

February 5, 2008

Mr. Gary Picard  
Mountain Springs Trout Farm  
6 Picard Street  
P.O. Box 32  
Frenchville, Maine 04745

RE: Maine Pollutant Discharge Elimination System (MEPDES) Permit #ME0110451  
Maine Waste Discharge License (WDL) #W-008125-5Q-A-N  
**Minor Revision**

Dear Mr. Picard:

Enclosed please find a copy of your **final** MEPDES Permit / Maine WDL **minor revision** which was approved by the Department of Environmental Protection. Please read the minor revision 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.

If you have any questions regarding this matter, please feel free to call me at 287-6114.

Sincerely,

Robert D. Stratton  
Division of Water Quality Management  
Bureau of Land and Water Quality

Enc. Bill Sheehan, DEP/NMRO  
Lori Mitchell, DEP/CMRO  
Sandy Lao, USEPA

IN THE MATTER OF

MOUNTAIN SPRINGS TROUT FARM ) MAINE POLLUTANT DISCHARGE  
FRENCHVILLE, AROOSTOOK CTY, MAINE ) ELIMINATION SYSTEM PERMIT  
FISH HATCHERY ) AND  
#ME0110451 ) WASTE DISCHARGE LICENSE  
#W-008125-5Q-A-N ) **APPROVAL** ) **MINOR REVISION**

Pursuant to the provisions of Maine Law 38 M.R.S.A., Section 414-A et seq., and applicable regulations, the Department of Environmental Protection ("Department") has considered the minor revision request by the MOUNTAIN SPRINGS TROUT FARM, with its supportive data, agency review comments, and other related materials on file and FINDS THE FOLLOWING FACTS:

**MINOR REVISION REQUESTED**

The permittee has requested that the Department consider eliminating the seasonal monitoring requirements for total phosphorus and orthophosphate established in Permit Special Condition A, *Effluent Limitations and Monitoring Requirements*, of MEPDES Permit #ME0110451 / Maine WDL #W008125-5Q-A-N, issued by the Department on April 25, 2005, and administratively modified on December 19, 2005. The permittee's request is based on the following statement in Fact Sheet Section 6.d, *Effluent Limitations & Monitoring Requirements, Total Phosphorus and Orthophosphate*, of said permit:

*“Once the permittee has completed at least one year of phosphorus and orthophosphate monitoring, the Department will perform a statistical evaluation of the data to determine if there is a reasonable potential to exceed the water quality based critical thresholds and modify permitting requirements as appropriate pursuant to Permit Special Condition M.”*

**MINOR REVISION SUMMARY**

This minor revision modifies the monitoring requirements as follows:

- 1) Eliminates seasonal monthly average and daily maximum mass and concentration monitoring requirements for total phosphorus and orthophosphate.

## CONCLUSIONS

BASED on the findings in the attached Fact Sheet dated January 29, 2008, and subject to the Conditions listed below, the Department makes the following conclusions:

1. The discharge, either by itself or in combination with other discharges, will not lower the quality of any classified body of water below such classification.
2. The discharge, either by itself or in combination with other discharges, will not lower the quality of any unclassified body of water below the classification which the Department expects to adopt in accordance with state law.
3. The provisions of the State's antidegradation policy, 38 MRSA Section 464(4)(F), will be met, in that:
  - (a) Existing groundwater 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 waterbody to meet the standards of classification;
  - (d) Where the actual quality of any classified receiving water body exceeds the minimum standards of the next highest classification, that higher water quality will be maintained and protected;  
and
  - (e) Where a discharge will result in lowering the existing quality of any water body, the Department has made the finding, following opportunity for public participation, that this action is necessary to achieve important economic or social benefits to the State.
4. The discharge will be subject to effluent limitations that require application of best practicable treatment.

**ACTION**

THEREFORE, the Department APPROVES the minor revision of MEPDES Permit #ME0110451 / Maine WDL #W008125-5Q-A-N, issued by the Department on April 25, 2005 to MOUNTAIN SPRINGS TROUT FARM to discharge fish hatchery wastewater consisting of a monthly average flow of 0.65 MGD and a daily maximum flow of 2.0 MGD to the St. John River, Class B, 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 to the 4/25/05 MEPDES Permit / Maine WDL cited above.
2. The attached Special Conditions, including any effluent limitations and monitoring requirements.
3. All other terms and conditions in the 4/25/05 MEPDES Permit / Maine WDL and December 19, 2005 Administrative Modification not modified by this minor revision remain in effect and enforceable.
4. This minor revision **expires on April 25, 2010**, concurrent with the 4/25/05 MEPDES Permit / Maine WDL.

DONE AND DATED AT AUGUSTA, MAINE, THIS 7<sup>th</sup> DAY OF February, 2008.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: \_\_\_\_\_  
David P. Littell, Commissioner

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date filed with Board of Environmental Protection \_\_\_\_\_.

This Order prepared by Robert D. Stratton, BUREAU OF LAND & WATER QUALITY

Minor revision January 29, 2008

SPECIAL CONDITIONS

**A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS**

1. During the period beginning the effective date of this permit and lasting through permit expiration, the permittee is authorized to discharge **fish hatchery wastewater from Outfall #001A** to the St. John River. Such discharges shall be limited and monitored by the permittee as specified below<sup>1</sup>:

Monitoring Parameter	Reporting Requirements			Minimum Monitoring Requirements		
	Monthly Average	Daily Maximum	Monthly Average	Daily Maximum	Measurement Frequency	Sample Type
	as specified	as specified	as specified	as specified	as specified	as specified
Flow <sup>2</sup> <i>[50050]</i>	0.65 MGD <i>[03]</i>	2.0 MGD <i>[03]</i>	---	---	Daily <i>[01/01]</i>	Measured <i>[MS]</i>
BOD <sup>3</sup> <i>[00310]</i>	33 lbs/day <i>[26]</i>	54 lbs/day <i>[26]</i>	6 mg/L <i>[19]</i>	10 mg/L <i>[19]</i>	Once/2 weeks <i>[01/14]</i>	Composite <sup>4</sup> <i>[CP]</i>
TSS <sup>3</sup> <i>[00530]</i>	33 lbs/day <i>[26]</i>	54 lbs/day <i>[26]</i>	6 mg/L <i>[19]</i>	10 mg/L <i>[19]</i>	Once/2 weeks <i>[01/14]</i>	Composite <sup>4</sup> <i>[CP]</i>
Fish on Hand <i>[45604]</i>	report lbs/day <i>[26]</i>	report lbs/day <i>[26]</i>	---	---	Once/2 weeks <i>[01/14]</i>	Calculated <i>[CA]</i>
Formalin <sup>6</sup> <i>[51064]</i>	report lbs/day <i>[26]</i>	7.6 lbs/day <i>[26]</i>	report mg/L <i>[19]</i>	9.6 mg/L <i>[19]</i>	Once/2 weeks <i>[01/14]</i>	Calculated <i>[CA]</i>
pH <i>[00400]</i>	---	---	---	6.0-8.5 S.U. <i>[12]</i>	Once/2 weeks <i>[01/14]</i>	Grab <i>[GR]</i>

The italicized numeric values bracketed in the table above and in subsequent text are code numbers that Department personnel utilize to code the monthly Discharge Monitoring Reports (DMRs). Footnotes are found on Pages 6 and 7 of the 4/25/05 MEPDES Permit / Maine WDL.

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

FACT SHEET

Date: January 29, 2008

MEPDES PERMIT NUMBER: #ME0110451  
WASTE DISCHARGE LICENSE: # W-008125-5Q-A-N

NAME AND ADDRESS OF APPLICANT:

**MOUNTAIN SPRINGS TROUT FARM  
6 Picard Street  
P.O. Box 32  
Frenchville, Maine 04745**

COUNTY: AROOSTOOK

NAME AND ADDRESS WHERE DISCHARGE OCCURS:

MOUNTAIN SPRINGS TROUT FARM  
6 Picard Street  
P.O. Box 32  
Frenchville, Maine 04745

RECEIVING WATER / CLASSIFICATION: St. John River / Class B

COGNIZANT OFFICIAL AND TELEPHONE NUMBER:

Mr. Gary Picard (207) 543-6887

**1. MINOR REVISION REQUESTED**

The permittee has requested that the Department consider eliminating the seasonal monitoring requirements for total phosphorus and orthophosphate established in Permit Special Condition A, *Effluent Limitations and Monitoring Requirements*, of MEPDES Permit #ME0110451 / Maine WDL #W008125-5Q-A-N, issued by the Department on April 25, 2005, and administratively modified on December 19, 2005. The permittee's request is based on the following statement in Fact Sheet Section 6.d, *Effluent Limitations & Monitoring Requirements, Total Phosphorus and Orthophosphate*, of said permit:

*“Once the permittee has completed at least one year of phosphorus and orthophosphate monitoring, the Department will perform a statistical evaluation of the data to determine if there is a reasonable potential to exceed the water quality based critical thresholds and modify permitting requirements as appropriate pursuant to Permit Special Condition M.”*

**2. MINOR REVISION SUMMARY**

This minor revision modifies the monitoring requirements as follows:

- 1) Eliminates seasonal monthly average and daily maximum mass and concentration monitoring requirements for total phosphorus and orthophosphate.

**3. BASIS FOR THE MINOR REVISION**

The Department has conducted an evaluation of the total phosphorus and orthophosphate monitoring results on file since issuance of the April 25, 2005 MEPDES Permit / Maine WDL. For comparison purposes, and as described in Fact Sheet Section 6.d, *Total Phosphorus and Orthophosphate*, the Department calculated the appropriate total phosphorus monthly average concentration and mass critical thresholds. Based on the facility’s effluent flow limit, its dilution in the receiving water, and the Department’s instream ambient water quality threshold for total phosphorus, concentration and mass critical values of 27 mg/L and 146 lbs/day respectively were determined. These values correspond to the Department’s best professional judgement (BPJ) determination of the maximum levels at which algae blooms will not occur in the receiving water under normal circumstances. For all similar facilities permitted by the Department, orthophosphate monitoring requirements entail reporting requirements only, to enable the Department to study the relationship between the two forms of phosphorus in these types of discharges.

The Department reviewed DMR data for Mt. Springs Trout Farm and found the following information:

<b>Total Phosphorus</b>	Minimum	Maximum	Arithmetic Mean	# Samples (DMRs)
Monthly Average Concentration	0.002 mg/L	0.035 mg/L	0.023 mg/L	7
Daily Maximum Concentration	0.002 mg/L	0.037 mg/L	0.024 mg/L	7
Monthly Average Mass	0.005 lbs/day	0.093 lbs/day	0.048 lbs/day	7
Daily Maximum Mass	0.003 lbs/day	0.093 lbs/day	0.061 lbs/day	7

<b>Orthophosphate</b>	Minimum	Maximum	Arithmetic Mean	# Samples (DMRs)
Monthly Average Concentration	0.002 mg/L	0.023 mg/L	0.010 mg/L	6
Daily Maximum Concentration	0.002 mg/L	0.041 mg/L	0.014 mg/L	6
Monthly Average Mass	0.003 lbs/day	0.008 lbs/day	0.005 lbs/day	6
Daily Maximum Mass	0.004 lbs/day	0.11 lbs/day	0.037 lbs/day	6

### 3. BASIS FOR THE MINOR REVISION (cont'd)

As shown, the average effluent total phosphorus concentration and mass values observed for Mt. Springs Trout Farm fall below the Department's calculated water quality based critical thresholds by at least three orders of magnitude and therefore do not represent reasonable potentials to exceed the critical thresholds. Similarly, the orthophosphate results reported do not present a water quality concern at this time. Therefore, the Department has made a BPJ decision to eliminate the seasonal monthly average and daily maximum concentration and mass monitoring requirements for total phosphorus and orthophosphate.

Pursuant to Special Condition M, *Reopening of Permit for Modifications*, in the 4/25/05 MEPDES Permit / Maine WDL and Department Rule (06-096 CMR Chapter 2), the Department is modifying the effluent monitoring requirements as specified in Section 2 of this Fact Sheet. All other limitations and requirements in the Permit / WDL remain in effect and must be complied with.

### 4. DEPARTMENT CONTACTS

Additional information concerning this minor revision may be obtained from and written comments should be sent to:

Robert D. Stratton  
Division of Water Quality Management  
Bureau of Land and Water Quality  
Department of Environmental Protection  
17 State House Station  
Augusta, Maine 04333-0017

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