) and daily maximum *E. coli* bacteria discharged has ranged from 0 colonies/100 ml to 8,100 colonies/100 ml. The DMR indicates the facility has been in compliance with the geometric mean limitation 84% of the time and in compliance with the daily maximum limitation 90% of the time during said reporting period. The data indicates violations consistently occur in the spring of the year.

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

- g. Total Residual Chlorine (TRC): The previous licensing action established a daily maximum technology based concentration limit of 1.0 mg/L 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	Calculated Chronic Threshold
0.019 mg/L	0.011 mg/L	15,741:1 (A) 77,181 :1 (C)	299 mg/L	849 mg/L

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 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 GHS does not have to dechlorinate the effluent to achieve compliance with water quality-based limitations.

The daily maximum technology-based effluent TRC concentration limitation of 1.0 mg/L is more stringent than either calculated water quality-based threshold above and is therefore being carried forward in this permitting action. This permitting action is also carrying forward the monitoring frequency of 3/Week as established in the previous licensing action.

A review of the daily maximum data as reported on the DMRs submitted to the Department for the period November 2001 – October 2006 indicates the maximum TRC discharged has ranged from 0.08 mg/L to 0.7 mg/L with an arithmetic mean (n=25) of 0.35 mg/L. The DMR data indicates the facility would have been in compliance with the daily maximum limitation 100% of the time during said reporting period.

- h. pH: The previous licensing action established a pH range limit of 6.0 – 8.5 standard units (SU), considered by the Department at the time, as BPT for secondary treated waste water, but did not establish any monitoring frequency requirements. Pursuant to Department rule found at Chapter 525(3)(III)(c), (promulgated subsequent to issuance of the previous licensing action) the pH range limitation is being revised to 6.0 – 9.0 SU, which is considered BPT for secondary treated wastewater. This permitting action is not establishing a regular monitoring frequency to determine compliance but the limitations are in effect and enforceable at all times.

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

- 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.

Chapter 530 Section (2)(A) specifies the dischargers subject to the rule as, "*all licensed dischargers of industrial process wastewater or domestic wastes discharging to surface waters of the State must meet the testing requirements of this section. Dischargers of other types of wastewater are subject to this subsection when and if the Department determines that toxicity of effluents may have reasonable potential to cause or contribute to exceedences of narrative or numerical water quality criteria.*"

Chapter 530 Section 2.A specifies the criteria for exemption of certain discharges from toxics testing as follows:

- (1) *Discharges from individual discharge points licensed to discharge less than 50,000 gallons per day of solely domestic wastewater and with a chronic dilution factor of at least 50 to 1, provided no holding tank wastes containing chemicals are accepted by the facility;*
- (2) *Discharges from residential overboard discharge systems; or*
- (3) *Discharges from combined sewer overflow discharge points, provided the owner of the sewerage system is conducting or participating in a discharge abatement program.*

The GHS facility is exempt from the Chapter 530 requirements as it permitted to discharge less than 50,000 gpd, the chronic dilution factor is greater than 50:1 and the waste water has domestic-like characteristics. However, should there be a substantial change in the characteristics of the discharge in the future, the Department may reopen this permit pursuant to Special Condition K, *Reopening of Permit for Modifications*, to incorporate the applicable whole effluent toxicity (WET), priority pollutant or analytical testing requirements cited above.

7. DISCHARGE IMPACT ON RECEIVING WATER QUALITY

As permitted, the Department has determined the existing water uses will be maintained and protected, and that the discharge as permitted will not cause or contribute to the failure of the water body to meet standards for Class C waters.

8. PUBLIC COMMENTS

Public notice of this application was made in a local newspaper on or about January 22, 2007. 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

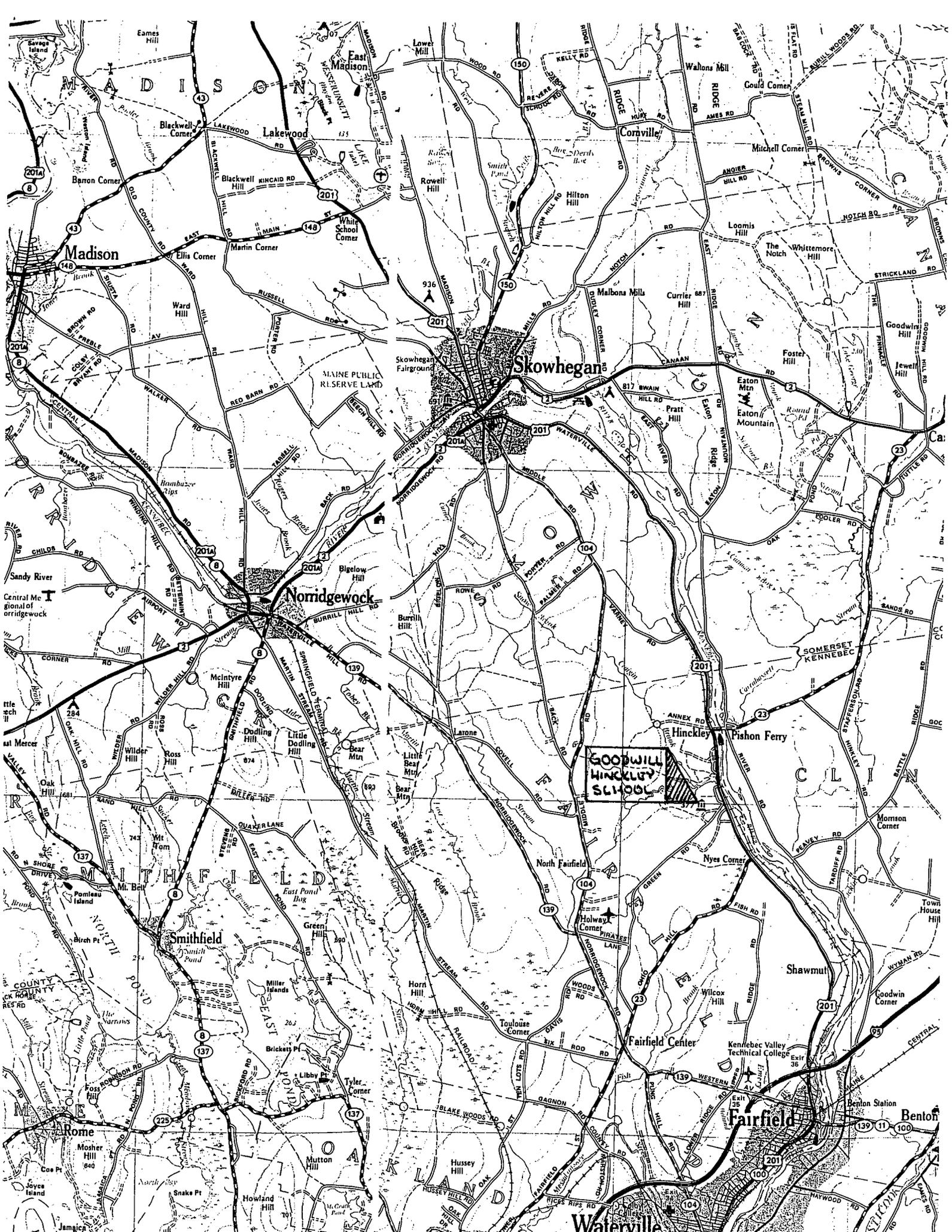
Additional information concerning this permitting action may be obtained from, and written comments sent to:

Gregg Wood
Division of Water Quality Management
Bureau of Land & Water Quality
Department of Environmental Protection
17 State House Station
Augusta, Maine 04333-0017 Telephone: (207) 287-6301
e-mail: gregg.wood@maine.gov

10. RESPONSE TO COMMENTS

During the period of March 21, 2007, through the issuance date of the permit/license, the Department solicited comments on the proposed draft permit/license to be issued for the discharge(s) from the GHS waste water treatment facility. The Department did not receive comments from the permittee, state or federal agencies or interested parties that resulted in any substantive change(s) in the terms and conditions of the permit. Therefore, the Department has not prepared a Response to Comments.

ATTACHMENT A



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