



STATE OF MAINE  
Department of Environmental Protection

JOHN ELIAS BALDACCI  
GOVERNOR

David P. Littell  
COMMISSIONER

June 2, 2009

Nick Brown, Director  
UM Center for Cooperative Aquaculture Research  
33 Salmon Farm Road  
Franklin, Maine 04634  
[npbrown@maine.edu](mailto:npbrown@maine.edu)

**RE: *Maine Pollutant Discharge Elimination System (MEPDES) Permit #ME0110183  
Maine Waste Discharge License (WDL) #W007642-6F-E-M  
FINAL MEPDES Permit / WDL Minor Revision***

Dear Dr. Brown:

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: Matt Young, DEP  
Sandy Mojica  
File #7642

AUGUSTA  
17 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0017  
(207) 624-6550 FAX: (207) 624-6024  
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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  
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STATE OF MAINE  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
17 STATE HOUSE STATION  
AUGUSTA, MAINE 04333

DEPARTMENT ORDER

**IN THE MATTER OF**

UNIVERSITY OF MAINE CENTER FOR	)	MAINE POLLUTANT DISCHARGE
COOPERATIVE AQUACULTURE RESEARCH	)	ELIMINATION SYSTEM PERMIT
FRANKLIN, HANCOCK COUNTY, MAINE	)	AND
FISH HATCHERY	)	WASTE DISCHARGE LICENSE
#ME0110183	)	
#W007642-6F-E-M	)	
	)	
<b>APPROVAL</b>	)	<b>MINOR REVISION</b>

Pursuant to *Conditions of licenses*, 38 M.R.S.A. § 414-A, and applicable regulations, the Department of Environmental Protection (Department) is hereby modifying combination Maine Pollutant Discharge Elimination System (MEPDES) Permit # ME0110183 / Waste Discharge License (WDL) #W007642-5Q-D-R, issued to the UNIVERSITY OF MAINE CENTER FOR COOPERATIVE AQUACULTURE RESEARCH (CCAR) on June 1, 2005. With its supportive data, agency review comments, and other related materials on file and FINDS THE FOLLOWING FACTS:

**MINOR REVISION SUMMARY**

On April 22, 2009, CCAR requested authorization from the Department to administer the therapeutant emamectin benzoate (SLICE<sup>®</sup>) on a one-time basis to control sea lice in salmon smolts raised at the facility. CCAR proposes to administer a maximum of 0.01 grams of SLICE<sup>®</sup> per day for seven (7) days via feed. In a letter dated March 30, 2006 (copy attached), the Department stated that the use of SLICE<sup>®</sup> at this facility would be approved following modification of the 6/1/05 permit. CCAR's 4/22/09 request to modify their existing MEPDES permit is the first request made pursuant to the 3/30/06 pre-approval notification.

## CONCLUSIONS

BASED on the findings in the attached Fact Sheet dated June 2, 2009, 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, *Classification of Maine waters*, 38 M.R.S.A. § 464(4)(F), will be met, in that:
  - (a) Existing 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 38 M.R.S.A. § 414-A(1)(D).

## **ACTION**

THEREFORE, the Department is hereby MODIFYING MEPDES permit #ME0110183 / WDL #W007642-5Q-D-R, issued to the UNIVERSITY OF MAINE CENTER FOR COOPERATIVE AQUACULTURE RESEARCH by the Department on June 1, 2005, to authorize the use of emamectin benzoate (SLICE<sup>®</sup>) at a maximum dose of 0.01 grams of SLICE<sup>®</sup> per day for seven (7) days, 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 6/1/05 WDL.
2. The attached Special Conditions, including any effluent limitations and monitoring requirements.
3. All the remaining terms and conditions not modified by this permitting action of WDL #W007642-5Q-D-R issued by the Department on June 1, 2005 remain in effect and enforceable.

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES.

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

**FACT SHEET**

Date: **JUNE 2, 2009**

PERMIT COMPLIANCE SYSTEM:       **#ME0110183**  
WASTE DISCHARGE LICENSE:       **#W007642-6F-E-M**

NAME AND ADDRESS OF APPLICANT:

**UNIVERSITY OF MAINE CENTER FOR COOPERATIVE AQUACULTURE RESEARCH  
33 SALMON FARM ROAD  
FRANKLIN, MAINE 04634**

COUNTY:   **HANCOCK**

NAME AND ADDRESS WHERE DISCHARGE OCCURS:

**UNIVERSITY OF MAINE CENTER FOR COOPERATIVE AQUACULTURE RESEARCH  
33 SALMON FARM ROAD  
FRANKLIN, MAINE 04634**

RECEIVING WATER/CLASSIFICATION:   **TAUNTON BAY / CLASS SB**

COGNIZANT OFFICIAL AND TELEPHONE NUMBER:   **MR. NICK P BROWN, PH.D  
DIRECTOR, CENTER FOR  
COOPERATIVE AQUACULTURE  
RESEARCH UNIVERSITY OF MAINE  
(207) 422-9096   [npbrown@maine.edu](mailto:npbrown@maine.edu)**

**1. MINOR REVISION SUMMARY**

On April 22, 2009, the University of Maine Center for Cooperative Aquaculture Research (CCAR) requested authorization from the Department of Environmental Protection (Department) to administer the therapeutant emamectin benzoate (SLICE®) on a one-time basis to control sea lice in salmon smolts raised at the facility. CCAR proposes to administer a maximum of 0.01 grams of SLICE® per day for seven (7) days via feed. In a letter dated March 30, 2006 (copy attached), the Department stated that the use of SLICE® at this facility would be approved following modification of the 6/1/05 permit. CCAR's 4/22/09 request to modify their existing MEPDES permit is the first request made pursuant to the 3/30/06 pre-approval notification.

### **1. MINOR REVISION SUMMARY (cont'd)**

Based on a maximum dose of 0.01 grams of SLICE<sup>®</sup> per day and available dilution with the receiving waters, the Department is making a best professional judgment determination that the discharge of SLICE<sup>®</sup> from this facility in accordance with this approval is *de minimus* and will not have a measurable impact on receiving water quality.

### **2. 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.

### **3. 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)