



STATE OF MAINE  
Department of Environmental Protection

JOHN ELIAS BALDACCI  
GOVERNOR

David P. Littell  
COMMISSIONER

February 12, 2009

***VIA ELECTRONIC MAIL TRANSMISSION***

Mr. Steve Freeman  
Presque Isle Sewer District  
[sfreeman@maine.rr.com](mailto:sfreeman@maine.rr.com)

Mr. Gilles St-Pierre  
Presque Isle Sewer District  
[grstp@mfx.net](mailto:grstp@mfx.net)

***RE: Maine Pollutant Discharge Elimination System (MEPDES) Permit #ME0100561  
Maine Waste Discharge License (WDL) Application #W002713-6D-E-M  
FINAL WDL – Minor Revision***

Dear Mr. Freeman and Mr. St-Pierre:

Enclosed, please find a copy of your **final** MEPDES permit / 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 287-7659.

Sincerely,

Bill Hinkel  
Division of Water Quality Management  
Bureau of Land and Water Quality

Enc.

cc: Bill Sheehan, DEP  
Lori Mitchell, DEP  
Sandy Mojica  
File #2713

AUGUSTA  
17 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0017  
(207) 624-6550 FAX: (207) 624-6024  
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) 764-6477 FAX: (207) 764-1507



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

DEPARTMENT ORDER

**IN THE MATTER OF**

PRESQUE ISLE SEWER DISTRICT	)	MAINE POLLUTANT DISCHARGE
PUBLICLY OWNED TREATMENT WORKS	)	ELIMINATION SYSTEM PERMIT
PRESQUE ISLE, AROOSTOOK COUNTY, ME	)	AND
#ME0100561	)	WASTE DISCHARGE LICENSE
#W002713-6D-E-M	)	<b>MINOR REVISION</b>
<b>APPROVAL</b>		

Pursuant to *Conditions of licenses*, 38 M.R.S.A. § 414-A, applicable regulations, and Special Condition P, *Reopening of Permit for Modification*, of Maine Pollutant Discharge Elimination System (MEPDES) permit #ME0100561 / Waste Discharge License (WDL) #W002713-5L-D-R issued to the PRESQUE ISLE SEWER DISTRICT (PISD) on June 18, 2007, the Department of Environmental Protection (Department) is hereby modifying the aforementioned permit to eliminate the effluent limitations for total copper. With its supportive data, agency review comments, and other related materials on file and FINDS THE FOLLOWING FACTS:

**MINOR REVISION REQUESTED**

On January 12, 2009, the PISD requested that the Department consider new information (elimination of the discharge of secondary treated wastewaters to Presque Isle Stream, except when the hydraulic capacity of the Aroostook River outfall structure is exceeded) and re-evaluate the need for continued effluent limitations for copper (total). Special Condition P of the 6/18/07 permit states, in pertinent part, that the Department may reopen the permit to change monitoring requirements or limitations based on new information.

**MINOR REVISION APPROVED**

On February 5, 2009, the Department conducted a statistical evaluation of the most recent 60 months of chemical-specific tests results on file with the Department for the PISD in accordance with the statistical approach outlined at *Surface Water Toxics Control Program*, 06-096 CMR 530(3)(E) (effective October 9, 2005), which indicates that the discharge does not exceed or have a reasonable potential to exceed the ambient water quality criteria thresholds for any other parameters tested, including copper. Therefore, this minor revision serves to eliminate the water quality-based monthly average concentration and mass limitations for total copper and to authorize reduced surveillance level analytical chemistry testing at a minimum frequency of once every other year. All other terms and conditions of the 6/18/07 MEPDES permit / WDL (not modified herein) remain in effect and enforceable.

## CONCLUSIONS

BASED on the findings in the attached Fact Sheet dated February 12, 2009, and subject to the Conditions listed below, the Department makes the following CONCLUSIONS:

1. The discharge, either individually or in combination with other discharges, will not lower the quality of any classified body of water below such classification.
2. The discharge, either individually or in combination with other discharges, will not lower the quality of any unclassified body of water below the classification which the Department expects to adopt in accordance with state law.
3. The provisions of the State's antidegradation policy, *Classification of Maine waters*, 38 M.R.S.A. § 464(4)(F), will be met, in that:
  - (a) Existing in-stream water uses and the level of water quality necessary to protect and maintain those existing uses will be maintained and protected;
  - (b) Where high quality waters of the State constitute an outstanding national resource, that water quality will be maintained and protected;
  - (c) 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 discharge will be subject to effluent limitations that require application of best practicable treatment as defined in 38 M.R.S.A. § 414-A(1)(D).

## **ACTION**

THEREFORE, the Department is hereby MODIFYING Maine Pollutant Discharge Elimination System (MEPDES) permit #ME0100561 / Waste Discharge License (WDL) #W002713-5L-D-R issued to the PRESQUE ISLE SEWER DISTRICT (PISD) on June 18, 2007, to eliminate the monthly average concentration and mass limitations for total copper and to authorize reduced surveillance level analytical chemistry testing at a minimum frequency of once every other year, 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 6/18/07 MEPDES permit / WDL.
2. The attached Special Conditions, including any effluent limitations and monitoring requirements.
3. The revised Pages 13, 14 and 18 of 26 from the 6/18/07 MEPDES permit / WDL included as Attachment A of this permit.
4. All the remaining terms and conditions (not modified by this permitting action) of WDL #W002713-5L-D-R issued by the Department on June 18, 2007, remain in effect and enforceable.
5. This permit modification expires on June 18, 2012, concurrent with MEPDES permit #ME0100561 /WDL #W002713-5L-D-R issued by the Department on June 18, 2007.

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES.

**B. SEVERABILITY**

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

# **ATTACHMENT A**

**SPECIAL CONDITIONS**

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

4. The permittee is authorized to discharge **secondary treated sanitary waste waters** from **OUTFALL #001** to the **Aroostook River**. Such discharges shall be limited and monitored by the permittee as specified below<sup>(1)</sup> (cont'd):

Effluent Characteristic		Discharge Limitations				Monitoring Requirements			
		<u>Monthly Average</u>	<u>Weekly Average</u>	<u>Daily Maximum</u>	<u>Monthly Average</u>	<u>Weekly Average</u>	<u>Daily Maximum</u>	<u>Measurement Frequency</u>	<u>Sample Type</u>
		as specified	as specified	as specified	as specified	as specified	as specified	as specified	as specified
<b>Orthophosphate<sup>(7)</sup></b> <b>(June 1 – Sept. 30)</b> <i>[04175]</i>	Report lbs./day <i>[26]</i>	Report lbs./day <i>[26]</i>	Report lbs./day <i>[26]</i>	Report lbs./day <i>[26]</i>	Report mg/L <i>[19]</i>	Report lbs./day <i>[26]</i>	Report mg/L <i>[19]</i>	3/Week <i>[03/07]</i>	24-Hour Composite <i>[24]</i>
<b>Phosphorus (Total)<sup>(16)</sup></b> <b>(June 1 – Sept. 30)</b> <i>[00665]</i>	19.2 lbs./day <i>[26]</i>	Report lbs./day <i>[26]</i>	Report lbs./day <i>[26]</i>	Report lbs./day <i>[26]</i>	1.0 mg/L <i>[19]</i>	Report lbs./day <i>[26]</i>	Report mg/L <i>[19]</i>	3/Week <i>[03/07]</i>	24-Hour Composite <i>[24]</i>

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

**FOOTNOTES: See Pages 16 through 20 of this permit for applicable footnotes.**

***REVISED PERMIT PAGE 13 OF 26 FROM 6/18/07 PERMIT  
ATTACHMENT A OF MINOR REVISION #W002713-6D-E-M***

**SPECIAL CONDITIONS**

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

5. **For Discharge to the Aroostook River (Level II).** Whole effluent toxicity, analytical chemistry and priority pollutant testing requirements.

**SURVEILLANCE LEVEL** - Beginning upon commencement of the discharge to the Aroostook River and lasting until 12 months prior to permit expiration.

Effluent Characteristic	Discharge Limitations				Minimum Monitoring Requirements	
	Monthly Average	Daily Maximum	Monthly Average	Daily Maximum	Measurement Frequency	Sample Type
<b>Whole Effluent Toxicity<sup>(8)</sup></b> <b><u>Acute – NOEL</u></b> <i>Ceriodaphnia dubia</i> (Water flea) [TDA3BJ] <i>Salvelinus fontinalis</i> (Brook trout) [TDA6FF]	---	---	---	Report % [23] Report % [23]	1/2 Years [01/2Y] 1/2 Years [01/2Y]	Composite [24] Composite [24]
<b><u>Chronic – NOEL</u></b> <i>Ceriodaphnia dubia</i> (Water flea) [TBP3BJ] <i>Salvelinus fontinalis</i> (Brook trout) [TBQ6F]	---	---	---	Report % [23] Report % [23]	1/2 Years [01/2Y] 1/2 Years [01/2Y]	Composite [24] Composite [24]
Analytical Chemistry <sup>(9)</sup> [54177]	---	---	---	Report ug/L [28]	1/2 Years [01/2Y]	Composite/Grab [24]

**SCREENING LEVEL** - Beginning 12 months prior to expiration of the current permit or in the fifth year since the last screening test, which ever is sooner.

	Monthly Average	Daily Maximum	Monthly Average	Daily Maximum	Measurement Frequency	Sample Type
<b>Whole Effluent Toxicity<sup>(8)</sup></b> <b><u>Acute – NOEL</u></b> <i>Ceriodaphnia dubia</i> (Water flea) [TDA3BJ] <i>Salvelinus fontinalis</i> (Brook trout) [TDA6FF]	---	---	---	Report % [23] Report % [23]	2/Year [02/YR] 2/Year [02/YR]	Composite [24] Composite [24]
<b><u>Chronic – NOEL</u></b> <i>Ceriodaphnia dubia</i> (Water flea) [TBP3BJ] <i>Salvelinus fontinalis</i> (Brook trout) [TBQ6F]	---	---	---	Report % [23] Report % [23]	2/Year [02/YR] 2/Year [02/YR]	Composite [24] Composite [24]
Analytical Chemistry <sup>(9)</sup> [54177]	---	---	---	Report ug/L [28]	1/Quarter [01/9Q]	Composite/Grab [24]
Priority Pollutant <sup>(10)</sup> [50008]	---	---	---	Report ug/L [28]	1/Year [01/YR]	Composite/Grab [24]

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

**FOOTNOTES: See Pages 16 through 20 of this permit for applicable footnotes.**



## SPECIAL CONDITIONS

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

#### FOOTNOTES:

9. **Analytical chemistry** – Pursuant to 06-096 CMR 530(2)(C)(4), analytical chemistry refers to a suite of thirteen (13) chemical tests consisting of: ammonia nitrogen (as N), total aluminum, total arsenic, total cadmium, total chromium, total copper, total cyanide, total hardness (freshwater only), total lead, total nickel, total silver, total zinc and total residual chlorine.
- a. **Initial screening level testing** – Beginning upon issuance of the permit and lasting through the first 12 months of the permit, the permittee shall conduct analytical chemistry testing at a screening level frequency of once per calendar quarter for four consecutive calendar quarters.
- b. **Surveillance level testing** – Beginning 12 months following issuance of this permit and lasting until 12 months prior to permit expiration, the permittee shall conduct analytical chemistry testing at a minimum frequency of once per calendar quarter for the discharge to Presque Isle Stream (Level I) and at a frequency of once every other year (reduced testing) for the discharge to the Aroostook River (Level II). For Level II testing, there shall be at least six (6) months between testing events.
- c. **Screening level testing** – Beginning 12 months prior to permit expiration and every five years thereafter, the permittee shall conduct analytical chemistry testing at a minimum frequency of once per calendar quarter for four consecutive calendar quarters.
10. **Priority pollutant testing** – Priority pollutants are those parameters specified at *Effluent Guidelines and Standards*, 06-096 CMR 525(4)(IV) (effective January 12, 2001).
- a. **Initial screening level testing** – Beginning upon issuance of this permit and lasting through 12 months following issuance, the permittee shall conduct priority pollutant testing at a screening level frequency of once per year.
- b. **Screening level testing** - Beginning 12 months prior to permit expiration and lasting through permit expiration and every five years thereafter, the permittee shall conduct screening level priority pollutant testing at a minimum frequency of once per year.

Priority pollutant and analytical chemistry 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.

**MAINE WASTE DISCHARGE LICENSE**

**FACT SHEET**

Date: **FEBRUARY 12, 2009**

PERMIT COMPLIANCE SYSTEM: **#ME0100561**  
WASTE DISCHARGE LICENSE: **#W002713-6D-E-M**

NAME AND ADDRESS OF APPLICANT:

**PRESQUE ISLE SEWER DISTRICT  
P. O. BOX 470  
PRESQUE ISLE, MAINE 04769**

COUNTY: **AROOSTOOK**

NAME AND ADDRESS WHERE DISCHARGE OCCURS:

**PRESQUE ISLE SEWER DISTRICT  
126 DYER STREET  
PRESQUE ISLE, MAINE 04769**

RECEIVING WATER/CLASSIFICATION: **PRESQUE ISLE STREAM/CLASS B  
AROOSTOOK RIVER/CLASS C  
(FOLLOWING RELOCATION OF OUTFALL)**

COGNIZANT OFFICIAL AND TELEPHONE NUMBER: **STEVE FREEMAN  
(207) 762-5061  
[sfreeman@maine.rr.com](mailto:sfreeman@maine.rr.com)**

**1. MINOR REVISION REQUESTED**

On January 12, 2009, the Presque Isle Sewer District (PISD) requested that the Department of Environmental Protection (Department) consider new information (elimination of the discharge of secondary treated wastewaters to Presque Isle Stream, except when the hydraulic capacity of the Aroostook River outfall structure is exceeded) and re-evaluate the need for continued effluent limitations for copper (total). Special Condition P of the 6/18/07 permit states, in pertinent part, that the Department may reopen the permit to change monitoring requirements or limitations based on new information.

## 2. MINOR REVISION APPROVED

On February 5, 2009, the Department conducted a statistical evaluation of the most recent 60 months of chemical-specific tests results on file with the Department for the PISD in accordance with the statistical approach outlined at *Surface Water Toxics Control Program*, 06-096 CMR 530(3)(E) (effective October 9, 2005), which indicates that the discharge does not exceed or have a reasonable potential to exceed the ambient water quality criteria thresholds for any other parameters tested, including copper. Therefore, this minor revision serves to eliminate the water quality-based monthly average concentration and mass limitations for total copper and to authorize reduced surveillance level analytical chemistry testing at a minimum frequency of once every other year. All other terms and conditions of the 6/18/07 MEPSDES permit / WDL (not modified herein) remain in effect and enforceable.

## 3. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

06-096 CMR 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.*

On February 5, 2009, the Department conducted a statistical evaluation on the most recent 60 months of chemical-specific tests results on file with the Department for the PISD in accordance with the statistical approach outlined above. **The 2/5/09 statistical evaluation indicates that the discharge does not exceed or have a reasonable potential to exceed the AWQC thresholds for any other parameters tested, including copper.**

06-096 CMR 530(2)(D) specifies default WET, priority pollutant, and analytical chemistry test schedules for Level II dischargers as follows:

*Screening level testing* – Beginning 12 months prior to permit expiration and lasting through permit expiration and every five years thereafter.

Level	WET Testing	Priority pollutant testing	Analytical chemistry
II	2 per year	1 per year	4 per year

### 3. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (cont'd)

*Surveillance level testing* – Beginning 12 months prior to expiration of the current permit or in the fifth year since the last screening test, which ever is sooner.

Level	WET Testing	Priority pollutant testing	Analytical chemistry
II	1 per year	None required	2 per year

06-096 CMR 530(2)(D)(3)(c) states, “*dischargers in Level II may reduce surveillance testing to one WET or specific chemical series every other year provided that testing in the preceding 60 months does not indicate any reasonable potential for exceedence.*” Based on this provision and Department best professional judgment, this minor revision is establishing reduced surveillance level analytical chemistry testing at a frequency of once every other year.

### 4. DISCHARGE IMPACT ON RECEIVING WATER QUALITY

As permitted, the Department has determined the existing water uses will be maintained and protected provided the permittee complies with the terms and conditions established herein.

### 5. DEPARTMENT CONTACTS

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

William F. Hinkel  
Division of Water Quality Management  
Bureau of Land & Water Quality  
Department of Environmental Protection  
17 State House Station  
Augusta, Maine 04333-0017      Telephone: (207) 287-7659  
[bill.hinkel@maine.gov](mailto:bill.hinkel@maine.gov)



# DEP INFORMATION SHEET

## Appealing a Commissioner's Licensing Decision

**Dated:** May 2004

**Contact:** (207) 287-2811

### **SUMMARY**

There are two methods available to an aggrieved person seeking to appeal a licensing decision made by the Department of Environmental Protection's (DEP) Commissioner: (1) in an administrative process before the Board of Environmental Protection (Board); or (2) in a judicial process before Maine's Superior Court. This INFORMATION SHEET, in conjunction with consulting statutory and regulatory provisions referred to herein, can help aggrieved persons with understanding their rights and obligations in filing an administrative or judicial appeal.

### **I. ADMINISTRATIVE APPEALS TO THE BOARD**

#### **LEGAL REFERENCES**

DEP's *General Laws*, 38 M.R.S.A. § 341-D(4), and its *Rules Concerning the Processing of Applications and Other Administrative Matters* (Chapter 2), 06-096 CMR 2.24 (April 1, 2003).

#### **HOW LONG YOU HAVE TO SUBMIT AN APPEAL TO THE BOARD**

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

#### **HOW TO SUBMIT AN APPEAL TO THE BOARD**

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

#### **WHAT YOUR APPEAL PAPERWORK MUST CONTAIN**

The materials constituting an appeal must contain the following information at the time submitted:

1. *Aggrieved Status.* Standing to maintain an appeal requires the appellant to show they are particularly injured by the Commissioner's decision.
2. *The findings, conclusions or conditions objected to or believed to be in error.* Specific references and facts regarding the appellant's issues with the decision must be provided in the notice of appeal.
3. *The basis of the objections or challenge.* If possible, specific regulations, statutes or other facts should be referenced. This may include citing omissions of relevant requirements, and errors believed to have been made in interpretations, conclusions, and relevant requirements.
4. *The remedy sought.* This can range from reversal of the Commissioner's decision on the license or permit to changes in specific permit conditions.

5. *All the matters to be contested.* The Board will limit its consideration to those arguments specifically raised in the written notice of appeal.
6. *Request for hearing.* The Board will hear presentations on appeals at its regularly scheduled meetings, unless a public hearing is requested and granted. A request for public hearing on an appeal must be filed as part of the notice of appeal.
7. *New or additional evidence to be offered.* The Board may allow new or additional evidence as part of an appeal only when the person seeking to add information to the record can show due diligence in bringing the evidence to the DEP's attention at the earliest possible time in the licensing process or show that the evidence itself is newly discovered and could not have been presented earlier in the process. Specific requirements for additional evidence are found in Chapter 2, Section 24(B)(5).

#### **OTHER CONSIDERATIONS IN APPEALING A DECISION TO THE BOARD**

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

#### **WHAT TO EXPECT ONCE YOU FILE A TIMELY APPEAL WITH THE BOARD**

The Board will formally acknowledge initiation of the appeals procedure, including the name of the DEP project manager assigned to the specific appeal, within 15 days of receiving a timely filing. The notice of appeal, all materials accepted by the Board Chair as additional evidence, and any materials submitted in response to the appeal will be sent to Board members along with a briefing and recommendation from DEP staff. Parties filing appeals and interested persons are notified in advance of the final date set for Board consideration of an appeal or request for public hearing. With or without holding a public hearing, the Board may affirm, amend, or reverse a Commissioner decision. The Board will notify parties to an appeal and interested persons of its decision.

#### **II. APPEALS TO MAINE SUPERIOR COURT**

Maine law allows aggrieved persons to appeal final Commissioner licensing decisions to Maine's Superior Court, see 38 M.R.S.A. § 346(1); 06-096 CMR 2.26; 5 M.R.S.A. § 11001; & MRCivP 80C. Parties to the licensing decision must file a petition for review within 30 days after receipt of notice of the Commissioner's written decision. A petition for review by any other person aggrieved must be filed within 40-days from the date the written decision is rendered. The laws cited in this paragraph and other legal procedures govern the contents and processing of a Superior Court appeal.

#### **ADDITIONAL INFORMATION**

If you have questions or need additional information on the appeal process, contact the DEP's Director of Procedures and Enforcement at (207) 287-2811.

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

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