



PAUL R. LEPAGE
GOVERNOR

STATE OF MAINE
DEPARTMENT OF
ENVIRONMENTAL PROTECTION



PAUL MERCER
COMMISSIONER

February 1, 2017

Ms. Deborah Nadeau
Manager, Laboratory and Environmental
700 Washington Street, Mail Stop 4040
Bath, ME. 04530-2574
e-mail: deborah.nadeau@gdbiw.com

RE: Maine Pollutant Discharge Elimination System (MEPDES) Permit #ME0001732
Maine Waste Discharge License (WDL) Application #W000671-5R-J-M
Minor Revision

Dear Ms. Nadeau:

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

If you have any questions regarding the matter, please feel free to call me at 287-7693 or e-mail me at gregg.wood@maine.gov. 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
Sandy Mojica, USEPA

Lori Mitchell, DEP/CMRO
Marelyn Vega, USEPA

Olga Vergara, USEPA

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STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION
17 STATE HOUSE STATION AUGUSTA, MAINE 04333-0017

DEPARTMENT ORDER

IN THE MATTER OF

BATH IRON WORKS)	MAINE POLLUTANT DISCHARGE
SHIP MANUFACTURING FACILITY)	ELIMINATION SYSTEM PERMIT
BATH, SAGadahoc COUNTY, MAINE)	AND
ME0001732)	WASTE DISCHARGE LICENSE
W000671-5R-J-M)	MINOR REVISION
APPROVAL)	

Pursuant to the provisions of the *Federal Water Pollution Control Act*, Title 33 USC, §1251, *Conditions of licenses*, 38 M.R.S. § 414-A, and applicable regulations, the Department of Environmental Protection (Department) has considered a request by BATH IRON WORKS (BIW or permittee) to modify combination Maine Pollutant Discharge Elimination System (MEPDES) permit #ME0001732/Maine Waste Discharge License (WDL) #W000671-5R-I-R last issued by the Department on July 11, 2016, for a five-year term. With its supportive data, agency review comments, and other related materials on file and other related materials on file, the Department FINDS THE FOLLOWING FACTS:

MODIFICATION REQUESTED

At the request of the permittee, the July 11, 2016, permit issued by the Department removed Outfall #005A from the permit as facility personnel made the determination that this outfall discharged to the municipal sanitary sewer for the City of Bath. Upon a more recent inspection, facility personnel have determined this is not the case and non-contact cooling water continues to be discharged seasonally to the Kennebec River via Outfall #005A. The permittee is requesting Outfall #005A be incorporated back into the MEPDES permit.

MODIFICATION GRANTED/DENIED

The permittee's request is acceptable to the Department. Outfall #005A is being incorporated into the MEPDES permit as an outfall in which non-contact cooling water can be discharged to the Kennebec River.

CONCLUSIONS

BASED on the findings on page 1 of this minor revision, and subject to the Conditions listed below, the Department makes the following conclusions:

1. The discharge, either by itself or in combination with other discharges, will not lower the quality of any classified body of water below such classification.
2. The discharge, either by itself or in combination with other discharges, will not lower the quality of any unclassified body of water below the classification which the Department expects to adopt in accordance with state law.
3. The provisions of the State's antidegradation policy, 38 M.R.S. §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 water quality of any water body, the Department has made the finding, following opportunity for public participation, that this action is necessary to achieve important economic or social benefits to the State.
4. The discharge will be subject to effluent limitations that require application of best practicable treatment as defined in 38 M.R.S. § 414-A(1)(D).

ACTION

THEREFORE, the Department APPROVES the above noted request by BATH IRON WORKS to modify combination MEPDES permit #ME0001732/WDL #W000671-5R-I-R last issued by the Department on July 11, 2016, for a five-year term to reincorporate Outfall #005 into the permit, SUBJECT TO THE ATTACHED CONDITIONS, and all applicable standards and regulations including:

1. V¹ *Maine Pollutant Discharge Elimination System Permit Standard Conditions Applicable To All Permits*,” revised July 1, 2002, copy attached to MEPDES permit ME0001732/WDL #W000671-5R-I-R last issued by the Department on July 11, 2016, for a five-year term.
2. V The attached Special Conditions, including any effluent limitations and monitoring requirements. V
3. V All terms and conditions of MEPDES permit ME0001732/WDL #W000671-5R-I-R last issued by the Department on July 11, 2016, for a five-year term, not modified by this minor revision remain in effect and enforceable. V
4. V This minor revision and the authorization to discharge become effective upon the date of signature below and expire at midnight on July 11, 2021. If a renewal application is timely submitted and accepted as complete for processing prior to the expiration of this minor revision, the authorization to discharge and the terms and conditions of this minor revision and all 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 V CMR 2(21)(A) (effective October 19, 2015)].

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DONE AND DATED AT AUGUSTA, MAINE, THIS 3RD DAY OF February 2017.

BY:

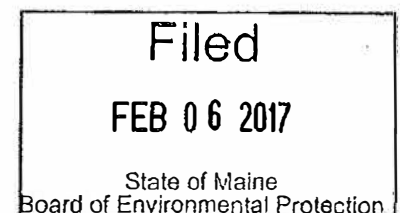
Michael K. Mercer
for Paul Mercer, Commissioner

Date of initial receipt of application: January 24, 2017

Date of application acceptance: January 24, 2017

Date filed with Board of Environmental Protection _____

This Order prepared by GREGG WOOD, BUREAU OF WATER QUALITY



SPECIAL CONDITIONS

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. The permittee is authorized to discharge **non-contact cooling water** from **Outfall #005A** to the Kennebec River. Such discharges shall be limited and monitored by the permittee as specified below⁽¹⁾:

Effluent Characteristic	Discharge Limitations		Minimum Monitoring Requirements	
	<u>Monthly Average</u>	<u>Daily Maximum</u>	<u>Measurement Frequency</u>	<u>Sample Type</u>
	as specified	as specified	as specified	as specified
Flow [50050]	132,000 GPD [07]	650,000 GPD [07]	1/Quarter [01/90]	Meter [MT]
Temperature [00011]	---	130° F [15]	1/Quarter [01/90]	Grab [GR]
pH [00400]	---	6.0 – 8.5 SU [12]	1/Quarter [01/90]	Grab [GR]

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

FOOTNOTES: See Pages 8-9 of MEPDES permit ME0001732/WDL #W000671-5R-I-R last issued by the Department on July 11, 2016, for applicable footnotes.