STATE OF MAINE
DEPARTMENT OF
ENVIRONMENTAL PROTECTION

JANET L. MILLS
GOVERNOR

GERALD D. REID
COMMISSIONER

March 19, 2020

Ms. Penny Lowe
Utility Manager, Paris Utility District
P.O. Box 154
South Paris, ME. 04281

RE: Maine Pollutant Discharge Elimination System (MEPDES) Permit #ME0100218
Maine Waste Discharge License (WDL) #W000632-6C-M-R
Final Permit

Dear Ms. Lowe:

Enclosed please find a copy of your **final** MEPDES permit and Maine WDL **renewal** which was approved by the Department of Environmental Protection. Please read this permit/license renewal and its attached conditions carefully. Compliance with this permit/license will protect water quality.

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. Your Department compliance inspector copied below is also a resource that can assist you with compliance. Please do not hesitate to contact them with any questions.

Thank you for your efforts to protect and improve the waters of the great state of Maine!

Sincerely,

Gregg Wood
Division of Water Quality Management
Bureau of Water Quality

Enc.
cc: Stuart Rose, DEP/SMRO Lori Mitchell, DEP/CMRO Sandy Mojica, USEPA
Shelley Puleo, USEPA Marelyn Vega, USEPA

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PRESQUE ISLE, MAINE 04769
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DEP INFORMATION SHEET

Appealing a Department Licensing Decision

Dated: November 2018 **Contact: (207) 287-2452**

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) an administrative process before the Board of Environmental Protection (Board); or (2) 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. § 3451(4)) or a general permit for an offshore wind energy demonstration project (38 M.R.S. § 480-HH(1)) or a general permit for a tidal energy demonstration project (38 M.R.S. § 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. §§ 341-D(4) & 346; the *Maine Administrative Procedure Act*, 5 M.R.S. § 11001; and the DEP's *Rules Concerning the Processing of Applications and Other Administrative Matters* ("Chapter 2"), 06-096 C.M.R. ch. 2.

DEADLINE 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 more than 30 calendar days after the date on which the Commissioner's decision was filed with the Board will be dismissed unless notice of the Commissioner's license decision was required to be given to the person filing an appeal (appellant) and the notice was not given as required.

HOW TO SUBMIT AN APPEAL TO THE BOARD

Signed original appeal documents must be sent to: Chair, Board of Environmental Protection, 17 State House Station, Augusta, ME 04333-0017. An appeal may be submitted by fax or e-mail if it contains a scanned original signature. It is recommended that a faxed or e-mailed appeal be followed by the submittal of mailed original paper documents. The complete appeal, including any attachments, must be received at DEP's offices in Augusta on or before 5:00 PM on the due date; materials received after 5:00 pm are not considered received until the following day. The risk of material not being received in a timely manner is on the sender, regardless of the method used. The appellant must also send a copy of the appeal documents to the Commissioner of the DEP; the applicant (if the appellant is not the applicant in the license proceeding at issue); and if a hearing was held on the application, any intervenor in that hearing process. All of the information listed in the next section of this information sheet must be submitted at the time the appeal is filed.

INFORMATION APPEAL PAPERWORK MUST CONTAIN

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

1. *Aggrieved Status.* The appeal must explain how the appellant has standing to maintain an appeal. This requires an explanation of how the appellant 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.* The appeal must identify the specific findings of fact, conclusions regarding compliance with the law, license conditions, or other aspects of the written license decision or of the license review process that the appellant objects to or believes to be in error.
3. *The basis of the objections or challenge.* For the objections identified in Item #2, the appeal must state why the appellant believes that the license decision is incorrect and should be modified or reversed. If possible, the appeal should cite specific evidence in the record or specific licensing requirements that the appellant believes were not properly considered or fully addressed.
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 matters specifically raised in the written notice of appeal.
6. *Request for hearing.* If the appellant wishes the Board to hold a public hearing on the appeal, a request for public hearing must be filed as part of the notice of appeal, and must include an offer of proof in accordance with Chapter 2. The Board will hear the arguments in favor of and in opposition to a hearing on the appeal and the presentations on the merits of an appeal at a regularly scheduled meeting. If the Board decides to hold a public hearing on an appeal, that hearing will then be scheduled for a later date.
7. *New or additional evidence to be offered.* If an appellant wants to provide evidence not previously provided to DEP staff during the DEP's review of the application, the request and the proposed evidence must be submitted with the appeal. The Board may allow new or additional evidence, referred to as supplemental evidence, to be considered in an appeal only under very limited circumstances. The proposed evidence must be relevant and material, and (a) the person seeking to add information to the record must show due diligence in bringing the evidence to the DEP's attention at the earliest possible time in the licensing process; or (b) the evidence itself must be newly discovered and therefore unable to have been presented earlier in the process. Specific requirements for supplemental evidence are found in Chapter 2 § 24.

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, and is made easily accessible by the DEP. Upon request, the DEP will make application materials available during normal working hours, provide space to review the file, and provide an 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 general questions regarding the appeal process.
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. Unless a stay of the decision is requested and granted, 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, and will provide 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, any materials submitted in response to the appeal, and relevant excerpts from the DEP's application review file will be sent to Board members with a recommended decision from DEP staff. The appellant, the license holder if different from the appellant, and any interested persons are notified in advance of the date set for Board consideration of an appeal or request for public hearing. The appellant and the license holder will have an opportunity to address the Board at the Board meeting. 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, the 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. § 346(1); 06-096 C.M.R. ch. 2; 5 M.R.S. § 11001; and 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. 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. § 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.

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.

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

DEPARTMENT ORDER

IN THE MATTER OF

PARIS UTILITY DISTRICT		)	MAINE POLLUTANT DISCHARGE
PARIS, OXFORD COUNTY, MAINE		)	ELIMINATION SYSTEM PERMIT
PUBLICLY OWNED TREATMENT WORKS		)	AND
ME0100951		)	WASTE DISCHARGE LICENSE
W000632-6C-M-R	**APPROVAL**	)	**RENEWAL**

Pursuant to the provisions of the Clean Water Act Title 33 USC, Section 1251, *et seq.*, and Maine Law 38 M.R.S., §§ 414-A,420(B), and applicable regulations, including 06-096 CMR Chapter 584 and Chapter 530, the Department of Environmental Protection (Department hereinafter) has considered the application of the PARIS UTILITY DISTRICT (PUD/permittee hereinafter), with all supportive data, agency review comments, and other related materials on file and FINDS THE FOLLOWING FACTS:

APPLICATION SUMMARY

The PUD has submitted a timely and complete application to the Department of Environmental Protection (Department hereinafter) to renew combination Maine Pollutant Discharge Elimination System (MEPDES) permit #ME0100951/Waste Discharge License #W000632-6C-L-R (permit hereinafter) that was issued by the Board of Environmental Protection (Board hereinafter) on November 20, 2014, for a five-year term. The November 20, 2014, permit approved a monthly average discharge of up to 0.65 million gallons per day (MGD) of secondary treated waste water and an unspecified quantity of untreated combination storm water and sanitary waste waters from a combined sewer overflow (CSO) from the PUD waste water treatment facility, to the Little Androscoggin River, Class C, in Paris, Maine.

On November 20, 2014, permit included approval of acute and chronic site-specific aquatic life ambient water quality criteria (AWQC) for total copper for the Little Androscoggin River from the PUD outfall downstream to the confluence with the main stem of the Androscoggin River in the City of Auburn. At the PUD's request, the Board assumed jurisdiction of the permit as 06-096 CMR Chapter 584 §3(B) states establishment of site-specific criteria must be initiated with a request that the Board assume jurisdiction for issuance of the permit.

PERMIT SUMMARY

This permitting action is carrying forward all the terms and conditions of the previous permitting action with the following exceptions as this permit;

1. Revising the seasonal disinfection season from May 15th – September 30th to April 15th – October 31st based a revision to Maine law 38 M.R.S. §465(4)(B).

2. Eliminating Special Condition J, *Combined Sewer Overflows*, from the permit as the permittee has eliminated CSO #002 as of June 1, 2019.

3. Establishing Special Condition J, *Waste Water Treatment Emergency Bypass*, requiring monitoring and reporting of bypasses of secondary treatment during wet weather events.

CONCLUSIONS

BASED on the findings in the attached Fact Sheet dated February 3, 2020, and subject to the Conditions listed below, the Board 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 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 natural resource, that water quality will be maintained and protected;

   (c) Where the standards of classification of the receiving water body are met or not met, the discharge will not cause of 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 Board has made the finding, following opportunity for public participation, that this action is necessary to achieve important economic or social benefits to the State.

CONCLUSIONS (cont'd)

4. The discharges will be subject to effluent limitations that require application of best practicable treatment as defined in *Conditions of licenses*, 38 M.R.S. § 414-A(1)(D).

5. The acute and chronic site-specific aquatic life AWQC for total copper of 10.85 ug/L and 6.78 ug/L respectively, for the Little Androscoggin River are based on sound scientific rationale, are as protective as federal criteria and are protective of the most sensitive designated use of the receiving water, and are accordingly approved as site-specific AWQC for total copper from the point of discharge at PUD downstream to the confluence of the Little Androscoggin with the Androscoggin River pursuant to 38 M.R.S. § 420(2)(B)(1) and 06-096 CMR Chapter 584 § 3(B).

ACTION

THEREFORE, the Department APPROVES the application of the PARIS UTILITY DISTRICT to discharge up to a monthly average flow of 0.65 MGD of secondary treated wastewater to the Little Androscoggin River, Class C, 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.

2. The attached Special Conditions, including any effluent limitations and monitoring requirements

3. This permit 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 permit, the terms and conditions of this permit 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. § 10002 and *Rules Concerning the Processing of Applications and Other Administrative Matters*, 06-096 CMR 2(21)(A) (as amended on June 9, 2018)].

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

DONE AND DATED AT AUGUSTA, MAINE, THIS 20 DAY OF March 2020.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: _____
Gerald D. Reid, Commissioner

FILED

MAR 20 2020

State of Maine
Board of Environmental Protection

Date of initial receipt of application August 2, 2019.
Date of application acceptance August 13, 2019.

Date filed with Board of Environmental Protection _____

This Order prepared by Gregg Wood, Bureau of Water Quality
ME0100951 2019 3/17/20

SPECIAL CONDITIONS

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS – OUTFALL #001A

1. Beginning the effective date of this permit, the permittee is authorized to discharge secondary treated waste waters from **Outfall #001A** to the Little Androscoggin River. Such discharges shall be limited and must be monitored by the permittee as specified below:

Effluent Characteristic	**Discharge Limitations**						**Monitoring Requirements**	
	Monthly Average	Weekly Average	Daily Maximum	Monthly Average	Weekly Average	Daily Maximum	Measurement Frequency	Sample Type
Flow *[50050]*	0.65 MGD *[03]*	---	Report (MGD) *[03]*	---	---	---	Continuous *[99/99]*	Recorder *[RC]*
BOD_5 *[00310]* *June 1 – August 31* *September 1 – May 31*	113 163 lbs/Day *[26]*	169 244 lbs/Day *[26]*	188 271 lbs/Day *[26]*	30 mg/L 30 mg/L *[19]*	45 mg/L 45 mg/L *[19]*	50 mg/L 50 mg/L *[19]*	2/Week 2/Week *[02/07]*	Composite Composite *[24]*
BOD_5 % Removal(1) *[81010]*	---	---	---	85% *[23]*	---	---	1/Month *[01/30]*	Calculate *[CA]*
TSS *[00530]* *June 1 – August 31* *September 1 – May 31*	113 163 lbs/Day *[26]*	169 244 lbs/Day *[26]*	188 271 lbs/Day *[26]*	30 mg/L 30 mg/L *[19]*	45 mg/L 45 mg/L *[19]*	50 mg/L 50 mg/L *[19]*	2/Week 2/Week *[02/07]*	Composite Composite *[24]*
TSS % Removal(1) *[81011]*	---	---	---	85% *[23]*	---	---	1/Month *[01/30]*	Calculate *[CA]*
Settleable Solids *[00545]*	---	---	---	---	---	0.3 ml/L *[25]*	5/Week *[05/07]*	Grab *[GR]*
E. coli Bacteria (2) *[31633]* *(April 15 – October 31)*	---	---	---	126/100 ml(3) *[13]*	---	949/100 ml *[13]*	2/Week *[02/07]*	Grab *[GR]*
Total Residual Chlorine(4) *[50060]*	---	---	---	0.06 mg/L *[19]*	---	0.08 mg/L *[19]*	5/Week *[05/07]*	Grab *[GR]*
pH (Std. Units) *[00400]*	---	---	---	---	---	6.0-9.0 *[12]*	1/Day *[01/01]*	Grab *[GR]*

SPECIAL CONDITIONS

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS – OUTFALL #001A (cont'd)

Effluent Characteristic	Discharge Limitations						Monitoring Requirements	
	Monthly Average	Weekly Average	Daily Maximum	Monthly Average	Weekly Average	Daily Maximum	Measurement Frequency	Sample Type
Total Orthophosphate (5) [70507] (June 1 – August 31)	2.0 lbs/Day [26]	---	---	Report mg/L [19]	---	---	1/Week[01/07]	Composite [24]
Cadmium (Total) [01027]	0.005 lbs/Day [26]	---	---	Report ug/L[26]	---	---	1/Quarter [01/90]	Composite [24]
Copper (Total) [01042]	0.17 lbs/Day [26]	---	0.22 lbs/Day [26]	Report ug/L[26]	---	Report ug/L[26]	1/Quarter [01/90]	Composite [24]
Lead (Total) [01051]	0.01 lbs/Day [26]	---	---	Report ug/L[26]	---	---	1/Quarter [01/90]	Composite [24]
Mercury (Total) (6) [71900]	---	---	---	16.5 ng/L [3M]	---	24.8 ng/L [3M]	1/Year [01/YR]	Grab [GR]
Silver (Total) [01077]	0.005 lbs/Day [26]	---	---	Report ug/L[26]	---	---	1/Quarter [01/90]	Composite [24]
Zinc (Total) [01092]	0.76 lbs/Day [26]	---	0.61 lbs/Day [26]	Report ug/L[26]	---	Report ug/L[26]	1/Quarter [01/90]	Composite [24]

Revised 3/20/2020 14:20

SPECIAL CONDITIONS

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (cont'd) – OUTFALL #001A

SURVEILLANCE LEVEL TESTING – Beginning upon permit issuance and lasting through 24 months prior to permit expiration (Years 1, 2 & 3 of the term of the permit) and commencing again 12 months prior to permit expiration (Year 5 of the term of the permit), the permittee must conduct surveillance level testing as follows:

Effluent Characteristic	Discharge Limitations						Minimum Monitoring Requirements	
	Monthly Average	Weekly Average	Daily Maximum	Monthly Average	Weekly Average	Daily Maximum	Measurement Frequency	Sample Type
Whole Effluent Toxicity(WET) (7)								
A-NOEL								
Ceriodaphnia dubia [TDA3B]	---	---	---	---	---	Report % [23]	2/Year [02/YR]	Composite [24]
Salvelinus fontinalis [TDA6F]	---	---	---	---	---	Report % [23]	1/Year [01/YR]	Composite [24]
C-NOEL								
Ceriodaphnia dubia [TBP3B]	---	---	---	---	---	20% [23]	2/Year [02/YR]	Composite [24]
Salvelinus fontinalis [TBQ6F]	---	---	---	---	---	Report % [23]	1/Year [01/YR]	Composite [24]
Analytical chemistry(8,10) [51168]	---	---	---	---	---	Report ug/L [28]	1/Year [01/YR]	Composite/ Grab [24/GR]

SPECIAL CONDITIONS

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (cont'd) – OUTFALL #001A

SCREENING LEVEL TESTING – During the period beginning 24 months prior to permit expiration and lasting through 12 months prior to permit expiration (Year 4 of the term of the permit) and every five years thereafter if a timely request for renewal has been made and the permit continues in force, or is replaced by a permit renewal containing this requirement, the permittee must conduct screening level testing as specified below:

Effluent Characteristic	Discharge Limitations						Minimum Monitoring Requirements	
	Monthly Average	Weekly Average	Daily Maximum	Monthly Average	Weekly Average	Daily Maximum	Measurement Frequency	Sample Type
Whole Effluent Toxicity (WET) (7)								
A-NOEL								
Ceriodaphnia dubia [TDA3B]	---	---	---	---	---	Report % [23]	1/Quarter [01/90]	Composite [24]
Salvelinus fontinalis [TDA6F]	---	---	---	---	---	Report % [23]	1/Quarter [01/90]	Composite [24]
C-NOEL								
Ceriodaphnia dubia [TBP3B]	---	---	---	---	---	20% [23]	1/Quarter [01/90]	Composite [24]
Salvelinus fontinalis [TBQ6F]	---	---	---	---	--- ---	Report % [23]	1/Quarter [01/90]	Composite [24]
Analytical chemistry (8,10) [51168]	---	---	---	---	---	Report ug/L [28]	1/Quarter [01/90]	Composite/ Grab [24/GR]
Priority Pollutant (9,10) [50008]	---	---	---	---	---	Report ug/L [28]	1/Year [01/YR]	Composite/ Grab [24/GR]

SPECIAL CONDITIONS

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

Footnotes:

Sampling – The permittee must conduct all effluent sampling and analysis in accordance with; a) methods approved by 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 must be analyzed by a laboratory certified by the State of Maine's Department of Health and Human Services. Samples that are analyzed by laboratories operated by waste discharge facilities licensed pursuant to *Waste discharge licenses*, 38 M.R.S. § 413 are subject to the provisions and restrictions of *Maine Comprehensive and Limited Environmental Laboratory Certification Rules*, 10-144 CMR 263 (last amended December 19, 2018). Laboratory facilities that analyze compliance samples in-house are subject to the provisions and restrictions of 10-144 CMR 263. If the permittee monitors any pollutant more frequently than required by the permit using test procedures approved under 40 CFR Part 136 or as specified in this permit, the results of this monitoring must be included in the calculation and reporting of the data submitted in the DMR.

1. **Percent Removal** - The treatment facility must maintain a minimum of 85 percent removal of both total suspended solids and biochemical oxygen demand for all flows receiving secondary treatment. The percent removal must be calculated based on influent and effluent concentration values.

2. ***E. coli* bacteria** - Limits are seasonal and apply between **April 15th and October 31st** of each calendar year. The Department reserves the right to require disinfection on a year-round basis to protect the health and welfare of the public.

3. ***E. coli* bacteria** – The monthly average limitation is a geometric mean limitation and must be calculated and reported as such.

4. **Total Residual Chlorine (TRC)** – Limitations and monitoring requirements are applicable whenever elemental chlorine or chlorine based compounds are being used to disinfect the discharge. The permittee must utilize approved test methods that are capable of bracketing the limitations in this permit.

SPECIAL CONDITIONS

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

Footnotes:

5. **Ortho-Phosphorus** – Ortho phosphorus monitoring must be performed in accordance with **Attachment A** of this permit, *Protocol For Ortho-Phosphorous Sample Collection and Analysis for Waste Water and Receiving Water Monitoring Required by Permits, Finalized April, 2008*, unless otherwise specified by the Department. Sampling for ortho-phosphorus must be conducted with at least 3 days separating sampling events.

6. **Mercury** - The permittee must conduct all mercury monitoring required by this permit to determine compliance with interim limitations established pursuant to 06-096 C.M.R. 519 in accordance with the USEPA's "clean sampling techniques" found in USEPA Method 1669, *Sampling Ambient Water For Trace Metals At EPA Water Quality Criteria Levels.* All mercury analysis must be conducted in accordance with USEPA Method 1631, *Determination of Mercury in Water by Oxidation, Purge and Trap, and Cold Vapor Fluorescence Spectrometry.* Go to https://www.maine.gov/dep/water/wd/municipal_industrial/index.html and click on "Whole Effluent Toxicity, Chemistry, and Mercury Reporting Forms" for a reporting form for mercury test results. Compliance with the monthly average limitation established in Special Condition A of this permit will be based on the cumulative arithmetic mean of all mercury tests results that were conducted utilizing sampling Method 1669 and analysis Method 1631E on file with the Department for this facility.

7. **Whole effluent toxicity (WET) testing** - Definitive WET testing is a multi-concentration testing event (a minimum of five dilutions bracketing the critical acute and chronic dilutions of 4.0:1 and 5.0:1 respectively), which provides a point estimate of toxicity in terms of No Observed Effect Level, commonly referred to as NOEL or NOEC. A-NOEL is defined as the acute no observed effect level with survival as the end point. C-NOEL is defined as the chronic no observed effect level with survival, reproduction and growth as the end points. WET test results must be submitted to the Department not later than the next Discharge Monitoring Report (DMR) required by the permit, provided, however, that the permittee may review the toxicity reports for up to 10 business days after receiving the results from the laboratory conducting the testing before submitting them. The permittee must evaluate test results being submitted and identify to the Department possible exceedances of the critical acute and chronic water quality thresholds of 25% and 20% respectively. Go to https://www.maine.gov/dep/water/wd/municipal_industrial/index.html and click on "Whole Effluent Toxicity (WET), Chemistry, and Mercury Reporting Forms" for a reporting form for WET test results.

SPECIAL CONDITIONS

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

Footnotes:

a. **Surveillance level testing** - Beginning upon permit issuance and lasting through 24 months prior to permit expiration (Years 1, 2 & 3 of the term of the permit) and commencing again 12 months prior to permit expiration (Year 5 of the term of the permit), the permittee must conduct surveillance level WET testing. Testing on the water flea (*Ceriodaphnia dubia*) must be conducted at a frequency of 2/Year and the brook trout (*Salvelinus fontinalis)* must be conducted at the frequency of 1/Year. Testing must be conducted in different calendar quarters such that at least one test is conducted in each calendar quarter of the year for each test species during surveillance level testing.

b. **Screening level testing** - Beginning 24 months prior to permit expiration and lasting through 12 months prior to permit expiration (Year 4 of the term of the permit) and every five years thereafter if a timely request for renewal has been made and the permit continues in force, or is replaced by a permit renewal containing this requirement, the permittee must conduct screening level testing for a one-year period at a frequency of once per calendar quarter (1/Quarter) for both the water flea (*Ceriodaphnia dubia*) and the brook trout (*Salvelinus fontinalis)*.

Toxicity tests must be conducted by an experienced laboratory approved by the Department. The laboratory must follow procedures as described in the following U.S.E.P.A. methods manuals as modified by the Department for salmonids. See **Attachment B** of this permit for the modified protocol.

a. Short Term Methods for Estimating the Chronic Toxicity of Effluent and Receiving Water to Freshwater Organisms, Fourth Edition, October 2002, EPA-821-R-02-013.

b. Methods for Measuring the Acute Toxicity of Effluent and Receiving Waters to Freshwater and Marine Organisms, Fifth Edition, October 2002, EPA-821-R-02-012.

Each time a WET test is performed, the permittee must sample and analyze for the parameters in the WET Chemistry and the Analytical Chemistry sections of the Department form entitled, *Maine Department of Environmental Protection, WET and Chemical Specific Data Report Form*. Go to https://www.maine.gov/dep/water/wd/municipal_industrial/index.html and click on "Whole Effluent Toxicity (WET), Chemistry, and Mercury Reporting Forms" for a reporting form for WET chemistry and Analytical Chemistry test results.

SPECIAL CONDITIONS

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

Footnotes:

8. **Analytical chemistry** – Refers to those pollutants listed under "Analytical Chemistry" on the form found at: https://www.maine.gov/dep/water/wd/municipal_industrial/index.html

   a. **Surveillance level testing** – Beginning upon permit issuance and lasting through 24 months prior to permit expiration (Years 1, 2 & 3 of the term of the permit) and commencing again 12 months prior to permit expiration (Year 5 of the term of the permit), the permittee must conduct surveillance level testing at a frequency of 1/Year.

   b. **Screening level testing** - Beginning 24 months prior to permit expiration and lasting through 12 months prior to permit expiration (Year 4 of the term of the permit) and every five years thereafter if a timely request for renewal has been made and the permit continues in force, or is replaced by a permit renewal containing this requirement, the permittee must conduct screening level testing at a frequency of 1/Quarter.

9. **Priority pollutant testing** – Refers to those pollutants listed under "Priority Pollutants" on the form found at https://www.maine.gov/dep/water/wd/municipal_industrial/index.html

   a. **Surveillance level testing** - Department rule Chapter 530, *Surface Water Toxics Control Program*, does not establish routine surveillance level testing priority pollutant testing.

   b. **Screening level testing** – Beginning 24 months prior to permit expiration and lasting through 12 months prior to permit expiration (Year 4 of the term of the permit) and every five years thereafter if a timely request for renewal has been made and the permit continues in force, or is replaced by a permit renewal containing this requirement, the permittee must conduct screening level testing at a frequency of 1/Year.

10. **Priority pollutant and analytical chemistry testing** – 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. See https://www.maine.gov/dep/water/wd/municipal_industrial/index.html for a list of the Department's reporting levels (RLs) of detection. Test results must be submitted to the Department not later than the next Discharge Monitoring Report (DMR) required by the permit, provided, however, that the permittee may review the toxicity reports for up to

SPECIAL CONDITIONS

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

Footnotes:

10 business days after receiving the results from the laboratory conducting the testing before submitting them. The permittee must evaluate test results being submitted and identify to the Department, possible exceedances of the acute, chronic or human health AWQC as established in Department rule Chapter 584 *Surface Water Quality Criteria for Toxic Pollutants.* For the purposes of DMR reporting, enter a "1" for yes, testing done this monitoring period or "NODI-9" monitoring not required this period.

B. NARRATIVE EFFLUENT LIMITATIONS

1. The effluent must not contain a visible oil sheen, foam or floating solids at any time which would impair the usage's designated for the classification of the receiving waters.

2. The effluent must not contain materials in concentrations or combinations which are hazardous or toxic to aquatic life, or which would impair the usage's designated for the classification of the receiving waters.

3. The discharge must not impart visible discoloration, taste, turbidity, toxicity, radioactivity or other properties in the receiving waters which would impair the usages designated for the classification of the receiving waters.

4. Notwithstanding specific conditions of this permit the effluent must not lower the quality of any classified body of water below such classification, or lower the existing quality of any body of water if the existing quality is higher than the classification.

C. TREATMENT PLANT OPERATOR

The treatment facility must be operated by a person holding a minimum of a **Grade III** certificate (or Registered Maine Professional Engineer) pursuant to *Sewerage Treatment Operators*, 32 M.R.S.A. §§ 4171-4182 and *Regulations for Wastewater Operator Certification*, 06-096 CMR 531 (effective May 8, 2006). All proposed contracts for facility operation by any person must be approved by the Department before the permittee may engage the services of the contract operator.

SPECIAL CONDITIONS

D. NOTIFICATION REQUIREMENT

In accordance with Standard Condition D, the permittee must notify the Department of the following.

1. Any introduction of pollutants into the waste water collection and treatment system from an indirect discharger in a primary industrial category discharging process waste water; and;

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

3. For the purposes of this section, adequate notice must include information on:

   (a) the quality and quantity of waste water introduced to the waste water collection and treatment system; and

   (b) any anticipated impact of the change in the quantity or quality of the waste water to be discharged from the treatment system.

E. LIMITATIONS FOR INDUSTRIAL USERS

Pollutants introduced into the waste water collection and treatment system by a non-domestic source (user) must not pass through or interfere with the operation of the treatment system. The permittee must conduct an Industrial Waste Survey (IWS) at any time a new industrial user proposes to discharge within its jurisdiction, an existing user proposes to make a significant change in its discharge, or, at an alternative minimum, once every permit cycle, and submit the results to the Department. The IWS must identify, in terms of character and volume of pollutants, any Significant Industrial Users discharging into the POTW subject to Pretreatment Standards under section 307(b) of the federal Clean Water Act, 40 CFR Part 403 (general pretreatment regulations) or Department rule, 06-096 CMR 528 (last amended March 17, 2008).

F. AUTHORIZED DISCHARGES

The permittee is authorized to discharge only in accordance with: 1) the permittee's General Application for Waste Discharge Permit, accepted for processing on August 13, 2019, 2) the terms and conditions of this permit; and 3) from Outfall #001. Discharges of waste water from any other point source are not authorized under this permit and must be reported in accordance with Standard Condition D(1)(f), *Twenty four-hour reporting*, of this permit.

SPECIAL CONDITIONS

G. DISPOSAL OF TRANSPORTED WASTES IN WASTEWATER TREATMENT FACILITY

During the effective period of this permit, the permittee is authorized to receive up to a maximum of **35,000 gallons per week** of transported wastes into solids handling stream and authorized to introduce **a maximum of 5,000 gallons per day** of transported wastes into the waste water treatment process, subject to the following terms and conditions.

1. "Transported wastes" means any liquid non-hazardous waste delivered to a wastewater treatment facility by a truck or other similar conveyance that has different chemical constituents or a greater strength than the influent described on the facility's application for a waste discharge license. Such wastes may include, but are not limited to septage, industrial wastes or other wastes to which chemicals in quantities potentially harmful to the treatment facility or receiving water have been added.

2. The character and handling of all transported wastes received must be consistent with the information and management plans provided in application materials submitted to the Department.

3. At no time shall the addition of transported wastes cause or contribute to effluent quality violations. Transported wastes may not cause an upset of or pass through the treatment process or have any adverse impact on the sludge disposal practices of the wastewater treatment facility.

   Wastes that contain heavy metals, toxic chemicals, extreme pH, flammable or corrosive materials in concentrations harmful to the treatment operation must be refused. Odors and traffic from the handling of transported wastes may not result in adverse impacts to the surrounding community. If any adverse effects exist, the receipt or introduction of transported wastes into the treatment process or solids handling stream shall be suspended until there is no further risk of adverse effects.

4. The permittee shall maintain records for each load of transported wastes in a daily log which shall include at a minimum the following.

   (a) The date;
   (b) The volume of transported wastes received;
   (b) The source of the transported wastes;
   (d) The person transporting the transported wastes;
   (e) The results of inspections or testing conducted;
   (f) The volumes of transported wastes added to each treatment stream; and
   (g) The information in (a) through (d) for any transported wastes refused for acceptance.

   These records shall be maintained at the treatment facility for a minimum of five years.

SPECIAL CONDITIONS

G. DISPOSAL OF TRANSPORTED WASTES IN WASTEWATER TREATMENT FACILITY (cont'd)

5. The addition of transported wastes into the treatment process or solids handling stream shall not cause the treatment facility's design capacity to be exceeded. If, for any reason, the treatment process or solids handling facilities become overloaded, introduction of transported wastes into the treatment process or solids handling stream shall be reduced or terminated in order to eliminate the overload condition.

6. Holding tank wastewater from domestic sources to which no chemicals in quantities potentially harmful to the treatment process have been added shall not be recorded as transported wastes but should be reported in the treatment facility's influent flow.

7. During wet weather events, transported wastes may be added to the treatment process or solids handling facilities only in accordance with a current Wet Weather Flow Management Plan approved by the Department that provides for full treatment of transported wastes without adverse impacts.

8. In consultation with the Department, chemical analysis is required prior to receiving transported wastes from new sources that are not of the same nature as wastes previously received. The analysis must be specific to the type of source and designed to identify concentrations of pollutants that may pass through, upset or otherwise interfere with the facility's operation.

9. Access to transported waste receiving facilities may be permitted only during the times specified in the application materials and under the control and supervision of the person responsible for the wastewater treatment facility or his/her designated representative.

10. The authorization in the Wet Weather Management Plan is subject to annual review and, with notice to the permittee and other interested parties of record, may be suspended or reduced by the Department as necessary to ensure full compliance with Chapter 555 of the Department's rules and the terms and conditions of this permit.

H. WET WEATHER FLOW MANAGEMENT PLAN

The treatment facility staff must maintain a current written Wet Weather Flow Management Plan to direct the staff on how to operate the facility effectively during periods of high flow. The Department acknowledges that the existing collection system may deliver flows in excess of the monthly average design capacity of the treatment plant during periods of high infiltration and rainfall.

SPECIAL CONDITIONS

H. WET WEATHER FLOW MANAGEMENT PLAN (cont'd)

Within 90 days of completion of new and or substantial upgrades of the waste water treatment facility, the permittee must submit to the Department for review and approval, a new or revised Wet Weather Management Plan which conforms to Department guidelines for such plans. The revised plan must include operating procedures for a range of intensities, address solids handling procedures (including septic waste and other high strength wastes if applicable) and provide written operating and maintenance procedures during the events.

Once the Wet Weather Management Plan has been approved, **the permittee must review their plan at least annually** and record any necessary changes to keep the plan up to date.

I. OPERATION & MAINTENANCE (O&M) PLAN

This facility must have a current written comprehensive Operation & Maintenance (O&M) Plan. The plan must provide a systematic approach by which the permittee must at all times, properly operate and maintain all facilities and systems of transport, treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit.

By December 31 of each year, and within 90 days of any process changes or minor equipment upgrades, the permittee must 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 must 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 permittee must submit the updated O&M Plan to their Department inspector for review and comment.

J. WASTE WATER TREATMENT FACILITY EMERGENCY BYPASS

Discharges from an emergency bypass at the WWTF are not authorized by this permit. The permittee must make provisions to continuously monitor flows via an electronic flow estimation system to record frequency, duration and estimation of flow discharged. Discharges from the emergency bypass must be reported in accordance with Standard Condition B(5), *Bypasses*, and Standard Condition D(1)(f), *Twenty-four hour reporting*, of this permit.

Emergency Bypass #	Overflow Location	Receiving Water and Class
002	Paris WWTF	Little Androscoggin River, Class C

SPECIAL CONDITIONS

K. 06-096 CMR 530(2)(D)(4) STATEMENT FOR REDUCED/WAIVED TOXICS TESTING

By December 31 of each calendar year, the permittee must provide the Department with a certification describing any of the following that have occurred since the effective date of this permit ***[ICIS Code 96299]***. See **Attachment C** of the Fact Sheet for an acceptable certification form to satisfy this Special Condition.

(a) Changes in the number or types of non-domestic wastes contributed directly or indirectly to the wastewater treatment works that may increase the toxicity of the discharge;

(b) Changes in the operation of the treatment works that may increase the toxicity of the discharge; and

(c) Changes in industrial manufacturing processes contributing wastewater to the treatment works that may increase the toxicity of the discharge.

In addition, in the comments section of the certification form, the permittee must provide the Department with statements describing;

(d) Changes in storm water collection or inflow/infiltration affecting the facility that may increase the toxicity of the discharge.
(e) Increases in the type or volume of hauled wastes accepted by the facility.

The Department reserves the right to increase testing requirements or other toxicity testing if new information becomes available that indicates the discharge may cause or have a reasonable potential to cause exceedances of ambient water quality criteria/thresholds.

L. MONITORING AND REPORTING

Electronic Reporting
NPDES Electronic Reporting, 40 CFR 127, requires MEPDES permit holders to submit monitoring results obtained during the previous month on an electronic discharge monitoring report to the regulatory agency utilizing the USEPA electronic system.

Electronic DMRs submitted using the USEPA NetDMR system, must be:

1. Submitted by a facility authorized signatory; and
2. Submitted no later than **midnight on the 15th day of the month** following the completed reporting period.

SPECIAL CONDITIONS

L. MONITORING AND REPORTING

Documentation submitted in support of the electronic DMR may be attached to the electronic DMR. Toxics reporting must be done using the DEP toxsheet reporting form. An electronic copy of the Toxsheet reporting document must be submitted to your Department compliance inspector as an attachment to an email. In addition, a hardcopy form of this sheet must be signed and submitted to your compliance inspector, or a copy attached to your NetDMR submittal will suffice. Documentation submitted electronically to the Department in support of the electronic DMR must be submitted no later than midnight on the 15th day of the month following the completed reporting period.

M. REOPENING OF PERMIT FOR MODIFICATIONS

Upon evaluation of test results required by the Special Conditions of this permit, new site specific information or any other pertinent information gathered during the term of this permit, the Department may, at anytime and with notice to the permittee, modify this permit to: (1) include effluent limits necessary to control specific pollutants or whole effluent toxicity where there is a reasonable potential that the effluent may cause water quality criteria to be exceeded: (2) require additional monitoring if results on file are inconclusive; or (3) change monitoring requirements or limitations based on new information.

N. SEVERABILITY

In the event that any provision(s), 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

Protocol for Orthophosphate Sample Collection and Analysis for Waste Water and Receiving Water Monitoring Required by Permits

Approved Analytical Methods: EPA 300.0 (Rev. 2.1), 300.1 (Rev. 1.0), 365.1 (Rev. 2.0), 365.3; SM 4110 B, 4110 B-00, 4500-P E, 4500-P F; ASTM D515-88(A), D4327-97, 03; D6508 (Rev. 2); USGS I-4601-85; OMAAOAC 973.55, 973.56, 993.30

Sample Collection: The Maine DEP is requesting that orthophosphate analysis be conducted on composite effluent samples unless a facility's Permit specifically indicates grab sampling for this parameter. Facilities can use individual collection bottles or a single jug made out of glass or polyethylene. Bottles and/or jugs should be cleaned prior to each use with dilute HCL. This cleaning should be followed by several rinses with distilled water. The sampler hoses should be cleaned, as needed. Commercially purchased, pre-cleaned sample containers and or syringe type filtering apparatus are acceptable. If bench top filtering apparatus is being used this should be cleaned, as described above, before each use.

Sample Preservation: During compositing the sample must be at 0-6 degrees C (without freezing). The sample must be filtered immediately (within 15 minutes) after collection using a pre-washed 0.45-um membrane filter. Be sure to follow one of the pre-washing procedures described in the approved methods unless your commercial lab is providing you with pre-washed filters and filtering apparatus. If the sample is being sent to a commercial laboratory or analysis cannot be performed within 2 hours after collection then the sample must be kept at 0-6 degrees C (without freezing). There is a 48-hour holding time for this sample although analysis should be done sooner, if possible.

Laboratory QA/QC: Laboratories must follow the appropriate QA/QC procedures that are described in each of the approved methods. Additionally, laboratories providing filters or filter apparatus for sampling are required to submit blank data for each lot of filters/filtering apparatus to the facility.

Sampling QA/QC:
Filter Blank- if a facility is using a pre-cleaned filter and or filtering apparatus provided by a commercial laboratory then the commercial laboratory must run a filter/filtering apparatus blank on each lot. The results of that analysis must be provided to the facility.

If a facility is using their own filters and filtering apparatus then a filter blank must be included with every sample set that does not include a composite sampler (composite jug and sample line) blank.

Composite Sampler Blank- If a composite sample is being collected using an automatic composite sampler, then once per month run a blank on the composite sampler. A separate filter blank does not have to be done along with the composite sampler blank. When running a composite sampler blank, automatically, draw distilled water into the sample jug using the sample collection line. Let this water set in the jug for 24 hours and then filter and analyze for orthophosphate. Preserve these samples as described above.

ATTACHMENT B

Salmonid Survival and Growth Test

The Salmonid survival and growth test must follow the procedures for the fathead minnow larval survival and growth tests detailed in USEPA's freshwater acute and chronic methods manuals (see references above) with the following modifications:

Species - Brook Trout, *Salvelinus fontinalis*, or other salmonid approved by the Department.

Age - Less than six months old for the first test each year and less than twelve months for subsequent tests.

Size - The largest fish must not be greater than 150% of the smallest.

Loading Rate - < 0.5 g/l/day

Feeding rate - 5% of body weight 3 times daily (15%/day)

Temperature - 12° ± 1°C

Dissolved Oxygen - 6.5 mg/l ,aeration if needed with large bubbles (> 1 mm diameter) at a rate of <100/min

Dilution Water - Receiving water upstream of discharge (or other ambient water approved by the Department)

Dilution Series - A minimum of 5 effluent concentrations (including the instream waste concentrations bracketing acute and chronic dilutions calculated pursuant to Section D); a receiving water control; and control of known suitable water quality

Duration - Acute = 48 hours
- Chronic = 10 days minimum

Test acceptability - Acute = minimum of 90% survival in 2 days - Chronic = minimum of 80% survival in 10 days; minimum growth of 20 mg/gm/d dry weight in controls, (individual fish weighed, dried at 100°C to constant weight and weighed to 3 significant figures)

MAINE POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT

STANDARD CONDITIONS APPLICABLE TO ALL PERMITS

CONTENTS

A. GENERAL PROVISIONS

1. **General compliance.** All discharges shall be consistent with the terms and conditions of this permit; 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 permit; it shall be a violation of the terms and conditions of this permit 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 permit.

2. 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

(i) 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
(ii) Known to be hazardous or toxic by the licensee.

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

3. Duty to comply. The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of State law and the Clean Water Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application.

(a) The permittee shall comply with effluent standards or prohibitions established under section 307(a) of the Clean Water Act, and 38 MRSA, §420 or Chapter 530.5 for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement.
(b) Any person who violates any provision of the laws administered by the Department, including without limitation, a violation of the terms of any order, rule license, permit, approval or decision of the Board or Commissioner is subject to the penalties set forth in 38 MRSA, §349.

4. Duty to provide information. The permittee shall furnish to the Department, within a reasonable time, any information which the Department may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The permittee shall also furnish to the Department upon request, copies of records required to be kept by this permit.

5. Permit actions. This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

6. Reopener clause. The Department reserves the right to make appropriate revisions to this permit in order to establish any appropriate effluent limitations, schedule of compliance or other provisions which may be authorized under 38 MRSA, §414-A(5).

7. Oil and hazardous substances. Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities or penalties to which the permittee is or may be subject under section 311 of the Federal Clean Water Act; section 106 of the Federal Comprehensive Environmental Response, Compensation and Liability Act of 1980; or 38 MRSA §§ 1301, et. seq.

8. Property rights. This permit does not convey any property rights of any sort, or any exclusive privilege.

9. Confidentiality of records. 38 MRSA §414(6) reads as follows. "Any records, reports or information obtained under this subchapter is available to the public, except that upon a showing satisfactory to the department by any person that any records, reports or information, or particular part or any record, report or information, other than the names and addresses of applicants, license applications, licenses, and effluent data, to which the department has access under this subchapter would, if made public, divulge methods or processes that are entitled to protection as trade secrets, these records, reports or information must be confidential and not available for public inspection or examination. Any records, reports or information may be disclosed to employees or authorized representatives of the State or the United States concerned with carrying out this subchapter or any applicable federal law, and to any party to a hearing held under this section on terms the commissioner may prescribe in order to protect these confidential records, reports and information, as long as this disclosure is material and relevant to any issue under consideration by the department."

10. Duty to reapply. If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit.

11. Other laws. The issuance of this permit does not authorize any injury to persons or property or invasion of other property rights, nor does it relieve the permittee if its obligation to comply with other applicable Federal, State or local laws and regulations.

12. Inspection and entry. The permittee shall allow the Department, or an authorized representative (including an authorized contractor acting as a representative of the EPA Administrator), upon presentation of credentials and other documents as may be required by law, to:

(a) Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
(b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
(c) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
(d) Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act, any substances or parameters at any location.

B. OPERATION AND MAINTENACE OF FACILITIES

1. General facility requirements.

(a) The permittee shall collect all waste flows designated by the Department 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 permittee shall at all times maintain in good working order and operate at maximum efficiency all waste water 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 Department for review prior to the construction or modification of any treatment facilities.

(e) The permittee shall install flow measuring facilities of a design approved by the Department.

(f) The permittee must provide an outfall of a design approved by the Department which is placed in the receiving waters in such a manner that the maximum mixing and dispersion of the wastewaters will be achieved as rapidly as possible.

2. Proper operation and maintenance. The permittee 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 permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit.

3. Need to halt or reduce activity not a defense. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

4. Duty to mitigate. The permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

5. Bypasses.

(a) Definitions.

(i) Bypass means the intentional diversion of waste streams from any portion of a treatment facility.

(ii) Severe property damage means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

(b) Bypass not exceeding limitations. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of paragraphs (c) and (d) of this section.

(c) Notice.

(i) Anticipated bypass. If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least ten days before the date of the bypass.

(ii) Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in paragraph D(1)(f), below. (24-hour notice).

(d) Prohibition of bypass.

(i) Bypass is prohibited, and the Department may take enforcement action against a permittee for bypass, unless:

(A) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
(B) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
(C) The permittee submitted notices as required under paragraph (c) of this section.

(ii) The Department may approve an anticipated bypass, after considering its adverse effects, if the Department determines that it will meet the three conditions listed above in paragraph (d)(i) of this section.

6. Upsets.

(a) Definition. Upset means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

(b) Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based permit effluent limitations if the requirements of paragraph (c) of this section are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.

(c) Conditions necessary for a demonstration of upset. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

(i) An upset occurred and that the permittee can identify the cause(s) of the upset;
(ii) The permitted facility was at the time being properly operated; and
(iii) The permittee submitted notice of the upset as required in paragraph D(1)(f) , below. (24 hour notice).
(iv) The permittee complied with any remedial measures required under paragraph B(4).

(d) Burden of proof. In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof.

C. MONITORING AND RECORDS

1. General Requirements. This permit shall be subject to such monitoring requirements as may be reasonably required by the Department including the installation, use and maintenance of monitoring equipment or methods (including, where appropriate, biological monitoring methods). The permittee shall provide the Department with periodic reports on the proper Department reporting form of monitoring results obtained pursuant to the monitoring requirements contained herein.

2. 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 permittee 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.

3. Monitoring and records.

(a) Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.

(b) Except for records of monitoring information required by this permit related to the permittee's sewage sludge use and disposal activities, which shall be retained for a period of at least five years, the permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the sample, measurement, report or application. This period may be extended by request of the Department at any time.

(c) Records of monitoring information shall include:

(i) The date, exact place, and time of sampling or measurements;
(ii) The individual(s) who performed the sampling or measurements;
(iii) The date(s) analyses were performed;
(iv) The individual(s) who performed the analyses;
(v) The analytical techniques or methods used; and
(vi) The results of such analyses.

(d) Monitoring results must be conducted according to test procedures approved under 40 CFR part 136, unless other test procedures have been specified in the permit.

(e) State law provides that any person who tampers with or renders inaccurate any monitoring devices or method required by any provision of law, or any order, rule license, permit approval or decision is subject to the penalties set forth in 38 MRSA, §349.

D. REPORTING REQUIREMENTS

1. Reporting requirements.

(a) Planned changes. The permittee shall give notice to the Department as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:

(i) The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR 122.29(b); or

(ii) The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements under Section D(4).

(iii) The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan;

(b) Anticipated noncompliance. The permittee shall give advance notice to the Department of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

(c) Transfers. This permit is not transferable to any person except upon application to and approval of the Department pursuant to 38 MRSA, § 344 and Chapters 2 and 522.

(d) Monitoring reports. Monitoring results shall be reported at the intervals specified elsewhere in this permit.

(i) Monitoring results must be reported on a Discharge Monitoring Report (DMR) or forms provided or specified by the Department for reporting results of monitoring of sludge use or disposal practices.

(ii) If the permittee monitors any pollutant more frequently than required by the permit using test procedures approved under 40 CFR part 136 or as specified in the permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR or sludge reporting form specified by the Department.

(iii) Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified by the Department in the permit.

(e) Compliance schedules. Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.

(f) Twenty-four hour reporting.

(i) The permittee shall report any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within 5 days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance

has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

(ii) The following shall be included as information which must be reported within 24 hours under this paragraph.

(A) Any unanticipated bypass which exceeds any effluent limitation in the permit.
(B) Any upset which exceeds any effluent limitation in the permit.
(C) Violation of a maximum daily discharge limitation for any of the pollutants listed by the Department in the permit to be reported within 24 hours.

(iii) The Department may waive the written report on a case-by-case basis for reports under paragraph (f)(ii) of this section if the oral report has been received within 24 hours.

(g) Other noncompliance. The permittee shall report all instances of noncompliance not reported under paragraphs (d), (e), and (f) of this section, at the time monitoring reports are submitted. The reports shall contain the information listed in paragraph (f) of this section.

(h) Other information. Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Department, it shall promptly submit such facts or information.

2. Signatory requirement. All applications, reports, or information submitted to the Department shall be signed and certified as required by Chapter 521, Section 5 of the Department's rules. State law provides that any person who knowingly makes any false statement, representation or certification in any application, record, report, plan or other document filed or required to be maintained by any order, rule, permit, approval or decision of the Board or Commissioner is subject to the penalties set forth in 38 MRSA, §349.

3. Availability of reports. Except for data determined to be confidential under A(9), above, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the Department. As required by State law, effluent data shall not be considered confidential. Knowingly making any false statement on any such report may result in the imposition of criminal sanctions as provided by law.

4. Existing manufacturing, commercial, mining, and silvicultural dischargers. In addition to the reporting requirements under this Section, all existing manufacturing, commercial, mining, and silvicultural dischargers must notify the Department as soon as they know or have reason to believe:

(a) That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":

(i) One hundred micrograms per liter (100 ug/l);
(ii) Two hundred micrograms per liter (200 ug/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 ug/l) for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/l) for antimony;
(iii) Five (5) times the maximum concentration value reported for that pollutant in the permit application in accordance with Chapter 521 Section 4(g)(7); or
(iv) The level established by the Department in accordance with Chapter 523 Section 5(f).

(b) That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following ``notification levels":

(i) Five hundred micrograms per liter (500 ug/l);
(ii) One milligram per liter (1 mg/l) for antimony;
(iii) Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with Chapter 521 Section 4(g)(7); or
(iv) The level established by the Department in accordance with Chapter 523 Section 5(f).

5. Publicly owned treatment works.

(a) All POTWs must provide adequate notice to the Department of the following:

(i) Any new introduction of pollutants into the POTW from an indirect discharger which would be subject to section 301 or 306 of CWA or Chapter 528 if it were directly discharging those pollutants.
(ii) Any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of issuance of the permit.
(iii) For purposes of this paragraph, adequate notice shall include information on (A) the quality and quantity of effluent introduced into the POTW, and (B) any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW.

(b) When the effluent discharged by a POTW for a period of three consecutive months exceeds 80 percent of the permitted flow, the permittee shall submit to the Department a projection of loadings up to the time when the design capacity of the treatment facility will be reached, and a program for maintaining satisfactory treatment levels consistent with approved water quality management plans.

E. OTHER REQUIREMENTS

1. Emergency action - power failure. Within thirty days after the effective date of this permit, the permittee shall notify the Department of facilities and plans to be used in the event the primary source of power to its wastewater pumping and treatment facilities fails as follows.

(a) For municipal sources. During power failure, all wastewaters which are normally treated shall receive a minimum of primary treatment and disinfection. Unless otherwise approved, alternate power supplies shall be provided for pumping stations and treatment facilities. Alternate power supplies shall be on-site generating units or an outside power source which is separate and independent from sources used for normal operation of the wastewater facilities.

(b) For industrial and commercial sources. The permittee shall either maintain an alternative power source sufficient to operate the wastewater pumping and treatment facilities or halt, reduce or otherwise control production and or all discharges upon reduction or loss of power to the wastewater pumping or treatment facilities.

2. Spill prevention. (applicable only to industrial sources) Within six months of the effective date of this permit, the permittee shall submit to the Department for review and approval, with or without conditions, a spill prevention plan. The plan shall delineate methods and measures to be taken to prevent and or contain any spills of pulp, chemicals, oils or other contaminates and shall specify means of disposal and or treatment to be used.

3. **Removed substances.** Solids, sludges trash rack cleanings, filter backwash, or other pollutants removed from or resulting from the treatment or control of waste waters shall be disposed of in a manner approved by the Department.

4. **Connection to municipal sewer.** (applicable only to industrial and commercial sources) All wastewaters designated by the Department as treatable in a municipal treatment system will be cosigned to that system when it is available. This permit will expire 90 days after the municipal treatment facility becomes available, unless this time is extended by the Department in writing.

F. DEFINITIONS. For the purposes of this permit, the following definitions shall apply. Other definitions applicable to this permit may be found in Chapters 520 through 529 of the Department's rules

Average means the arithmetic mean of values taken at the frequency required for each parameter over the specified period. For bacteria, the average shall be the geometric mean.

Average monthly discharge limitation means the highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month. Except, however, bacteriological tests may be calculated as a geometric mean.

Average weekly discharge limitation means the highest allowable average of daily discharges over a calendar week, calculated as the sum of all daily discharges measured during a calendar week divided by the number of daily discharges measured during that week.

Best management practices ("BMPs") means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the State. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

Composite sample means a sample consisting of a minimum of eight grab samples collected at equal intervals during a 24 hour period (or a lesser period as specified in the section on monitoring and reporting) and combined proportional to the flow over that same time period.

Continuous discharge means a discharge which occurs without interruption throughout the operating hours of the facility, except for infrequent shutdowns for maintenance, process changes, or other similar activities.

Daily discharge means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the daily discharge is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the daily discharge is calculated as the average measurement of the pollutant over the day.

Discharge Monitoring Report ("DMR") means the EPA uniform national form, including any subsequent additions, revisions, or modifications for the reporting of self-monitoring results by permittees. DMRs must be used by approved States as well as by EPA. EPA will supply DMRs to any approved State upon request. The EPA national forms may be modified to substitute the State Agency name, address, logo, and other similar information, as appropriate, in place of EPA's.

Flow weighted composite sample means a composite sample consisting of a mixture of aliquots collected at a constant time interval, where the volume of each aliquot is proportional to the flow rate of the discharge.

Grab sample means an individual sample collected in a period of less than 15 minutes.

Interference means a Discharge which, alone or in conjunction with a discharge or discharges from other sources, both:

(1) Inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use or disposal; and
(2) Therefore is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued thereunder (or more stringent State or local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), and including State regulations contained in any State sludge management plan prepared pursuant to subtitle D of the SWDA), the Clean Air Act, the Toxic Substances Control Act, and the Marine Protection, Research and Sanctuaries Act.

Maximum daily discharge limitation means the highest allowable daily discharge.

New source means any building, structure, facility, or installation from which there is or may be a discharge of pollutants, the construction of which commenced:

(a) After promulgation of standards of performance under section 306 of CWA which are applicable to such source, or
(b) After proposal of standards of performance in accordance with section 306 of CWA which are applicable to such source, but only if the standards are promulgated in accordance with section 306 within 120 days of their proposal.

Pass through means a discharge which exits the POTW into waters of the State in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation).

Permit means an authorization, license, or equivalent control document issued by EPA or an approved State to implement the requirements of 40 CFR parts 122, 123 and 124. Permit includes an NPDES general permit (Chapter 529). Permit does not include any permit which has not yet been the subject of final agency action, such as a draft permit or a proposed permit.

Person means an individual, firm, corporation, municipality, quasi-municipal corporation, state agency, federal agency or other legal entity.

Point source means any discernible, confined and discrete conveyance, including, but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation or vessel or other floating craft, from which pollutants are or may be discharged.

Pollutant means dredged spoil, solid waste, junk, incinerator residue, sewage, refuse, effluent, garbage, sewage sludge, munitions, chemicals, biological or radiological materials, oil, petroleum products or byproducts, heat, wrecked or discarded equipment, rock, sand, dirt and industrial, municipal, domestic, commercial or agricultural wastes of any kind.

Process wastewater means any water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct, or waste product.

Publicly owned treatment works ("POTW") means any facility for the treatment of pollutants owned by the State or any political subdivision thereof, any municipality, district, quasi-municipal corporation or other public entity.

Septage means, for the purposes of this permit, 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. Septage does not include wastes from a holding tank.

Time weighted composite means a composite sample consisting of a mixture of equal volume aliquots collected over a constant time interval.

Toxic pollutant includes any pollutant listed as toxic under section 307(a)(1) or, in the case of sludge use or disposal practices, any pollutant identified in regulations implementing section 405(d) of the CWA. Toxic pollutant also includes those substances or combination of substances, including disease causing agents, which after discharge or upon exposure, ingestion, inhalation or assimilation into any organism, including humans either directly through the environment or indirectly through ingestion through food chains, will, on the basis of information available to the board either alone or in combination with other substances already in the receiving waters or the discharge, cause death, disease, abnormalities, cancer, genetic mutations, physiological malfunctions, including malfunctions in reproduction, or physical deformations in such organism or their offspring.

Wetlands means those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

Whole effluent toxicity means the aggregate toxic effect of an effluent measured directly by a toxicity test.

MAINE POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT

AND

MAINE WASTE DISCHARGE LICENSE

FACT SHEET

Date: **February 3, 2020**

PERMIT NUMBER: **ME0100951**
LICENSE NUMBER: **W00632-6C-M-R**

NAME AND ADDRESS OF APPLICANT:

PARIS UTILITY DISTRICT
P.O. Box 154
South Paris, ME. 04281

COUNTY: **Oxford County**

NAME AND ADDRESS WHERE DISCHARGE OCCURS:

PARIS UTILITY DISTRICT
C.N. Brown Way
Paris, ME. 04281

RECEIVING WATER/CLASSIFICATION: **Little Androscoggin River/Class C**

COGNIZANT OFFICIAL AND TELEPHONE NUMBER: **Ms. Penny Lowe, Utility Mgr.**
(207) 743-6251
e-mail: parisutility1@myfairpoint.net

1. APPLICATION SUMMARY

a. Application: The PUD has submitted a timely and complete application to the Department of Environmental Protection (Department hereinafter) to renew combination Maine Pollutant Discharge Elimination System (MEPDES) permit #ME0100951/Waste Discharge License #W000632-6C-L-R (permit hereinafter) that was issued by the Board of Environmental Protection (board hereinafter) on November 20, 2014, for a five-year term. The November 20, 2014, permit approved a monthly average discharge of up to 0.65 million gallons per day (MGD) of secondary treated waste water and an unspecified quantity of untreated combination storm water and sanitary waste waters from a combined sewer overflow (CSO) from the PUD waste water treatment facility, to the Little Androscoggin River, Class C, in Paris, Maine.

1. APPLICATION SUMMARY

The November 20, 2014, permit included approval of acute and chronic site-specific aquatic life ambient water quality criteria (AWQC) for total copper for the Little Androscoggin River from the PUD outfall downstream to the confluence with the main stem of the Androscoggin River in the City of Auburn. At the PUD's request, the Board assumed jurisdiction of the permit as 06-096 CMR Chapter 584 §3(B) states establishment of site specific criteria must be initiated with a request that the Board assume jurisdiction for issuance of the license.

b. Source Description: The facility located on C.N. Brown Way in Paris treats domestic, light industrial and commercial waste waters within the District's boundaries. There are no significant industrial users contributing flows or pollutant loading greater than 10% of PUD's influent. The PUD maintains both a separate sanitary and combined sanitary/storm water collection systems. As a result, the facility had one combined sewer overflow (CSO) point located at the treatment facility at the time of the previous permitting action. The previous permit established a schedule of compliance with a date of June 1, 2019, to eliminate the CSO. The PUD has complied with said deadline. The waste water treatment facility is authorized to receive up to 5,000 gallons per day of transported wastes from local septage haulers.

c. Waste Water Treatment – The PUD treatment system provides a secondary level of treatment via an activated sludge process. In 2010 – 2011, the treatment system was significantly modified so that the then existing secondary treatment aeration (6 tanks) and 2 clarification units have become stormwater storage totaling 1.79 Million gallons and the dual chlorine contact (disinfection) basins have been eliminated. The existing headworks and tannery pretreatment system have been entirely retrofitted as the new preliminary and secondary treatment process consisting of new screenings and grit removal systems, stormwater flow diversion system, 2 diffused air mixing basins, 2 new clarifiers, and disinfection tank. After disinfection within the chlorine contact tank treated effluent is dechlorinated prior to discharge to the Little Androscoggin River via an outfall pipe without a diffuser. Other components of the treatment plant include 2 new mechanically mixed sludge holding tanks, sludge dewatering equipment, geothermal heating systems and septage receiving equipment.

2. PERMIT SUMMARY

a. Terms and Conditions - This permitting action is carrying forward all the terms and conditions of the previous permitting action with the following exceptions as this permit:

1. Revising the seasonal disinfection season from May 15th – September 30th to April 15th – October 31st based a revision to Maine law 38 M.R.S. §465(4)(B).

2. Eliminating Special Condition J, *Combined Sewer Overflows*, from the permit as the permittee has eliminated CSO #002 as of June 1, 2019.

3. Establishing Special Condition J, *Waste Water Treatment Emergency Bypass*, requiring monitoring and reporting of bypasses of secondary treatment during wet weather events.

b. History: The most recent licensing/permitting actions include the following:

February 13, 1995 - The Department issued WDL #W000632-46-C-R for five-year term.

August 11, 1997 – The Department issued WDL modification #W000632-46-D-M which removed the limitations for aluminum, modified the whole effluent toxicity (WET) testing requirements and required the PUD to submit a toxicity reduction evaluation (TRE) plan to the Department by September 1, 1997.

August 27, 1997 - The PUD submitted a TRE plan which satisfied Special Condition B of WDL Modification #W000632-46-D-M issued on 8/11/97.

February 23, 1999 – The Department issued WDL modification #W000632-46-E-M which established limitations for various metals and WET species that exceeded or had a reasonable potential to exceed ambient water quality criteria/thresholds. Special Condition B of the license modification established a three-year schedule of compliance for the PUD facility to come into compliance with the new water quality-based limits for copper and lead and required the PUD to submit an updated TRE plan by November 1, 1999.

August 4, 1999- The U.S. Environmental Protection Agency (EPA) issued National Pollutant Discharge Elimination System (NPDES) permit #ME0100951 for a five-year term.

December 10, 1999 – The PUD submitted an up-dated TRE plan that fulfilled their obligation to do so as required in WDL modification #W000632-46-E-M dated 2/23/99.

February 17, 2000 – The Department issued a letter to the PUD that administratively modified the WDL by reducing the testing frequency for lead based on an up-to-date statistical evaluation of the lead results on file at the Department.

2. PERMIT SUMMARY (cont'd)

May 23, 2000 – The Department issued a modification of the 2/13/95 WDL by establishing interim average and maximum concentration limits for mercury.

June 8, 2000 - The Department issued a letter to the PUD that modified the WET testing requirements of the WDL as a result of testing conducted as part of the on-going TRE. The letter also agreed to round off the daily maximum total chlorine residual (TRC) of 0.048 mg/L to 0.050 mg/L in the next WDL renewal.

January 12, 2001 - The State of Maine received authorization from the EPA to administer the NPDES permitting program in Maine. From that date forward, the permitting program has been referred to as the MEPDES permit program.

August 21, 2001 – The Department issued combination MEPDES permit #ME0100951/WDL #W000632-5L-G-R for a five-year term.

July 12, 2002 – The Department issued a modification of the 8/21/01 permit by modifying Special Condition J, *Schedule of Compliance,* for copper, added six compliance milestones and extended the effective date for copper limits from February 22, 2002 to December 31, 2004.

October 25, 2002 – The Department issued a modification of the 8/21/01 permit by modifying Special Condition J, *Schedule of Compliance* for copper, by extending each of the six compliance milestones by six months and extending the effective date for copper limits six months to June 30, 2005.

April 10, 2006 – The Department issued a modification of the 8/21/01 permit by incorporating whole effluent toxicity (WET) and chemical specific testing requirements pursuant to Department rule, 06-096 CMR, Chapter 530, *Surface Water Toxics Control Program,* promulgated on October 12, 2005.

June 28, 2006 – The PUD submitted a timely and complete application to the Department to renew the 8/21/01 permit.

November 12, 2009 – The PUD and the State of Maine entered into a Consent Agreement to resolve violations of toxic pollutant limits established in the 8/21/01 MEPDES permit.

February 6, 2012 - The Department issued a modification of WDL #W00632-5L-G-R / MEPDES Permit #ME0100951 for reduction of mercury testing frequency from 4/Year to 1/Year based on *Certain deposits and discharges prohibited*, 38 M.R.S.A., § 420 sub-§1-B(F).

April 2, 2013 – The Department issued a modification of WDL #W00632-5L-G-R / MEPDES Permit #ME0100951 that modified the whole effluent toxicity (WET), analytical chemistry and priority pollutant testing requirements based on a statistical evaluation of WET and chemical specific data on file at the Department.

2. PERMIT SUMMARY (cont'd)

March 17, 2014 – The PUD submitted a revised permit application to the Department in which the PUD requested approval of acute and chronic site specific aquatic life AWQC for total copper and a request that the Board take jurisdiction of the permit application.

June 19, 2014 – The Board assumed jurisdiction of the PUD permit application and released a draft MEPDES permit for a formal public comment period running through the close of record in the licensing hearing identified below.

September 18, 2014 – Pursuant to 38 M.R.S.A. 420(2)(B)(1), the Board held a public licensing hearing on the draft permit and the proposed site-specific aquatic life AWQC for total copper.

October 9, 2014 – The Board issued a revised draft MEPDES permit for a 15 working day comment period.

November 20, 2014 – The Board issued MEPDES permit ME0100951/ Maine WDL #W000632-6C-K-R for a five-year term.

August 2, 2019 – The PUD submitted a timely and complete application to the Department to renew the November 20, 2014, MEPDES permit/WDL.

3. CONDITIONS OF PERMITS

Maine law, 38 M.R.S. Section 414-A, requires that the effluent limitations prescribed for discharges, including, but not limited to, effluent toxicity, require application of best practicable treatment (BPT), be consistent with the U.S. Clean Water Act, and ensure that the receiving waters attain the State water quality standards as described in Maine's Surface Water Classification System. In addition, 38 M.R.S., Section 420 and Department rule 06-096 CMR Chapter 530, *Surface Water Toxics Control Program,* require the regulation of toxic substances not to exceed levels set forth in Department rule 06-096 CMR Chapter 584, *Surface Water Quality Criteria for Toxic Pollutants*, and that ensure safe levels for the discharge of toxic pollutants such that existing and designated uses of surface waters are maintained and protected.

4. RECEIVING WATER QUALITY STANDARDS

Maine law, 38 M.R.S., §467(1)(B)(1)(b) states that at the point of discharge the Little Androscoggin River is classified as a Class C waterway. Maine law, 38 M.R.S., §465(4) contains the classification standards for Class C waters as follows:

A. *Class C waters must be of such quality that they are suitable for the designated uses of drinking water supply after treatment; fishing; agriculture; recreation in and on the water; industrial process and cooling water supply; hydroelectric power generation, except as prohibited under Title 12, section 403; navigation; and as a habitat for fish and other aquatic life.*

4. RECEIVING WATER QUALITY STANDARDS (cont'd)

B. The dissolved oxygen content of Class C water may not be less than 5 parts per million or 60% of saturation, whichever is higher, except that in identified salmonid spawning areas where water quality is sufficient to ensure spawning, egg incubation and survival of early life stages, that water quality sufficient for these purposes must be maintained. In order to provide additional protection for the growth of indigenous fish, the following standards apply.

(1) The 30-day average dissolved oxygen criterion of a Class C water is 6.5 parts per million using a temperature of 22 degrees centigrade or the ambient temperature of the water body, whichever is less, if:

(a) A license or water quality certificate other than a general permit was issued prior to March 16, 2004 for the Class C water and was not based on a 6.5 parts per million 30-day average dissolved oxygen criterion; or

(b) A discharge or a hydropower project was in existence on March 16, 2005 and required but did not have a license or water quality certificate other than a general permit for the Class C water.

This criterion for the water body applies to licenses and water quality certificates issued on or after March 16, 2004.

(2) In Class C waters not governed by subparagraph (1), dissolved oxygen may not be less than 6.5 parts per million as a 30-day average based upon a temperature of 24 degrees centigrade or the ambient temperature of the water body, whichever is less. This criterion for the water body applies to licenses and water quality certificates issued on or after March 16, 2004.

The department may negotiate and enter into agreements with licensees and water quality certificate holders in order to provide further protection for the growth of indigenous fish. Agreements entered into under this paragraph are enforceable as department orders according to the provisions of sections 347-A to 349.

Between April 15th and October 31st, the number of Escherichia coli bacteria in Class C waters may not exceed a geometric mean of 100 CFU per 100 milliliters over a 90-day interval or 236 CFU per 100 milliliters in more than 10% of the samples in any 90-day interval. The board shall adopt rules governing the procedure for designation of spawning areas. Those rules must include provision for periodic review of designated spawning areas and consultation with affected persons prior to designation of a stretch of water as a spawning area.

4. RECEIVING WATER QUALITY STANDARDS (cont'd)

C. *Discharges to Class C waters may cause some changes to aquatic life, except that the receiving waters must be of sufficient quality to support all species of fish indigenous to the receiving waters and maintain the structure and function of the resident biological community. For the purpose of allowing the discharge of aquatic pesticides or chemicals approved by the department and conducted by the department, the Department of Inland Fisheries and Wildlife or an agent of either agency to restore biological communities affected by an invasive species, the department may find that the discharged effluent will not cause unacceptable changes to aquatic life as long as the materials and methods used will ensure the support of all species of indigenous fish and the structure and function of the resident biological community and will allow restoration of nontarget species.*

5. RECEIVING WATER QUALITY CONDITIONS

A document entitled, The 2016 Integrated Water Quality Monitoring and Assessment Report, [often referred to as the 305(b) Report] published by the Department lists a 37-mile segment of the Little Androscoggin River, Class C, from the Rt. 26 bridge in Paris to a point 25 miles below the Rt. 121 bridge in Oxford (assessment unit IDs ME0104000209_416R and ME0104000209_417R_01) in a table entitled, *Category 2: Rivers and Streams Attaining Some Designated Uses – Insufficient Information for Other Uses.*

All freshwaters in the State of Maine are listed in the table entitled, *Category 4-A: Rivers and Streams with Impaired Use, TMDL Completed, Waters Impaired by Atmospheric Deposition of Mercury* of the 305(b) report. The report states the impairment is caused by atmospheric deposition of mercury; a regional scale TMDL has been approved. Maine has a fish consumption advisory for fish taken from all freshwaters due to mercury. Many waters and many fish from any given water, do not exceed the action level for mercury. However, because it is impossible for someone consuming a fish to know whether the mercury level exceeds the action level, The Maine Department of Health and Human Services decided to establish a statewide advisory for all freshwater fish that recommends limits on consumption. Maine has already instituted statewide programs for removal and reduction of mercury sources.

Pursuant to Maine law, 38 M.R.S. §420(1-B)(B), *"a facility is not in violation of the ambient criteria for mercury if the facility is in compliance with an interim discharge limit established by the Department pursuant to section 413 subsection 11."* The Department has established interim average and maximum mercury concentration limits for this facility. See the discussion in section 6(j) of this Fact Sheet.

The Department has no information at this time that the discharge from the permittee's facility will cause or contribute to the failure of the receiving water to meet the designated uses of its ascribed classification.

6. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

a. Flow: The monthly average flow limitation of 0.65 MGD in the previous permitting action is being carried forward in this permitting action and is considered to be representative of the monthly average design flow for the waste water treatment facility. A review of the monthly Discharge Monitoring Report (DMR) data for the period January 2017 – August 2019 indicates flows have been reported (n= 32) as follows;

Flow (DMRs=32)

Value	Limit (MGD)	Range (MGD)	Mean (MGD)
Monthly Average	0.65	0.20 – 0.60	0.32
Daily Maximum	Report	0.26 – 0.96	0.521

b. Dilution Factors: The previous permit established applicable dilution factors for the discharge in accordance with freshwater protocols established in Department rule 06-096 CMR, Chapter 530, *Surface Water Toxics Control Program*, October 2005 and are being carried forward in this permit. With a monthly average treatment plant design flow of 0.65 MGD, dilution calculations are as follows:

Acute: 1Q10 = 3.0 cfs $\Rightarrow$ $\frac{(3.0 \text{ cfs})(0.6464) + 0.65 \text{ MGD}}{0.65 \text{ MGD}} = 3.98{:}1$

Chronic: 7Q10 = 4.0 cfs $\Rightarrow$ $\frac{(4.0 \text{ cfs})(0.6464) + 0.65 \text{ MGD}}{0.65 \text{ MGD}} = 4.98{:}1$

Harmonic Mean: 41.8 cfs $\Rightarrow$ $\frac{(41.8 \text{ cfs})(0.6464) + 0.65 \text{ MGD}}{0.65 \text{ MGD}} = 42.57{:}1$

c. Biochemical Oxygen Demand (BOD5) & Total Suspended Solids (TSS) – The previous permitting action established seasonal BOD5 and TSS limitations based on water quality considerations (dissolved oxygen) in the Little Androscoggin River during the summer months. The limitations are being carried forward in this permitting action. The monthly and weekly average BOD5 and TSS concentration limits of 30 mg/L and 45 mg/L respectively, are based on secondary treatment requirements pursuant to Department Rule, 06-096 CMR, Chapter 525(3)(III). The maximum daily BOD5 and TSS concentration limits of 50 mg/L are based on a Department best professional judgment of best practicable treatment (BPT).

The mass limits for BOD5 and TSS for the period June 1 – August 31 were calculated based on a summertime treatment plant flow of 0.45 MGD and the corresponding monthly average, weekly average and daily maximum concentration limits. For the period September 1 – May 31, the mass limits were based on the treatment facility's monthly average design capacity (and permit limit) of 0.65 MGD and the corresponding monthly average, weekly average and daily maximum concentration limits. The seasonal mass limits were derived as follows:

6. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (cont'd)

June 1 – August 31

Monthly average = (30 mg/L) (0.45 MGD) (8.34) = 113 lbs/Day.
Weekly average = (45 mg/L) (0.45 MGD) (8.34) = 169 lbs/Day.
Daily maximum = (50 mg/L) (0.45 MGD) (8.34) = 188 lbs/Day.

September 1 – May 31

Monthly average = (30 mg/L) (0.65 MGD) (8.34) = 163 lbs/Day.
Weekly average = (45 mg/L) (0.65 MGD) (8.34) = 244 lbs/Day.
Daily maximum = (50 mg/L) (0.65 MGD) (8.34) = 271 lbs/Day.

This permitting action is carrying forward a monthly average percent removal of 85 percent for BOD and TSS pursuant to Department rule Chapter 525(3)(III)(a&b)(3).

A review of the monthly DMR data for the period January 2017 – August 2019 indicates year-round BOD and TSS values have been reported as follows:

BOD Mass (DMRs=32)

Value	Limit (lbs/day)	Range (lbs/day)	Mean (lbs/day)
Monthly Average	113/163	6 - 62	16
Weekly Average	244	8 - 155	25
Daily Maximum	188/271	10 - 254	30

BOD Concentration (DMRs=32)

Value	Limit (mg/L)	Range (mg/L)	Mean (mg/L)
Monthly Average	30	3 - 12	5
Weekly Average	45	4 - 27	8
Daily Maximum	50	4 - 43	9

TSS mass (DMRs=32)

Value	Limit (lbs/day)	Range (lbs/day)	Mean (lbs/day)
Monthly Average	113/163	4 - 28	9
Weekly Average	244	5 - 71	16
Daily Maximum	Report	6 - 106	20

TSS concentration (DMRs=32)

Value	Limit (mg/L)	Range (mg/L)	Mean (mg/L)
Monthly Average	30	2 - 5	3
Weekly Average	45	3 - 13	5
Daily Maximum	50	2 - 18	6

6. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (cont'd)

Monitoring frequencies for BOD and TSS of 2/Week are being carried forward from the previous permitting action and are based on a longstanding Department guidance document for facilities with a monthly average flow greater than 0.10 MGD and 1.0 MGD.

d. Settleable Solids - The previous permit established a daily maximum concentration limit of 0.3 ml/L that is considered a BPT limitation. A review of the monthly DMR data for the period January 2017 – January 2014 indicates settleable solids have been reported as <0.1 ml/L for every month during said period.

e. *E. coli* bacteria - The previous permitting action established seasonal (May 15 – September 30) monthly average and daily maximum *E. coli* bacteria limits of 126 colonies/100 ml and 949 colonies/100 ml respectively, based on the State of Maine Water Classification Program criteria for Class C waters found at Maine law, 38 M.R.S. §465(4). During calendar year 2005, Maine's Legislature approved new monthly average and daily maximum water quality standards of 126 colonies/100 ml and 236 colonies/100 ml respectively, for water bodies designated as Class C. As a result, the previous permit establishing the new monthly average limit of 126 colonies/100 ml and carried forward the daily maximum limit of 949 colonies/100 ml given the acute dilution associated with the discharge is 4.0:1 resulting in an in-stream bacteria count of <236 colonies/100 ml.

On August 2, 2018, 38 M.R.S. §465 (B) was revised to expand the season in which *E. coli* bacteria limitations are applicable. The season was revised from May 15th – September 30th to April 15th – October 31st. This revision is being imposed in the this permit however, the Department reserves the right to impose year-round bacteria limits if deemed necessary to protect the health, safety and welfare of the public.

A review of the monthly DMR data for the period May 2017 – June 2019 indicates *E. coli.* bacteria values have been reported as follows:

***E coli.* bacteria (DMRs=14)**

Value	Limit (col/100 ml)	Range (col/100 ml)	Mean (col/100 ml)
Monthly Average	142	1 - 16	5
Daily Maximum	949	4 - 186	38

6. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (cont'd)

f. Total Residual Chlorine (TRC): Limits on TRC are specified to ensure attainment of the ambient water quality criteria (AWQC) for levels of chlorine and that the BPT is used to abate the discharge of chlorine. The more stringent of the two limits is established in permits. The previous permitting action established water quality-based monthly average and daily maximum concentration limits of 0.06 mg/L and 0.08 mg/L respectively and were calculated as follows:

Daily maximum = (freshwater acute criteria)(acute dilution)
= (0.019 mg/L)(4.0) = 0.076 mg/L or 0.08 mg/L

Monthly average = (freshwater chronic criteria)(chronic Dilution)
= (0.011 mg/L)(5.0) = 0.055 mg/L or 0.06 mg/L

To meet the water quality-based thresholds calculated above, the permittee must dechlorinate the effluent prior to discharge. The Department has established a daily maximum BPT limitation of 0.3 mg/L for facilities that need to dechlorinate their effluent unless calculated water quality-based thresholds are lower than 0.3 mg/L. In the case of the PUD, the acute water quality-based threshold calculated above is lower than 0.3 mg/l, thus the water quality based limitation of 0.08 mg/L is being imposed. As for the monthly average limitation, the Department's BPT limitation is 0.1 mg/L. Being that the calculated water quality-based limit is lower than 0.1 mg/L, the water quality-based limitation of 0.06 mg/L is being imposed.

A review of the monthly DMR data for the period May 2017 – August 2019 indicates both monthly average and daily maximum TRC values have been reported as follows.

TRC Concentration (DMRs=14)

Value	Limit (mg/L)	Range (mg/L)	Mean (mg/L)
Monthly Average	0.06	<0.06 – 0.06	0.06
Daily Maximum	0.08	<0.06 – 0.07	0.06

g. pH - The previous permitting action established a technology based BPT pH range limitation of 6.0 –9.0 standard units pursuant to Department Rule, 06-096 CMR, Chapter 525(3)(III)(c). The limitation is being carried forward in this permitting action. A review of the monthly DMR data for the period January 2017 – August 2019 indicates all pH values reported to the Department were between 6.4 – 7.7 standard units.

6. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (cont'd)

h. Total Orthophosphate – The previous permitting action established a seasonal (June 1 – August 31) monthly average mass limit of 2.0 lbs/day. The mass limit was based on water quality considerations to mitigate the algal growth in the Little Androscoggin River which in turn contributes to dissolved oxygen depletion in the receiving water. The water quality-based mass limit is being carried forward in this permitting action.

A review of the monthly DMR data for the period June 2017 – August 2019 indicates the monthly average mass and concentration of orthophosphate have been reported s follows;

Orthophosphate Mass (DMRs=9)

Value	Limit (lbs/day)	Range (lbs/day)	Mean (lbs/day)
Monthly Average	2.0	0.37 – 0.82	0.63

Orthophosphate Concentration (DMRs=9)

Value	Limit (mg/L)	Range (mg/L)	Mean (mg/L)
Monthly Average	Report	0.16 – 0.43	0.3

i. Whole Effluent Toxicity (WET) & Chemical-Specific Testing: Maine law, 38 M.R.S., Sections 414-A and 420, prohibit the discharge of effluents containing substances in amounts that would cause the surface waters of the State to contain toxic substances above levels set forth in Federal Water Quality Criteria as established by the USEPA. Department rule, 06-096 CMR Chapter 530, *Surface Water Toxics Control Program*, and 06-096 CMR Chapter 584, *Surface Water Quality Criteria for Toxic Pollutants* set forth ambient water quality criteria (AWQC) for toxic pollutants and procedures necessary to control levels of toxic pollutants in surface waters.

WET, priority pollutant and analytical chemistry testing as required by 06-096 CMR Chapter 530, is included in this permit in order to fully characterize the effluent. This permit also provides for reconsideration of effluent limits and monitoring schedules after evaluation of toxicity testing results. The monitoring schedule includes consideration of results currently on file, the nature of the waste water, existing treatment and receiving water characteristics.

WET monitoring is required to assess and protect against impacts upon water quality and designated uses caused by the aggregate effect of the discharge on specific aquatic organisms. Acute and chronic WET tests are performed on invertebrate and vertebrate species. Priority pollutant and analytical chemistry testing is required to assess the levels of individual toxic pollutants in the discharge, comparing each pollutant to acute, chronic, and human health AWQC as established in 06-096 CMR Chapter 584.

6. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (cont'd)

Chapter 530 establishes four categories of testing requirements based predominately on the chronic dilution factor. The categories are as follows:

1) Level I – chronic dilution factor of <20:1.
2) Level II – chronic dilution factor of ≥20:1 but <100:1.
3) Level III – chronic dilution factor ≥100:1 but <500:1 or >500:1 and Q ≥1.0 MGD
4) Level IV – chronic dilution >500:1 and Q ≤1.0 MGD

Department rule 06-096 CMR Chapter 530 (1)(D) specifies the criteria to be used in determining the minimum monitoring frequency requirements for WET, priority pollutant and analytical chemistry testing. Based on the 06-096 CMR Chapter 530 criteria, the PUD facility falls into the Level I frequency category as the facility has a chronic dilution factor of <20:1. 06-096 CMR Chapter 530(1)(D)(1) specifies that routine screening and surveillance level testing requirements are as follows:

Screening level testing – Beginning 24 months prior to permit expiration and lasting through 12 months prior to permit expiration (Year 4 of the term of the permit) and every five years thereafter.

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

Surveillance level testing – Beginning upon permit issuance and lasting through 24 months prior to permit expiration (Years 1, 2 & 3 of the term of the permit) and commencing again 12 months prior to permit expiration (Year 5 of the term of the permit),

Level	WET Testing	Priority pollutant testing	Analytical chemistry
I	2 per year	None required	4 per year

A review of the data on file with the Department indicates that to date, PUD has fulfilled the WET and chemical-specific testing requirements of Chapter 530. See **Attachment A** of this Fact Sheet for a summary of the WET test and **Attachment B** of this Fact Sheet for chemical-specific test dates and results of parameters of concern.

6. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (cont'd)

Department rule 06-096 CMR Chapter 530(D)(3)(c) states in part *"Dischargers in Level I may reduce surveillance testing to one WET or specific chemical series per year provided that testing in the preceding 60 months does not indicate any reasonable potential for exceedance as calculated pursuant to section 3(E)."*

Department rule 06-096 CMR Chapter 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 exceedance of water quality criteria, appropriate water quality-based limits must be established in any licensing action.*"

Department rule 06-096 CMR Chapter 530 §3 states, "*In determining if effluent limits are required, the Department shall consider all information on file and effluent testing conducted during the preceding 60 months. However, testing done in the performance of a Toxicity Reduction Evaluation (TRE) approved by the Department may be excluded from such evaluations.*"

WET Evaluation

On September 26, 2019, the Department conducted a statistical evaluation on the most recent 60 months WET test results on file at the Department. The statistical evaluation indicates the discharge from the PUD waste water treatment facility has one WET result of 20.1% on 5/5/19 for the water flea that has a reasonable potential to exceed the critical chronic water quality threshold of 20%. As a result, the C-NOEL limit of 20% for the water flea and the monitoring frequency of 2/Year are being carried forward for the water flea in this permitting action. This permit carries forward a reduced surveillance level testing frequency of 1/Year for the brook trout pursuant to 06-096 CMR Chapter 530 given the statistical evaluation indicates no reasonable potential to exceed the acute or chronic critical thresholds for the brook trout. Testing must be conducted in different calendar quarters such that at least one test is conducted in each calendar quarter of the year for each test species during surveillance level testing.

Beginning 24 months prior to permit expiration and lasting through 12 months prior to permit expiration (Year 4 of the term of the permit) and every five years thereafter if a timely request for renewal has been made and the permit continues in force, or is replaced by a permit renewal containing this requirement, the permittee must conduct screening level testing at a frequency of 1/Quarter.

6. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (cont'd)

Analytical chemistry & priority pollutant testing evaluation

The previous permitting action established water quality-based monthly average and or daily maximum mass and concentration limits for copper, lead and zinc. The justification for the water quality-based limitations was based on a statistical evaluation of the tests results for the period June 2011 August 2014 (post treatment plant upgrade completion).

Department rule 06-096 CMR Chapter 530 §4(C), states *"The background concentration of specific chemicals must be included in all calculations using the following procedures. The Department may publish and periodically update a list of default background concentrations for specific pollutants on a regional, watershed or statewide basis. In doing so, the Department shall use data collected from reference sites that are measured at points not significantly affected by point and non-point discharges and best calculated to accurately represent ambient water quality conditions. The Department shall use the same general methods as those in section 4(D) to determine background concentrations. For pollutants not listed by the Department, an assumed concentration of 10% of the applicable water quality criteria must be used in calculations."* The Department has limited information on the background levels of metals in the water column in the Little Androscoggin River in the vicinity of the permittee's outfall. Therefore, a default background concentration of 10% of the applicable water quality criteria is being used in the calculations of this permitting action.

Department rule 06-096 CMR Chapter 530 4(E), states "*In allocating assimilative capacity for toxic pollutants, the Department shall hold a portion of the total capacity in an unallocated reserve to allow for new or changed discharges and non-point source contributions. The unallocated reserve must be reviewed and restored as necessary at intervals of not more than five years. The water quality reserve must be not less than 15% of the total assimilative quantity."* However, in May 2012, Maine law 38 M.R.S.A. §464, ¶¶ J was enacted which reads as follows, *"For the purpose of calculating waste discharge license limits for toxic substances, the department may use any unallocated assimilative capacity that the department has set aside for future growth if the use of that unallocated assimilative capacity would avoid an exceedance of applicable ambient water quality criteria or a determination by the department of a reasonable potential to exceed ambient water quality criteria.."*

Department rule 06-096 CMR Chapter 530 §(3)(E) states *"... that a discharge contains pollutants or WET at levels that have a reasonable potential to cause or contribute to an exceedance of water quality criteria, appropriate water quality-based limits must be established in any licensing action."*

Department rule 06-096 CMR Chapter 530 §(3)(D) states *"Expression of effluent limits. Where the need for effluent limits has been determined, limits derived from acute water quality criteria must be expressed as daily maximum values. Limits derived from chronic or human health criteria must be expressed as monthly average values."*

6. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (cont'd)

Department rule 06-096 CMR Chapter 530 §4(F) states in part "*Where there is more than one discharge into the same fresh or estuarine receiving water or watershed, the Department shall consider the cumulative effects of those discharges when determining the need for and establishment of the level of effluent limits. The Department shall calculate the total allowable discharge quantity for specific pollutants, less the water quality reserve and background concentration, necessary to achieve or maintain water quality criteria at all points of discharge, and in the entire watershed. The total allowable discharge quantity for pollutants must be allocated consistent with the following principles.*

Evaluations must be done for individual pollutants of concern in each watershed or segment to assure that water quality criteria are met at all points in the watershed and, if appropriate, within tributaries of a larger river.

The total assimilative capacity, less the water quality reserve and background concentration, may be allocated among the discharges according to the past discharge quantities for each as a percentage of the total quantity of discharges, or another comparable method appropriate for a specific situation and pollutant. Past discharges of pollutants must be determined using the average concentration discharged during the past five years and the facility's licensed flow.

The amount of allowable discharge quantity may be no more than the past discharge quantity calculated using the statistical approach referred to in section 3(E) [Section 3.3.2 and Table 3-2 of USEPA's "Technical Support Document for Water Quality-Based Toxics Control"] of the rule, but in no event may allocations cause the water quality reserve amount to fall below the minimum referred to in 4(E) [15% of the total assimilative capacity]. Any difference between the total allowable discharge quantity and that allocated to existing dischargers must be added to the reserve.

The Little Androscoggin River is a tributary to the Androscoggin River. Four municipal waste water treatment facilities that are subject to the Department's 06-096 CMR Chapter 530 testing requirements discharge to the Little Androscoggin River. The waste water treatment facilities are the PUD, Town of Norway, Town of Oxford and the Mechanic Falls Sewer District. The Paris Utility District facility is the most upstream facility and the Mechanic Falls facility is the most downstream facility. As previously cited, 06-096 CMR Chapter 530 requires that AWQC must be met at the confluence of the Little Androscoggin River and the Androscoggin River as well as at the individual discharge points on the Little Androscoggin River after taking into consideration historic discharge levels for all three facilities as well as an allocation dedicated to background (10% of AWQC) and a reserve (0% of AWQC).

6. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (cont'd)

As with WET test results, the Department conducted a statistical evaluation on 9/26/19 (report ID #1039) on the most recent 60 months of analytical chemistry and priority pollutant data. The statistical evaluation indicates the PUD facility has test results that have a reasonable potential to exceed the acute and or chronic AWQC for cadmium, copper, lead, silver and zinc. According to the 9/26/19 statistical evaluation all parameters of concern are to be limited based on the individual allocation method due to the low dilution factors associated with the facility.

06-096 CMR Chapter 530 §(3)(D)(1) stated "*For specific chemicals, effluent limits must be expressed in total quantity that may be discharged and in effluent concentration. In establishing concentration, the Department may increase allowable values to reflect actual flows that are lower than permitted flows and/or provide opportunities for flow reductions and pollution prevention provided water quality criteria are not exceeded. With regard to concentration limits, the Department may review past and projected flows and set limits to reflect proper operation of the treatment facilities that will keep the discharge of pollutants to the minimum level practicable.*" However, in May 2012, Maine law 38 M.R.S.A. §464, ¶¶ K was enacted which reads as follows, "*Unless otherwise required by an applicable effluent limitation guideline adopted by the department, any limitations for metals in a waste discharge license may be expressed only as mass-based limits.*" There are no applicable effluent limitation guidelines adopted by the Department or the USEPA for metals for discharges from publicly owned treatment works. Therefore, concentration limits for pollutants of concern identified in Report ID 1039 that exceed or have a reasonable potential to exceed applicable ambient water quality criteria are not being established in this permitting action.

Individual allocation

Cadmium

The previous permit did not establish any limitations for cadmium as it was not a pollutant of concern at that time. Report #1039 (9/26/19) does indicate a test result of 1 ug/L on 10/11/15 for cadmium has a reasonable potential to exceed the chronic AWQC (revised 2/16/2020) of 0.22 ug/L. In the individual allocation, the Department continues to utilize the formula it has used in permitting actions since October 2005 taking into consideration background (10% of AWQC) and a reserve (0% of AWQC). The formula is as follows:

EOP concentration = [Dilution factor x 0.90 x AWQC] + [0.10 x AWQC]
Mass limit = (EOP concentration in mg/L)(8.34 lbs/gal)(Permit flow limit in MGD)

Therefore, limitations may be calculated as follows:
Chronic AWQC = 0.22 ug/L
Chronic dilution factor = 4.98:1
EOP concentration = [Dilution factor x 0.90 x AWQC] + [0.10 x AWQC]

EOP = [4.98 x 0.90 x 0.22 ug/L] + [0.10 x 0.22 ug/L] = 1.00 ug/L

6. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (cont'd)

Based on a permitted flow of 0.65 MGD, EOP mass limits are as follows:

Parameter	Calculated EOP Concentrations	Monthly Avg. Mass Limit
Cadmium	1.00 ug/L	0.005 lbs/day

Example Calculation: Cadmium - $\frac{(1.00 \text{ ug/L})(8.34)(0.65 \text{ MGD})}{1{,}000 \text{ ug/mg}}$ = **0.005 lbs/day**

Copper (Total)

The previous permit established monthly average and daily maximum water quality-based mass limitations of 0.17 lbs/day and 0.22 lbs/day respectively, for total copper along with monthly average and daily maximum reporting requirements for concentration. The limitations were calculated as follows:

Acute AWQC= 10.85 ug/L(*)
Acute dilution factor = 3.98:1
EOP concentration = [Dilution factor x 0.90 x AWQC] + [0.10 x AWQC]

EOP = [3.98 x 0.90 x 10.85 ug/L] + [0.10 x 10.85 ug/L] = 39.9 ug/L

Based on a permitted flow of 0.65 MGD, EOP mass limits are as follows:

Parameter	Calculated EOP Concentrations	Daily Max. Mass Limit
Copper	39.9 ug/L	0.22 lbs/day

Example Calculation: Copper - $\frac{(39.9 \text{ ug/L})(8.34)(0.65 \text{ MGD})}{1{,}000 \text{ ug/mg}}$ = **0.22 lbs/day**

Chronic AWQC = 6.78 ug/L(*)
Chronic dilution factor = 4.98:1
EOP concentration = [Dilution factor x 0.90 x AWQC] + [0.10 x AWQC]

EOP = [4.98 x 0.90 x 6.78 ug/L] + [0.10 x 6.78 ug/L] = 31.1 ug/L

6. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (cont'd)

Copper (Total):

Based on a permitted flow of 0.65 MGD, EOP mass limits are as follows:

Parameter	Calculated EOP Concentrations	Monthly Avg. Mass Limit
Copper	31.1 ug/L	0.17 lbs/day

Example Calculation: Copper - $\frac{(31.1 \text{ ug/L})(8.34)(0.65 \text{ MGD})}{1{,}000 \text{ ug/mg}}$ = **0.17 lbs/day**

(*) The acute and chronic site-specific AWQC for total copper for the Little Androscoggin River were approved by the Board pursuant to 38 M.R.S. § 420(2)(B)(1) and 06-096 CMR Chapter 584 § 3(B) as part of the November 20, 2014, licensing proceeding. See **Attachment F** of this Fact Sheet of the November 20, 2014 permit for the derivation of the site-specific AWQC for total copper.

A review of the monthly DMR data for the period January 2017 – June 2019 indicates total copper values have been reported as follows:

Total copper (DMRs=4) Mass

Value	Limit (lbs/day)	Range (lbs/day)	Mean (lbs/day)
Monthly Average	0.17	0.04 – 0.07	0.055
Daily Maximum	0.22	0.04 – 0.07	0.055

Total copper (DMRs=4) Concentration

Value	Limit (ug/L)	Range (ug/L)	Mean (ug/L)
Monthly Average	Report	22 - 30	26
Daily Maximum	Report	22 - 30	26

Report #1039 (9/26/19) indicates total copper remains a pollutant of concern. Test results submitted to the Department for the period 6/14/15 – 8/13/19 indicates there are 4 test results ≥31 ug/L for total copper that have a reasonable potential to exceed the acute site specific AWQC and 11 results ≥24 ug/L that have a reasonable potential to exceed the chronic site specific AWQC for total copper. One test result of 86.6 ug/L on 10/12/15 exceeds the chronic site specific AWQC for total copper. As a result, the mass limitations for total copper in the previous permit are being carried forward in this permit.

6. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (cont'd)

Lead (Total)

The previous permit established a monthly average water quality-based mass limitation of 0.010 lbs/day for total lead along with a monthly average reporting requirement for concentration. The limitation was calculated as follows:

Given:

Permitted flow: 0.65 MGD
Chronic dilution factor: 4.4:1
Chronic AWQC 0.41 ug/L

Monthly average limit: (0.41 mg/L)(4.4)(8.34 lbs/gal)(0.65 MGD) = 0.010 lbs./day

Chronic AWQC = 0.41 ug/L
Chronic dilution factor = 4.98:1

EOP concentration = [Dilution factor x 0.90 x AWQC] + [0.90 x AWQC]

EOP = [4.98 x 0.90 x 0.41 ug/L] + [0.10 x 0.41 ug/L] = 1.88 ug/L

Based on a permitted flow of 0.65 MGD, EOP mass limits are as follows:

Parameter	Calculated EOP Concentrations	Monthly Avg. Mass Limit
Lead	1.88 ug/L	0.010 lbs/day

Example Calculation: Lead - $\frac{(1.88 \text{ ug/L})(8.34)(0.65 \text{ MGD})}{1{,}000 \text{ ug/mg}}$ = **0.010 lbs/day**

A review of the monthly DMR data for the period January 2017 – June 2019 indicates total lead values have been reported as follows:

Total lead (DMRs=4) Mass

Value	Limit (lbs/day)	Range (lbs/day)	Mean (lbs/day)
Monthly Average	0.010	0.00 – 0.00	0.00

Total lead (DMRs=4) Concentration

Value	Limit (ug/L)	Range (ug/L)	Mean (mug/L)
Monthly Average	Report	<0.3 – 1.1	0.82

6. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (cont'd)

Report #1039 (9/26/19) indicates total lead remains a pollutant of concern. Test results submitted to the Department for the period 6/14/15 – 8/13/19 indicates there are 2 test results (5.8 ug/L on 6/14/15 and 3.4 ug/L on 10/11/15) have a reasonable potential to exceed the chronic AWQC for total lead. As a result, the mass limitation for total lead in the previous permit are being carried forward in this permit.

Silver (Total)

The previous permit did not establish any limitations for silver as is it was not a pollutant of concern at that time. Report #1039 indicates a test result of 1.3 ug/L on 4/23/17 for silver has a reasonable potential to exceed the acute AWQC of 0.23 ug/L. The limitation is calculated as follows:

Acute AWQC= 0.23 ug/L
Acute dilution factor = 3.98:1
EOP concentration = [Dilution factor x 0.90 x AWQC] + [0.10 x AWQC]

EOP = [3.98 x 0.90 x 0.23 ug/L] + [0.10 x 0.23 ug/L] = 0.85 ug/L

Based on a permitted flow of 0.65 MGD, EOP mass limits are as follows:

Parameter	Calculated EOP Concentrations	Daily Max. Mass Limit
Silver	0.85 ug/L	0.005 lbs/day

Example Calculation: Silver - $\frac{(0.85\ ug/L)(8.34)(0.65\ MGD)}{1{,}000\ ug/mg}$ = **0.005 lbs/day**

Zinc (Total)

The previous permit established monthly average and daily maximum water quality-based mass limitations of 0.61 lbs/day and 0.76 lbs/day respectively, for total zinc along with monthly average and daily maximum reporting requirements for concentration. The limitations were calculated as follows:

Given:

Permitted flow: 0.65 MGD
Acute dilution factor: 3.9:1
Acute AWQC: 30.6 ug/L
Chronic dilution factor: 4.4:1
Chronic AWQC 30.6 ug/L

6. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (cont'd)

Acute AWQC = 30.6 ug/L
Acute dilution factor = 3.98:1

EOP concentration = [Dilution factor x 0.90 x AWQC] + [0.10 x AWQC]

EOP = [3.98 x 0.90 x 30.6 ug/L] + [0.10 x 30.6 ug/L] = 113 ug/L

Based on a permitted flow of 0.65 MGD, EOP mass limits are as follows:

Parameter	Calculated EOP Concentrations	Daily Max. Mass Limit
Zinc	113 ug/L	0.61 lbs/day

Example Calculation: Zinc - $\frac{(113 \text{ ug/L})(8.34)(0.65 \text{ MGD})}{1{,}000 \text{ ug/mg}}$ = **0.61 lbs/day**

Chronic AWQC = 30.6 ug/L
Chronic dilution factor = 4.98:1

EOP concentration = [Dilution factor x 0.90 x AWQC] + [0.10 x AWQC]

EOP = [4.98 x 0.90 x 30.6 ug/L] + [0.10 x 30.6 ug/L] = 140 ug/L

Based on a permitted flow of 0.65 MGD, EOP mass limits are as follows:

Parameter	Calculated EOP Concentrations	Monthly Avg. Mass Limit
Zinc	140 ug/L	0.76 lbs/day

Example Calculation: Zinc - $\frac{(140 \text{ ug/L})(8.34)(0.65 \text{ MGD})}{1{,}000 \text{ ug/mg}}$ = **0.76 lbs/day**

6. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (cont'd)

A review of the monthly DMR data for the period January 2017 – June 2019 indicates total zinc values have been reported as follows:

Total zinc (DMRs=7) Mass

Value	Limit (lbs/day)	Range (lbs/day)	Mean (lbs/day)
Monthly Average	0.61	0.14 – 0.42	0.18
Daily Maximum	0.76	0.14 – 0.42	0.18

Total zinc (DMRs=7) Concentration

Value	Limit (ug/L)	Range (ug/L)	Mean (ug/L)
Monthly Average	Report	38 - 126	67
Daily Maximum	Report	38 - 126	67

Based on the timing, severity and frequency of occurrences of the exceedances or reasonable potential to exceed applicable critical water quality thresholds, this permitting action is making a best professional judgment to establish the monitoring frequencies for the parameters of concern at the routine surveillance level frequency of 1/Quarter specified in Chapter 530.

As for the remaining parameters, monitoring frequencies for priority pollutant and analytical chemistry testing established in this permitting action are based on the Chapter 530 rule. Chapter 530(2)(D)(3)(d) states in part that for Level I facilities "... *may reduce surveillance testing to one WET or specific chemical series per year provided that testing in the preceding 60 months does not indicate any reasonable potential for exceedance as calculated pursuant to section 3(E)".* With the exception of cadmium, copper, lead, silver and zinc, the permittee qualifies for the reduced testing. Therefore, surveillance level analytical chemistry has been established at a frequency of 1/Year.

Surveillance level testing - Beginning upon permit issuance and lasting through 24 months prior to permit expiration (Years 1, 2 & 3 of the term of the permit) and commencing again 12 months prior to permit expiration (Year 5 of the term of the permit), the permittee must conduct surveillance level testing as follows:

Level	Priority pollutant testing	Analytical chemistry
I	N/A	1/Year

6. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (cont'd)

Screening level testing - Beginning 24 months prior to permit expiration and lasting through 12 months prior to permit expiration (Year 4 of the term of the permit) and every five years thereafter if a timely request for renewal has been made and the permit continues in force, or is replaced by a permit renewal containing this requirement, the permittee must be limited and monitored by the permittee as specified below:

Level	Priority pollutant testing	Analytical chemistry
I	1/Quarter	1/Quarter

j. Mercury: Pursuant to *Certain deposits and discharges prohibited*, Maine law, 38 M.R.S. § 420 and Waste discharge licenses, 38 M.R.S. § 413 and *Interim Effluent Limitations and Controls for the Discharge of Mercury*, 06-096 CMR 519 (last amended October 6, 2001), the Department issued a Notice of Interim Limits for the Discharge of Mercury to the permittee on May 23, 2000, thereby administratively modifying MEPDES #ME0100951/ WDL # W000632-5L-G-R by establishing interim monthly average and daily maximum effluent concentration limits of 16.5 parts per trillion (ppt) and 24.8 ppt, respectively, and a minimum monitoring frequency requirement of four (4) tests per year for mercury.

Maine law 38 M.R.S., §420 1-B,(B)(1) states that a facility is not in violation of the AWQC for mercury if the facility is in compliance with an interim discharge limit established by the Department pursuant to section 413, subsection 11. A review of the Department's data base for the period December 1999 through February 2019 indicates the permittee has been in compliance with the interim limits for mercury as results have been reported as follows:

Mercury (n=59)

Value	Limit (ng/L)	Range (ng/L)	Mean (ng/L)
Average	16.5	0.50 – 24.8	5.4
Daily Maximum	24.8		

Pursuant to 38 M.R.S. §420(1-B)(F), this permitting action is carrying forward the 1/Year monitoring frequency established in the February 6, 2012, permit modification.

k. Septage/Transported Wastes – The previous permitting action authorized the District to receive up to 35,000 gallons per week (gpw) (5,000 gpd) of septage. Department rule Chapter 555, *Standards For The Addition of Transported Wastes to Wastewater Treatment Facilities*, limits the quantity of septage received at a facility to 1% of the design capacity of treatment facility if the facility utilizes a side stream or storage method of introduction into the influent flow, or 0.5% of the design capacity of the facility if the facility does not utilize the side stream or storage method of introduction into the influent flow. A facility may receive more than 1% of

6. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (cont'd)

the design capacity on a case-by-case basis. The permittee has requested the Department carry forward the daily quantity of septage it is authorized to treat (up to 5,000 gpd) as it does utilize the side stream/storage method of metering septage into the facility's influent flow. However, the permittee would like the quantity of septage it can receive to be expressed as a weekly value of 35,000 gallons per week. With a design capacity of 0.65 MGD, 5,000 gpd metered into the treatment process only represents 0.77% of said capacity.

The permittee has submitted an up-to-date Septage Management Plan to the Department. The Department has reviewed and approved said plan and determined that under normal operating conditions, the receipt of 35,000 gpw and the treatment of 5,000 gpd of septage/transported waste at the facility will not cause or contribute to upset conditions of the treatment process.

1. Combined sewer overflows – The November 20, 2014, Board order contained Special Condition J, *Combined Sewer Overflows (CSOs),* that established a schedule of compliance for the elimination of CSO #002 on or before June 1, 2019. CSO #002 is located at the waste water treatment facility and is the only CSO in the system. The permittee eliminated the CSO on before June 1, 2019. The Department and the PUD have agreed to continue to monitor for any discharges from the former CSO which is now being referred to as an Emergency Bypass. The overflow weir for the bypass is located at the tail end of the facility's wet weather storage tanks. The permittee has installed a monitoring system in a manhole downstream of the storage tanks that will continuously monitor flows via an electronic flow estimation system to record frequency, duration and estimation of flow discharged. See Special Condition J, *Waste Water Treatment Facility Emergency Bypass,* of this permit.

7. IMPACT ON RECEIVING WATER QUALITY

As permitted, the Department has determined the existing and designated water uses will be maintained and protected and the discharge will not cause or contribute to the failure of the Little Androscoggin River to meet standards for Class C classification.

8. PUBLIC COMMENTS

Public notice of this application was made in the *Lewiston Sun Journal* newspaper on or about July 29, 2019. The Department receives public comments on an application until the date a final agency action is taken on the application. Those persons receiving copies of draft permits must have at least 30 days in which to submit comments on the draft or to request a public hearing, pursuant to *Application Processing Procedures for Waste Discharge Licenses,* 06-096 CMR 522 (effective January 12, 2001).

9. DEPARTMENT CONTACTS

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

Gregg Wood
Division of Water Quality Management
Bureau of Water Quality
Department of Environmental Protection
17 State House Station
Augusta, Maine 04333-0017 Telephone: (207) 287-7693
e-mail: gregg.wood@maine.gov

10. RESPONSE TO COMMENTS

During the period of February 3, 2020, through the effective date of this final agency action, the Department solicited comments on the draft MEPDES permit. The Department did not receive any substantive comment(s) on the draft permit. It is noted that minor typographical and grammatical errors identified in comments were not summarized in this section, but were corrected, where necessary, in the final permit.

ATTACHMENT A

WET TEST REPORT

Data for tests conducted for the period

02/Oct/2014 - 02/Oct/2019

PARIS UTILITY DISTRICT NPDES= ME0010095 Effluent Limit: Acute (%) = 25.104 Chronic (%) = 20.089

Species	Test	Percent	Sample date	Critical %	Exception	RP
TROUT	A_NOEL	>100	11/08/2014	25.104		
TROUT	A_NOEL	>100	10/11/2015	25.104		
TROUT	A_NOEL	>100	09/12/2016	25.104		
TROUT	A_NOEL	>100	04/24/2017	25.104		
TROUT	A_NOEL	>100	03/18/2018	25.104		
TROUT	A_NOEL	>100	05/14/2018	25.104		
TROUT	A_NOEL	>100	09/16/2018	25.104		
TROUT	A_NOEL	>100	10/28/2018	25.104		
TROUT	A_NOEL	>100	05/05/2019	25.104		
TROUT	C_NOEL	100	11/08/2014	20.089		
TROUT	C_NOEL	100	10/11/2015	20.089		
TROUT	C_NOEL	100	09/12/2016	20.089		
TROUT	C_NOEL	100	04/24/2017	20.089		
TROUT	C_NOEL	100	03/18/2018	20.089		
TROUT	C_NOEL	100	05/14/2018	20.089		
TROUT	C_NOEL	100	09/16/2018	20.089		
TROUT	C_NOEL	100	10/28/2018	20.089		
TROUT	C_NOEL	100	05/05/2019	20.089		
WATER FLEA	A_NOEL	>100	11/08/2014	25.104		
WATER FLEA	A_NOEL	>100	06/14/2015	25.104		
WATER FLEA	A_NOEL	>100	06/17/2015	25.104		
WATER FLEA	A_NOEL	>100	10/11/2015	25.104		
WATER FLEA	A_NOEL	>100	02/22/2016	25.104		
WATER FLEA	A_NOEL	>100	09/12/2016	25.104		
WATER FLEA	A_NOEL	>100	04/24/2017	25.104		
WATER FLEA	A_NOEL	>100	10/01/2017	25.104		
WATER FLEA	A_NOEL	>100	03/18/2018	25.104		
WATER FLEA	A_NOEL	>100	05/14/2018	25.104		
WATER FLEA	A_NOEL	>100	09/16/2018	25.104		
WATER FLEA	A_NOEL	>100	10/28/2018	25.104		
WATER FLEA	A_NOEL	>100	05/05/2019	25.104		
WATER FLEA	C_NOEL	100	11/08/2014	20.089		
WATER FLEA	C_NOEL	100	06/14/2015	20.089		
WATER FLEA	C_NOEL	100	06/17/2015	20.089		

WATER FLEA	C_NOEL	100	10/11/2015	20.089
WATER FLEA	C_NOEL	50	02/22/2016	20.089
WATER FLEA	C_NOEL	100	09/12/2016	20.089
WATER FLEA	C_NOEL	100	04/24/2017	20.089
WATER FLEA	C_NOEL	100	10/01/2017	20.089
WATER FLEA	C_NOEL	100	03/18/2018	20.089
WATER FLEA	C_NOEL	50	05/14/2018	20.089
WATER FLEA	C_NOEL	50	09/16/2018	20.089
WATER FLEA	C_NOEL	50	10/28/2018	20.089
WATER FLEA	C_NOEL	20.1	05/05/2019	20.089

ATTACHMENT B

PRIORITY POLLUTANT DATA SUMMARY

Date Range: 26/Sep/2014 - 26/Sep/2019

Facility Name: **PARIS UTILITY DISTRICT** NPDES: **ME0100951**

Test Date	Monthly (Flow MGD)	Daily (Flow MGD)	Total Test Number	Test # By Group M	V	BN	P	O	A	Clean	Hg
11/09/2014	0.21	0.19	21	10	0	0	0	11	0	F	0
03/03/2015	0.26	0.22	3	3	0	0	0	0	0	F	0
06/14/2015	0.32	0.23	21	10	0	0	0	11	0	F	0
08/18/2015	37.80	39.70	3	3	0	0	0	0	0	F	0
10/11/2015	0.26	0.20	20	10	0	0	0	10	0	F	0
02/09/2016	NR	NR	3	3	0	0	0	0	0	F	0
02/22/2016	0.39	0.39	17	7	0	0	0	10	0	F	0
05/17/2016	0.29	0.27	3	3	0	0	0	0	0	F	0
09/11/2016	0.19	0.23	18	9	0	0	0	9	0	F	0
11/16/2016	0.23	0.33	3	3	0	0	0	0	0	F	0
03/26/2017	0.35	0.30	3	3	0	0	0	0	0	F	0
04/23/2017	0.60	0.46	19	9	0	0	0	10	0	F	0
04/24/2017	NR	NR	2	0	0	0	0	2	0	F	0

Key:

A = Acid O = Others P = Pesticides

BN = Base Neutral M = Metals V = Volatiles

PRIORITY POLLUTANT DATA SUMMARY

Date Range: 26/Sep/2014 - 26/Sep/2019

Facility Name: **PARIS UTILITY DISTRICT** NPDES: **ME0100951**

Test Date	Monthly (Flow MGD)	Daily (Flow MGD)	Total Test Number	Test # By Group M	V	BN	P	O	A	Clean	Hg
08/07/2017	0.22	0.22	3	3	0	0	0	0	0	F	0
10/01/2017	0.27	0.18	19	9	0	0	0	10	0	F	0
03/18/2018	0.38	0.32	19	9	0	0	0	10	0	F	0
05/14/2018	0.34	0.32	19	9	0	0	0	10	0	F	0
09/16/2018	0.20	0.17	19	9	0	0	0	10	0	F	0
10/28/2018	0.20	0.23	19	9	0	0	0	10	0	F	0
03/12/2019	0.32	0.25	3	3	0	0	0	0	0	F	0
05/05/2019	0.42	0.48	19	9	0	0	0	10	0	F	0
08/13/2019	0.27	0.22	3	3	0	0	0	0	0	F	0

Key:

A = Acid O = Others P = Pesticides

BN = Base Neutral M = Metals V = Volatiles

FACILITY PRIORITY POLLUTANT DATA REPORT

Data Date Range: 26/Sep/2014 26/Sep/2019

Showing all data

Facility name: **PARIS UTILITY DISTRICT** Permit Number: **ME0100951**

Parameter: CADMIUM

Test date	Result (ug/l)	Lsthan
11/09/2014	0.600	Y
06/14/2015	0.600	Y
10/11/2015	1.000	N
02/22/2016	0.600	Y
09/11/2016	0.300	N
04/23/2017	0.600	Y
10/01/2017	0.600	Y
03/18/2018	0.600	Y
05/14/2018	0.600	Y
09/16/2018	0.600	Y
10/28/2018	0.600	Y
05/05/2019	0.600	N

Parameter: COPPER

Test date	Result (ug/l)	Lsthan
11/09/2014	31.000	N
03/03/2015	41.000	N
06/14/2015	28.800	N
08/18/2015	44.000	N
10/11/2015	86.600	N
02/22/2016	20.400	N
05/17/2016	27.000	N
09/11/2016	33.600	N
11/16/2016	6.600	N
03/26/2017	22.000	N
04/23/2017	18.000	N
08/07/2017	28.000	N
10/01/2017	31.000	N
03/18/2018	26.000	N
05/14/2018	19.000	N
09/16/2018	30.000	N
10/28/2018	34.000	N
03/12/2019	27.000	N
05/05/2019	25.000	N
08/13/2019	29.000	N

Parameter: SILVER

Test date	Result (ug/l)	Lsthan
11/09/2014	1.000	Y
06/14/2015	1.000	Y
10/11/2015	1.000	Y
02/09/2016	0.400	N
09/11/2016	0.300	N
04/23/2017	1.300	N
10/01/2017	1.000	Y
03/18/2018	0.300	Y
05/14/2018	1.000	Y
09/16/2018	1.000	Y
10/28/2018	1.000	Y
05/05/2019	1.000	Y

Facility name: **PARIS UTILITY DISTRICT** Permit Number: **ME0100951**

	06/14/2015	4000.000	Y
Parameter: ZINC	**Test date**	**Result (ug/l)**	**Lsthan**
	11/09/2014	112.000	N
	03/03/2015	180.000	N
	06/14/2015	59.200	N
	08/18/2015	54.800	N
	10/11/2015	87.800	N
	02/22/2016	83.600	N
	05/17/2016	85.200	N
	09/11/2016	74.600	N
	11/16/2016	70.400	N
	03/26/2017	92.000	N
	04/23/2017	68.000	N
	08/07/2017	42.000	N
	10/01/2017	84.000	N
	03/18/2018	93.000	N
	05/14/2018	70.000	N
	09/16/2018	97.000	N
	10/28/2018	93.000	N
	03/12/2019	78.000	N
	05/05/2019	90.000	N
	08/13/2019	46.000	N
Parameter: LEAD	**Test date**	**Result (ug/l)**	**Lsthan**
	11/09/2014	2.200	N
	03/03/2015	2.200	N
	06/14/2015	5.800	N
	08/18/2015	1.600	N
	10/11/2015	3.400	N
	02/22/2016	0.800	N
	05/17/2016	0.600	N
	09/11/2016	0.600	N
	11/16/2016	0.600	Y
	03/26/2017	1.000	N
	04/23/2017	0.600	Y
	08/07/2017	0.300	N
	10/01/2017	0.500	N
	03/18/2018	0.870	N
	05/14/2018	0.600	Y
	09/16/2018	0.300	Y
	10/28/2018	0.300	N
	03/12/2019	1.100	N
	05/05/2019	0.400	N
	08/13/2019	0.300	Y

ATTACHMENT C

STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

CHAPTER 530.2(D)(4) CERTIFICATION

MEPDES#_____Facility Name_____

Since the effective date of your permit, have there been;		NO	YES Describe in comments section
1	Increases in the number, types, and flows of industrial, commercial, or domestic discharges to the facility that in the judgment of the Department may cause the receiving water to become toxic?	☐	☐
2	Changes in the condition or operations of the facility that may increase the toxicity of the discharge?	☐	☐
3	Changes in storm water collection or inflow/infiltration affecting the facility that may increase the toxicity of the discharge?	☐	☐
4	Increases in the type or volume of hauled wastes accepted by the facility?	☐	☐

COMMENTS:

Name (printed): _____

Signature:_____Date: _____

This document must be signed by the permittee or their legal representative.

This form may be used to meet the requirements of Chapter 530.2(D)(4). This Chapter requires all dischargers having waived or reduced toxic testing to file a statement with the Department describing changes to the waste being contributed to their system as outlined above. As an alternative, the discharger may submit a signed letter containing the same information.

Scheduled Toxicity Testing for the next calendar year

Test Conducted	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
WET Testing	☐	☐	☐	☐
Priority Pollutant Testing	☐	☐	☐	☐
Analytical Chemistry	☐	☐	☐	☐
Other toxic parameters [1]	☐	☐	☐	☐

Please place an "X" in each of the boxes that apply to when you will be conducting any one of the three test types during the next calendar year.

[1] This only applies to parameters where testing is required at a rate less frequently than quarterly.