



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

JOHN ELIAS BALDACCI
GOVERNOR

DAVID P. LITTELL
COMMISSIONER

December 19, 2006

Mr. Gregory Dore
Road Commissioner
Town of Skowhegan
225 Water Street
Skowhegan, ME. 04976

**RE: Maine Waste Discharge License (WDL) Application #W-008223-5V-A-N
Permit Compliance System #MEU508233
Final License**

Dear Mr. Dore:

Enclosed, please find a copy of your final Maine WDL which was approved by the Department of Environmental Protection. Please read the license and its attached conditions carefully. You must follow the conditions in the order to satisfy the requirements of law. Any discharge not receiving adequate treatment is in violation of State law and is subject to enforcement action.

Any interested person aggrieved by a Department determination made pursuant to applicable regulations, may appeal the decision following the procedures described in the attached DEP FACT SHEET entitled "Appealing a Commissioner's Licensing Decision."

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

Sincerely,

Bill Hinkel
Division of Water Quality Management
Bureau of Land and Water Quality

Enclosure

cc: Jim Crowley, DEP
File #8233

AUGUSTA
17 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0017
(207) 287-7688 FAX: (207) 287-7826
RAY BLDG., HOSPITAL ST.

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

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

PRESQUE ISLE
1235 CENTRAL DRIVE, SKYWAY PARK
PRESQUE ISLE, MAINE 04769-2094
(207) 764-0477 FAX: (207) 760-3143



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

DEPARTMENT ORDER

IN THE MATTER OF

SKOWHEGAN STATE FAIRGROUNDS ASSOCIATION)	PROTECTION AND IMPROVEMENT
WASTE SNOW DUMP)	OF WATERS
SKOWHEGAN, SOMERSET COUNTY)	
#MEU508233)	WASTE DISCHARGE LICENSE
#W008233-5V-A-N APPROVAL)	NEW

Pursuant to Maine law, 38 M.R.S.A., §414-A *et seq.*, and applicable regulations, the Department of Environmental Protection (Department) has considered the application of the SKOWHEGAN STATE FAIRGROUNDS ASSOCIATION (Association), with its supportive data, agency review comments, and other related materials on file and FINDS THE FOLLOWING FACTS:

APPLICATION SUMMARY

The Association has applied to the Department for a new Waste Discharge License (WDL) to place snow collected from town streets and parking lots onto the Skowhegan State Fairgrounds (Fairgrounds), so called, located on Constitution Street in Skowhegan, Maine. The disposal site is located over a mapped sand and gravel aquifer. The Town of Skowhegan Public Works Department operates the snow dump.

PERMIT SUMMARY

This licensing action is establishing a new requirement to implement best management practices (BMPs) for the discharge of waste snow to the land surface at the Fairgrounds, which is situated over a sand and gravel aquifer (Special Condition C). The licensee is required to employ BMPs to minimize contamination of waste snow with street litter and sand or sand-salt mixtures. This license does not authorize the discharge of waste snow that is contaminated with oil, petroleum products, chemicals, hazardous wastes or substances, or solid waste (other than incidental street litter). This licensing action is establishing a Permit Compliance System (PCS) tracking number of MEU508233 for data management purposes.

CONCLUSIONS

BASED on the findings in the attached Fact Sheet dated December 11, 2006, and subject to the Conditions listed below, the Department makes the following CONCLUSIONS:

1. The discharge, either by itself or in combination with other discharges, will not lower the quality of any classified body of water below such classification.
2. The discharge, either by itself or in combination with other discharges, will not lower the quality of any unclassified body of water below the classification which the Department expects to adopt in accordance with State law.
3. The provisions of the State's antidegradation policy, 38 M.R.S.A. §464(4)(F), will be met, in that:
 - (a) Existing in-stream water uses and the level of water quality necessary to protect and maintain those existing uses will be maintained and protected;
 - (b) Where high quality waters of the State constitute an outstanding national resource, that water quality will be maintained and protected;
 - (c) 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 Maine law, 38 M.R.S.A., §414-A(1)(D).
5. No practicable upland alternative location(s) exists for the disposal of waste snow collected from the urban compact area of the Town of Skowhegan.
6. The Association will only deposit waste snow at the Fairgrounds which has been collected from areas where the use of sand or sand-salt mixtures is minimized or restricted, and only snow which has been collected and removed within 72 hours following the end of a snow event from areas subject to vehicular traffic movement.
7. The Association will employ best management practices to minimize contamination of waste snow by litter and vehicular traffic.
8. The Association will not discharge waste snow that is contaminated with oil, chemicals, hazardous wastes or substances, or solid waste (other than incidental street litter) such that the discharge violates Conditions 1 through 3 of this section.

ACTION

THEREFORE, the Department APPROVES the above noted application of the SKOWHEGAN STATE FAIRGROUNDS ASSOCIATION to place an unspecified quantity of waste snow at the Skowhegan State Fairgrounds, OPERATED BY THE TOWN OF SKOWHEGAN, in Skowhegan, Maine, SUBJECT TO THE ATTACHED CONDITIONS, and all applicable standards and regulations including:

1. "Maine Pollutant Discharge Elimination System Permit Standard Conditions Applicable To All Permits," revised July 1, 2002, copy attached.
2. The attached Special Conditions, including any effluent limitations and monitoring requirements.
3. The expiration date of this permit is five (5) years from the date of signature below.

DONE AND DATED AT AUGUSTA, MAINE, THIS 22nd DAY OF December, 2006.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

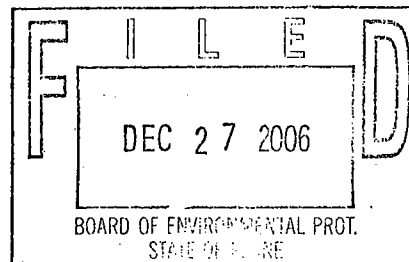
BY: 

DAVID P. LITTELL, Commissioner

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application: January 4, 2006

Date of application acceptance: January 13, 2006



Date filed with Board of Environmental Protection: _____

SPECIAL CONDITIONS

A. NOTIFICATION REQUIREMENT

In accordance with Standard Condition D, the licensee shall notify the Department of the following.

1. Substantial expansion of the areas from which snow is collected for disposal.
2. Substantial increases in development in the areas from which snow is collected for disposal, including new commercial or industrial developments.
3. Any substantial change in the volume of waste snow or snow dump area. For the purposes of this section, notice regarding substantial change shall include information on:
 - (a) the quality and quantity of waste snow introduced to the snow dump; and
 - (b) any anticipated impact caused by the change in the quantity or quality of the waste snow to be discharged from the snow dump area.
4. Any substantial change in snow dumping activities that may affect the designated uses for Class GW-A waters.

B. AUTHORIZED DISCHARGES

The licensee is authorized to discharge (deposit) waste snow only in accordance with the terms and conditions of this license and only at the Skowhegan Fairgrounds, so called, unless otherwise exempt under Maine law and Department rules. Discharges of waste snow from any other point source are not authorized under this license.

C. CONDITIONS FOR THE DISCHARGE OF WASTE SNOW

1. The effluent shall not contain materials in concentrations or combinations which would impair the usages designated by the classification of the receiving waters.
2. The discharge shall not impart color, taste, turbidity, toxicity, radioactivity or other properties which cause those waters to be unsuitable for the designated uses and characteristics ascribed to their class.
3. Notwithstanding specific conditions of this license, the effluent must not lower the quality of any classified body of water below such classification, or lower the existing quality of any body of water if the existing quality is higher than the classification.
4. The discharge (deposit) of waste snow shall only occur at the Skowhegan Fairgrounds, so called, except that waste snow may be disposed at any upland snow dump which does not require a waste discharge license from the Department.

SPECIAL CONDITIONS

C. CONDITIONS FOR THE DISCHARGE OF WASTE SNOW (cont'd)

5. Only snow which is removed from areas where the use of sand or sand/salt mixtures is minimized or restricted may be discharged (deposited) at the Fairgrounds. All waste snow collected for disposal at the Fairgrounds must be removed from the collection area within 72 hours following the end of a snow event. **Waste snow that has been located on areas subject to vehicular traffic for more than 72 hours may not be disposed of at the Fairgrounds. This license does not authorize any entity other than the Association and Town of Skowhegan (Town) to deposit waste snow at the Fairgrounds, unless the Department provides written authorization to the Association for an entity other than the Association or Town to deposit waste snow at the Fairgrounds. Written authorization shall be based on a Department review and approval of a written agreement between the Association and the other entity which ensures that all terms and conditions of this license, including the best management practices, will be met.**
6. Snow which is visibly contaminated with oil, chemicals, hazardous wastes or substances, or solid waste (other than incidental street litter) shall not be discharged (deposited at the Fairgrounds). Snow collected from areas affected by chemical spills or other circumstances which may result in the presence of toxic compounds in toxic amounts shall not be discharged (deposited at the Fairgrounds).
7. The licensee shall only deposit at the Fairgrounds waste snow from areas where, at a minimum, a weekly litter removal program is employed.

D. RECORD OF ACTIVITIES FOR WASTE SNOW DUMPS

The licensee shall maintain a record (daily log) for snow removal and disposal activities which includes information on:

1. The identity of all entities depositing waste snow at the Fairgrounds. Special Condition C of this license prohibits any entity other than the Association or Town from depositing waste snow at the Fairgrounds, except those for which the Department has provided written approval to perform this activity.
2. Changes in development or snow removal practices that may affect the quality or quantity of waste snow discharged.
3. The approximate quantity (gallons, cubic yards or other measure) of waste snow discharged (deposited at the Fairgrounds) each day.
4. Best Management Practices (BMPs) conducted to minimize the discharge of pollutants, such as implementation of street litter and debris removal, and formal or informal agreements with parties contributing snow to the Town's snow dump.

The Record Log and copies of the BMPs shall be kept on-site at all times and made available to Department personnel upon request.

SPECIAL CONDITIONS

E. REOPENING OF LICENSE FOR MODIFICATION

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 anytime 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.

F. SEVERABILITY

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

MAINE WASTE DISCHARGE LICENSE

FACT SHEET

Date: **DECEMBER 11, 2006**

PERMIT COMPLIANCE SYSTEM: **#MEU508233**
WASTE DISCHARGE LICENSE: **#W008233-5V-A-N**

NAME AND ADDRESS OF APPLICANT:

**SKOWHEGAN STATE FAIRGROUNDS ASSOCIATION
33 CONSTITUTION AVENUE
SKOWHEGAN, ME 04976**

COUNTY: **SOMERSET**

NAME AND ADDRESS WHERE DISCHARGE OCCURS:

**SKOWHEGAN STATE FAIR GROUNDS
33 CONSTITUTION AVENUE
SKOWHEGAN, MAINE 04976**

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

COGNIZANT OFFICIAL AND TELEPHONE NUMBER: **MR. GREGORY DORE
ROAD COMMISSIONER
TOWN OF SKOWHEGAN
(207) 474-6911**

1. APPLICATION SUMMARY

The Skowhegan State Fairgrounds Association (Association) has applied to the Department of Environmental Protection (Department) for a new Waste Discharge License (WDL) to place snow collected from town streets and parking lots onto the Skowhegan State Fairgrounds (Fairgrounds), so called, located on Constitution Street in Skowhegan, Maine. The disposal site is located over a mapped sand and gravel aquifer. The Town of Skowhegan Public Works Department operates the snow dump.

2. PERMIT SUMMARY

- a. Terms and Conditions - This licensing action is establishing a new requirement to implement best management practices (BMPs) for the discharge of waste snow to the land surface at the Fairgrounds, which is situated over a sand and gravel aquifer (Special Condition C). The licensee is required to employ BMPs to minimize contamination of waste snow with street litter and sand or sand-salt mixtures. This license does not authorize the discharge of waste snow that is contaminated with oil, petroleum products, chemicals, hazardous wastes or substances, or solid waste (other than incidental street litter). This licensing action is establishing a Permit Compliance System (PCS) tracking number of MEU508233 for data management purposes.

- b. Source Description: The Town of Skowhegan Public Works Department (Town) collects snow from the downtown streets and roads of Skowhegan for disposal at the Fairgrounds, which is owned by the Skowhegan State Fairgrounds Association and is shown on the map included as Attachment A of this license. The Town reported that the total combined surface area of all streets and roads to be cleared of snow during winter months is approximately 950,000 square feet or approximately 22 acres. Historically, the Association has authorized private contractors to haul waste snow into the Fairgrounds to assist in running an annual snowmobile race at the site. Special Condition C of this license authorizes the Association and the Town to utilize the snow dump. Use of the snow dump by any other entity (contractors, for example) requires written approval from the Department and shall only be granted upon demonstration of a written agreement between the Association and the other party which will ensure that all terms and conditions of this license will be met, including all best management practices. Special Conditions C of this license prohibits the dumping of snow that has been located on areas subject to vehicular traffic for more than 72 hours onto the Fairgrounds to protect the underlying ground water resource and local ground water wells used as drinking water sources.

The Town utilizes approximately 200 tons of road salt (sodium chloride) per year to treat roads before, during, and following snow storms. The Town did not indicate in the Association's January 4, 2006 application, which was completed by the Town Road Commissioner, that sand is utilized on surfaces from which snow is collected for disposal at the snow dump.

Best management practices (BMPs) currently employed by the Town include, but are not limited to, street sweeping twice weekly during the spring through fall seasons; removal and disposal of accumulated solid wastes from the roadways, lots and other areas by town public works employees prior to the onset of winter conditions; and disposal of waste snow, when necessary, within 72 hours following snow removal activities.

The Town indicated in the Association's January 4, 2006 application that it has evaluated the suitability of other town-owned land for an upland snow dump and has determined them to be unsuitable due to size or location or not practicable within the Town's budget.

2. PERMIT SUMMARY (cont'd)

- c. Wastewater Treatment: The Town does not provide treatment of waste snow prior to discharge (disposal) at the Fairgrounds. The Town employs best management practices to minimize debris and sand in the waste snow collected for disposal. The Town of Skowhegan Public Works Department clears snow from downtown area streets and roads during and immediately following all winter storm events that have accumulating snowfall. Collected snow is hauled by truck to the Fairgrounds for disposal.

3. CONDITIONS OF LICENSE

Maine law, 38 M.R.S.A. Section 414-A, requires that the effluent limitations prescribed for discharges, including, but not limited to, effluent toxicity, require application of best practicable treatment (BPT), be consistent with the U.S. Clean Water Act, and ensure that the receiving waters attain the State water quality standards as described in Maine's Surface Water Classification System.

4. RECEIVING WATER QUALITY STANDARDS

Maine law, 38 M.R.S.A § 470 indicates the ground water at the point of discharge is classified as Class GW-A receiving waters. Maine law, 38 M.R.S.A., §465-C describes the standards for Class GW-A waters as the highest classification of ground water and shall be of such quality that it can be used for public water supplies. These waters shall be free of radioactive matter or any matter that imparts color, turbidity, taste or odor which would impair the usage of these waters, other than occurring from natural phenomena.

5. RECEIVING WATER QUALITY CONDITIONS

The Department has no information as of the date of this licensing that indicates the ground water under and around the Fairgrounds is not meeting the standards of its assigned classification.

6. 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.

7. PUBLIC COMMENTS

Public notice of this application was made in the Morning Sentinel newspaper on or about January 6, 2006. 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 license shall have at least 30 days in which to submit comments on the draft or to request a public hearing, pursuant to Chapter 522 of the Department's rules.

8. DEPARTMENT CONTACTS

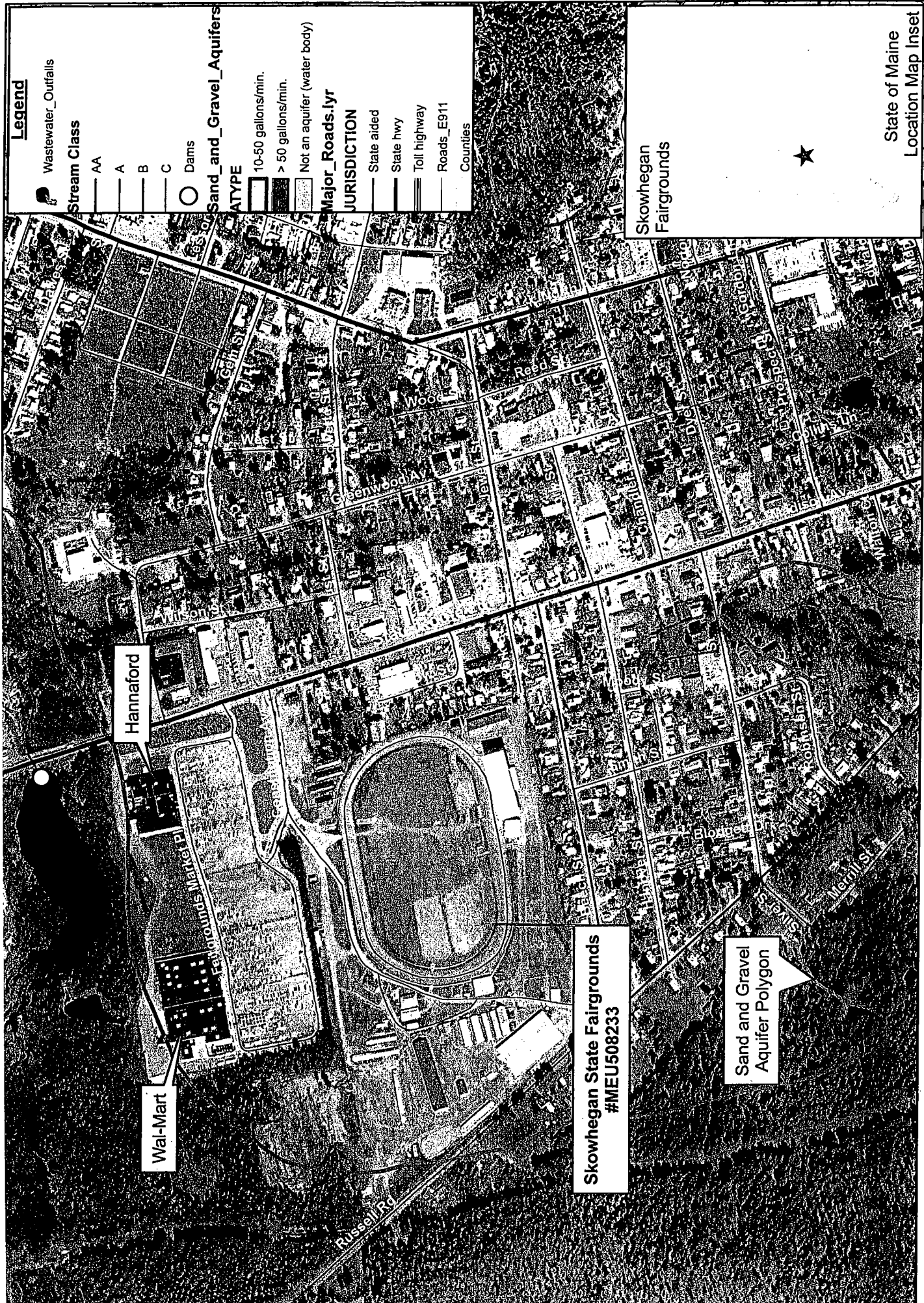
Additional information concerning this permitting action may be obtained from, and written comments sent to:

William F. Hinkel
Division of Water Quality Management
Bureau of Land & Water Quality
Department of Environmental Protection
17 State House Station
Augusta, Maine 04333-0017 Telephone: (207) 287-7659

9. RESPONSE TO COMMENTS

During the period of November 9, 2006 through December 8, 2006, the Department solicited comments on the proposed draft Maine Waste Discharge License to be issued to the Association for the proposed discharge. The Department received no significant comments on the proposed draft license; therefore, a response to comments was not prepared.

ATTACHMENT A



Legend

- Wastewater_Outfalls
- Stream Class
 - AA
 - A
 - B
 - C
- Dams
- Sand_and_Gravel_Aquifers
 - 10-50 gallons/min.
 - > 50 gallons/min.
 - Not an aquifer (water body)
- Major_Roads.lyr
 - JURISDICTION
 - State aided
 - State hwy
 - Toll highway
 - Roads_E911
 - Counties

Skowhegan Fairgrounds

★

State of Maine
Location Map Inset

Hannaford

Wai-Mart

Skowhegan State Fairgrounds
#MEU508233

Sand and Gravel
Aquifer Polygon

0.5 Miles

0.25

0.125



Skowhegan State Fairgrounds at Skowhegan, Maine

Map created by Maine DEP
October 23, 2006

