



STATE OF MAINE
Department of Environmental Protection

Paul R. LePage
GOVERNOR

Patricia W. Aho
COMMISSIONER

July 8, 2013

Mr. Timothy Obrey
Regional Fisheries Biologist
Maine Department of Inland Fisheries and Wildlife
284 State Street, SHS 41
Augusta, ME 04330

RE: Maine Pollutant Discharge Elimination System (MEPDES) Permit #MEG180004
Maine Waste Discharge License #W009103-5Y-A-N
Thissell Pond - Final Permit

Dear Mr. Obrey:

Enclosed please find a copy of your **final** MEPDES permit/WDL approving coverage under the Department of Environmental Protection's General Permit for the Application of Piscicides for the Control of Invasive Fishes. Please read the permit 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: Clarissa Trasko, DEP/EMRO
Sandy Mojica, USEPA

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

DEPARTMENT ORDER

IN THE MATTER OF

ME. DEPT INLAND FISHERIES & WILDLIFE)	APPLICATION OF PISCICIDES FOR THE
THISSELL POND)	CONTROL OF INVASIVE FISHES
T5 R11 WELS)	GRANTING OF COVERAGE
MEG180004)	#MEG180000
W009103-5Y-A-N)	GENERAL PERMIT
APPROVAL)	

The Department of Environmental Protection (Department) has considered the Notice of Intent submitted by the MAINE DEPARTMENT OF INLAND FISHERIES AND WILDLIFE (MDIFW), with supportive data, agency review comments and other related materials on file for coverage under the Application of Piscicides for the Control of Invasive Fishes General Permit, #MEG180000, Maine Waste Discharge License #W009045-5Y-A-N, (copy attached) issued by the Department on September 9, 2009 for a five-year term, and FINDS THE FOLLOWING FACTS:

The applicant proposes to eradicate rainbow smelt (*Osmerus mordax*) and creek chub (*Semotilus atromaculatus*), introduced fish species in Thissell Pond, Class GPA, in T5 R11 WELS, Maine, through treatments with liquid and powder formulations of the approved piscicide rotenone. The applicant has stated that the invasive fish species have significantly disrupted the aquatic habitat of the 141-acre pond to the extent that brook trout (*Salvelinus fontinalis*) are nearly extirpated. The treatment program is part of MDIFW's Brook Trout Species Plan, Objective 4: Improve fishing quality in lakes and ponds of the Revised Strategic Management Plan for Fisheries 2001-2016.

The applicant has indicated the Thissell Pond aquatic piscicide treatment program complies with the provisions of General Permit #MEG180000 for control of invasive fishes utilizing an approved aquatic piscicide and appropriate treatment methods. Further, the applicant has indicated it will comply with requirements for biological monitoring, piscicide monitoring, water quality monitoring, physical monitoring, computer modeling, reporting, and all other terms and conditions of the General Permit for the Application of Piscicides for the Control of Invasive Fishes.

Administered in accordance with the General Permit, the discharges identified by the applicant will not have a significant adverse effect on water quality or cause or contribute to the violation of the water quality standards of the receiving water.

THISSELL POND
W009103-5Y-A-N
MEG180004

GENERAL PERMIT COVERAGE

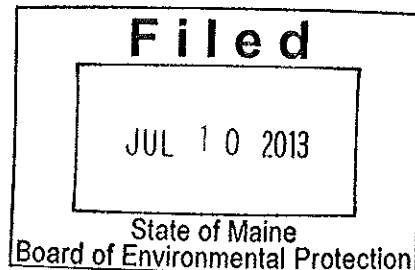
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THEREFORE, the Department GRANTS coverage for MDIFW under the Application of Piscicides for the Control of Invasive Fishes General Permit, #MEG180000/ #W009045-5Y-A-N (copy attached) subject to the terms and conditions therein. The General Permit is valid until September 9, 2014, unless reissued by the Department. The applicant's coverage under the General Permit is valid for one year from the effective date below, unless renewed by the Department pursuant to the provisions of the General Permit, Part 1, Special Condition H, Continuing Coverage and Termination.

DONE AND DATED AT AUGUSTA, MAINE THIS 9th DAY OF July, 2013.

DEPARTMENT OF ENVIRONMENTAL PROTECTION.

BY: Michael Kuhn
For Patricia W. Aho, Commissioner



Public notice of the Notice of Intent was published on or about: May 11, 2013

A Notice of Intent was received by the Department on: June 4, 2013

A Notice of Intent was accepted by the Department on: June 25, 2013

Date filed with Board of Environmental Protection _____.

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

MEG180004 2013

7/8/13