



STATE OF MAINE  
Department of Environmental Protection

Paul R. LePage  
GOVERNOR

Patricia W. Aho  
COMMISSIONER

April 7, 2015

Mr. Roland M. Arsenault  
Environmental Engineer  
Catalyst Paper Operations Inc.  
35 Hartford Street  
Rumford, ME. 04276  
e-mail: [Roalnd.Arsenault@catylstpaper.com](mailto:Roalnd.Arsenault@catylstpaper.com)

RE: Maine Pollutant Discharge Elimination System (MEPDES) Permit ME0002054  
Maine Waste Discharge License (WDL) Application W000955-5N-K-R  
**Proposed Draft Permit/License Modification**

Dear Mr. Arsenault:

Enclosed is a **proposed draft** MEPDES permit/Maine WDL **modification** which the Department proposes to issue as a final document after opportunity for your review and comment. By transmittal of this letter you are provided with an opportunity to comment on the proposed draft permit and its conditions. If it contains errors or does not accurately reflect present or proposed conditions, please respond to this Department so that changes can be considered.

By copy of this letter, the Department is requesting comments on the proposed draft permit from various state and federal agencies, as required by our new regulations, and from any other parties who have notified the Department of their interest in this matter.

All comments must be received in the Department of Environmental Protection office on or before the close of business **Thursday, May 7, 2015**. Failure to submit comments in a timely fashion will result in the final document being issued as drafted. Comments in writing should be submitted to my attention at the following address:

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

AUGUSTA  
17 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0017  
(207) 287-3901 FAX: (207) 287-3435  
RAY BLDG., HOSPITAL ST.

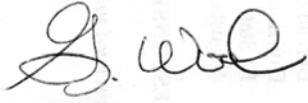
BANGOR  
106 HOGAN ROAD  
BANGOR, MAINE 04401  
(207) 941-4570 FAX: (207) 941-4584

PORTLAND  
312 CANCO ROAD  
PORTLAND, MAINE 04103  
(207) 822-6300 FAX: (207) 822-6303

PRESQUE ISLE  
1235 CENTRAL DRIVE, SKYWAY PARK  
PRESQUE ISLE, MAINE 04769-2094  
(207) 764-6477 FAX: (207) 764-1507

If you have any questions regarding the matter, please feel free to call me at 287-7693.

Sincerely,

A handwritten signature in cursive script, appearing to read "G. Wood".

Gregg Wood  
Division of Water Quality Management  
Bureau of Land and Water Quality

Enc.

cc: Beth DeHaas, DEP/CMRO  
Lori Mitchell, DEP/CMRO  
David Webster, USEPA  
David Pincumbe, USEPA  
Olga Vergara, USEPA  
Maine Inland Fisheries & Wildlife  
Maine Department of Marine Resources  
Ivy Frignoca, CLF





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

## DEPARTMENT ORDER

### IN THE MATTER OF

CATALYST PAPER OPERATIONS INC.	)	MAINE POLLUTANT DISCHARGE
RUMFORD, OXFORD COUNTY, MAINE	)	ELIMINATION SYSTEM PERMIT
PULP & PAPER MANUFACTURING FACILITY	)	AND
ME0002054	)	WASTE DISCHARGE LICENSE
W000955-5N-N-M	)	<b>MODIFICATION</b>
<b>APPROVAL</b>	)	

Pursuant to the provisions of the Federal Water Pollution Control Act, Title 33 USC, Section 1251, et. seq., and Maine Law 38 M.R.S.A., Section 414-A et. seq., the Department of Environmental Protection (Department hereinafter) has considered the application of CATALYST PAPER OPERATIONS INC. (Catalyst/permittee hereinafter) to modify Maine Pollutant Discharge Elimination System (MEPDES) permit ME0002054/Maine Waste Discharge License (WDL) #W000955-5N-G-R issued by the Department on December 20, 2012, and any subsequent modifications thereto, and makes the following findings of fact, conclusions, and decision.

### MODIFICATIONS REQUESTED

Catalyst has requested a modification of the schedule of compliance for total cadmium established in Special Condition A, *Effluent Limitations and Monitoring Requirements* and Special Condition P, *Schedule of Compliance – Aluminum, Cadmium and Copper* of the December 20, 2012, permit. Catalyst is in the process of submitting a request to the Department for adoption of site specific ambient water quality criteria (AWQC) for total cadmium. Both Catalyst and the Department do not anticipate the completion of the adoption of the site specific AWQC prior to the deadline in which to come into compliance with the water quality based limit for total cadmium in the December 20, 2012, permit. Catalyst is requesting an extension of the deadline from December 19, 2015, to June 19, 2016.

### MODIFICATIONS APPROVED/DENIED

The Department concurs with Catalyst that the adoption of the site specific AWQC for total cadmium will not be completed prior to the deadline in which to come into compliance with the water quality based limit for total cadmium in the December 20, 2012, permit. Therefore, the Department is extending the deadline from December 19, 2015, to June 19, 2016.

## CONCLUSIONS

BASED on the findings in the attached **PROPOSED DRAFT** Fact Sheet dated April 7, 2015, and subject to the terms and conditions contained herein, the Department makes the following CONCLUSIONS:

1. The discharge, either by itself or in combination with other discharges, will not lower the quality of any classified body of water below such classification.
2. The discharge, either by itself or in combination with other discharges, will not lower the quality of any unclassified body of water below the classification which the Department expects to adopt in accordance with state law.
3. The provisions of the State's antidegradation policy, 38 M.R.S.A., 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 national resource, that water quality will be maintained and protected;
  - (c) Where the standards of classification of the receiving water body are not met, the discharge will not cause or contribute to the failure of the water body to meet the standards of classification;
  - (d) Where the actual quality of any classified receiving water body exceeds the minimum standards of the next highest classification, that higher water quality will be maintained and protected; and
  - (e) Where a discharge will result in lowering the existing quality of any water body, the Department has made the finding, following opportunity for public participation, that this action is necessary to achieve important economic or social benefits to the State.
4. The discharge will be subject to effluent limitations that require application of best practicable treatment.

**ACTION**

THEREFORE, the Department hereby approves the application of CATALYST PAPER OPERATION INC., to modify the schedule of compliance for total cadmium established in Special Condition A, *Effluent Limitations and Monitoring Requirements* and Special Condition P, *Schedule of Compliance – Aluminum, Cadmium and Copper* of the December 20, 2012, MEPDES permit, SUBJECT TO THE ATTACHED CONDITIONS, and all applicable standards and regulations including;

1. “*Maine Pollutant Discharge Elimination System Permit Standard Conditions Applicable To All Permits*,” revised July 1, 2002, copy attached to the December 20, 2012 MEPDES permit.
2. The attached Special Conditions, including effluent limitations and monitoring requirements.
3. All other terms and conditions of the December 20, 2012, MEPDES permit, and any subsequent modifications thereto not modified by this order remain in effect and enforceable.
4. This modification becomes effective upon the date of signature below and expires at midnight on December 20, 2017. 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.A. § 10002 and Rules Concerning the Processing of Applications and Other Administrative Matters, 06-096 CMR 2(21)(A) (effective April 1, 2003)*]

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

DONE AND DATED AT AUGUSTA, MAINE THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2015

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: \_\_\_\_\_  
For Patricia W. Aho, Commissioner

Date of initial receipt of application: March 27, 2015

Date of application acceptance: April 2, 2015

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

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

**SPECIAL CONDITIONS**

**A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS**

**OUTFALL #001 – Secondary treated waste waters**

Effluent Characteristic	Discharge Limitations						Minimum Monitoring Requirements	
	Monthly Average	Weekly Average	Daily Maximum	Monthly Average	Weekly Average	Daily Maximum	Measurement Frequency	Sample Type
Aluminum (Total) [01105]	Report lbs/day[26]	---	---	Report ug/L [28]	---	---	2/Year [02/YR]	Composite [24]
<u>Aluminum (Total)</u> [01105] (Beginning December 19, 2017)	96 lbs./day [26]	---	---	Report ug/L [28]	---	---	2/Year [02/YR]	Composite [24]
Cadmium (Total) [01027]	Report lbs/day[26]	---	Report lbs/day[26]	Report ug/L [28]	---	Report ug/L [28]	2/Year [02/YR]	Composite [24]
<u>Cadmium (Total)</u> [01027] (Beginning June 19, 2016 )	0.24 lbs./day [26]	---	0.72 lbs./day [26]	Report ug/L [28]	---	Report ug/L [28]	2/Year [02/YR]	Composite [24]
Copper (Total) [01042]	Report lbs/day[26]	---	Report lbs/day[26]	Report ug/L [28]	---	Report ug/L [28]	2/Year [02/YR]	Composite [24]
<u>Copper (Total)</u> [01042] (Beginning December 19, 2017)	5.7 lbs./day [26]	---	3.7 lbs./day [26]	Report ug/L [28]	---	Report ug/L [28]	2/Year [02/YR]	Composite [24]
Mercury (Total) <sup>(9)</sup> [50286]	---	---	---	35.8 ng/L [3M]	---	53.7 ng/L [3M]	1/Year [01/YR]	Grab [R]
Zinc (Total) [01092]	---	---	18 lbs./day [26]	---	---	Report ug/L [28]	2/Year [02/YR]	Composite [24]

**Footnotes:**

See pages 10 -14 of this permit of MEPDES permit #ME0002054/Maine WDL #W000955-5N-G-R dated December 20, 2012.

## **SPECIAL CONDITIONS**

### **P. SCHEDULE OF COMPLIANCE**

**Beginning upon issuance of this permit**, the permittee shall identify sources of and begin investigating source reduction opportunities to mitigate the discharge of total aluminum, total cadmium, total copper and total zinc such that compliance with the water quality based mass limits for said metals established in this permit or alternate limitations established in any subsequent modification thereof are achieved on or before June 19, 2016 (total cadmium) or December 19, 2017 (total aluminum and total copper).

**On or before December 31, 2015, (PCS 95999)** the permittee shall submit a progress report containing a scope of work, schedule and progress on the implementation of source reduction and or treatment options selected to mitigate the discharge of total aluminum, total cadmium, total copper and total zinc and a progress report on the development of alternate ambient water quality criteria for parameters cited in the November 30, 2013 Site Specific Criteria Development Plan submission.

**On or before June 19, 2016, (PCS 05699)** the permittee shall be in compliance with the water quality based mass limitations for total cadmium established in this permit or alternate limitations established in any subsequent modification thereof.

**On or before December 31, 2016, (PCS 95999)** the permittee shall submit a progress report on the implementation of source reduction and or treatment options selected to mitigate the discharge of total aluminum and total copper and a progress report on the development of alternate ambient water quality criteria for parameters cited in the November 30, 2013 Site Specific Criteria Development Plan submission.

**On or before December 19, 2017, (PCS 05699)** the permittee shall be in compliance with the water quality based mass limitations for total aluminum and total copper established in this permit or alternate limitations established in any subsequent modification thereof.

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

**FACT SHEET**

**Date: April 7, 2015**

PERMIT NUMBER: **ME0002054**

LICENSE NUMBER: **W000955-5N-N-M**

NAME AND ADDRESS OF APPLICANT:

**CATALYST PAPER OPERATIONS INC.  
35 Hartford Street  
Rumford, Maine 04276**

COUNTY: **Oxford County**

NAME AND ADDRESS WHERE DISCHARGE OCCURS:

**Rumford Mill  
35 Hartford Street  
Rumford, Maine 04276**

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

COGNIZANT OFFICIAL AND TELEPHONE NUMBER: **Mr. Roland M. Arsenault**

**(207) 369-2260**

**e-mail: [Roalnd.Arsenault@catylstpaper.com](mailto:Roalnd.Arsenault@catylstpaper.com)**

**1. MODIFICATIONS REQUESTED**

Catalyst Paper Operations Inc. (Catalyst/permittee hereinafter) has submitted an application to the Department of Environmental Protection (Department hereinafter) requesting a modification of the schedule of compliance for total cadmium established in Special Condition A, *Effluent Limitations and Monitoring Requirements* and Special Condition P, *Schedule of Compliance – Aluminum, Cadmium and Copper* of the December 20, 2012 permit. Catalyst is in the process of submitting a request to the Department for adoption of site specific ambient water quality criteria (AWQC) for total cadmium. Both Catalyst and the Department do not anticipate the completion of the adoption of the site specific AWQC prior to the deadline in which to come into compliance with the water quality based limit for total cadmium in the December 20, 2012, permit. Catalyst is requesting an extension of the deadline from December 19, 2015, to June 19, 2016.

## **2. MODIFICATIONS APPROVED/DENIED**

Integral Consulting Inc., on behalf of Catalyst and Verso, requested and received approval from the Department for the development of site-specific ambient water quality criteria (SSC) for three metals utilizing a Water Effects Ratio (WER) study. The work plan, *Draft Revision- Androscoggin River Water Effects Ratio Work Plan – Determinations for Copper, Aluminum, and Cadmium*, was submitted to DEP on May 20, 2013 (in advance of the compliance schedule date of November 2013). The work plan was conditionally approved by DEP, in consultation with EPA Region I, on June 13, 2013.

The goal of the WER study is to quantify the differences in chemical bioavailability and toxicity between the receiving water (i.e., the Androscoggin River) and laboratory water used in developing the current state-wide criteria. The results of the water effects ratio study are used to derive SSC that are both specific for the river being evaluated and protective of human health and aquatic life.

To accomplish the objectives of the approved WER study plan, three seasonal sampling rounds were conducted in the Fall of 2013, Winter of 2014, and Summer of 2014. The results of this extensive study were compiled in a technical report and submitted as a draft to the Maine DEP in February 2015. A technical review meeting was conducted with the Maine DEP on March 4, 2015 to review and discuss the report. As a result of the meeting, the draft technical report will be revised and resubmitted to Maine DEP in the near future.

At the March 4<sup>th</sup> meeting, the group reviewed the schedule for the administrative process required to modify the permit and adopt the proposed SSC. The group agreed that the anticipated final adoption of SSC would likely not be completed until January 2016 and that there are many uncertainties regarding the administrative process that could introduce additional time to this schedule. The adoption of SSC is not anticipated to occur until after the compliance schedule for Cadmium ends on December 19, 2015. For this reason, Catalyst submitted the application to modify the applicable sections of Special Conditions A and P of the MEPDES permit/WDL to extend the applicable compliance schedule for cadmium by six months to June 19, 2016.

The Department concurs with Catalyst that the adoption of the site specific AWQC for total cadmium will not be completed prior to the deadline in which to come into compliance with the water quality based limit for total cadmium in the December 20, 2012, permit. Therefore, the Department is extending the deadline from December 19, 2015, to June 19, 2016.

## **3. DISCHARGE IMPACT ON RECEIVING WATER QUALITY**

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

#### **4. PUBLIC COMMENTS**

Public notice of this application was made in the Lewiston Sun Journal newspaper on or about March 25, 2015. 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 shall 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).

#### **5. DEPARTMENT CONTACTS**

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

Gregg Wood  
Division of Water Quality Management  
Bureau of Land and Water Quality  
Department of Environmental Protection  
17 State House Station  
Augusta, Maine 04333-0017

Telephone (207) 287-7693  
Fax (207) 287-3435  
email: [gregg.wood@maine.gov](mailto:gregg.wood@maine.gov)

#### **6. RESPONSE TO COMMENTS**

*Reserved until the close of the formal 30-day public comment period.*