



STATE OF MAINE  
DEPARTMENT OF ENVIRONMENTAL PROTECTION



PAUL R. LEPAGE  
GOVERNOR

MELANIE LOYZIM  
ACTING COMMISSIONER

December 4, 2018

Clayton N. Howard  
P.O. Box 967  
Damariscotta, ME. 04543  
[Lakepem@tidewater.net](mailto:Lakepem@tidewater.net)

*Sent via electronic mail  
Delivery confirmation requested*

RE: *Maine Permit Compliance System #MEU503271  
Maine Waste Discharge License (WDL) Application #W003271-5J-I-R  
Finalized Waste Discharge License*

Dear Mr. Howard:

Enclosed please find a copy of your **final** Maine WDL which was approved by the Department of Environmental Protection. Please read this license and its attached conditions carefully. Compliance with this 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 287-7823.

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,

Cindy L. Dionne  
Division of Water Quality Management  
Bureau of Water Quality  
ph: 207-287-7823

Enclosure

AUGUSTA  
17 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0017  
(207) 287-7688 FAX: (207) 287-7826

BANGOR  
106 HOGAN ROAD, SUITE 6  
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  
(207) 764-0477 FAX: (207) 760-3143

Lake Pemaquid Campground  
December 4, 2018  
Page 2 of 2

cc: Pamela Parker, DEP  
Denise Behr, DEP  
Lori Mitchell, DEP  
Olga Vergara, USEPA  
Sandy Mojica, USEPA  
Marelyn Vega, USEPA  
Richard Carvalho, USEPA  
Shelley Puleo, USEPA



# 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.

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**Note: The DEP provides this INFORMATION SHEET for general guidance only; it is not intended for use as a legal reference. Maine law governs an appellant's rights.**

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

DEPARTMENT ORDER

IN THE MATTER OF

LAKE PEMAQUID, INC.	)	PROTECTION AND IMPROVEMENT
DAMARISCOTTA, LINCOLN COUNTY, MAINE	)	OF WATERS
SURFACE WASTEWATER DISPOSAL SYSTEM	)	
#MEU503271	)	WASTE DISCHARGE LICENSE
#W003271-5J-I-R	)	RENEWAL
APPROVAL		

Pursuant to *Conditions of licenses*, 38 M.R.S. § 414-A, and applicable regulations, the Maine Department of Environmental Protection (Department) has considered the application of LAKE PEMAQUID, INC. (LPI) with its supportive data, agency review comments, and other related materials on file and FINDS THE FOLLOWING FACTS:

**APPLICATION SUMMARY**

LPI submitted a timely and complete application to the Department for renewal of Waste Discharge License (WDL) #W003271-5J-H-R/Permit Compliance System (PCS) tracking #MEU503271, which was issued by the Department on October 4, 2013 for a five-year term. The 10/4/13 WDL authorized LPI to discharge a weekly maximum of 244,370 gallons per week of sanitary wastewater on a seasonal basis from the Lake Pemaquid Campground to a surface wastewater disposal spray irrigation system on 5 acres to ground water, Class GW-A, in Damariscotta, Maine from April 15-November 15 of each year.

**LICENSE SUMMARY**

This license carries forward all terms and conditions of the previous licensing action.

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## CONCLUSIONS

Based on the findings summarized in the attached Fact Sheet dated December 3, 2018, 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, *Classification of Maine waters*, 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 natural resource, that water quality will be maintained and protected;
  - (c) The standards of classification of the receiving water body are met or, where the standards of classification of the receiving water body are not met, the discharge will not cause or contribute to the failure of the water body to meet the standards of classification;
  - (d) Where the actual quality of any classified receiving water body exceeds the minimum standards of the next highest classification that higher water quality will be maintained and protected; and
  - (e) Where a discharge will result in lowering the existing 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 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).

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**ACTION**

THEREFORE, the Department APPROVES the above noted application of LAKE PEMAQUID, INC. to operate a surface wastewater disposal system to dispose of 244,370 gallons per week of sanitary wastewater during the period of April 15th – November 15th of each year, SUBJECT TO THE FOLLOWING 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 license and the authorization to discharge become effective upon the date of signature below and expire at midnight five (5) years from the effective date. If a renewal application is timely submitted and accepted as complete for processing prior to the expiration of this license, the authorization to discharge and the terms and conditions of this license 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. § 10002 and Rules Concerning the Processing of Applications and Other Administrative Matters, 06-096 CMR 2(21)(A) (amended June 9, 2018)]

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

DONE AND DATED AT AUGUSTA, MAINE, THIS 4 DAY OF December, 2018.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY:



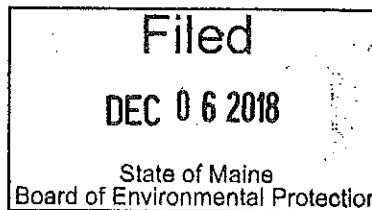
*for* MELANIE LOYZIM, Acting Commissioner

Date filed with Board of Environmental Protection

Date of initial receipt of application: September 7, 2018

Date of application acceptance: September 7, 2018

This Order prepared by Cindy L. Dionne, BUREAU OF WATER QUALITY





## SPECIAL CONDITIONS

### A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. The licensee is authorized to operate a surface wastewater treatment and disposal system. The **LAGOON EFFLUENT (OUTFALL #001A)** is limited and must be monitored as specified below<sup>(1)</sup>.

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

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 7 through 8 of this license for applicable footnotes.

## SPECIAL CONDITIONS

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

2. The licensee is authorized to apply wastewater to the land via a spray irrigation system during a limited time frame of April 15<sup>th</sup> – November 15<sup>th</sup> of each year. The **SPRAY IRRIGATION FIELD (SF1)** is limited and must be monitored as specified below.

	Monthly Total	Weekly Maximum	Daily Maximum	Measurement Frequency	Sample Type
Flow - Total Gallons <sup>(3)</sup> [51500]	Report (Gallons) [57]	---	---	1/Month [01/30]	Calculate [CA]
Application Rate <sup>(3)</sup> [51125]	---	244,370 <sup>(4)</sup> [8G]	---	1/Week [01/07]	Calculate [CA]

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 7 through 8 of this license for applicable footnotes.

## SPECIAL CONDITIONS

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

3. The licensee is authorized to operate a surface wastewater treatment and disposal system. The **GROUND WATER MONITORING WELL (GW-1)** is limited and must be monitored as specified below.

	<b>Weekly Average</b>	<b>Daily Maximum</b>	<b>Measurement Frequency</b>	<b>Sample Type</b>
Depth to Water Level Below Land Surface [72019]	---	Report (feet) <sup>(5)</sup> [27]	2/Year <sup>(6)</sup> [02/YR]	Measure [MS]
Specific Conductance [00095]	---	Report (umhos/cm) <sup>(7)</sup> [11]	2/Year <sup>(6)</sup> [02/YR]	Grab [GR]
Nitrate-Nitrogen [00620]	---	10 mg/L [19]	2/Year <sup>(6)</sup> [02/YR]	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 7 through 8 of this license for applicable footnotes.

## **SPECIAL CONDITIONS**

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

#### **FOOTNOTES**

##### **Lagoon Effluent**

1. Storage lagoon effluent must be sampled (at the pump house discharge pipe sampling port) and must be representative of what is actually sprayed on the field. All sampling and analysis must be conducted 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 for wastewater by the State of Maine's Department of Health and Human Services. Samples that are sent to a POTW 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 (effective April 1, 2010). Laboratory facilities that analyze compliance samples in-house are subject to the provisions and restrictions of 10-144 CMR 263. If the licensee monitors any pollutant more frequently than required by the license using test procedures approved under 40 CFR Part 136 or as specified in this license, the results of this monitoring must be included in the calculation and reporting of the data submitted in the Discharge Monitoring Report (DMR).
2. Lagoon effluent sampling must be conducted in the months of July and August of each calendar year in accordance with approved methods for sampling, handling and preservation (see footnote #1). The licensee is not required to test for these parameters during a month when no wastewater was disposed of via the spray irrigation system for that entire month.

##### **Spray-Irrigation Fields**

3. The licensee must measure the flow of wastewater to the irrigation area by the use of a meter or pump calibration data that is checked for calibration at least once per calendar year.
4. For DMR reporting purposes, the licensee must report the highest weekly application rate for the month in the applicable box on the form. Compliance with weekly reporting requirements must be reported for the month in which the calendar week ends. "Weekly" is defined as Sunday through Saturday.

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## **SPECIAL CONDITIONS**

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

#### **FOOTNOTES (cont'd)**

##### **Ground Water Monitoring**

5. Depth to water level must be measured to the nearest one tenth (1/10th) of a foot as referenced from the surface of the ground at the base of the monitoring well.
6. Ground water sampling must be conducted in the months of May and October of each year. Sampling, handling, and preservation must be conducted in accordance with approved methods (See footnote #1).
7. Specific conductance (calibrated to 25.0° C) is considered to be a “field” parameter meaning that they are measured directly in the field via instrumentation and does not require laboratory analysis. However, in certain instances, specific conductance samples may be preserved and forwarded to a laboratory for evaluation. The licensee is required to test for this parameter whether wastewater was disposed of via the spray-irrigation system or not. Specific conductance values indicating a statistically significant trend upwards or sudden spikes from previous levels may necessitate the need for additional ground water testing requirements.

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

This treatment facility must be operated by a person holding a minimum of a Maine Grade I, Spray Irrigation Treatment System (SITS) certificate (or a Maine Professional Engineer [P.E.]) pursuant to 32 M.R.S. § 4171-4182 et seq. 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 prior to the licensee engaging the services of the contract operator.

### **C. NARRATIVE EFFLUENT LIMITATIONS**

1. The effluent must not contain materials in concentrations or combinations which would impair the usages designated for the classification of the ground water.
2. The effluent must not lower the quality of any classified body of water below such classification, (ground water is a classified body of water under 38 M.R.S. § 465-C) or lower the existing quality of any body of water if the existing quality is higher than the classification.

### **D. AUTHORIZED DISCHARGES**

The licensee is authorized to discharge in accordance with: 1) the licensee's General Application for Waste Discharge License, accepted for processing on September 7, 2018; 2) the terms and conditions of this license; and 3) only to the existing spray irrigation field (SF1) and from those sources as indicated in this licensing action. Discharges of wastewater from any other point source(s) are not authorized under this license, and must be reported in accordance with Standard Condition D(1)(F), Twenty-four hour reporting, of this license.

## **SPECIAL CONDITIONS**

### **E. NOTIFICATION REQUIREMENT**

In accordance with Standard Condition D, the licensee must notify the Department of the following:

1. Any introduction of pollutants into the wastewater collection and treatment system from an indirect discharger in a primary industrial category discharging process wastewater; and
2. Any substantial change in the volume or character of pollutants being introduced into the wastewater collection and treatment system by a source introducing pollutants to the system at the time of license issuance. For the purposes of this section, notice regarding substantial change must include information on:
  - (a) the quality and quantity of wastewater introduced to the wastewater collection and treatment system; and
  - (b) any anticipated impact caused by the change in the quantity or quality of the wastewater to be discharged from the treatment system.

### **F. GENERAL OPERATIONAL CONSTRAINTS**

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

In the event that ground water monitoring indicates adverse effects, the licensee may be required to take immediate remedial action(s), which may include but are not limited to, adjustment of the irrigation schedule or application rates, a reduction of the pollutant loading, or ceasing operation of the system until the Department determines that such actions are no longer required.

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

## **SPECIAL CONDITIONS**

### **F. GENERAL OPERATIONAL REQUIREMENTS (cont'd)**

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

### **G. SPRAY IRRIGATION OPERATIONAL CONSTRAINTS**

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

### **H. SPRAY IRRIGATION OPERATIONAL PROCEDURES, LOGS AND REPORTS**

1. Each day prior to irrigating, the licensee must visually inspect the spray irrigation site to determine if the soil-moisture conditions are appropriate for spraying and all the operational constraints listed in Special Condition G of this license are met.
2. The licensee must, at all times, maintain in good working order, and operate at maximum efficiency, all wastewater collection, treatment and/or control facilities. Within one hour after start-up of the spray-irrigation system and at the conclusion of the spray- event, the licensee must traverse the spray irrigation site to check the system for leakage in the piping system and determine if individual spray heads and pump(s) are functioning as designed, and verify that application rates are appropriate for the existing site conditions.

## **SPECIAL CONDITIONS**

### **H. SPRAY IRRIGATION OPERATIONAL PROCEDURES, LOGS AND REPORTS (cont'd)**

Should significant malfunctions or leaks be detected, the licensee must shut down the malfunctioning portion of the spray system and make necessary repairs before resuming operation of the system. The licensee must cease irrigation if runoff is observed outside the designated boundaries of the spray field(s).

3. The licensee must maintain a daily log of all spray irrigation operations which records, date, weather and soil conditions, rainfall, lagoon freeboard (top of lagoon to the water surface), areas irrigated, volume sprayed (gallons), application rates (daily and hourly), and other relevant observations/comments from daily inspections. The log must be in accordance with the format or similar format of the "Monthly Operations Log" provided as Attachment A of this license.

Weekly spray application rates must be reported in accordance with the format or similar format of the "Spray Application Report by Week" provided as Attachment B of this license. Depth to water below land surface observed in monitoring wells must be reported in accordance with the format or similar format provided as Attachment A of this license.

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

### **I. VEGETATION MANAGEMENT**

1. The licensee must remove vegetation in the spray-irrigation areas as necessary as not to impair the operation of the spray-irrigation system and to ensure uniform distribution of wastewater over the desired application area.
2. The vegetated buffer zones along the perimeter of the site must be maintained to maximize vegetation and forest canopy density in order to minimize off-site drift of spray.

### **J. LAGOON MAINTENANCE**

1. The banks of the lagoon must be inspected weekly during the operating season and properly maintained. There must be no overflow through or over the banks. Any signs of leaks, destructive animal activity or soil erosion of the berms must be repaired immediately. The licensee must notify the Department in writing or verbally, within five (5) days of such incidents documenting the corrective action(s) that were taken to eliminate the overflow.
2. Maintenance of the banks of the lagoon must be conducted to keep them free of woody vegetation and other vegetation that may be detrimental to the integrity of the berm and or lagoon liner.



## **SPECIAL CONDITIONS**

### **J. LAGOON MAINTENANCE (cont'd)**

3. The waters within the lagoon must be kept free of all vegetation (i.e. grasses, reeds, cattails, etc.) that hinder the operation of the lagoon.
4. The lagoon must be dredged as necessary to maintain the proper operating depths that will provide best practicable treatment of the wastewater. All material removed from the lagoon(s) must be properly disposed of in accordance with all applicable State laws and regulations.
5. At the end of each spray season, the lagoon must be lowered to a level sufficient to allow for storage of precipitation and/or infiltration during the period the spray system is not being used and/or operated.
6. The licensee must maintain the lagoon freeboard at design levels or at least two (2) feet whichever is greater. The storage lagoon must be operated in such a way as to balance the disposal of wastewater via spray irrigation, including the necessary storage capacity for precipitation, to ensure that design freeboard levels are maintained.

### **K. SEPTIC TANKS**

1. All septic tanks must be watertight and tanks must be constructed of materials approved by the Department and in accordance with the Maine Subsurface Wastewater Disposal Rules. Metal septic tanks are prohibited.
2. Inlet and outlet connections of each septic tank or compartment must be designed to obtain effective retention of scum and sludge. All connections and baffles must be fastened with and constructed of, or coated with, materials that are resistant to corrosion.
3. Septic tanks and other treatment tanks must be regularly inspected (at least once per calendar year) and maintained to ensure that they are providing best practicable treatment. Reports of the results of the inspection must include the amount of sludge build-up, baffle conditions, etc., and must be reported to the Department's compliance inspector prior to the end of the month following the inspection.
4. Tank contents must be removed whenever the sludge and scum occupies one-third of the tank's liquid capacity or whenever levels approach maximum design capacity. Although not specifically required by this licensing action, it is the Department's recommendation that any food-preparation facility or dining halls serviced by the spray-irrigation treatment system have an external grease interceptor preceding the septic tank, to help facilitate best practicable treatment and ensure proper functioning of the septic tank(s).

Grease interceptors should be inspected by the licensee at least two times per year and the tank cleaned when the volume of the grease equals more than 50% of the capacity of the tank.

## **SPECIAL CONDITIONS**

### **K. SEPTIC TANKS (cont'd)**

Note: Any food-preparation facilities connected to septic tanks are required to have external grease interceptors preceding the septic tanks in accordance with the State of Maine Subsurface Wastewater Disposal Rules.

### **L. DISPOSAL OF TRANSPORTED WASTE IN WASTEWATER TREATMENT FACILITY**

This license does not authorize from the introduction of transported wastes into the wastewater treatment facility. "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.

### **M. INSPECTIONS AND MAINTENANCE**

1. Maintenance logs must be maintained for each system component including pumps, pump stations, septic tanks, lagoons, spray apparatus, and pipes. At a minimum, the log must include the alphanumeric ID, the date of maintenance, type of maintenance performed, names or person performing the maintenance, and other relevant system observations.
2. All inspections must include an evaluation of any repair, upgrades, pumping, operational and/or maintenance needs.
3. The inspection report or log must include the date of the inspection, the names of the person performing the inspection, and other relevant system operations.

### **N. PUMPING (SOLIDS REMOVAL FROM SEPTIC TANKS, PUMPING STATIONS, AND OTHER TREATMENT TANKS)**

1. The licensee must keep a pumping log including the date of pumping, quantity of material removed (solids % capacity), name and number of licensed contractor, pumping frequency and other relevant observations.
2. Following pumping, the tanks must be checked for damage and repaired promptly if damaged or in disrepair.

## **SPECIAL CONDITIONS**

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

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

By December 31 of each year, or within 90 days of any process changes or minor equipment upgrades, the licensee must evaluate and modify the O&M Plan including site plan(s) and schematic(s) for the wastewater 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 personnel upon request.

Within 90 days of completion of new and or substantial upgrades of the wastewater treatment facility, the licensee must submit the updated O&M Plan to their Department inspector for review and comment.

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

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

### **Q. GROUND WATER MONITORING**

All monitoring wells must be equipped with a cap and lock to limit access and must be maintained in a secured state at all times when they are not being sampled. The Department reserves the right to require increasing the depth and or relocating any of the ground water monitoring wells if the well is perennially dry or is determined not to be representative of ground water conditions.

### **R. MONITORING AND REPORTING**

#### **Electronic Reporting**

NPDES Electronic Reporting, 40 C.F.R. 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.

## **SPECIAL CONDITIONS**

### **R. MONITORING AND REPORTING (cont'd)**

Electronic Discharge Monitoring Reports (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.

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.

### **S. REOPENING OF LICENSE FOR MODIFICATIONS**

Upon evaluation of the tests results in the Special Conditions of this licensing action, new site specific information, or any other pertinent test results or information obtained during the term of this license, the Department may, at any time and with notice to the licensee, modify this license 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.

### **T. SEVERABILITY**

In the event that any provision(s), or part thereof, of this license is declared to be unlawful by a reviewing court, the remainder of the license must remain in full force and effect, and must be construed and enforced in all aspects as if such unlawful provision, or part thereof, had been omitted, unless otherwise ordered by the court.

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**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).

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**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 of 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 MAINTENANCE 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

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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.



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- (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.

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**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.

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**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

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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).

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- (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.

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**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 contaminants 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.

# MAINE POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT

## STANDARD CONDITIONS APPLICABLE TO ALL PERMITS

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**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.

## MAINE POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT

### STANDARD CONDITIONS APPLICABLE TO ALL PERMITS

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**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.



# **ATTACHMENT A**

## Monthly Operations Log

Lake Pemaquid (WDL #W003271-5J-I-R

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

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

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

A	B	C	D	E	F	G
Date	Precipitation Previous 24 hours (inches)	Air Temp (°F)	Weather	Wind- Direction/ Speed (mph)	Depth to GW in Observation well (inches)	Total Gallons Pumped (gallons)
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
16						
17						
18						
19						
20						
21						
22						
23						
24						
25						
26						
27						
28						
29						
30						
31						

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

# **ATTACHMENT B**

### Spray Application Report by Week

Lake Pemaquid Campground (WDL #W003271-5J-I-R/MEU503271) (Month/Year) \_\_\_\_\_

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

Field Name/ #	Effective Spray Area (Acres, when all are used)	Weekly Limit (Gallons)	Spray Application Rates (Gallons)					Number of Exceptions to Weekly Limit	Monthly Average
			Week 1	Week 2	Week 3	Week 4	Week 5		

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

**MAINE WASTE DISCHARGE LICENSE**

**Final FACT SHEET**

DATE: **DECEMBER 3, 2018**

LICENSE NUMBER: **#MEU503271**

WASTE DISCHARGE LICENSE: **#W003271-5J-I-R**

NAME AND ADDRESS OF APPLICANT:  
**LAKE PEMAQUID, INC.  
P.O. BOX 387 B  
DAMARISCOTTA, MAINE 04543**

COUNTY: **LINCOLN**

NAME AND ADDRESS WHERE DISCHARGE(S) OCCUR(S):

**LAKE PEMAQUID CAMPGROUND  
100 TWIN COVE ROAD  
DAMARISCOTTA, MAINE 04543**

RECEIVING WATER CLASSIFICATION: **GROUND WATER/CLASS GW-A**

COGNIZANT OFFICIAL CONTACT INFORMATION:

**MR. CLAYTON HOWARD  
(207) 632-8600  
EMAIL: [lakepem@tidewater.net](mailto:lakepem@tidewater.net)**

**1. APPLICATION SUMMARY**

Application: Lake Pemaquid, Inc. (LPI) submitted a timely and complete application to the Department of Environmental Protection (Department) for renewal of Waste Discharge License (WDL) #W003271-5J-H-R/Permit Compliance System (PCS) tracking #MEU503271, which was issued by the Department on October 4, 2013 for a five-year term. The 10/4/13 WDL authorized LPI to discharge a weekly maximum of 244,370 gallons per week of sanitary wastewater on a seasonal basis from the Lake Pemaquid Campground to a surface wastewater disposal spray irrigation system on 5 acres to ground water, Class GW-A, in Damariscotta, Maine from April 15-November 15 of each year.

## 2. LICENSE SUMMARY

- a. Terms and Conditions: This licensing action is carrying forward all the terms and conditions of the previous license.

- b. History: The most current relevant regulatory actions include:

*September 24, 1996* – The Department issued WDL #W003271-YC-B-R for a five-year term. The WDL authorized the use of a spray irrigation system for the disposal of sanitary wastewater.

*August 10, 1998* – The Department issued WDL #W003271-5J-C-M which approved modifications to the operation of the surface wastewater disposal system. The modifications included changes to the monitoring provisions and established a new expiration date of August 10, 2003.

*June 6, 2003* – The Department issued WDL renewal #W003271-5J-D-R for a five-year term.

*June 2, 2008* – LPI submitted a timely and complete application to the Department to renew the WDL for the campground.

*June 18, 2008* – LPI submitted a letter amending their 6/2/08 application requesting approval to increase the spray application rate to accommodate an increase in campsites from 319 sites to 400 sites.

*September 15, 2008* – The Department issued WDL #W003271-5J-E-R for a five-year term.

*October 24, 2008* – The Department issued minor revision #W003271-5J-F-M for the modification of the spray application rate, operator requirement revision and elimination of low flow ground water sampling until further notice from the Department.

*July 12, 2010* – The Department issued minor revision #W003271-5J-G-M for the modification of the spray application rate and increase of the daily application rate.

*October 4, 2013* – The Department issued WDL #W003271-5J-H-R for a five-year term.

*September 7, 2018* – LPI submitted a timely and complete application to the Department for renewal of the 10/4/13 license. The application was accepted for processing on the same day and was assigned WDL #W003271-5J-I-R.

*This space intentionally left blank.*

## 2. LICENSE SUMMARY (cont'd)

- c. Source Description: The licensee operates Lake Pemaquid Campground, a lakeside campground located on the west shore of Pemaquid Pond (AKA Lake Pemaquid) in the Town of Damariscotta. **Attachment A** of this Fact Sheet shows the location of the site. Wastewater generated (approximately 29,100 gpd) is characterized as similar to typical domestic wastewater. The camp currently accommodates up to approximately 500 users during the peak season (late June to mid-August). Lesser quantities of wastewater are generated during camp opening (roughly 5% of total annual flow, beginning of May) until Memorial Day, and only approximately 10% after Labor Day until camp closing.
- d. Wastewater Treatment (Spray-Irrigation): The applicant treats sanitary wastewater through a slow rate land irrigation system (spray-irrigation). The wastewater treatment system includes five (5) septic tanks, 11 pump station tanks, an underground wastewater collection system serving the campsites, two lagoons, and a 5-acre spray irrigation area. See **Attachment B** of this Fact Sheet for a schematic of the lagoons and spray field.

The treatment system consists of two lagoons operated in series. The primary lagoon has a surface area of 1.3 acres and an operating depth of 2.5 to 3.0 feet for a total working volume of 1,164,500 gallons. The secondary lagoon has a surface area of 0.42 acres and an operating depth of 3 feet for a total working volume of 410,500 gallons. The lagoons were designed as stabilization ponds without any mechanical aeration. Due to the development of odors and complaints from the lagoon during heavy campground use periods in the summer, a 3-horsepower mechanical aspirator aerator was installed in the primary lagoon. A backup aerator was added and stored in the storage lagoon. The aerator in the storage lagoon has been in operation since 2008.

The system operates in a batch mode. Once per week the flow from the primary lagoons is directed to the secondary lagoon. In the secondary lagoon the wastewater is allowed to settle for approximately one week. The effluent from the secondary lagoon is conveyed to a 2,000-gallon concrete tank with a spray irrigation pump. The decant line flow to the tank is about one foot below the water surface to prevent algae and solids within the lagoon to enter the spray irrigation system. The 5-acre spray irrigation area consists of six primary lateral rows. Each lateral row contains 12 spray nozzles. Each nozzle distributes wastewater over a circular area with a radius of 50 feet. See **Attachment C** of this Fact Sheet for a schematic of the spray irrigation layout.

Ground water quality is currently monitored by a ground water monitoring well located hydraulically down gradient from the lagoons.

- e. Site Conditions: The lagoons and spray irrigation area are located on a moderate slope about 900 feet west of Pemaquid Pond. The site is underlain by glacial till and marine sediments of reported low hydraulic conductivity overlying bedrock. Surveys performed prior to the construction of the system indicate the topsoil is a moderately well drained stoney sandy loam on 0% to 8% slope. The spray irrigation area is located in an area of mixed hardwood and coniferous forest.

### 3. CONDITIONS OF LICENSE

*Conditions of licenses*, 38 M.R.S. § 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.

### 4. RECEIVING WATER QUALITY STANDARDS

*Classification of Ground Waters*, 38 M.R.S., § 470 states "All ground water must be classified as not less than Class GW-A, except as otherwise provided in this section." *Standards of classification of ground water*, 38 M.R.S. § 465-C(1) contains the standards for the classification of ground waters. "Class GW-A must be the highest classification and must be of such quality that it can be used for public drinking water supplies. These waters must be free of radioactive matter or any matter that imparts color, turbidity, taste or odor which would impair usages of these waters, other than that occurring from natural phenomena."

### 5. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

- a. Lagoon Effluent: Previous licensing action established, and this license is carrying forward, a twice-per-year (July and August) monitoring requirement for the biochemical oxygen demand (BOD<sub>5</sub>), total suspended solids (TSS), and nitrate-nitrogen for lagoon effluent as it exits the lagoon to be sprayed. Monitoring for these parameters yields an indication of the effectiveness of the lagoon treatment process and the condition of the wastewater being applied.

A review of the Discharge Monitoring Report (DMR) data for the period November 2013 – September 1, 2018 (n=9) indicates the following:

#### BOD<sub>5</sub> concentration

Value	Limit (mg/L)	Range (mg/L)	Average (mg/L)
Daily Maximum	100	7.9 – 210	88

#### TSS concentration

Value	Limit (mg/L)	Range (mg/L)	Average (mg/L)
Daily Maximum	100	18 – 60	35

#### Nitrate-nitrogen concentration

Value	Limit (mg/L)	Range (mg/L)	Average (mg/L)
Daily Maximum	Report	<0.5 – <0.25	<0.3



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

- b. Spray Irrigation Monthly Totals, Weekly & Daily Application Rate: Previous licensing action established a weekly maximum application limit of 244,370 gallons as calculated below:

$$48,874 \times 5 \text{ (spray irrigation field size)} = 244,370 \text{ gallons/week}$$

A review of the DMR monitoring for the period November 2013 – September 1, 2018 indicates spray application rates (n=22) have been as follows:

### Weekly application rates

Value	Limit (gal/acre)	Range (gal/acre)	Average (gal/acre)
Weekly Maximum	244,370	6,200 – 221,000	34,255

This licensing action is carrying forward the previously established reporting requirement for the total quantity of wastewater applied to the spray field on a monthly basis.

A review of the DMR data for the period November 2013 – September 1, 2018 indicates total flows (n=22) have been reported as follows:

### Monthly totals

Value	Limit (gallons)	Range (gallons)	Average (gallons)
Total gallons/month	Report	24,000 – 894,000	321,777

- c. Ground Water Monitoring Well: Typically the Department requires a minimum of three monitoring wells for monitoring surface wastewater disposal (spray-irrigation) systems. One well is typically installed up-gradient from the lagoon to monitor ambient ground water conditions, one well installed down-gradient from the lagoon to monitor lagoon leakage, and one well installed down-gradient from the spray field to monitor effects on the ground water from the spray operation. In 1993, the Department assisted LPI in the location and number of monitoring wells (one) to be installed to assist in determining the impact (if any) from the LPI wastewater treatment facility on the ground water.

One monitoring well (GW-1) currently exists on site (down gradient of the lagoon) and is shown on Attachment B of this Fact Sheet.

*Depth to Water Level Below Land Surface* – The depth to water level below land surface is documented in GW-1 twice per year. Depth to water level below land surface ranged from 1.8 feet to 4 feet from November 1, 2013 to September 1, 2018.

*Specific Conductance* - Tracking the levels of this parameter is important in determining the efficiency of the soil in attenuating the pollutant loading via the spray-irrigation area and is likely to identify chronic leakage in the lagoon. Specific conductance is considered a surveillance-level monitoring parameter that is used as an early-warning indicator of potential ground water contamination.

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

For purposes of this license, specific conductance (normally a field parameter) may be measured in the laboratory as long as Department approved methods for handling and preservation of the sample are adhered to and analysis is performed in accordance with methods approved by 40 Code of Federal Regulations (CFR) Part 136. By definition the sample must be temperature-calibrated to 25°C. Specific conductance values indicating a statistically significant trend upwards or sudden spikes from previous levels may necessitate the need for additional ground water testing requirements.

A review of the DMR data for the period November 2013 – September 1, 2018 indicates specific conductance values for each monitoring well (n=8) have been reported as follows:

### Specific conductance

Monitoring Well ID	Limit	Range (umhos/cm)	Average (umhos/cm)
GW-1	Report	39 - 100	65

*Nitrate-nitrogen* - Nitrogen compounds are by-products of the biological breakdown of ammonia and organic nitrogen, and are inherent in domestic like sanitary wastewater. Because nitrate-nitrogen is weakly absorbed by soil, it functions as a reliable indicator of contamination from waste-disposal sites. Also, elevated levels of nitrate-nitrogen in the drinking water supply are of human health concern. The limit of 10 mg/L is a National Primary Drinking Water standard.

A review of the DMR data for the period November 2013 – September 1, 2018 indicates specific conductance values for each monitoring well (n=8) have been reported as follows:

### Nitrate-nitrogen

Monitoring Well ID	Limit (mg/L)	Range (mg/L)	Average (mg/L)
GW-1	10	<0.5 – <0.25	<0.3

## 6. SYSTEM CALIBRATION

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

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

## 7. DISCHARGE IMPACT ON RECEIVING WATER QUALITY

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

## 8. PUBLIC COMMENTS

Public notice of this application was made in the Lincoln County News newspaper on September 4, 2018. 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 licenses 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. RESPONSE TO COMMENTS

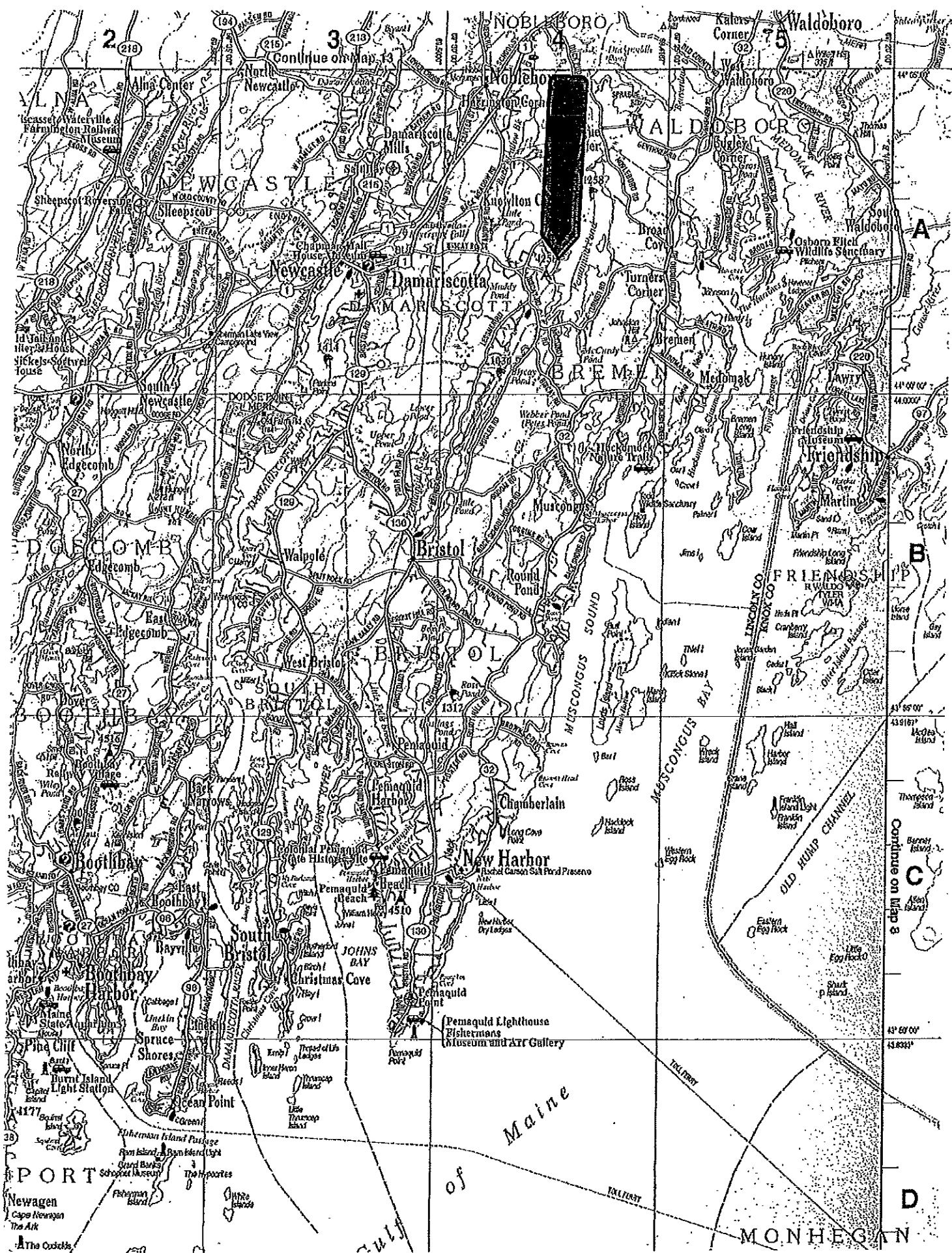
During the period of October 30, 2018 through the issuance date of the final permit, the Department solicited comments on the Proposed draft Waste Discharge License to be issued to LPI for the proposed discharge. The Department did not receive comments that resulted in any substantive change(s) in the terms and conditions of the license. Therefore, the Department has not prepared a Response to Comments.

## 10. DEPARTMENT CONTACTS

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

Cindy L. Dionne  
Division of Water Quality Management  
Bureau Water Quality  
Department of Environmental Protection  
17 State House Station  
Augusta, Maine 04333-0017 Telephone: (207) 287-7823  
e-mail: [cindy.l.dionne@maine.gov](mailto:cindy.l.dionne@maine.gov)

# **ATTACHMENT A**



# **ATTACHMENT B**

# SKETCH OF LAKE PEMAQUID CAMPGROUND SURFACE WASTE WATER DISPOSAL SYSTEM

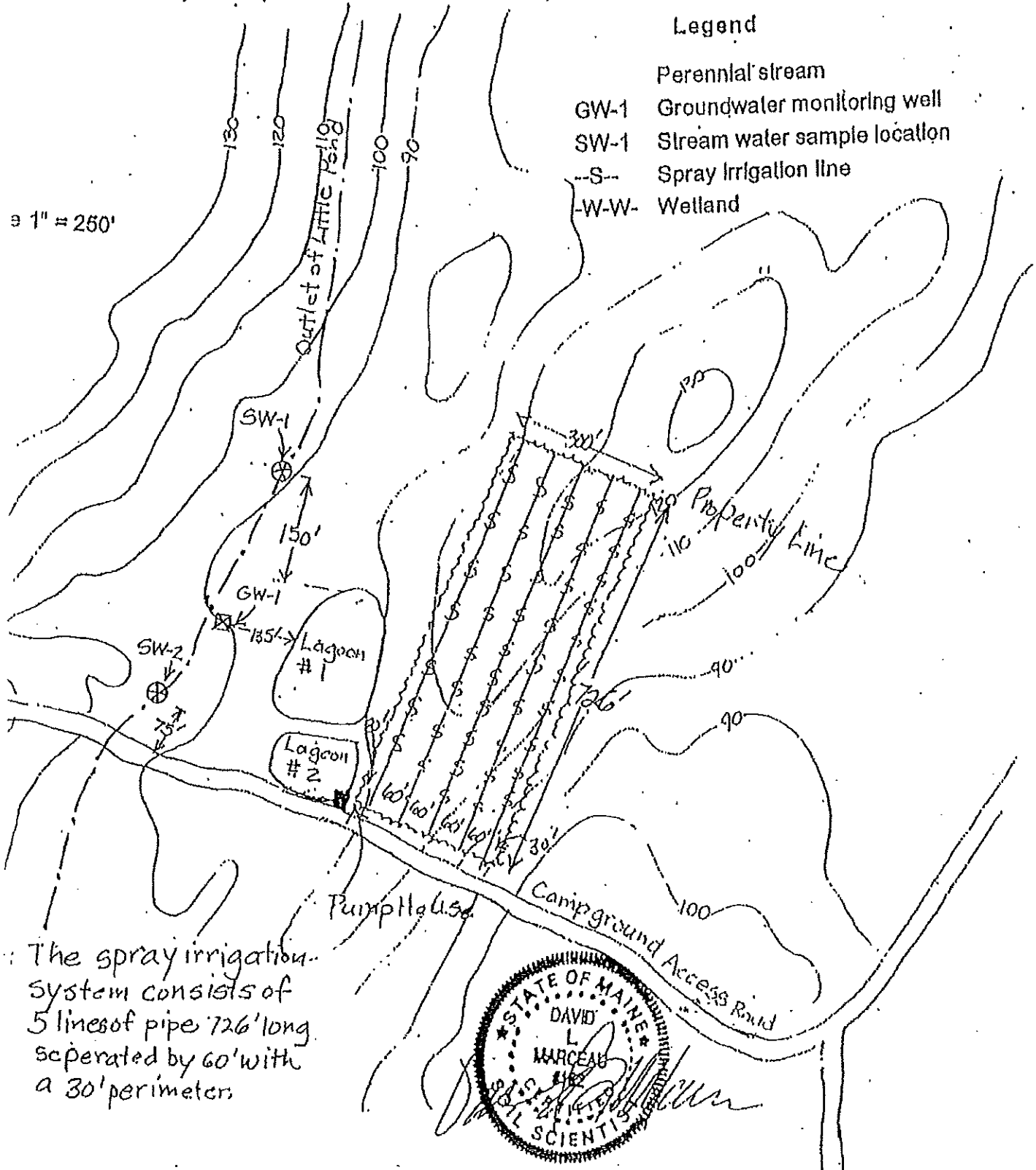
Attachment 3  
WDL #W003271-5J-D-R

Note: Topographic information was taken from the U.S.G.A. 7.5 minute Damariscotta Quad (blown up from 1" = 2000' to 1" = 250')

## Legend

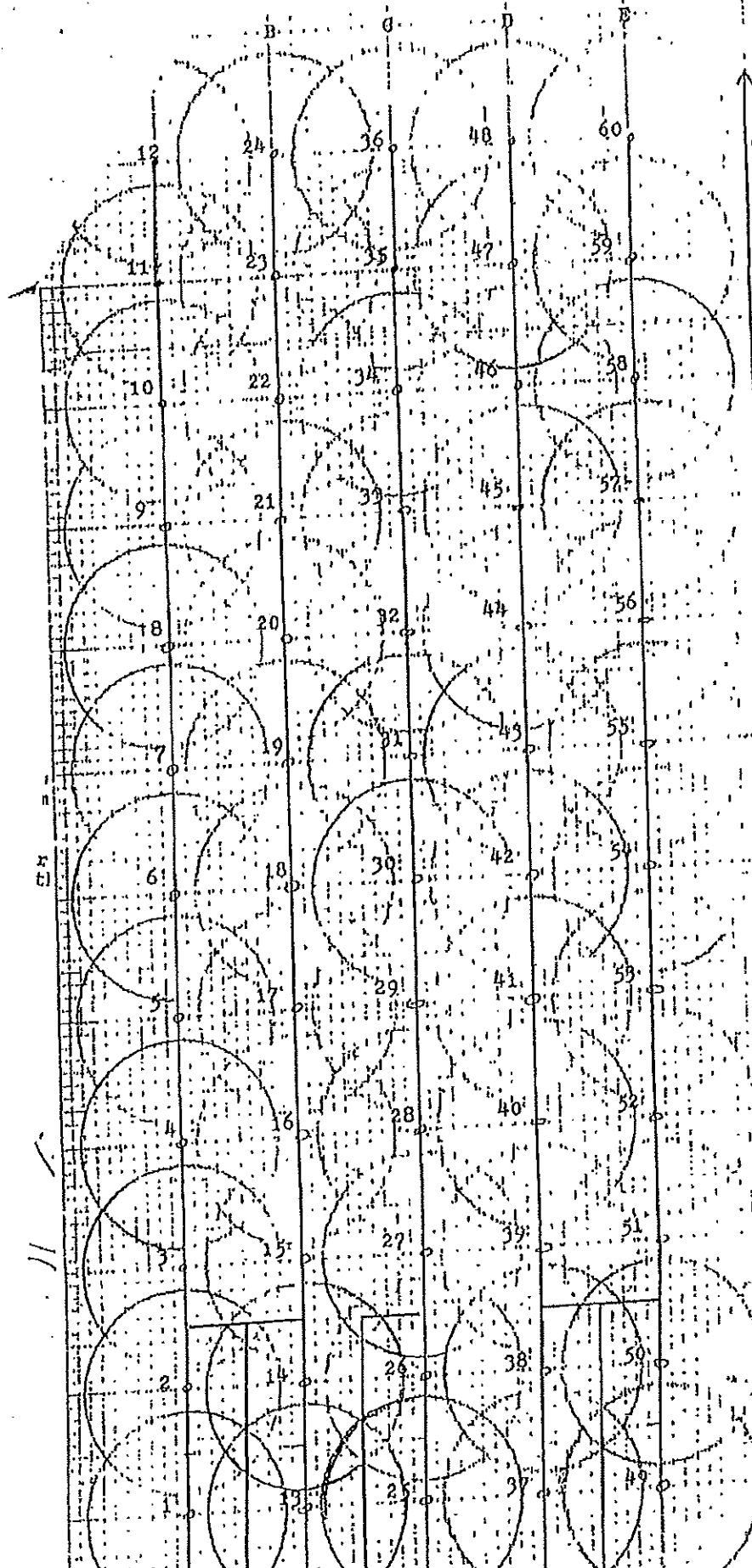
- Perennial stream
- GW-1 Groundwater monitoring well
- SW-1 Stream water sample location
- S-- Spray Irrigation line
- W-W- Welland

1" = 250'



The spray irrigation system consists of 5 lines of pipe 726' long separated by 60' with a 30' perimeter.

Attachment 2  
WDL #W003271-5J-D-R



LAKE PEMAQUID  
60'x60' Square  
SPRINKLER SPACING

NELSON F335  
SINGLE 3/16" ORIFICE  
7 1/6 GPM @ 50 PSI  
50 FT Radius @ 50 PSI

Each Lateral  
consists of:

8 3"x30' alum.  
11+3 2"x30' alum.

quick couple irrigation  
pipe.

Sprinklers every other  
pipe for 60 x 60 ft.

Horizontal reference  
point is the South East  
corner of the pump house  
and the South West  
corner of SA. Spray  
field is located 30'  
Easterly of the hori-  
zontal reference point.  
The vertical reference  
point is the top of the  
dock post in Lagoon #1

Ag. Engineers, Inc.  
29 Walnut Crest Road  
Borham, Maine 04038-  
Phone: 207-454-2401