



STATE OF MAINE  
Department of Environmental Protection

Paul R. LePage  
GOVERNOR

Patricia W. Aho  
COMMISSIONER

Mr. Keith Klein  
Camp Laurel  
P.O. Box 508  
Westport, CT. 06881

November 2, 2012

RE: Maine Permit Compliance System (PCS) #MEU503269  
Maine Waste Discharge License (WDL) Application #W003269-5J-E-R  
**Final License**

Dear Mr. Klein:

Enclosed, please find a copy of your **final** Maine WDL, which was approved by the Department of Environmental Protection. Please read the license 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: Beth, DeHaas, DEP/CMRO  
Sandy Mojica, USEPA

AUGUSTA

17 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0017  
(207) 287-3901 FAX: (207) 287-3435  
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, ME 04333

**DEPARTMENT ORDER**

**IN THE MATTER OF**

COASTAL CAMPS INC. d/b/a CAMP LAUREL	)	PROTECTION AND IMPROVEMENT
MOUNT VERNON, KENNEBEC COUNTY	)	OF WATERS
SURFACE WASTEWATER DISPOSAL SYSTEM	)	
MEU503269	)	WASTE DISCHARGE LICENSE
W003269-5J-E-R	)	RENEWAL
APPROVAL	)	

Pursuant to the provisions of 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 COASTAL CAMPS INC., d/b/a CAMP LAUREL (licensee hereinafter) with its supportive data, agency review comments, and other related materials on file and FINDS THE FOLLOWING FACTS:

**APPLICATION SUMMARY**

The licensee has submitted a timely and complete application to the Department for the renewal of Waste Discharge License (WDL) # W003269-5J-D-R, which was issued by the Department on December 20, 2007, for a five-year term. The application is for the continuing operation of a surface waste water disposal system (spray-irrigation) for the treatment and seasonal disposal of up to 152,730 gallons per day (gpd) of treated sanitary waste water onto a 7.5-acre parcel of land at the Camp Laurel facility in Mount Vernon, Maine.

**RENEWAL SUMMARY**

This licensing action is carrying forward all the terms and conditions of the previous licensing action except that this license is;

1. Eliminating Special Condition N, *Submittal of Spray Irrigation Performance Report*, as the Department has determined monitoring the lagoon effluent, the spray application rates and ground water and reporting the results to the Department on a monthly basis is sufficient to determine compliance with the terms and conditions of the license.

## CONCLUSIONS

BASED on the findings in the attached Fact Sheet dated September 14, 2012, 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 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 natural 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 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 above noted application of COASTAL CAMPS INC., d/b/a CAMP LAUREL, to treat up to 15,000 gpd of domestic like sanitary waste waters and dispose of up to 152,730 gpd onto a 7.5-acre parcel of land in Mount Vernon, SUBJECT TO THE FOLLOWING CONDITIONS, and all applicable standards and regulations including:

1. Standard Conditions of Approval for POTW Waste Discharge Licenses dated July 16, 1996, copy attached.
2. The attached Special Conditions, including effluent limitations and monitoring requirements.
3. This license becomes effective upon the date of signature below and expires at midnight five (5) years after that date. If a renewal application is timely submitted and accepted as complete for processing prior to the expiration of this license, the terms and conditions of the this license and all subsequent modifications and minor revisions thereto remain in effect until a final Department decision on the renewal application becomes effective. [*Maine Administrative Procedure Act*, 5 M.R.S.A. § 10002 and *Rules Concerning the Processing of Applications and Other Administrative Matters*, 06-096 CMR 2(21)(A) (effective April 1, 2003)].

DONE AND DATED AT AUGUSTA, MAINE, THIS 2<sup>nd</sup> DAY OF NOVEMBER, 2012.

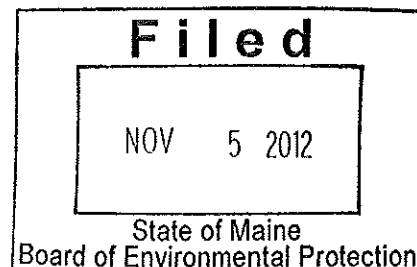
DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: Michael Kuhn  
For Patricia W. Aho, Commissioner

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application: September 7, 2012

Date of application acceptance: September 13, 2012



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

This Order prepared by GREGG WOOD, Bureau of Land & Water Quality

**SPECIAL CONDITIONS**

**A. LIMITATIONS AND MONITORING REQUIREMENTS**

1. Beginning the effective date of this license, the licensee is authorized to operate a surface waste water treatment and disposal system. The **LAGOON EFFLUENT (OUTFALL #001)** <sup>(1)</sup> shall be limited and monitored as specified below.

***July and August of each year***

	<b><u>Weekly Average</u></b> as specified	<b><u>Daily Maximum</u></b> As specified	<b><u>Measurement Frequency</u></b> as specified	<b><u>Sample Type</u></b> as specified
Biochemical Oxygen Demand [00310]	---	100 mg/L [19]	2/Year <sup>(2)</sup> [02/YR]	Grab [GR]
Total Suspended Solids [00530]	---	100 mg/L [19]	2/Year <sup>(2)</sup> [02/YR]	Grab [GR]
Nitrate-Nitrogen [00620]	---	Report mg/L [19]	2/Year <sup>(2)</sup> [02/YR]	Grab [GR]
Total Kjeldahl Nitrogen (TKN) [00625]		Report mg/L [19]	2/Year <sup>(2)</sup>	Grab [GR]

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

**Footnotes:** See page 7 of this license.

**SPECIAL CONDITIONS**

**A. LIMITATIONS AND MONITORING REQUIREMENTS**

2. Beginning the effective date of the license , application of waste water to the land via a spray irrigation system. The **SPRAY IRRIGATION FIELD (SF1)** shall be limited and monitored as specified below.

*April 15<sup>th</sup> – November 15<sup>th</sup>*

	<b>Monthly <u>Total</u> as specified</b>	<b>Weekly <u>Average</u> as specified</b>	<b>Daily <u>Maximum</u> as specified</b>	<b>Measurement <u>Frequency</u> as specified</b>	<b>Sample <u>Type</u> as specified</b>
Application Rate (Weekly) <sup>(4)</sup> [51125]	---	40,728 gal/acre/week <sup>(5)</sup> [8B]	---	1/Week [01/07]	Calculate [CA]
Application Rate (Daily) <sup>(4)</sup> [51124]	---	---	20,364 gal/acre/day <sup>(5)</sup> [8B]	1/Day [01/01]	Calculate [CA]
Flow - Total Gallons <sup>(3)</sup> [51500]	Report (Gallons) [57]	---	---	1/Month [01/30]	Calculate [CA]

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

**Footnotes:** See page 7 of this license.

**SPECIAL CONDITIONS**

**A. LIMITATIONS AND MONITORING REQUIREMENTS**

3. Beginning the effective date of the license, **GROUND WATER MONITORING WELLS (MW-1, MW-2)** shall be limited and monitored as specified below.

*May and October of each year*

	<b>Weekly <u>Average</u> as specified</b>	<b>Daily <u>Maximum</u> as specified</b>	<b>Measurement <u>Frequency</u> as specified</b>	<b>Sample <u>Type</u> as specified</b>
Depth to Water Level Below Land Surface [72019]	---	Report (feet) <sup>(6)</sup> [27]	2/Year <sup>(7)</sup> [02/YR]	Measure [MS]
Total Kjeldahl Nitrogen (TKN) [00625]		Report mg/L [19]	2/Year <sup>(7)</sup> [02/YR]	Grab [GR]
Nitrate-Nitrogen [00620]	---	10 mg/L [19]	2/Year <sup>(7)</sup> [02/YR]	Grab [GR]
Specific Conductance [00095]	---	Report (umhos/cm) <sup>(8)</sup> [11]	2/Year <sup>(7)</sup> [02/YR]	Grab [GR]
Total Suspended Solids [00530]		Report mg/L [19]	2/Year <sup>(7)</sup> [02/YR]	Grab [GR]

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

**Footnotes:** See page 7 of this license.

## SPECIAL CONDITIONS

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

#### Footnotes — [Special Condition A(1), A(2) & A(3)]

**Sampling** – Sampling and analysis must be conducted in accordance with; a) methods approved in 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 for wastewater by the State of Maine's Department of Human Services. Samples that are sent to another POTW licensed pursuant to *Waste discharge licenses*, 38 M.R.S.A. § 413 or laboratory facilities that analyze compliance samples in-house are subject to the provisions and restrictions of *Maine Comprehensive and Limited Environmental Laboratory Certification Rules*, 10-144 CMR 263 (last amended February 13, 2000).

All 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 RL achieved by the laboratory for each respective parameter. Reporting a value of <Y that is greater than an established RL or reporting an estimated value ("J" flagged) is not acceptable and will be rejected by the Department. Reporting analytical data and its use in calculations must follow established Department guidelines specified in this permit or in available Department guidance documents.

#### Lagoon Effluent

1. Lagoon effluent shall be sampled at the valve on spray line as it exits the lagoon to be sprayed and shall be representative of what is actually sprayed on the fields. Any change in sampling location must be approved by the Department in writing.
2. Lagoon effluent sampling shall be conducted in the months of **July and August** of each calendar year in accordance with approved methods for sampling, handling and preservation. The licensee is not required to test for these parameters during a month where no waste water was disposed of via the spray irrigation system.

#### Spray-Irrigation Fields

3. The licensee shall measure the flow of waste water to the irrigation area by the use of a flow measuring device that is checked for calibration at least once per calendar year.
4. A field's daily or weekly application rate is the total gallons sprayed over the applicable period of time divided by the size of the wetted area of the spray-irrigation field in acres or the size in acres of that portion of the field utilized. Note: 27,152 gallons is equivalent to 1 acre-inch. Weekly is defined as Sunday through Saturday.



## **SPECIAL CONDITIONS**

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

Footnotes – [Special Condition A(1), A(2) & A(3)]

5. For Discharge Monitoring Report (DMR) reporting purposes, the licensee shall report the highest daily and weekly application rate for the month in the applicable box on the form. Compliance with weekly reporting requirements must be reported for the month in which the calendar week ends.

#### Groundwater Monitoring

6. Measured to the nearest one tenth ( $1/10^{\text{th}}$ ) of a foot as referenced from the surface of the ground at the base of the monitoring well.
7. Ground water sampling shall be conducted in the months of **May and October** of each year. The licensee shall use low flow sampling techniques. See Attachment D of the Fact Sheet of this license for Department guidance on said techniques. Sampling, handling and preservation shall be conducted in accordance with approved methods. The licensee is required to test for these parameters whether waste water was disposed of via the spray-irrigation system or not.
8. Specific conductance (calibrated to 25.0° C) is considered to be “field” parameter and preferably measured in the field via instrumentation.

### **B. TREATMENT PLANT OPERATOR**

This treatment facility must be operated by a person holding a minimum of a Maine **Grade SITS-I** certificate (or a Maine Professional Engineer [P.E.]) pursuant to Title 32 M.R.S.A., Section 4171 et seq and Department Rule Chapter 531. All proposed contracts for facility operation by any person must be approved by the Department prior to the licensee engaging the services of the contract operator.

### **C. AUTHORIZED DISCHARGES**

The licensee is authorized to discharge treated sanitary wastewater in accordance with the terms and conditions of this license and only to the existing spray irrigation field (#SF1) and from those sources as indicated in the Waste Discharge License application accepted for processing by the Department on September 13, 2012. Discharge of waste water from any other location or from sources other than those indicated on said application requires formal modification of this license. The collection, treatment or discharge of waste water which has constituents unlike that or significantly higher in strength than that of domestic waste water is prohibited without formal modification of this license.

## **SPECIAL CONDITIONS**

### **D. NOTIFICATION REQUIREMENT**

In accordance with Standard Condition #6 of this license, the licensee shall notify the Department of the following.

Any substantial change in the volume or character of pollutants being introduced into the wastewater collection and treatment system. 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.

### **E. GENERAL OPERATIONAL CONSTRAINTS**

- 1) All waste waters shall receive pretreatment through septic tanks and a properly designed, operated and maintained lagoon system prior to land irrigation.
- 2) The spray irrigation facilities shall be effectively maintained and operated at all times so that there is no discharge to surface waters, nor any contamination of ground waters which will render them unsatisfactory for usage as a public drinking water supply.
- 3) The surface waste water disposal system shall not cause the lowering of the quality of the ground water, as measured in the groundwater monitoring wells specified by this license below the State Primary and Secondary Drinking Water Standards specified in the Maine State Drinking Water Regulations pursuant to Maine Law 22 M.R.S.A. § 2611.

In the event that groundwater monitoring results indicate adverse effects, the licensee may be required to take immediate remedial action(s), which may include but are not limited to, adjustment of the irrigation schedule or application rates, a reduction of the pollutant loading, or ceasing operation of the system until the ground water attains applicable standards.

- 4) The Department shall be notified as soon as the licensee becomes aware of any threat to public health, unlicensed discharge of wastewater, or any malfunction that threatens the proper operation of the system, and action taken to repair/correct, and prevent recurrence. Notification shall be made in accordance with the attached Standard Condition #4 of this license.
- 5) The licensee shall maintain a file on the location of all system components and relevant features. Each component shall be mapped and field located sufficiently to allow adequate inspections and monitoring by both the licensee and the Department. Septic tanks shall be accessible for inspections and pumping. Risers shall be installed as necessary.

## **SPECIAL CONDITIONS**

### **E. GENERAL OPERATIONAL CONSTRAINTS (cont'd)**

- 6) All system components including collection pipes, tanks, manholes, pumps, pumping stations, spray disposal fields, and monitoring wells shall be identified and referenced by a unique identifier (alphabetic, numeric or alpha-numeric) in all logs and reports.

### **F. SPRAY IRRIGATION OPERATIONAL CONSTRAINTS**

1. Suitable vegetative cover shall be maintained. Waste water may not be applied to areas without sufficient vegetation or ground cover so as to prevent erosion or surface water runoff outside the designated boundaries of the spray fields.
- 2) At least 10 inches of separation from the ground surface to the ground water table must be present prior to spraying.
- 3) There shall be no runoff outside the designated spray field boundaries as a result of operation of the spray system.
- 4) No waste water shall be applied to the site following a rainfall accumulation exceeding 1.0 inches within the previous 24-hour period. A rain gauge shall be located on site to monitor daily precipitation. The licensee shall also manage application rates by taking into consideration the forecast for rain events in the 48-hour period in the future.
- 5) No waste water shall be applied where there is snow present on the surface of the ground.
- 6) No waste water shall be applied when there is frost within the upper 10 inches of the soil profile.
- 7) No traffic or equipment shall be allowed in the spray-irrigation field except where installation occurs or where normal operations and maintenance is performed.

## SPECIAL CONDITIONS

### G. SPRAY IRRIGATION OPERATIONAL PROCEDURES, LOGS AND REPORTS

1. **Each day prior to irrigating**, the licensee shall visually inspect (or have another suitable Department approved method for assessing) the spray irrigation site to determine if area conditions are appropriate for spraying and all the operational constraints listed above are met.

Observations may include:

- The level of free water in an auger hole, a nearby well, or observation pit;
- Methods for estimating the amount of water present in the soil, either by feel or soil moisture measurement devices;
- Current and past weather conditions (such as when and how much precipitation has occurred, potential for evapo-transpiration as influenced by temperature, wind, and relative humidity).

2. The licensee shall at all times maintain in good working order and operate at maximum efficiency all waste water collection, treatment and/or control facilities. **Within one hour after start-up of the spray-irrigation system and at the conclusion of the spray-event**, the licensee shall walk the spray irrigation site to check the system for leakage in the piping system and determine if individual spray heads and pump(s) are functioning as designed, and verify that application rates are appropriate for the existing site conditions. Should significant malfunctions or leaks be detected, the licensee must shut down the malfunctioning portion of the spray system and make necessary repairs before resuming operation. The licensee shall cease irrigation if runoff is observed outside the designated boundaries of the spray field(s).
3. The licensee shall maintain a daily log of all spray irrigation operations which records the date, weather and soil conditions, rainfall, lagoon freeboard (top of lagoon to the water surface), areas irrigated, volume sprayed (gallons), application rates (daily and hourly), and other relevant observations/comments from daily inspections. The log shall be in accordance with the format of the "*Monthly Operational Log*" provided as **Attachment A** of this license or other like format provided the same information is collected and reported to the Department.

**Weekly spray application rates** shall be reported in accordance with the format of the monthly *Spray Application Report by Week* provided as **Attachment B** of this license or other like format provided the same information is collected and reported to the Department.

The daily operational logs and weekly spray application reports for each month shall be submitted to the Department as an attachment to the monthly Discharge Monitoring Reports (DMR's). Copies will also be maintained on site for Department review and for license operation maintenance purposes.

## **SPECIAL CONDITIONS**

### **H. VEGETATION MANAGEMENT**

1. The licensee shall remove grasses and other vegetation such as shrubs and trees if necessary so as not to impair the operation of the spray-irrigation system, ensure uniform distribution of waste water over the desired application area and to optimize nutrient uptake and removal.
2. The vegetative buffer zones along the perimeter of the site shall be maintained to maximize vegetation and forest canopy density in order to minimize off-site drift of spray.

### **I. LAGOON MAINTENANCE**

1. The banks of the lagoon shall be inspected weekly during the operating season and properly maintained. There shall be no overflow through or over the banks. Any signs of leaks, destructive animal activity or soil erosion of the berms shall be repaired immediately.
2. Maintenance of the banks of the lagoon shall be conducted to keep them free of woody vegetation and other vegetation that may be detrimental to the integrity of the berm and or lagoon liner.
3. The waters within the lagoon shall be kept free of all vegetation (i.e. grasses, reeds, cattails, etc) that hinders the operation of the lagoon.
4. The lagoon shall be dredged as necessary to maintain the proper operating depths that will provide best practicable treatment of the wastewater. All material removed from the lagoon(s) shall be properly disposed of in accordance with all applicable State and Federal rules and regulations.
5. The licensee shall maintain the lagoon freeboard at design levels or at least two (2) feet whichever is greater. The storage lagoon shall be operated in such a way as to balance the disposal of waste water via spray irrigation, including the necessary storage capacity for precipitation, to ensure that design freeboard levels are maintained.

## **SPECIAL CONDITIONS**

### **J. SEPTIC TANKS**

1. Septic tanks, grease interceptors and other treatment tanks shall be regularly inspected (at least once per calendar year) and maintained to ensure that they are providing best practicable treatment.
2. Tank contents should be removed whenever the sludge and scum occupies one-third of the tank's liquid capacity or whenever levels approach maximum design capacity. Following pumping, the tanks shall be checked for damage at key joints and the inlet and outlet baffles, and repaired promptly if damaged. The licensee shall keep a pumping log including the date of pumping, quantity of material removed, name and number of licensed contractor, pumping frequency and other relevant observations. The pump logs for each calendar year shall be submitted to the Department's compliance inspector as an attachment the month of December's DMR of each year.

### **K. DISPOSAL OF SEPTAGE WASTE IN WASTE WATER TREATMENT FACILITY**

The licensee is prohibited from accepting septage for disposal into any part or parts of the waste water disposal system. Septage shall mean any waste, refuse, effluent, sludge or other material removed from a septic tank, cesspool, vault privy or similar source which concentrates wastes or to which chemicals have been added.

### **L. INSPECTIONS AND MAINTENANCE**

The licensee shall periodically inspect all system components to ensure the facility is being operated and maintained in accordance with the design of the system. Maintenance logs shall be maintained for each major system component including pumps, pump stations, septic tanks, lagoons, spray apparatus, and pipes. At a minimum, the logs shall include the unique identifier [alphabetic, numeric or alpha-numeric -see Special Condition F(6)], the date of maintenance, type of maintenance performed, names or person performing the maintenance, and other relevant system observations. The maintenance logs for the months of June, July and August of each year shall be submitted to the Department's compliance inspector as an attachment to DMR for the month of November of each year.

## **SPECIAL CONDITIONS**

### **M. OPERATIONS AND MAINTENANCE (O & M) PLAN AND SITE PLAN**

This facility shall have a current written comprehensive Operation & Maintenance (O&M) Plan. The plan shall provide a systematic approach by which the licensee 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 licensee 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 licensee shall evaluate and modify the O&M Plan including site plan(s) and schematic(s) for the waste water 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, the licensee shall submit the updated O&M Plan to their Department inspector for review and comment.

### **N. PUBLIC ACCESS TO LAND APPLICATION SITES AND SIGNAGE**

Public access to the land application sites shall be controlled during the season of active site use. Such controls shall include the posting of signs showing the activities being conducted at each site. The licensee shall install signs measuring at least 8 ½" x 11" around the perimeter of the lagoon and spray irrigation site that inform the general public that the area is being used to dispose of sanitary waste waters. Each sign must be placed such that at least two other signs (one left, one right) may be seen from any one posted sign. The signs must be constructed of materials that are weather resistant.

The licensee must walk the perimeter of the lagoon and spray site prior to the beginning of each spray season and make any necessary repairs to the signage to comply with this condition.

### **O. GROUND WATER QUALITY MONITORING**

1. Annually, the licensee shall review their ground water quality monitoring plan to ensure the most current accepted protocols/sampling methods are being utilized when monitoring ground water.
2. All monitoring wells shall be equipped with a cap and lock to limit access and shall be maintained in a secured state at all times.
3. The Department reserves the right to require increasing the depth of and or relocating any of the groundwater monitoring wells if the well is perennially dry or is determined to be not representative of groundwater conditions.

## **SPECIAL CONDITIONS**

### **P. MONITORING AND REPORTING**

Monitoring results obtained during the previous month (**April through November**) 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 (13<sup>th</sup>) 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 (15<sup>th</sup>) 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:

Department of Environmental Protection  
Bureau of Land and Water Quality  
Division of Water Quality Management  
17 State House Station  
Augusta, ME. 04333

Alternatively, if you are submitting an electronic DMR (eDMR), the completed eDMR must be electronically submitted to the Department by a facility authorized DMR Signatory not later than close of business on the 15<sup>th</sup> day of the month following the completed reporting period. Hard Copy documentation submitted in support of the eDMR must be postmarked on or before the thirteenth (13<sup>th</sup>) day of the month or hand-delivered to the Department's Regional Office such that it is received by the Department on or before the fifteenth (15<sup>th</sup>) day of the month following the completed reporting period. Electronic documentation in support of the eDMR must be submitted not later than close of business on the 15<sup>th</sup> day of the month following the completed reporting period.

### **R. REOPENING OF PERMIT MODIFICATIONS**

Upon evaluation of any required test results, results of inspections and/or reporting required by the Special Conditions of this licensing action, additional site specific or any other pertinent information or test results obtained during the term of this license, the Department may, at any time and with notice to the licensee, modify this license to require additional monitoring, inspections and/or reporting based on the new information.

### **S. SEVERABILITY**

In the event that any provision, or part thereof, of this license is declared to be unlawful by a reviewing court, the remainder of the license 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

## Monthly Operations Log

Camp Laurel (WDL #W003269)

(Month/Year) \_\_\_\_\_

Spray Field # \_\_\_\_\_

Weekly Application Rate: \_\_\_\_\_ gallons/week

A	B	C	D	E	F	G
Date	Precipitation Previous 24 hours (inches)	Air Temp (°F)	Weather	Wind- Direction Speed (mph)	Depth To GW in Observation well (inches)	Total Gallons Pumped (gallons)
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
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25						
26						
27						
28						
29						
30						
31						

Signature of Responsible Official: \_\_\_\_\_ Date \_\_\_\_\_

## Attachment B

### Spray Application Report by Week

Camp Laurel (WDL #W003269) (Month/Year) \_\_\_\_\_

Spray Field #	Weekly Limit (Gallons/Week)	Spray Application Rates (Gallons/Week)					Monthly Total
		Week 1	Week 2	Week 3	Week 4	Week 5	

Signature of Responsible Official: \_\_\_\_\_ Date \_\_\_\_\_

**MAINE WASTE DISCHARGE LICENSE**

**FACT SHEET**

Date: September 14, 2012

PERMIT COMPLIANCE TRACKING SYSTEM NUMBER: MEU503269  
LICENSE NUMBER: W003269-5J-E-R

NAME AND MAILING ADDRESS OF APPLICANT:

**COASTAL CAMPS INC.  
d/b/a Camp Laurel  
Attn: Keith Klein  
P.O.Box 327  
Readfield, ME. 04355**

COUNTY: **Kennebec County**

NAME AND ADDRESS OF FACILITY:

**Camp Laurel  
State Route 41  
West Mount Vernon, ME.**

RECEIVING WATER/ CLASSIFICATION: **Groundwater /Class GW-A**

COGNIZANT OFFICIAL AND TELEPHONE NUMBER: **Mr. Keith Klein, Owner  
207 – 685-4945  
e-mail: [keith@camplaurel.com](mailto:keith@camplaurel.com)**

**1. APPLICATION SUMMARY:**

- a. Application: Coastal Camps Inc. d/b/a Camp Laurel (licensee hereinafter) has submitted a timely and complete application to the Department for the renewal of Waste Discharge License (WDL) # W003269-5J-D-R, which was issued by the Department on December 20, 2007, for a five-year term. The application is for the continuing operation of a surface waste water disposal system (spray-irrigation) for the treatment and seasonal disposal of up to 152,730 gallons per day (gpd) of treated sanitary waste water onto a 7.5-acre parcel of land at the Camp Laurel facility in Mount Vernon, Maine. See **Attachment A** of this Fact Sheet for a location map.
- b. Source Description: The licensee operates Camp Laurel, a seasonal, residential camp for children and adolescents, on the east shore of Echo Lake in the Town of Mount Vernon. Waste water generated is characterized as similar to typical domestic waste water. The licensee reports that the camp currently accommodates up to 550 users during the peak season (late June to mid-August). Lesser quantities of wastewater are generated during

## 1. APPLICATION SUMMARY (cont'd)

camp opening (zero to 50 users), during staff training and orientation, during post season (25 users), and during September (25 users). The licensee has installed flow meters at the wet well that pumps waste water to the lagoon and another flow meter at the discharge pipe from the lagoon to the spray irrigation area in order to more accurately quantify the effluent discharges. Licensed flow levels do not appear to be a constraining factor to future expansion plans at the Camp. Data from the meters may be used to modify limitations and/or monitoring requirements in future licensing actions.

- c. Site Conditions: The lagoon is located on a moderate slope about 1,200 feet easterly of Echo Lake, the nearest water body. The spray irrigation site is approximately 600 feet easterly from the lagoon in an area of low hydraulic conductivity overlying bedrock.
- d. Waste Water Treatment (Spray-Irrigation):
  - The licensee treats sanitary waste water through a slow rate land irrigation system (spray-irrigation). Prior to spraying, the waste water receives pretreatment through septic tanks and a stabilization lagoon. The stabilization lagoon was intended to be designed to provide storage for up to 30 days of waste water generated at a rate of 30,000 gpd.
  - From the lagoon effluent is pumped across an access road into the adjacent spray irrigation system, which consists of 51 spray nozzles spaced approximately 50 feet on center.
  - Groundwater quality is currently monitored by two groundwater monitoring wells: MW-2 sometimes referred to as CL-2 by the licensee is located hydrogeologically down gradient from the lagoon and MW-1 sometimes referred to as CL-1 by the licensee is located downgradient from the spray field. The wells were installed during the spring of 2002 and groundwater data collection commenced shortly thereafter.

See **Attachment B** of this Fact Sheet for a layout of the spray irrigation system and the locations of the ground water monitoring wells.

## 2. PERMIT SUMMARY

- a. Terms and conditions - This licensing action is carrying forward all the terms and conditions of the previous licensing action except that this license is;
  1. Eliminating Special Condition N, *Submittal of Spray Irrigation Performance Report*, as the Department has determined monitoring the lagoon effluent, the spray application rates and ground water and reporting the results to the Department on a monthly basis is sufficient to determine compliance with the terms and conditions of the license.

## 2. PERMIT SUMMARY (cont'd)

b. History: Recent Department licensing actions include the following:

- |                   |   |
|-------------------|---|
| August 27, 1980   | - The Department issued a new WDL to Camp Laurel Inc. authorizing the facility to dispose of up to 15,000 gallons per day (gpd) of sanitary waste waters via a surface waste water disposal system. The WDL indicates the treatment/disposal system at that time consisted of pumping septic tank effluent to a holding pond and spray irrigation system consisting of 48 sprayheads onto a 7.5 acre woodlot. The holding pond at that time had a storage capacity of 78,000 gallons. The WDL limited the spray irrigation application rate to ½" per week.   |
| September 3, 1985 | - The Department issued a renewal of the WDL (five-year term) for the Camp Laurel Inc. facility with the same limitations and monitoring requirements as the 8/27/80 WDL.   |
| October 1, 1990   | - The Department issued a renewal (#W003269-66-B-R) of the WDL for the Camp Laurel facility for a five-year term. The WDL increased the licensed flow from 15,000 gpd to 30,000 gpd based on an increase in the population of campers and camp personnel. Due to the increased flow, the licensee proposed to increase the storage capacity of the holding pond from 78,000 gallons to at least 900,000. The proposed pond was designed to provide for a 30-day detention time at a 30,000 gpd flow. The size of the spray irrigation site was to remain unchanged (48 sprayheads on 7.5 acres) but the licensee requested, and was granted by the WDL, an increase in the spray application rate from ½" per week to 1.25" week between May 1 to June 30 and September 1 to November 1 and 2.0" between July 1 to August 31. The licensee also proposed to install two ground water monitoring wells, one downgradient of the spray irrigation site and one adjacent to the nearest neighboring property boundary. |
| November 7, 2002  | The Department issued a renewal (#W003269-5J-C-R) of the WDL for a five-year term.  |
| February 20, 2004 | The 11/7/02 WDL was modified by the Department to include total kjeldahl nitrogen (TKN) in the ground water quality monitoring requirements of the WDL.   |
| December 20, 2007 | The Department issued a renewal (#W003269-5J-D-R) of the WDL for a five-year term.  |
| September 7, 2012 | Camp Laurel submitted a timely and complete application to the Department to renew the 12/20/07 WDL.  |

### 3. RECEIVING WATER QUALITY STANDARDS

Maine law, 38 M.R.S.A § 470 indicates the groundwater at the point of discharge is classified as Class GW-A receiving waters. Maine law, 38 M.R.S.A., §465-C describes the standards for Class GW-A waters as the highest classification of groundwater and shall be of such quality that it can be used for public water supplies. These waters shall be free of radioactive matter or any matter that imparts color, turbidity, taste or odor which would impair the usage of these waters, other than occurring from natural phenomena.

### 4. TREATMENT

Slow rate land irrigation treatment is an environmentally sound and appropriate technology for best practicable treatment and disposal of sanitary wastewater. The soils and vegetation within the irrigation area will provide adequate filtration and absorption to preserve the integrity of the soil, and both the surface and groundwater quality in the area.

### 5. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

- a. Lagoon Effluent: The previous licensing action established twice per year (July and August) monitoring requirements for *Biochemical Oxygen Demand (BOD<sub>5</sub>)*, *Total Suspended Solids (TSS)*, *Nitrate-Nitrogen* and *Total Kjeldahl Nitrogen* for lagoon effluent as it exits the lagoon to be sprayed. The license established daily maximum technology based concentration limits of 100 mg/L for both BOD<sub>5</sub> and TSS based on a best professional judgment (BPJ) of best practicable treatment (BPT). Monitoring for these parameters yields an indication of the effectiveness of the lagoon treatment process and the condition of the waste water being applied. The limitations and monitoring requirements for the lagoon effluent are being carried forward from the previous licensing action.

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

A review of the monthly DMR data for the period January 2008 – August 2011 indicates values have been reported as follows:

### BOD Concentration (DMRs = 7) Lagoon Effluent

Value	Limit (mg/L)	Range (mg/L)	Average (mg/L)
Daily Maximum	100	26 – 130	67

### TSS Concentration (DMRs = 7) Lagoon Effluent

Value	Limit (mg/L)	Range (mg/L)	Average (mg/L)
Daily Maximum	100	9 - 52	30

### Nitrate Nitrogen Concentration (DMRs = 7) Lagoon Effluent

Value	Limit (mg/L)	Range (mg/L)	Average (mg/L)
Daily Maximum	Report	<0.5 - <0.5	<0.5

### Total Kjeldahl Nitrogen (DMRs = 7) Lagoon Effluent

Value	Limit (mg/L)	Range (mg/L)	Average (mg/L)
Daily Maximum	Report	25 - 69	41

#### b. Spray Irrigation Application Rates

The previous licensing action established a weekly maximum application rate of 40,728 gallons per acre (1.5 inches/week) and a daily maximum rate 20,364 gallons per acre (0.75 inches per day). The limitations were derived by the Department based on a BPJ determination of appropriate application rates given the on-site in-situ soils and as a margin of safety against hydraulically overloading a spray area on any one given day.

	License Limit	Equivalent Inches	Based on total spray area of 7.5 acres**
Application Rate (weekly)	40,728 gallons/acre	1.5 inches	305,460 gallons per week
Application Rate (daily)	20,364 gallons/acre	0.75 inches	152,730 gallons per day

\*\*spray heads with a radius of 30 feet each

Note: 1 acre-inch is equivalent to 27, 152 gallons

Regardless of the calculated rate, the system operator shall monitor each waste application to verify adequate infiltration of the waste into the soil and an irrigation cycle should be stopped if runoff or ponding start to occur.

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

A review of the monthly DMR data for the period January 2008 – August 2011 indicates values have been reported as follows:

### Application rate (40,728 gal/acre/week)(DMRs = 19)

Fields	Range - Rate (gal./acre/week)	Mean - Rate (gal./acre/week)
SF#1	8,233 – 51,750	26,729

### Application rate (20,364 gal/acre/day)(DMRs = 19)

Fields	Range - Rate (gal./acre/week)	Mean - Rate (gal./acre/week)
SF#1	9,409 – 19,053	13,164

### Monthly totals (Report)(DMRs = 19)

Fields	Range - Total (gal/month)	Mean - Total (gal/month)
SF#1	31,600 – 518,400	239,006

#### c. Groundwater Monitoring Wells

The Department generally requires a minimum of three monitoring wells for monitoring surface waste water disposal (spray-irrigation) systems. One well is typically installed up-gradient from the lagoon to monitor ambient groundwater conditions, one well installed down-gradient from the lagoon to monitor lagoon leakage, and one well installed down gradient from the spray field to monitor effects on the groundwater from the spray operation.

Two ground water monitoring wells currently exist on site and are shown in **Attachment B** of this Fact Sheet. Monitoring well (MW-2) is located more or less hydraulically down gradient from the lagoon and monitoring well (MW-1) is located down gradient from the spray irrigation area. Both wells have been installed during the spring of 2002 and data collection initiated after that time.

The previous licensing action established a monitoring requirement for total kjedahl nitrogen (TKN) and nitrate-nitrogen. Nitrogen compounds are by-products of the biological breakdown of ammonia and are inherent in domestic like sanitary waste water. Tracking the levels of these parameters is important in determining the efficiency of the soil in attenuating the pollutant loading via the spray-irrigation area and determining potential leakage from the treatment/storage lagoon. Because nitrate-nitrogen is weakly absorbed by soil, it functions as a reliable indicator of contamination from waste-disposal sites. Also, elevated levels of nitrate-nitrogen in the drinking water supply are of human health concern. The limit of 10 mg/L is a National Primary Drinking Water standard.



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

A review of the monthly DMR data for the period January 2008 – August 2011 indicates values have been reported as follows:

### Nitrate-Nitrogen Concentration (DMRs -7) Monitoring Wells

Ground Water Monitoring Well #	Limit (mg/L)	Range (mg/L)	Average (mg/L)
MW-1	10	<0.05 – 0.08	<0.05
MW-2	10	0.4 – 3.2	1.2

### Total Kjeldahl Nitrogen Concentration (DMRs -7) Monitoring Wells

Ground Water Monitoring Well #	Limit (mg/L)	Range (mg/L)	Average (mg/L)
MW-1	Report	<0.05 - <0.05	<0.05
MW-2	Report	0.6 – 2.7	1.3

*Total suspended solids* - The previous licensing action established a daily maximum concentration reporting requirement and twice per year monitoring frequency for TSS in ground water monitoring wells. TSS in the groundwater yields an indication of the integrity of the monitoring wells and of the treatment efficiency of the soils.

A review of the monthly DMR data for the period January 2008 – August 2011 indicates values have been reported as follows:

### Total suspended solids - Concentration (DMRs -7) Monitoring Wells

Ground Water Monitoring Well #	Limit (mg/L)	Range (mg/L)	Average (mg/L)
MW-1	Report	29 – 2,400	700
MW-2	Report	4.4 - 82	21

*Specific conductivity* - Is considered a surveillance level monitoring parameter that is used as early-warning indicators of potential ground water contamination. For purposes of this license, specific conductivity may be measured in the laboratory (normally a field parameter) as long as Department approved methods for handling and preservation of the sample are adhered to and analysis is performed in accordance with methods approved by 40 Code of Federal Regulations (CFR) Part 136. By definition the sample shall be temperature calibrated to 25°C.

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

A review of the monthly DMR data for the period January 2008 – August 2011 indicates values have been reported as follows:

### Specific Conductance (DMRs = 8) Monitoring Wells

Ground Water Monitoring Well #	Limit (umhos/cm)	Range (umhos/cm)	Average (uhmos/cm)
MW-1	Report	300 - 575	429
MW-2	Report	610 - 880	811

The limitations and monitoring for nitrate nitrogen, total kjeldahl nitrogen, specific conductance and total suspended solids are being carried forward in this licensing action.

## 6. SYSTEM CALIBRATION

Discharge rates, application rates and uniformity of application change over time as equipment gets older and components wear, or if the system is operated differently from the assumed design. Operating below design pressure greatly reduces the coverage diameter and application uniformity (resulting in increased ponding). For these reasons, the licensee should field calibrate their equipment on a regular basis to ensure proper application and uniformity, and when operating conditions are changed from the assumed design.

Calibration involves collecting and measuring flow at several locations in the application area (typically a grid pattern of containers with uniform diameters). Rain gauges work best because they already have a graduated scale from which to read the application amount without having to perform additional calculations.

## 7. GREASE TRAPS

Although not specifically required by this licensing action, it is the Department's recommendation that any food preparation facility or dining halls serviced by the spray-irrigation treatment system have an external grease interceptor preceding the septic tank, to help facilitate best practicable treatment and ensure proper functioning of the septic tank(s). Grease interceptors should be inspected by the licensee at least once per year and the tank cleaned when the volume of the grease equals more than 50% of the capacity of the tank. Note: Any food preparation facilities connected to "subsurface" systems are required to have external grease interceptors preceding the septic tanks in accordance with the State of *Maine Subsurface Wastewater Disposal Rules*.

## 8. DISCHARGE IMPACT ON RECEIVING WATER QUALITY

As licensed, the Department has determined the existing water uses will be maintained and protected and the discharge will not cause or contribute to the failure of the water body to meet standards for Class GW-A classification.

## **9. PUBLIC COMMENTS**

Public notice of this application was made in the Kennebec Journal newspaper on or about August 31, 2012. The Department receives public comments on an application until the date a final agency action is taken on that application. Those persons receiving copies of proposed draft licenses 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.

## **10. DEPARTMENT CONTACTS**

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

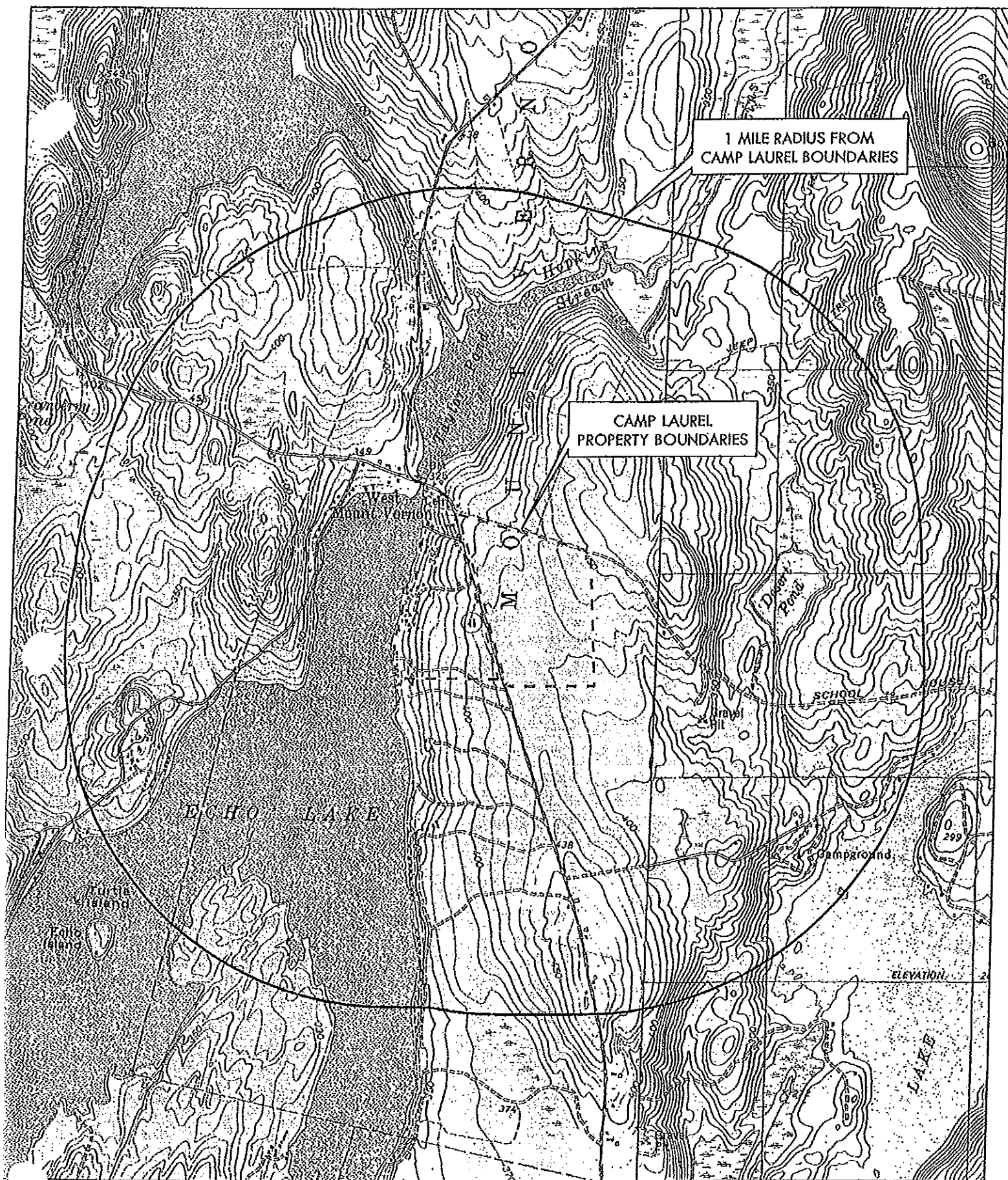
Gregg Wood  
Division of Water Quality Management  
Bureau of Land and Water Quality  
Department of Environmental Protection  
17 State House Station  
Augusta, Maine 04333-0017  
e-mail: [gregg.wood@maine.gov](mailto:gregg.wood@maine.gov)

Telephone (207) 287-7693.

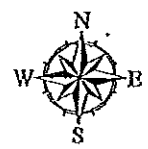
## **11. RESPONSE TO COMMENTS**

During the period September 13, 2012 through the issuance date of the license, the Department solicited comments on the proposed draft license for the licensee's 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 license. Therefore, the Department has not prepared a Response to Comments.

# **ATTACHMENT A**



1 inch equals 2,000 feet

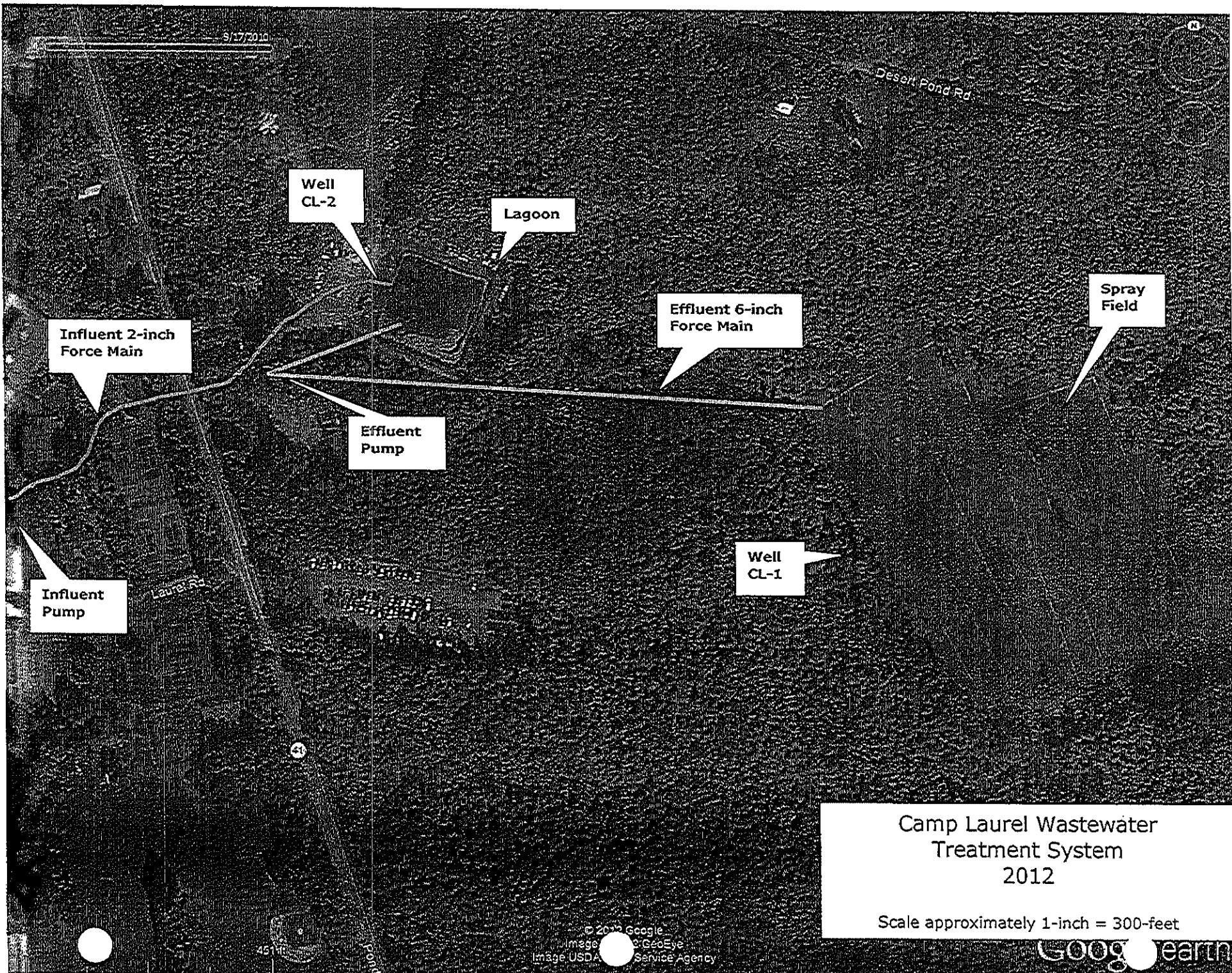


Project #: 474  
 Compiled By: AJD, 10/2007  
 Data Source: Maine Office of GIS  
 Coordinate System: NAD83, UTM, Zone 19N

# Topographic Site Location Map Camp Laurel ~ Mount Vernon, Maine

H A I  
 HILLIER & ASSOCIATES, INC

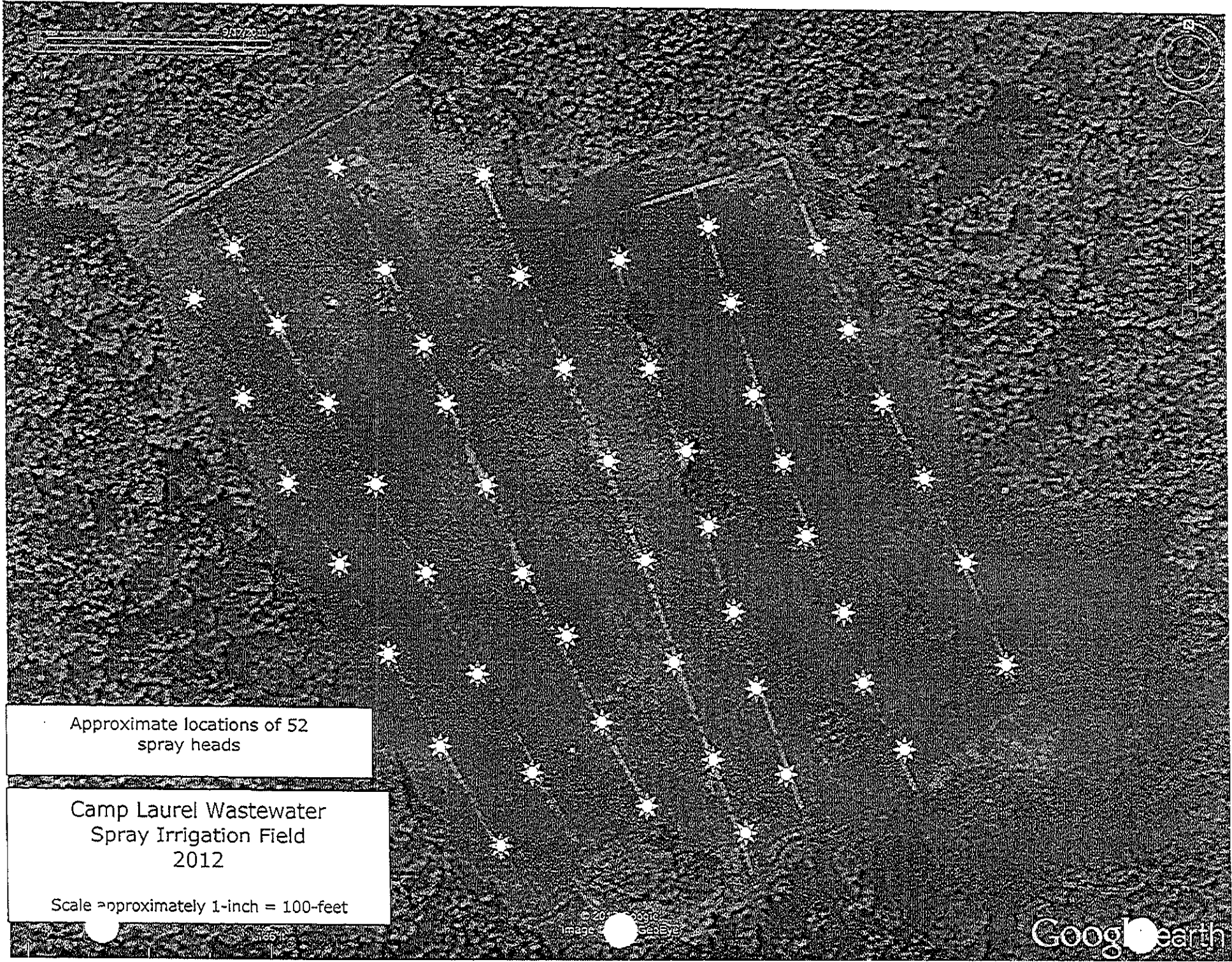
## **ATTACHMENT B**



Camp Laurel Wastewater  
Treatment System  
2012

Scale approximately 1-inch = 300-feet





9/17/2010

Approximate locations of 52  
spray heads

Camp Laurel Wastewater  
Spray Irrigation Field  
2012

Scale approximately 1-inch = 100-feet

© 2010 Google  
Image by GeoEye

Google Earth



MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION  
STANDARD CONDITIONS OF INDUSTRIAL WASTE DISCHARGE LICENSES

1. General Conditions

- A. All discharges shall be consistent with the terms and conditions of this license; any changes in production capacity or process modifications which result in changes in the quantity or the characteristics of the discharge must be authorized by an additional license or by modifications of this license; it shall be a violation of the terms and conditions of this license to discharge any pollutant not identified and authorized herein or to discharge in excess of the rates or quantities authorized herein or to violate any other conditions of this license.
- B. The licensee shall permit the Department of Environmental Protection Staff upon the presentation of proper credentials:
  - 1) To enter upon licensee's premises where an effluent source is located or in which any records are required to be kept under the terms and conditions of this license;
  - 2) To have access to and copy any records required to be kept under the terms and conditions of this license;
  - 3) To inspect any monitoring equipment or monitoring method required in this license; or,
  - 4) To measure and/or sample at any intake, process or cooling effluent stream, wastewater treatment facility, and/or outfall.
- C. This license shall be subject to such monitoring requirements as may be reasonably required by the Department of Environmental Protection including the installation, use, and maintenance of monitoring equipment or methods (including, where appropriate, biological monitoring methods). The licensee shall provide the Department of Environmental Protection with periodic reports on the proper Department of Environmental Protection reporting form of monitoring results obtained pursuant to the monitoring requirements contained herein.
- D. This license does not preclude obtaining other required Federal, State, or Municipal permits and does not authorize or approve the construction of any onshore physical structures or facilities or the undertaking of any work in any navigable waters.
- E. The issuance of this license does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to public or private property or any invasion of personal rights nor any infringement of Federal, State or local laws or regulations.
- F. Nothing in this license shall be construed to relieve the licensee from civil or criminal penalties for noncompliance, whether or not such noncompliance is due to factors beyond his control, such as accident, equipment breakdown, labor dispute, or natural disaster.

## 2. Treatment Plant Operator

The Treatment Facility must be operated by a person holding a Grade ~~I, II, III, IV, V~~ certificate pursuant to 32 M.R.S.A., Section 4171 et seq. All proposed contracts for facility operation by any person must be approved by the department before the licensee may engage the services of the contract operator.

## 3. ~~Disinfection~~

~~Disinfection shall be used to reduce the concentration of bacteria to or below the level specified in the "Effluent Limitations and Monitoring Requirement" section of this license. If chlorination is used as a means of disinfection, an approved contact chamber shall be provided. The chlorine residual in the effluent shall at no time cause any demonstrable harm to aquatic life in the receiving waters. A positive chlorine residual shall be maintained at all times as required by this license, however, at no time shall the total chlorine residual of the effluent exceed 1.0 mg/l.~~

## 4. Wastewater Treatment and Sampling Facilities

- a. The licensee shall collect all waste flows designated by the Department of Environmental Protection as requiring treatment and discharge them into an approved waste treatment facility in such a manner as to maximize removal of pollutants unless authorization to the contrary is obtained from the Department.
- b. The licensee shall at all times maintain in good working order and operate at maximum efficiency all wastewater collection, treatment and/or control facilities.
- c. All necessary waste treatment facilities will be installed and operational prior to the discharge of any wastewaters.
- d. Final plans and specifications must be submitted to the staff of the Department of Environmental Protection and approved prior to the construction or modification of any treatment facilities.
- e. The licensee shall install flow measuring facilities of a design approved by the Department of Environmental Protection.
- f. The licensee must provide an outfall of a design approved by the Department of Environmental Protection which is placed in the receiving waters in such a manner that maximum mixing and dispersion of the wastewaters will be achieved as rapidly as possible.

## 5. Monitoring and Reporting

### a. Representative Sampling

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge. If effluent limitations are based wholly or partially on quantities of a product processed, the licensee shall ensure samples are representative of times when production is taking place. Where discharge monitoring is required when production is less than 50%, the resulting data shall be reported as a daily measurement but not included in computation of averages, unless specifically authorized by the department.

- b. The sampling, preservation, handling, and analytical methods used must conform with Standard Methods for the Examination of Water and Wastewaters, American Public Health Association, 1015 18th Street, N.W., Washington, D.C. 20036, latest approved edition, or methods referenced in 40 CFR Part 136, Guidelines Establishing Test Procedures for Analysis of Pollutants. However, different but equivalent methods are allowable if they receive the prior written approval from the Department of Environmental Protection.

### c. Reporting

- (1) The results of the above monitoring requirements shall be reported on reporting forms supplied by the department in the units specified at a frequency of once:

~~yearly~~      ~~semi-annually~~      ~~quarterly~~      monthly

- (2) All reports shall be submitted to the Department by not later than the tenth of the month following the end of the monitoring period.
- (3) Any reports or records of monitoring activities and results shall include for all samples: (a) the date, exact place, and time of sampling; (b) the dates and times analyses; (d) the analytical techniques/methods used, including sampling, handling, and preservation techniques; and (e) the results of all required analyses.

d. All reports shall be signed by:

- (1) In the case of corporations, by a principal executive officer of at least the level of vice president, or his duly authorized representative, if such representative is responsible for the overall operation of the facility from which the discharge described in the reporting form originates.
  - (2) In the case of a partnership, by a general partner or duly authorized representative.
  - (3) In the case of a sole proprietorship, by the proprietor or duly authorized representative.
  - (4) In the case of a municipal, State, or other public facility, by either a principal executive officer, ranking elected official, or duly authorized employee.
- (e) All monitoring reports and future correspondence regarding monitoring facilities should be directed to:

Bureau of Water Quality Control  
Department of Environmental Protection  
State House Station #17  
Augusta, Maine 04333

6. Non-Compliance Notification

- a. In the event the licensee bypasses collection or treatment facilities or is unable to comply with any of the conditions of this license due, among other reasons, to:

1. breakdown of waste treatment equipment;
2. accidents caused by error or negligence;
3. high strength, high volume or incompatible wastes, or
4. other causes such as acts of nature,

the licensee shall notify the Department of Environmental Protection verbally as soon as its agents have knowledge of the incident.

- b. Within five (5) days of becoming aware of such condition the licensee shall provide the Department of Environmental Protection in writing, the following information:

1. A description of the discharge and cause of noncompliance; and
2. The period of noncompliance, including exact dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate and prevent recurrence of the noncomplying discharge.

- c. If the licensee knows in advance of changes in licensed facilities or activities which may result in non-compliance or of the need to bypass, it shall submit prior notice at least ten days in advance of such occurrence.
- d. In the event a bypass is due to inflow or infiltration of uncontaminated water into a sewer system, reporting requirements may be adjusted by the Department to a monthly basis.

#### 7. Change of Discharge

The licensee shall notify the department in writing as soon as it has knowledge of any significant changes or proposed changes in its discharge, including but not limited to:

- a) the temporary or permanent termination of the discharge;
- b) changes in the waste collection, treatment or disposal facilities;
- c) changes in the volume or character of wastewater flows;
- d) permanent changes in industrial production rates;
- e) the proposed addition, directly or indirectly, of toxic pollutants not authorized by the license or reflected in the application filed with the department;
- f) the addition to a municipal or quasi-municipal treatment system of industrial wastes which are categorically regulated by the U.S. EPA pursuant to the agency's pretreatment program.

#### 8. Transfer of Ownership

In the event that any person possessing a license issued by the Department shall transfer the ownership of the property, facility or structure which is the source of a licensed discharge, without transfer of the license being approved by the Department, the license granted by the Department shall continue to authorize a discharge within the limits and subject to the terms and conditions stated in the license, provided that the parties to the transfer shall be jointly and severally liable for any violation thereof until such time as the Department approves transfer or issuance of a waste discharge license to the new owner. The Department may in its discretion require the new owner to apply for a new license, or may approve transfer of the existing license upon a satisfactory showing that the new owner can abide by its terms and conditions.

#### 9. Records Retention

All records and information resulting from the monitoring activities required by this license including all records of analyses performed and calibration and maintenance of instrumentation shall be retained for a minimum of three (3) years.

#### 10. Other Materials

Other materials ordinarily produced or used in the operation of this facility, which have been specifically identified in the application, may be discharged at the maximum frequency and maximum level identified in the application, provided:

a. They are not

(1) designated as toxic or hazardous under the provisions of Sections 307 and 311 respectively, of the Federal Water Pollution Control Act; Title 38, Section 420, Maine Revised Statutes; or other applicable State Law, or

(2) known to be hazardous or toxic by the licensee.

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

#### 11. Removed Substances

Solids, sludges, trash rack cleanings, filter backwash, or other pollutants removed from or resulting from the treatment or control of wastewaters shall be disposed of in a manner approved by the Department of Environmental Protection.

#### 12. Bypass of Waste Treatment Facilities

The diversion or bypass of any discharge from facilities utilized by the licensee to maintain compliance with the terms and conditions of this license is prohibited, except (1) where unavoidable to prevent loss of life or severe property damage, or (2) where excessive storm drainage or runoff would damage any facilities necessary for compliance with the terms and conditions of this license. The licensee shall notify the Department of Environmental Protection of each such diversion or bypass in accordance with the procedure specified in paragraph 6 above for reporting non-compliance. It is the duty of the licensee to take all feasible steps to prevent, minimize and mitigate bypasses. If infiltration or inflow of stormwater or groundwater contribute to bypasses, the licensee shall submit to the department for approval, a wet weather flow management plan. The plan shall describe measures implemented to maximize the volume of flow through the treatment facilities and the efficiency of the treatment process. Submission of this plan shall not remove any responsibilities of the licensee pursuant to paragraph 6.

13. Emergency Action--Electric Power Failure

In order to maintain compliance with the effluent limitations and prohibitions of this license, the licensee shall either:

- a. maintain an alternative power source sufficient to operate the wastewater control facilities; or
- b. Halt, reduce or otherwise control production and/or all discharges upon the reduction, loss, or failure of the primary source of power to the wastewater control facilities.

14. Spill Prevention and Containment

The licensee shall within six (6) months of the effective date of this license submit to the Department of Environmental Protection a spill prevention plan. Said plan shall delineate methods and measures to be taken to prevent and or contain any spills of pulp, chemicals, oils or other contaminants and shall specify means of disposal and/or treatment to be practiced.

15. Connection to Municipal Treatment System

All wastewaters designated by the Department of Environmental Protection as treatable in a municipal treatment system will be consigned to a municipal treatment system when said system becomes available. This waste discharge license will automatically expire 90 days after a municipal facility becomes available unless this time is extended by the Department, in writing, for good cause shown.

16. Pretreatment

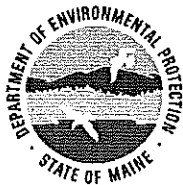
The licensee shall comply with all Federal Statutes, regulations, and conditions of permits applicable to its discharge of wastewaters, including, but not limited to, those requiring the installation of pretreatment facilities or establishment of pretreatment programs.

## DEFINITIONS

FOR THE PURPOSE OF THIS LICENSE THE FOLLOWING SHALL APPLY

- A. Grab Sample: An individual sample collected in a period of less than 15 minutes.
- B. Composite Sample: A sample consisting of a minimum of eight grab samples collected at equal intervals during a 24-hour period (or a lesser period if specified in the section on Monitoring and Sampling) and combined proportional to flow or a sample continuously collected proportionally to flow over the same time period.
- C. Daily Maximum For Concentration: The maximum value not to be exceeded at any time.
- D. Daily Maximum For Quantity: The maximum value not to be exceeded during any day.
- E. Weekly or Monthly Average: The sum of all daily samples measurement or test results made during a week or month divided by the number of tests or measurement made during the respective time period. Exception: bacteriological tests shall be calculated as a geometric mean.
- F. Bypass: The diversion of wastewater, either by act or by design, from any portion of a treatment facility or conveyance system.





# DEP INFORMATION SHEET

## Appealing a Department Licensing Decision

Dated: March 2012

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### 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. An aggrieved person seeking review of a licensing decision over which the Board had original jurisdiction may seek judicial review in Maine's Superior Court.

A judicial appeal of final action by the Commissioner or the Board regarding an application for an expedited wind energy development (35-A M.R.S.A. § 3451(4)) or a general permit for an offshore wind energy demonstration project (38 M.R.S.A. § 480-HH(1)) or a general permit for a tidal energy demonstration project (38 M.R.S.A. § 636-A) must be taken to the Supreme Judicial Court sitting as the Law Court.

This INFORMATION SHEET, in conjunction with a review of the statutory and regulatory provisions referred to herein, can help a person to understand his or her rights and obligations in filing an administrative or judicial appeal.

### I. ADMINISTRATIVE APPEALS TO THE BOARD

#### **LEGAL REFERENCES**

The laws concerning the DEP's *Organization and Powers*, 38 M.R.S.A. §§ 341-D(4) & 346, the *Maine Administrative Procedure Act*, 5 M.R.S.A. § 11001, and the DEP's *Rules Concerning the Processing of Applications and Other Administrative Matters* ("Chapter 2"), 06-096 CMR 2 (April 1, 2003).

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

The Board must receive a written appeal within 30 days of the date on which the Commissioner's decision was filed with the Board. Appeals filed after 30 calendar days of the date on which the Commissioner's decision was filed with the Board 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 the Board's 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 a copy of the appeal documents and if the person appealing is not the applicant in the license proceeding at issue the applicant must also be sent a copy of the appeal documents. All of 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**

Appeal materials must contain the following information at the time submitted:

1. *Aggrieved Status.* The appeal must explain how the person filing the appeal has standing to maintain an appeal. This requires an explanation of how the person filing the appeal may suffer a particularized injury as a result of 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 on the appeal 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, referred to as supplemental evidence, to be considered by the Board in an appeal only when the evidence is relevant and material and that 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 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.

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

1. *Be familiar with all relevant material in the DEP record.* A license application file is public information, subject to any applicable statutory exceptions, 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.* If a license has been granted and it has been appealed the license normally remains in effect pending the processing of the appeal. A license holder may proceed with a project pending the outcome of an appeal but the license holder 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 receipt of an appeal, including the name of the DEP project manager assigned to the specific appeal. The notice of appeal, any materials accepted by the Board Chair as supplementary evidence, and any materials submitted in response to the appeal will be sent to Board members with a recommendation from DEP staff. Persons filing appeals and interested persons are notified in advance of the 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 or remand the matter to the Commissioner for further proceedings. The Board will notify the appellant, a license holder, and interested persons of its decision.

## II. JUDICIAL APPEALS

Maine law generally allows aggrieved persons to appeal final Commissioner or Board licensing decisions to Maine's Superior Court, see 38 M.R.S.A. § 346(1); 06-096 CMR 2; 5 M.R.S.A. § 11001; & M.R. Civ. P. 80C. A party's appeal must be filed with the Superior Court within 30 days of receipt of notice of the Board's or the Commissioner's decision. For any other person, an appeal must be filed within 40 days of the date the decision was rendered. Failure to file a timely appeal will result in the Board's or the Commissioner's decision becoming final.

An appeal to court of a license decision regarding an expedited wind energy development, a general permit for an offshore wind energy demonstration project, or a general permit for a tidal energy demonstration project may only be taken directly to the Maine Supreme Judicial Court. See 38 M.R.S.A. § 346(4).

Maine's Administrative Procedure Act, DEP statutes governing a particular matter, and the Maine Rules of Civil Procedure must be consulted for the substantive and procedural details applicable to judicial appeals.

### ADDITIONAL INFORMATION

If you have questions or need additional information on the appeal process, for administrative appeals contact the Board's Executive Analyst at (207) 287-2452 or for judicial appeals contact the court clerk's office in which your appeal will be filed.

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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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