



JANET T. MILLS
GOVERNOR

STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION



MELANIE LOYZIM
COMMISSIONER

September 20, 2024

Mr. John Cronin
Operator
9 Staples Hill Road
Canton, ME. 04221

*Sent via electronic mail
Delivery confirmation requested*

RE: *Maine Pollutant Discharge Elimination System (MEPDES) Permit # ME0102067
Maine Waste Discharge License (WDL) Application # W006445-6C-L-R
Proposed Draft MEPDES Permit Renewal*

Dear Mr. Cronin,

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

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

All comments on the proposed draft permit must be received in the Department of Environmental Protection office on or before the close of business **October 21, 2024**. Failure to submit comments in a timely fashion will result in the proposed draft permit document being issued as drafted.

AUGUSTA
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AUGUSTA, MAINE 04333-0017
(207) 287-7688 FAX: (207) 287-7826

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PRESQUE ISLE, MAINE 04769
(207) 764-0477 FAX: (207) 760-3143

John Cronin, Operator
September 20, 2024
Page 2 of 2

Comments in writing should be submitted electronically or to my attention at the following address:

Maine Department of Environmental Protection
Bureau of Water Quality
Division of Water Quality Management
17 State House Station
Augusta, ME 04333-0017
Benjamin.S.Pendleton@Maine.gov

If you have any questions regarding the matter, please feel free to contact me.

Sincerely,

Benjamin S Pendleton

Benjamin Pendleton
Division of Water Quality Management
Bureau of Water Quality
ph: 207-592-6871

Enc.

cc: James Knight, MEDEP
Bradley Kelso, MEDEP
Wendy Garland, MEDEP
Lori Mitchell, MEDEP
Laura Crossley, MEDEP
Sean Mahoney, CLF
Environmental Review, MEDMR
Ellen Weitzler, USEPA
Kathryn Rosenberg, USEPA
Michael Cobb, USEPA
Lynne Jennings, USEPA
Richard Carvalho, USEPA
Environmental Review, MEDIFW



DEPARTMENT ORDER

IN THE MATTER OF

TOWN OF CANTON	)	MAINE POLLUTANT DISCHARGE
CANTON, OXFORD COUNTY	)	ELIMINATION SYSTEM PERMIT
POLLUTION ABATEMENT FACILITY	)	AND
ME0102067	)	WASTE DISCHARGE LICENSE
W006445-6C-L-R	)	RENEWAL
APPROVAL		

In compliance with the applicable provisions of *Pollution Control*, 38 M.R.S. §§ 411 – 424-C, *Water Classification Program*, 38 M.R.S. §§ 464 – 470 and *Federal Water Pollution Control Act*, Title 33 U.S.C. § 1251, *et seq.*, and applicable rules of the Department of Environmental Protection (Department), the Department has considered the application of the TOWN OF CANTON (permittee), with its supportive data, agency review comments, and other related materials on file and FINDS THE FOLLOWING FACTS:

APPLICATION SUMMARY

On October 12, 2021, the Department accepted as complete for processing an application from the permittee for the renewal of combination Maine Pollutant Discharge Elimination System (MEPDES) permit #ME0102067 / Maine Waste Discharge License (WDL) #W006445-6C-K-R, which was issued by the Department on November 9, 2016, for a five-year term. The November 9, 2016, permit authorized the daily maximum discharge flow of 0.621 million gallons per day (MGD) of secondary treated wastewater from a publicly owned treatment works (POTW) to Whitney Brook, Class B, in Canton, Maine, provided a dilution factor of at least 100:1 is maintained at all times.

The maximum discharge flow limit contained in the previous permit was a Department error. The flow limit was removed in the October 6, 2011, permit and the permittee was directed to discharge in accordance with the table in **Attachment A** of the permit.

PERMIT SUMMARY

This permitting action is carrying forward the terms and conditions of the November 9, 2016, permit except that it is:

1. Removing the daily maximum flow limit of 0.621 MGD that was erroneously included in the November 9, 2016, permit. The permittee must discharge in accordance with Permit Attachment A and maintain a minimum dilution of 100:1 at all times.

PERMIT SUMMARY (cont'd)

2. Establishing a seasonal monitoring requirement for *Escherichia coli* (*E. coli*) bacteria from April 15th – October 31st starting from the authorization date on this permit. This permit is also establishing a monthly average limit not to exceed a geometric mean of 64 CFU or MPN per 100 milliliters and daily maximum limit 236 CFU or MPN per 100 milliliters, instantaneous, in accordance with *Standards for classification of fresh surface waters* §465 (3)(B).
3. Updating Special Condition A, *Effluent Limitations and Monitoring Requirements*, footnote 1, Sampling to include the use of sufficiently sensitive methods.
4. Updating Special Condition A, *Effluent Limitations and Monitoring Requirements*, footnotes 10, 11, and 12 to the Department's most current language.
5. Establishing Special Condition A, *Effluent Limitations and Monitoring Requirements*, footnote 13 Analytical Chemistry and priority pollutants.
6. Updating the Special Condition B(3), *Narrative Effluent Limitations*, to the Department's most current requirements.
7. Updating Special Condition M. *Monitoring and Reporting* to the Departments most current language.

CONCLUSIONS

BASED on the findings in the attached and incorporated Fact Sheet dated September 20, 2024, 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 national resource, that water quality will be maintained and protected;
 - (c) Where the standards of classification of the receiving water body are not met, the discharge will not cause or contribute to the failure of the water body to meet the standards of classification;
 - (d) Where the actual quality of any classified receiving water body exceeds the minimum standards of the next highest classification that higher water quality will be maintained and protected; and
 - (e) Where a discharge will result in lowering the existing water quality of any water body, the Department has made the finding, following opportunity for public participation, that this action is necessary to achieve important economic or social benefits to the State.
4. The discharge will be subject to effluent limitations that require application of best practicable treatment as defined in *Conditions of licenses*, 38 M.R.S. § 414-A(1)(D).

ACTION

THEREFORE, the Department APPROVES the above noted application of the TOWN OF CANTON to discharge an unspecified amount of secondary treated wastewater to Whitney Brook, Class B, in Canton, Maine, provided that the conditions in Permit Attachment A are met, and a dilution factor of at least 100:1 is maintained at all times, SUBJECT TO ALL APPLICABLE STANDARDS AND REGULATIONS AND THE FOLLOWING CONDITIONS:

1. *“Maine Pollutant Discharge Elimination System Permit Standard Conditions Applicable To All Permits,”* revised July 1, 2002, copy attached.
2. The attached Special Conditions, including any effluent limitations and monitoring requirements.
3. This permit becomes effective upon the date of signature below and expires at midnight five (5) years after that date. If a renewal application is timely submitted and accepted as complete for processing prior to the expiration of this permit, the terms and conditions of this permit and all subsequent modifications and minor revisions thereto remain in effect until a final Department decision on the renewal application becomes effective. *Maine Administrative Procedure Act*, 5 M.R.S. § 10002 and *Rules Concerning the Processing of Applications and Other Administrative Matters*, 06-096 C.M.R. ch. 2 § 21(A) (effective September 15, 2024).

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

DONE AND DATED AT AUGUSTA, MAINE, THIS __ DAY OF _____ 2024.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: _____
For Melanie Loyzim, Commissioner

Date of initial receipt of application: September 28, 2021
Date of application acceptance: October 12, 2021

Date filed with Board of Environmental Protection _____

This Order prepared by Benjamin Pendleton, Bureau of Water Quality

SPECIAL CONDITIONS**A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS**

1. The permittee is authorized to discharge secondary treated wastewater from **Outfall #001A** to Whitney Brook. Such discharges are limited and must be monitored by the permittee as specified below⁽¹⁾:

Effluent Characteristics			Discharge Limitations			Minimum Monitoring Requirements		
	Monthly Average	Weekly Average	Daily Maximum	Monthly Average	Weekly Average	Daily Maximum	Measurement Frequency	Sample Type
Stream Flow [00061]	---	---	---	---	---	Report cfs ⁽²⁾ [08]	1/Discharge Day [01/DD]	Measure [MS]
Flow (Effluent) [50050]	Report MGD ⁽³⁾ [03]	---	Report MGD ⁽³⁾ [03]	---	---	---	Continuous [99/99]	Recorder [RC]
Dilution Factor [80093]	---	---	---	---	---	100 ⁽⁴⁾ [10]	1/Discharge Day [01/DD]	Calculate [CA]
BOD ₅ [00310]	Report lbs./day ⁽⁵⁾ [26]	Report lbs./day ⁽⁵⁾ [26]	Report lbs./day ⁽⁵⁾ [26]	30 mg/L [19]	45 mg/L [19]	50 mg/L [19]	1/Week [01/07]	24-Hour Composite [24]
TSS [00530]	Report lbs./day ⁽⁵⁾ [26]	Report lbs./day ⁽⁵⁾ [26]	Report lbs./day ⁽⁵⁾ [26]	30 mg/L [19]	45 mg/L [19]	50 mg/L [19]	1/Week [01/07]	24-Hour Composite [24]
BOD % Removal ⁽⁶⁾ [81010]	---	---	---	---	---	85% [23]	1/Month [01/30]	Calculate [CA]
TSS % Removal ⁽⁶⁾ [81011]	---	---	---	---	---	85% [23]	1/Month [01/30]	Calculate [CA]
Settleable Solids [00545]	---	---	---	---	---	0.3 ml/L [25]	3/Week [03/07]	Grab [GR]
<i>E. Coli</i> Bacteria [31633] (April 15 – October 31) ⁽⁷⁾	---	---	---	64/100 ml ⁽⁸⁾ [13]	---	236/100 ml ⁽⁸⁾ [13]	1/Week [01/07]	Grab [GR]
Mercury (Total) ⁽⁹⁾ [71900]	---	---	---	4.5 ng/L [3M]	---	6.8 ng/L [3M]	1/Year [01/YR]	Grab [GR]
pH (Standard Units) [00400]	---	---	---	---	---	6.0 – 9.0 S.U. [12]	3/Week [03/07]	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 (DMRs).

Footnotes: See Pages 8-12 of this permit for applicable footnotes.

SPECIAL CONDITIONS

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

2. SCREENING LEVEL – Beginning in the calendar year 2025 and every five years thereafter if a timely request for renewal has been made and the permit continues in force or is replaced by a permit renewal containing this requirement⁽¹⁾.

Effluent Characteristic	Discharge Limitations				Minimum Monitoring Requirements	
	Monthly <u>Average</u>	Daily <u>Maximum</u>	Monthly <u>Average</u>	Daily <u>Maximum</u>	Measurement <u>Frequency</u>	<u>Sample Type</u>
<u>Whole Effluent Toxicity</u> ⁽¹⁰⁾ <u>Acute – No Observed Effect Level</u> <u>(NOEL)</u> <i>Ceriodaphnia dubia (Water flea)</i> <i>[TDA3B]</i>	---	---	---	Report % [23]	1/Year[01/YR]	Composite [24]
<u>Chronic – NOEL</u> <i>Salvelinus fontinalis (Brook trout)</i> <i>[TDA6F]</i>	---	---	---	Report % [23]	1/Year [01/YR]	Composite [24]
Analytical chemistry ⁽¹¹⁾⁽¹³⁾ [51477]	---	---	---	Report µg/L [28]	1/Year [01/90]	Composite/Grab [24]
Priority Pollutant ⁽¹²⁾⁽¹³⁾ [50008]	---	---	---	Report µg/L [28]	1/Year [01/YR]	Composite/Grab [24]

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 (DMRs). **Footnotes:** See Pages 8-12 of this permit for applicable footnotes.

SPECIAL CONDITIONS

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS – Ground Water Monitoring Wells

- Beginning the effective date of the permit, **Ground Water Monitoring Wells MW-1 and MW-2** must be limited and monitored as specified below⁽¹⁾. Monitoring must be conducted beginning in the calendar year 2025 and every five years thereafter if a timely request for renewal has been made and the permit continues in force, or is replaced by a permit renewal containing this requirement

MW-1 – Northeast of Lagoon #1

MW-2 – Southeast of Holding Pond #2

	Daily Maximum	Measurement Frequency	Sample Type
Depth to Water Level Below Land surface [72019]	Report (feet) ⁽¹⁴⁾ [27]	1/5 Years ⁽¹⁵⁾ [01/5Y]	Measure [MS]
Nitrate-Nitrogen [00620]	10 mg/L [19]	1/5 Years ⁽¹⁵⁾ [01/5Y]	Grab [GR]
Chloride (Total) [00940]	Report (mg/L) [19]	1/5 Years ⁽¹⁵⁾ [01/5Y]	Grab [GR]
Specific Conductance [00095]	Report (µmhos/cm) [11]	1/5 Years ⁽¹⁵⁾ [01/5Y]	Grab [GR]
Temperature (°F) [00011]	Report (°F) [15]	1/5 Years ⁽¹⁵⁾ [01/5Y]	Grab [GR]
pH [00400]	Report (S.U.) [12]	1/5 Years ⁽¹⁵⁾ [01/5Y]	Grab [GR]
Total Suspended Solids [00530]	Report (mg/L) [19]	1/5 Years ⁽¹⁵⁾ [01/5Y]	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 (DMRs). **Footnotes:** See Pages 8-12 of this permit for applicable footnotes.

SPECIAL CONDITIONS

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

Footnotes:

1. **Sampling** – Influent sampling is not required until such a time that an influent sampling point is constructed that does not constitute a confined space entry. Sampling for Outfall #001 must be sampled from the “Effluent Monitoring Manhole” as depicted on a drawing titled, Treatment Site: Stabilization Ponds Process Piping, by Woodard & Curran, Inc., dated August 1983. Any change in sampling location must be approved by the Department in writing. The permittee must conduct sampling and analysis in accordance with; a) methods approved by 40 Code of Federal Regulations (C.F.R.) Part 136, b) alternative methods approved by the Department in accordance with the procedures in 40 C.F.R. Part 136, or c) as otherwise specified by the Department. Samples that are sent out for analysis must be analyzed by a laboratory certified by the State of Maine’s Department of Health and Human Services for wastewater. Samples that are sent to a publicly owned treatment works (POTW) 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 C.M.R. ch. 263 (amended March 15, 2023). Laboratory facilities that analyze compliance samples in-house are subject to the provisions and restrictions of 10 – 144 C.M.R. ch. 263. If the licensee monitors any pollutant more frequently than required by the license using test procedures approved under 40 C.F.R. 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).

In accordance with 40 C.F.R. § 122.44(i)(1)(iv), the permittee must monitor according to sufficiently sensitive test procedures (i.e., methods) approved under 40 C.F.R. Part 136 or required under 40 C.F.R. chapter I, subchapter N or O, for the analysis of pollutants or pollutant parameters (except WET). A method is “sufficiently sensitive” when: 1) The method minimum level (ML) is at or below the level of the effluent limitation established in the permit for the measured pollutant or pollutant parameter; or 2) The method has the lowest ML of the analytical methods approved under 40 C.F.R. Part 136 or required under 40 C.F.R. chapter I, subchapter N or O for the measured pollutant or pollutant parameter. The term “minimum level” refers either to the sample concentration equivalent to the lowest calibration point in a method or a multiple of the method detection limit (MDL), whichever is higher. Minimum levels may be obtained in the following ways: they may be published in a method; they may be based on the lowest acceptable calibration point used by a laboratory; or they may be calculated by multiplying the MDL in a method, or the MDL determined by a laboratory, by a factor.

2. **Stream flow** – The stream flow must be measured daily, when discharging, at the flow measuring station located at the bridge just upstream of Outfall 001.

SPECIAL CONDITIONS

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

Footnotes:

3. **Discharge flow** – When discharging, Canton must maintain a minimum dilution ratio of receiving water to plant effluent flow of 100:1 at all times.
4. **Dilution factor** – The dilution factor for each discharge must be calculated in accordance with the following formula;

$$\frac{\text{Plant effluent flow (MGD)} + \text{Receiving water flow (MGD)}}{\text{Plant effluent flow (MGD)}}$$

Conversion factor- 1 cfs = 0.6464 MGD

5. **BOD₅ and TSS** – Both flow and mass-based limitations for BOD₅ and TSS are based on a sliding scale in Table A (**Attachment A**) of this permit and are dependent on flows measured in Whitney Brook.
6. **Percent removal** – The treatment facility must maintain a minimum of 85 percent removal of both BOD₅ and TSS. Compliance with the limitation is based on a twelve-month rolling average. Calendar monthly average percent removal values must be calculated based on influent and effluent concentrations. The twelve-month rolling average calculation is based on the most recent twelve-month period. The permittee is not required to calculate percent removal rates until an influent sampling point is constructed that does not constitute a confined space entry.
7. ***E. coli* bacteria** - *E. coli* bacteria limits are seasonal and apply between April 15th and October 31st of each year. The Department reserves the right to require disinfection to protect the health, safety and welfare of the public.
8. ***E. coli* bacteria** - This limit is a geometric mean value and must be calculated and reported as such. Results must be expressed in CFU/100mL or MPN/100 mL.
9. **Mercury** – The permittee must conduct all mercury monitoring required by this permit or required to determine compliance with interim limitations established pursuant to 06-096 C.M.R. ch. 519 in accordance with the USEPA's "clean sampling techniques" found in USEPA Method 1669, Sampling Ambient Water For Trace Metals At EPA Water Quality Criteria Levels. All mercury analysis must be conducted in accordance with USEPA Method 1631, Determination of Mercury in Water by Oxidation, Purge and Trap, and Cold Vapor Fluorescence Spectrometry. Go to https://www.maine.gov/dep/water/wd/municipal_industrial/index.html and click on "Whole Effluent Toxicity, Chemistry, and Mercury Reporting Forms" for a reporting

SPECIAL CONDITIONS

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

Footnotes:

form for mercury test results. Compliance with the monthly average limitation established in Special Condition A of this permit will be based on the cumulative arithmetic mean of all mercury tests results that were conducted utilizing sampling Method 1669 and analysis Method 1631E on file with the Department for this facility.

10. **Whole Effluent Toxicity** – Definitive WET testing is a multi-concentration testing event (a minimum of five dilutions bracketing the acute and chronic critical thresholds of 1.0%), which provides a point estimate of toxicity in terms of NOEL or NOEC. A-NOEL is defined as the acute no observed effect level with survival as the end point. C-NOEL is defined as the chronic no observed effect level with survival, reproduction and growth as the end points. The critical acute and chronic thresholds of 1.0% were derived as the mathematical inverse of the applicable acute dilution factor of 100:1.

- a. **Surveillance level testing** – Waived pursuant to 06-096 ch. 530 § 2(D)(3).
- b. **Screening level testing** – Beginning in the calendar year 2025 and every five years thereafter if a timely request for renewal has been made and the permit continues in force or is replaced by a permit renewal containing this requirement, the permittee must conduct screening level WET testing at a minimum frequency of once per year (1/Year) on the water flea and brook trout.

Toxicity tests must be conducted by an experienced laboratory approved by the Department. The laboratory must follow procedures as described in the following USEPA methods manuals as modified by Department protocol for salmonids.

- a. Short Term Methods for Estimating the Chronic Toxicity of Effluent and Receiving Water to Freshwater Organisms, Fourth Edition, October 2002, EPA-821-R-02-013.
- b. Methods for Measuring the Acute Toxicity of Effluent and Receiving Waters to Freshwater and Marine Organisms, Fifth Edition, October 2002, EPA-821-R-02-012.

Results of WET tests must be reported on the “Whole Effluent Toxicity Report Fresh Waters” form each time a WET test is performed. The form can be found at:

https://www.maine.gov/dep/water/wd/municipal_industrial/index.html

SPECIAL CONDITIONS

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

Footnotes:

The permittee must analyze the effluent for the analytical chemistry and priority pollutant parameters specified on the “WET and Chemical Specific Data Report Form” form each time a WET test is performed. The form can be found at:

https://www.maine.gov/dep/water/wd/municipal_industrial/index.html

11. **Analytical Chemistry** – Refers to those pollutants listed in their respective categories on the “WET and Chemical Specific Data Report Form” found at:

https://www.maine.gov/dep/water/wd/municipal_industrial/index.html

- a. **Surveillance level testing** – Waived pursuant to 06-096 ch. 530 § 2(D)(3).
- b. **Screening level testing** – Beginning in calendar year 2025 and every five years thereafter if a timely request for renewal has been made and the permit continues in force, or is replaced by a permit renewal containing this requirement, the permittee must conduct screening level analytical chemistry testing at a minimum frequency of once per year (1/Year) in any calendar quarter provided the sample is representative of the discharge and any seasonal or other variations in effluent quality.

12. **Priority Pollutant** – Refers to those pollutants listed in their respective categories on the “WET and Chemical Specific Data Report Form” found at:

https://www.maine.gov/dep/water/wd/municipal_industrial/index.html

- a. **Surveillance level testing** – Not required pursuant 06-096 C.M.R. ch. 530 § 2(D)(3).
- b. **Screening level testing** – Beginning in calendar year 2025 and every five years thereafter if a timely request for renewal has been made and the permit continues in force, or is replaced by a permit renewal containing this requirement, the permittee must conduct screening level priority pollutant testing at a minimum frequency of once per year (1/Year) in any calendar quarter provided the sample is representative of the discharge and any seasonal or other variations in effluent quality.

13. **Analytical Chemistry and priority pollutant-** Testing must be conducted on samples collected at the same time as those collected for whole effluent toxicity tests, when applicable, and must be conducted using methods that permit detection of a pollutant at existing levels in the effluent.

SPECIAL CONDITIONS

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

Footnotes:

Analytical chemistry and priority pollutant test results must be submitted to the Department not later than the next Discharge Monitoring Report (DMR) required by the permit, provided, however, that the permittee may review the laboratory reports for up to 10 business days after receiving the test results from the laboratory conducting the testing before submitting them. The permittee must evaluate test results being submitted and identify to the Department, possible exceedances of the acute, chronic, or human health AWQC as established in 06-096 C.M.R. ch. 584. For the purposes of DMR reporting, enter a "1" for yes, testing done this monitoring period or "N-9" monitoring not required this period.

14. **Depth To Water Level Below Surface** – Must be measured to the nearest 1/10th of a foot.
15. **Ground Water Monitoring** – Sampling must be conducted in the month of May during the calendar year 2025 and every 5 years thereafter. Consistent trends upwards or sudden spikes from previous levels must be reported immediately to the Department and may necessitate the need for additional groundwater testing requirements.

B. NARRATIVE EFFLUENT LIMITATIONS

1. The permittee must not discharge effluent that contains a visible oil sheen, foam or floating solids at any time which would impair the uses designated for the classification of the receiving waters.
2. The permittee must not discharge effluent that contains materials in concentrations or combinations which are hazardous or toxic to aquatic life, or which would impair the uses designated for the classification of the receiving waters.
3. The permittee must not discharge effluent that imparts color, taste, turbidity, toxicity, radioactivity, or other properties which cause those waters to be unsafe for the designated uses and characteristics ascribed to their classification.
4. The permittee must not discharge effluent that lowers the quality of any classified body of water below such classification or lowers the existing quality of any body of water if the existing quality is higher than the classification.

C. STREAM FLOW MONITORING

When discharging, stream flow must be measured and recorded daily using a mobile staff gauge to measure the depth of water in Whitney Brook at the measuring station located at the bridge just upstream of Outfall #001A.

SPECIAL CONDITIONS

D. TREATMENT PLANT OPERATOR

The person who has management responsibility over the treatment facility must hold a Maine **Grade II**, Biological Treatment certificate (or higher) or must be a Maine Registered Professional Engineer pursuant to *Sewage Treatment Operators*, 32 M.R.S.A. § 4171-4182 and *Regulations for Wastewater Operator Certification*, 06-096 C.M.R. ch. 531 (effective July 24, 2023). All proposed contracts for facility operation by any person must be approved by the Department before the permittee may engage the services of the contract operator.

E. LIMITATIONS FOR INDUSTRIAL USERS

Pollutants introduced into the wastewater collection and treatment system by a non-domestic source (user) must not pass through or interfere with the operation of the treatment system.

The permittee must conduct an Industrial Waste Survey (IWS) any time a new industrial user proposes to discharge within its jurisdiction; an existing user proposes to make a significant change in its discharge; or at an alternative minimum, once every permit cycle, and submit the results to the Department. The IWS must identify, in terms of character and volume of pollutants, any Significant Industrial Users discharging into the publicly owned treatment works (POTW) subject to Pretreatment Standards under section 307(b) of the federal Clean Water Act, 40 C.F.R. Part 403 (general pretreatment regulations) or *Pretreatment Program*, 06-096 C.M.R. ch. 528 (last amended March 17, 2008).

F. AUTHORIZED DISCHARGES

The permittee is authorized to discharge only in accordance with: 1) the permittee's General Application for Waste Discharge Permit, accepted for processing on October 12, 2021; 2) the terms and conditions of this permit; and 3) only from Outfall #001A. Discharges of wastewater from any other point source are not authorized under this permit and must be reported in accordance with Standard Condition D(1)(f), *Twenty-four-hour reporting* of this permit.

G. NOTIFICATION REQUIREMENTS

In accordance with Standard Condition D, the permittee 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 (increase or decrease) in the volume or character of pollutants being introduced into the wastewater collection and treatment system by a source introducing pollutants into the system at the time of permit issuance.

SPECIAL CONDITIONS

G. NOTIFICATION REQUIREMENTS (cont'd)

3. For the purposes of this section, adequate notice must include information on:
 - (a) The quality and quantity of wastewater introduced to the wastewater collection and treatment system; and
 - (b) Any anticipated impact of the change in the quantity or quality of the wastewater to be discharged from the treatment system.

H. WET WEATHER MANAGEMENT PLAN

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

The plan must conform to Department guidelines for such plans and must include operating procedures for a range of intensities, address solids handling procedures (including septic waste and other high strength wastes if applicable) and provide written operating and maintenance procedures during the events.

The permittee must review their plan at least annually and record any necessary changes to keep the plan up to date. The Department may require review and update of the plan as it is determined to be necessary.

I. OPERATION & MAINTENANCE (O&M) PLAN

The permittee must maintain a current written comprehensive Operation & Maintenance (O&M) Plan for the facility. The plan must provide a systematic approach by which the permittee 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 permittee to achieve compliance with the conditions of this permit.

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

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

SPECIAL CONDITIONS

J. STATEMENT FOR REDUCED/WAIVED TOXICS TESTING

In accordance with 06-096 C.M.R. ch. 530 § 2(D)(4), and by December 31 of each calendar year, the permittee must provide the Department with a certification describing any of the following that have occurred since the effective date of this permit [ICIS Code 75305]. See **Attachment F** of the Fact Sheet for an acceptable certification form to satisfy this Special Condition.

- (a) Changes in the number or types of non-domestic wastes contributed directly or indirectly to the wastewater treatment works that may increase the toxicity of the discharge.
- (b) Changes in the operation of the treatment works that may increase the toxicity of the discharge.
- (c) Changes in industrial manufacturing processes contributing wastewater to the treatment works that may increase the toxicity of the discharge.

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

- (a) Changes in stormwater collection or inflow/infiltration affecting the facility that may increase the toxicity of the discharge; and
- (b) Increases in the type or volume of transported (hailed) wastes accepted by the facility.

The Department may require that routine screening or surveillance level testing be re-instated if it determines that there have been changes in the character of the discharge or if annual certifications described above are not submitted.

K. 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 DMR to the regulatory agency utilizing the USEPA electronic system.

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

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

Documentation submitted in support of the electronic DMR may be attached to the electronic DMR. Toxics reporting must be done using the Department toxsheet reporting form. An electronic copy of the Toxsheet reporting document must be submitted to your Department

SPECIAL CONDITIONS

K. MONITORING AND REPORTING (cont'd)

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.

L. REOPENING OF PERMIT FOR MODIFICATION

In accordance with 38 M.R.S. § 414-A(5) and upon evaluation of the test results required by the Special Conditions of this permitting action, new site specific information, or any other pertinent test results or information obtained during the term of this permit, the Department may, at any time and with notice to the permittee, modify this permit to: (1) include effluent limitations 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.

M. SEVERABILITY

In the event that any provision or part thereof, of this permit is declared to be unlawful by a reviewing court, the remainder of the permit 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.

ATTACHMENT A

Attachment A Table

Town of Canton Wastewater Treatment Facility

Effluent Flow and Corresponding Discharge Limitations

Whitney Brook Gauge Height	Brook Flow (cfs)	Brook Flow (MGD)	Corresponding Discharge Rate to Maintain 100:1 Dilution Ration (MGD)	Corresponding Daily Flow (gpm)	TSS/BOD ₅ Limits (mg/L)			TSS/BOD ₅ Limits (lbs/day)		
					Monthly Average	Weekly Average	Daily Maximum	Monthly Average	Weekly Average	Daily Maximum
0.7	1.7	1.1	0.011	8	30	45	50	3	4	5
0.9	4.2	2.7	0.027	19	30	45	50	7	10	11
1.1	7.7	5.0	0.050	35	30	45	50	12	19	21
1.3	12.2	7.9	0.079	55	30	45	50	20	30	33
1.5	17.8	11.5	0.115	80	30	45	50	29	43	48
1.7	24.3	15.7	0.157	109	30	45	50	39	59	65
1.9	31.7	20.5	0.205	142	30	45	50	51	77	85
2.1	40.0	25.9	0.259	180	30	45	50	65	87	108
2.3	49.2	31.8	0.318	221	30	45	50	80	119	133
2.5	59.2	38.3	0.383	266	30	45	50	96	144	160
2.6	64.7	41.8	0.418	290	30	45	50	105	157	174
2.7	70.1	45.3	0.453	315	30	45	50	113	170	189
2.8	75.9	49.1	0.491	341	30	45	50	123	184	205
2.9	81.7	52.8	0.528	367	30	45	50	132	198	220
3.1	94.0	60.8	0.608	422	30	45	50	152	228	253
3.3	107.1	69.2	0.692	481	30	45	50	173	260	289
3.5	120.8	78.1	0.781	542	30	45	50	195	293	326
3.7	135.1	87.3	0.873	607	30	45	50	219	328	364
3.9	150.1	97.0	0.970	674	30	45	50	243	364	404
4.1	165.6	107.0	1.070	743	30	45	50	268	402	446
4.3	181.6	117.4	1.174	815	30	45	50	294	440	489
4.5	198.1	128.0	1.280	889	30	45	50	320	480	534
4.7	215.0	138.9	1.389	965	30	45	50	348	521	579
4.9	232.3	150.1	1.501	1,042	30	45	50	376	563	626
5.1	249.9	161.5	1.615	1,121	30	45	50	404	606	673
5.3	267.8	173.1	1.731	1,202	30	45	50	433	649	722
5.5	285.9	184.8	1.848	1,283	30	45	50	462	693	770
5.7	304.2	196.6	1.966	1,365	30	45	50	492	738	820
5.9	322.6	208.5	2.085	1,448	30	45	50	522	782	869
6.1	341.0	220.4	2.204	1,530	30	45	50	551	827	919
6.3	359.4	232.3	2.323	1,613	30	45	50	581	872	969

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

FACT SHEET

DATE: **September 20, 2024**

PERMIT NUMBER: **ME0102067**

WASTE DISCHARGE LICENSE: **W006445-6C-L-R**

NAME AND ADDRESS OF APPLICANT:

**TOWN OF CANTON
94 TURNER STREET
CANTON, MAINE 04221**

COUNTY: **OXFORD**

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

**TOWN OF CANTON
POLLUTION ABATEMENT FACILITY
PRIMROSE LANE
CANTON, MAINE 04221**

RECEIVING WATER/CLASSIFICATION: **WHITNEY BROOK/CLASS B**

COGNIZANT OFFICIAL AND TELEPHONE NUMBER: **TOWN OF CANTON
(207) 597-2927**

**JOHN CRONIN, OPERATOR
(207) 631-0190
John_L_Cronin@yahoo.com**

1. APPLICATION SUMMARY

- a. Application: On October 12, 2021, the Department accepted as complete for processing an application from the permittee for the renewal of combination Maine Pollutant Discharge Elimination System (MEPDES) permit #ME0102067 / Maine Waste Discharge License (WDL) #W006445-6C-K-R, which was issued by the Department on November 9, 2016, for a five-year term. The November 9, 2016, permit authorized the daily maximum discharge flow of 0.621 million gallons per day (MGD) of secondary treated wastewater from a publicly owned treatment works (POTW) to Whitney Brook, Class B, in Canton, Maine, provided a dilution factor of at least 100:1 is maintained at all times.

The maximum discharge flow limit contained in the previous permit was a Department error. The flow limit was removed in the October 6, 2011, permit and the permittee was directed to discharge in accordance with the table in **Attachment A** of the permit.

- b. Source Description: Wastewater collected and treated at the wastewater facility is generated by approximately 130 residential and commercial users within the Town of Canton. The sanitary collection system is approximately 10,000 feet in length with two pump stations and no combined sewer overflows (CSO's). The main pump stations that convey all the sanitary wastewater collected up to the treatment facility has on-site back-up power while the smaller pump station is served by a portable generator for back-up power needs. Canton is not authorized to accept septage/transported waste at the facility.

A map showing the location of the facility and the receiving water is included as Fact Sheet **Attachment A**.

- c. Wastewater Treatment: The following is an excerpt from the permittee's 2021 renewal application:

"The Town of Canton's wastewater treatment system is a 0.621 million gallons per day (MGD) facultative lagoon system. Treatment of the wastewater is the result of microorganisms in the water consuming the waste. The system consists of four treatment ponds: one primary, one secondary and two holding ponds. The first two ponds are run in series with the final two being used as holding ponds. The surface area for the ponds is as follows:

- Primary pond: 1.55 acres
- Secondary pond: 2.17 acres
- Each of the two holding ponds: 1.47 acres

The treated wastewater is stored in the holding ponds until discharge, approximately 5 times per year. Because of the long retention time of the ponds, the fecal coliform die off will be great enough so that the limits can be met without disinfection. The

1. APPLICATION SUMMARY (cont'd)

treatment plant was originally designed and constructed to remove a minimum of 85% of the TSS and BOD.

Primary Pond:

All of the wastewater from the Town of Canton is pumped to pond #1, the primary pond, causing this pond to have the highest BOD and TSS concentrations. The major portion of treatment that will take place in this pond is the settling of solids, or the removal of TSS. Because of the high BOD concentrations in this step of the process, the demand for oxygen is high. This demand will deplete the oxygen concentration in the water making the lower layers anaerobic (without oxygen). Oxygen is present at the top layer of the pond because of re-aeration at the air-water interface and photosynthetic activity of the algae. This layer of aerobic water will provide a buffer from the anaerobic zone and controls odor problems from the ponds. Sludge settling at the bottom is reduced through anaerobic digestion by bacteria present due to the lack of oxygen.

Secondary Pond:

The water flowing from the primary pond to the secondary pond has lower concentrations of BOD and TSS because of primary treatment. There will be greater oxygen content in this stream however as a result of:

- Less demand for oxygen from the incoming primary treated water.
- Re-Aeration at the air-water interface.
- Greater light penetration through the water column, therefore more photosynthetic activity of algae taking place.

The secondary pond is where most of the BOD reduction takes place. An equilibrium is set up between the oxygen demanding bacteria and algae. The bacteria use oxygen and the BOD in the wastewater to produce carbon dioxide, ammonia, and phosphates. The algae need these by-products for food and in return, produce oxygen. As the algae and bacteria die, they settle to the bottom of the pond along with any solids which did not settle out in the primary pond. This bottom benthic layer of the pond, where the sludge accumulates, is anaerobic. Like the primary pond, sludge settling at the bottom is reduced through anaerobic digestion.

Holding Ponds:

The holding ponds are designed to hold the treated wastewater until discharge. Some settling also takes place in these ponds, further reducing the BOD and TSS concentrations. Discharges typically take place 3 – 6 times per year and last approximately 1 – 3 weeks per discharge.”

A process flow diagram of the facility and the receiving water is included as Fact Sheet **Attachment B.**

2. PERMIT SUMMARY

- a. This permitting action is carrying forward the terms and conditions of the November 9, 2016, permit except that it is:
 1. Removing the daily maximum flow limit of 0.621 MGD that was erroneously included in the November 9, 2016, permit. The permittee must discharge in accordance with Permit Attachment A and maintain a minimum dilution of 100:1 at all times.
 2. Establishing a seasonal monitoring requirement for *Escherichia coli* (*E. coli*) bacteria from April 15th – October 31st starting from the authorization date on this permit. This permit is also establishing a monthly average limit not to exceed a geometric mean of 64 CFU or MPN per 100 milliliters and daily maximum limit 236 CFU or MPN per 100 milliliters, instantaneous, in accordance with *Standards for classification of fresh surface waters* §465 (3)(B).
 3. Updating Special Condition A, *Effluent Limitations and Monitoring Requirements*, footnote 1, Sampling to include the use of sufficiently sensitive methods.
 4. Updating Special Condition A, *Effluent Limitations and Monitoring Requirements*, footnotes 10, 11, and 12 to the Department's most current language.
 5. Establishing Special Condition A, *Effluent Limitations and Monitoring Requirements*, footnote 13 Analytical Chemistry and priority pollutants.
 6. Updating the Special Condition B(3), *Narrative Effluent Limitations*, to the Department's most current requirements.
 7. Updating Special Condition M. *Monitoring and Reporting* to the Departments most current language.
- b. History: This section provides a summary of significant licensing/permitting actions and milestones that have been completed for the permittee's facility.

April 12, 1991 - The Department issued WDL #W006445-59-C-R for a five-year term.

September 19, 1994 - The U.S Environmental Protection Agency (USEPA) issued National Pollutant Discharge Elimination System (NPDES) permit #ME0102067 for a five-year term.

June 29, 1998 - The Department issued WDL #W006445-5L-D-R for a five-year term.

June 20, 2000 – The Department modified the June 29, 1998, WDL by establishing interim average and maximum technology-based concentration limits of 4.5 parts per trillion (ppt) and 6.8 ppt, respectively, for mercury.

2. PERMIT SUMMARY (cont'd)

January 12, 2001 - The Department received authorization from USEPA to administer the NPDES program in Maine. From that point forward, the program has been referred to as the MEPDES Program and MEPDES permit number ME0102067 was established as the primary reference number for the facility.

July 17, 2001 – The Department issued combination MEPDES permit #ME0102067/WDL #W006445-5L-E-M modification with an expiration date of June 29, 2003.

July 7, 2003 – The Department issued MEPDES permit #ME0102067/WDL #W006445-5L-F-R for a five-year term.

February 22, 2006 – The Department issued combination MEPDES permit #ME0102067/WDL #W006445-5L-G-M for a five-year term.

September 4, 2008 – The Department modified the 2/22/06 permit by eliminating a prohibition on discharging when Whitney Brook was < 10 cubic feet per second (cfs).

October 6, 2011 – The Department issued combination MEPDES permit #ME0102067/WDL #W006445-6C-I-R for a five-year term.

January 8, 2013 – The Department initiated a modification to the 10/6/11 permit to reduce the monitoring frequency for mercury to once per year

June 15, 2016 – The permittee submitted a timely and complete General Application to the Department for renewal of the October 6, 2011, permit (including subsequent minor permit revisions and permit modifications). The application was accepted for processing on June 17, 2016, and was assigned WDL #W006445-6C-K-R / MEPDES #ME0102067.

November 9, 2016 – The Department issued combination MEPDES permit #ME0102067/WDL #W006445-6C-K-R for a five-year term.

September 28, 2021 – The permittee submitted a timely and complete General Application to the Department for renewal of the November 9, 2016, permit. The application was accepted for processing on October 12, 2021, and was assigned WDL #W006445-6C-L-R / MEPDES #ME0102067.

3. CONDITIONS OF PERMIT

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 the application of best practicable treatment (BPT), be consistent with the U.S. Clean Water Act, and ensure that the receiving waters attain the State water quality standards as described in Maine's Surface Water Classification System. In addition, *Certain deposits and discharges prohibited*, 38 M.R.S. § 420 and Department rule *Surface Water Toxics Control Program*, 06-096 C.M.R. ch. 530 (effective March 21, 2012), require the regulation of toxic substances so as not to exceed levels set forth in *Surface Water Quality Criteria for Toxic Pollutants*, 06-096 C.M.R. ch. 584 (effective February 16, 2020), and ensure safe levels for the discharge of toxic pollutants such that existing and designated uses of surface waters are maintained and protected.

4. RECEIVING WATER QUALITY STANDARDS

Classification of major river basins, 38 M.R.S. § 467(1)(D) classifies Whitney Brook (Androscoggin River, minor tributaries) at the point of discharge as Class B waters.

Standards for classification of fresh surface waters, 38 M.R.S. § 465(3) describes the standards for Class B waters:

- A. *Class B waters must be of such quality that they are suitable for the designated uses of drinking water supply after treatment; fishing; agriculture; recreation in and on the water; industrial process and cooling water supply; hydroelectric power generation, except as prohibited under Title 12, section 403; navigation; and as habitat for fish and other aquatic life. The habitat must be characterized as unimpaired.*
 - B. *Class B waters must be of sufficient quality to support all aquatic species indigenous to those waters without detrimental changes in the resident biological community. The dissolved oxygen content of Class B waters may not be less than 7 parts per million or 75% of saturation, whichever is higher, except that for the period from October 1st to May 14th, in order to ensure spawning and egg incubation of indigenous fish species, the 7-day mean dissolved oxygen concentration may not be less than 9.5 parts per million and the one-day minimum dissolved oxygen concentration may not be less than 8.0 parts per million in identified fish spawning areas. Between April 15th and October 31st, the number of Escherichia coli bacteria in these waters may not exceed a geometric mean of 64 CFU or MPN per 100 milliliters over a 90-day interval or 236 CFU or MPN per 100 milliliters in more than 10% of the samples in any 90-day interval.*
 - C. *Discharges to Class B waters may not cause adverse impact to aquatic life in that the receiving waters must be of sufficient quality to support all aquatic species indigenous to the receiving water without detrimental changes in the resident biological community.*
- (1-A) For the purpose of allowing the discharge of aquatic pesticides or chemicals approved by the department and conducted by the department, the Department of Inland*

4. RECEIVING WATER QUALITY STANDARDS (cont'd)

Fisheries and Wildlife or an agent of either agency to restore resident biological communities affected by an invasive species, the department may find that the discharged effluent will not cause adverse impact to aquatic life as long as the materials and methods used do not cause a significant loss of any nontarget species and allow restoration of nontarget species. The department may find that an unavoidable, temporary loss of nontarget species does not constitute a significant loss of nontarget species.

- (2) *For the purpose of allowing the discharge of aquatic pesticides approved by the department for the control of mosquito-borne diseases in the interest of public health and safety, the department may find that the discharged effluent will not cause adverse impact to aquatic life as long as the materials and methods used provide protection for nontarget species. When the department issues a license for the discharge of aquatic pesticides authorized under this subparagraph, the department shall notify the municipality in which the application is licensed to occur and post the notice on the department's publicly accessible website.*

5. REASONABLE POTENTIAL

Pursuant to 33 U.S.C. § 1311(b)(1)(C) and 40 C.F.R. § 122.44(d)(1), NPDES permits must contain any requirements in addition to technology based effluent limitations (TBELs) that are necessary to achieve water quality standards established under 33 U.S.C. § 1311(b)(1)(C). In addition, limitations “must control any pollutant or pollutant parameter (conventional, non-conventional, or toxic) which the permitting authority determines are or may be discharged at a level which will cause, have the reasonable potential to cause, or contribute to an excursion above any water quality standard (WQS), including State narrative criteria for water quality.” 40 C.F.R. § 122.44(d)(1)(i). To determine if the discharge causes, or has the reasonable potential to cause, or contribute to an excursion above any WQS, EPA considers: 1) existing controls on point and non-point sources of pollution; 2) the variability of the pollutant or pollutant parameter in the effluent; 3) the sensitivity of the species to toxicity testing (when evaluating whole effluent toxicity); and 4) where appropriate, the dilution of the effluent by the receiving water. *See* 40 C.F.R. § 122.44(d)(1)(ii).

If the permitting authority determines that the discharge of a pollutant will cause, has the reasonable potential to cause, or contribute to an excursion above WQSs, the permit must contain water quality-based effluent limitations (WQBELs) for that pollutant. *See* 40 C.F.R. § 122.44(d)(1)(i).

6. RECEIVING WATER QUALITY CONDITIONS

The State of Maine Department of Environmental Protection 2018/2020/2022 Integrated Water Quality Monitoring and Assessment Report, prepared by the Department pursuant to Sections 303(d) and 305(b) of the Federal Water Pollution Control Act, lists

6. RECEIVING WATER QUALITY CONDITIONS (cont'd)

Whitney Brook in Canton from Lake Anasagunticook Dam to the Androscoggin River (Assessment Unit ID ME0104000205_410R01_02) as, "Category 5-A: Rivers and Streams Impaired by Pollutants Other Than Those Listed in 5-B Through 5-D (Total Maximum Daily Load (TMDL) Required)" with the cause of impairment as benthic-macro-invertebrate bioassessments. A comment in the report states: "Result may be in part due to lake outlet effect (increased temperature and enrichment)."

It should be noted that the Department's macro-invertebrate sampling station is located 40 meters below the Route #140 bridge which is upstream of the permittee's discharge.

The table below indicates in which months discharges have taken place within the last ten years. Discharges to Whitney Brook during the June through September timeframe are infrequent and have only been in response to heavy rainfall events and/or unplanned repairs or maintenance.

January											X
February		X	X		X	X	X	X	X	X	
March				X	X				X	X	
April	X		X			X	X	X		X	
May	X	X			X				X		
June											
July						X				X	
August				X							
September											
October		X				X	X	X		X	
November	X			X	X				X		
December											
	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024

The Report lists all of Maine's fresh waters as, "Category 4-A: Waters Impaired by Atmospheric Deposition of Mercury." Impairment in this context refers to a statewide fish consumption advisory due to elevated levels of mercury in some fish tissues. The Report states, "All freshwaters are listed in Category 4-A (TMDL Completed) due to USEPA approval of a Regional Mercury TMDL. Maine has a fish consumption advisory for fish taken from all freshwaters due to mercury. Many fish from any given waters do not exceed the action level for mercury. However, because it is impossible for someone consuming a fish to know whether the mercury level exceeds the action level, the Maine Department of Health and Human Services decided to establish a statewide advisory for all freshwater fish that recommends limits on consumption. Maine has already instituted statewide programs for removal and reduction of mercury sources." Pursuant to 38 M.R.S. § 420(1-B)(B), "a facility is not in violation of the ambient criteria for mercury if the facility is in compliance with an interim discharge limit established by the Department pursuant to section 413 subsection 11."

6. RECEIVING WATER QUALITY CONDITIONS (cont'd)

The Department has no information that the discharge from the permittee, as conditioned, causes or contributes to non-attainment of applicable Class B water quality standards.

7. EFFLUENT LIMITATIONS & MONITORING REQUIREMENTS

- a. Flow: This permit does not establish a flow limitation provided that the discharge is in compliance with Permit Attachment A of the permit (Attachment A Table, *Town of Canton Wastewater Treatment Facility, Effluent Flow and Corresponding Discharge Limitations*) as well as a minimum dilution factor of 100:1 in Whitney Brook at all times during the discharge.

A review of the Discharge Monitoring Report (DMR) data for the period of December 2016 through April 2024 indicates the following:

Effluent Flow (DMRs = 27)

Value	Limit (MGD)	Range (MGD)	Mean (MGD)
Daily Maximum	Report	0.32 – 0.41	0.38

- b. Dilution Factors: The June 9, 2011, Natural Resource Protection Act (NRPA) Stream Alteration Permit (L-25258-L6-A-N) for the Town of Canton to construct a new concrete gravity dam (Anasagunticook Dam) established minimum flows in Whitney Brook.

The June 9, 2011, NRPA permit establishes flows in Whitney Brook as follows:

“A minimum flow release equal to inflow shall be maintained from the dam at all times except: 1) following drawdown of the lake for flood control purposes, re-fill in April-May must provide for minimum water release of 20 cfs; 2) during unusual situations such as refill after emergency dam repair, flashboard failure and replacement, or similar situations, outflow may be reduced as needed but no less than 3 cfs; 3) whenever the lake level has fallen to 2 feet below the normal full pond level, outflow may be reduced to no less than 1 cfs. These minimum release standards may be modified or replaced if the Department establishes water levels for Anasagunticook Lake pursuant to 38 M.R.S.A. § 840.”

This permitting action is carrying forward limitations based on a sliding scale pursuant to Attachment A of the permit. The premise for the sliding scale is to maintain acute and chronic dilution factors of $\geq 100:1$ under all discharge flow regimes based on the flow in Whitney Brook.

The harmonic mean dilution factor is approximated by multiplying the chronic dilution factor by three. This multiplying factor is based on guidelines for estimation of human health dilution presented in the USEPA publication Technical Support Document for Water Quality Based Toxics Control (Office of Water; USEPA/505/2-90-001, page 88) and represents an estimation of harmonic mean flow. Therefore, the harmonic dilution factor associated with

7. EFFLUENT LIMITATIONS & MONITORING REQUIREMENTS (cont'd)

the discharge from the Canton facility may be calculated to be 300:1. The dilution factors are as follows:

Acute: 100:1
Chronic: 100:1
Harmonic Mean: 300:1

A review of the DMR data for the period of December 2016 through April 2024 indicates the following:

Stream Flow in cubic feet per second (cfs) (DMRs = 27)

Value	Limit (cfs)	Range (cfs)	Mean (cfs)
Instantaneous	Report	59 – 94	67.45

Dilution Factor (DMRs = 27)

Value	Limit (ratio)	Range (ratio)	Mean (ration)
Instantaneous	Report	100:1 – 155:1	114:1

- c. BOD₅ and TSS: The previous permit established, and this permit is carrying forward, monthly average and weekly average BOD₅ and TSS concentration limits of 30 milligrams per liter (mg/L) and 45 mg/L, respectively, which were based on secondary treatment requirements pursuant to 40 C.F.R. 133.102 and 06-096 C.M.R. ch. 525 § 3(III). The previous permit also established, and this permit is carrying forward, daily maximum BOD₅ and TSS concentration limits of 50 mg/L based on a Department best professional judgment (BPJ) of BPT for secondary treated wastewater. All three concentration limitations are being carried forward in this permitting action.

The previous permit established monthly average, weekly average, and daily maximum mass report only requirements based on a sliding scale relating to effluent flow (Attachment A of the permit). These reporting requirements are being carried forward in this permit.

The monitoring frequency of 1/Week for BOD₅ and TSS are being carried forward in this permit.

A review of the DMR data for the period of December 2016 through April 2024 indicates the following:

BOD₅ Mass (DMRs = 27)

Value	Limit (lbs/day)	Range (lbs/day)	Average (lbs/day)
Monthly Average	Report	13 – 178	55
Weekly Average		13 – 181	58
Daily Maximum		13 – 181	58

7. EFFLUENT LIMITATIONS & MONITORING REQUIREMENTS (cont'd)**BOD₅ Concentration (DMRs = 27)**

Value	Limit (mg/L)	Range (mg/L)	Average (mg/L)
Monthly Average	30	4.4 – 56	18.5
Weekly Average	45	4.4 – 56	19.3
Daily Maximum	50	4.4 – 56	19.3

An excursion of the monthly average concentration limit was reported in March of 2018, excursions of the monthly average, weekly average, and daily maximum limits was reported in April of 2019, and an excursion of the monthly average concentration limit was reported in March of 2022.

TSS Mass (DMRs = 27)

Value	Limit (lbs./day)	Range (lbs./day)	Average (lbs./day)
Monthly Average	Report	10 – 104	42.6
Weekly Average		12 – 107	46.8
Daily Maximum		12 – 107	46.8

TSS Concentration (DMRS = 27)

Value	Limit (mg/L)	Range (mg/L)	Average (mg/L)
Monthly Average	30	4 – 33	14.5
Weekly Average	45	5 – 37	15.6
Daily Maximum	50	5 – 37	15.6

One excursion of the monthly average concentration limit was reported in May of 2022.

This permit is also carrying forward the requirement for a minimum of 85% removal of BOD₅ & TSS pursuant to 06-096 C.M.R. ch. 525 § 3(III)(a)(3) and (b)(3). It is noted that the permittee is not required to calculate percent removal rates until an influent sampling point is constructed that does not constitute a confined space entry space.

- d. *Escherichia coli* Bacteria (E. coli): The previous permit established seasonal (May 15th – September 30th) monthly average and daily maximum limits of 64 colonies/100 ml and 427 colonies/100 ml, respectively. This permit is establishing seasonal (April 15th - October 31st) monthly average and daily maximum limits of 64 CFU or MPN/100 mL and 236 CFU or MPN/100 mL, respectively. The limits are based on the State of Maine Water Classification Program as established in 38 M.R.S. § 465(3).

A review of the DMR data for the period of December 2016 through April 2024 indicates the following:

7. EFFLUENT LIMITATIONS & MONITORING REQUIREMENTS (cont'd)***E. coli* bacteria (DMRs = 3)**

Value	Limit (col/100 mL)	Range (col/100 mL)
Monthly Average	64	41 – 411
Daily Maximum	427	51 – 411

Excursions of the monthly average concentration limit for *E. coli* bacteria were reported in July of 2019 and July of 2022.

Due to the intermittent and short-term nature of the discharge (discharge may occur for 1 or 2 weeks at a time), application of the monthly average limit may not be appropriate for all test results.

- e. Settleable Solids: The previous permit established, and this permit is carrying forward, a daily maximum concentration limit of 0.3 milliliters per liter (mL/L) for settleable solids, as well as a monitoring frequency of 1/week. The limit is considered by the Department as a BPJ of BPT for secondary treated wastewater.

A review of the DMR data for the period of December 2016 through April 2024 indicates the following:

Settleable Solids (DMRs = 27)

Value	Limit (mL/L)	Range (mL/L)	Mean (mL/L)
Daily Maximum	0.3	0.01 – 0.10	0.097

- f. pH: The previous permit established a technology-based pH range limitation of 6.0 – 9.0 standard units pursuant to 06-096 C.M.R. ch. 525 § 3(III)(c), that is being carried forward in this permit, along with a monitoring frequency of 3/Week.

A review of the DMR data for the period of December 2016 through April 2024 indicates the following:

pH (DMRs = 27)

Value	Limit (SU)	Minimum (SU)	Maximum (SU)
Range	6.0 – 9.0	6.4	7.9

- g. Mercury: Pursuant to 38 M.R.S. § 420 and 38 M.R.S. § 413 and 06-096 C.M.R. ch. 519, the Department issued a *Notice of Interim Limits for the Discharge of Mercury* to the permittee thereby administratively modifying WDL #W00006445-5L-D-R by establishing interim monthly average and daily maximum effluent concentration limits of 4.5 parts per trillion (ppt) and 6.8 ppt, respectively, and a minimum monitoring frequency requirement of 2 test per year for mercury.

7. EFFLUENT LIMITATIONS & MONITORING REQUIREMENTS (cont'd)

38 M.R.S. § 420(1-B)(B)(1) provides that a facility is not in violation of the AWQC for mercury if the facility is in compliance with an interim discharge limit established by the Department.

A review of the DMR data for the period of December 2016 through April 2024 indicates the following:

Mercury (DMRs = 6)

Value	Limit (ng/L)	Range (ng/L)	Mean (ng/L)
Monthly Average	4.5	1.1 – 2.9	2.1
Daily Maximum	6.8		

On February 6, 2012, the Department issued a minor revision to the August 8, 2011, permit thereby revising the minimum monitoring frequency requirement from two times per year to once per year pursuant to 38 M.R.S. § 420(1-B)(F). This minimum monitoring frequency is being carried forward in this permitting action.

- h. Ground Water Monitoring – This permit is carrying forward the requirement for the monitoring of two existing monitoring wells (MW-1 and MW-2 see **Attachment C** of this Fact Sheet for approximate locations) as the results are utilized as a leak detection system for the lagoon system. The monitoring frequency of 1/5 Years is also being carried forward.

The parameters selected for monitoring are as follows:

Nitrate-nitrogen - Nitrogen compounds are by-products of the biological breakdown of ammonia 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. 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.

Specific Conductance, Temperature and PH are “field” parameters meaning that they are measured directly in the field via instrumentation and do not require laboratory analysis. These parameters are considered as surveillance level monitoring parameters and are used as early-warning indicators of potential groundwater contamination.

Chlorides - Is another early-warning indicator of potential groundwater contamination by wastewater. The National Secondary Drinking Water standard is 250 mg/L.

Total Suspended Solids (TSS) - TSS in the groundwater yields an indication of the integrity of the monitoring wells.

7. EFFLUENT LIMITATIONS & MONITORING REQUIREMENTS (cont'd)**Nitrate-nitrogen (DMRs=1)**

Well ID	Daily Maximum Limit (mg/L)	Result (mg/L)
MW-1	10	< 1.0
MW-2		<1.0

Specific Conductance (DMRs=1)

Well ID	Limit (µmhos/cm)	Range (µmhos/cm)
MW-1	Report	81
MW-2		76

Chlorides (DMRs=1)

Well ID	Daily Maximum Limit (mg/L)	Result (mg/L)
MW-1	10	<1.2
MW-2		3.8

Total Suspended Solids (DMRs=1)

Well ID	Daily Maximum Limit (mg/L)	Result (mg/L)
MW-1	Report	<3.0
MW-2		7.3

pH (DMRs=1)

Well ID	Daily Maximum Limit (SU)	Result (SU)
MW-1	Report	6.7
MW-2		6.2

Depth to Ground Water Level (DMRs=1)

Well ID	Daily Maximum Limit (Feet)	Result (Feet)
MW-1	Report	25.9
MW-2		56.8

Temperature (DMRs=1)

Well ID	Daily Maximum Limit (°F)	Result (°F)
MW-1	Report	45
MW-2		51

7. EFFLUENT LIMITATIONS & MONITORING REQUIREMENTS (cont'd)

- i. Whole Effluent Toxicity (WET) and Chemical Specific Testing: 38 M.R.S. § 414-A and 38 M.R.S. § 420 prohibit the discharge of effluents containing substances in amounts that would cause the surface waters of the State to contain toxic substances above levels set forth in Federal Water Quality Criteria as established by the USEPA. 06-096 C.M.R. ch. 530 sets forth effluent monitoring requirements and procedures to establish safe levels for the discharge of toxic pollutants such that existing and designated uses of surface waters are maintained and protected, and narrative and numeric water quality criteria are met. 06-096 C.M.R. ch. 584 sets forth ambient water quality criteria (AWQC) for toxic pollutants and procedures necessary to control levels of toxic pollutants in surface waters.

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

WET monitoring is required to assess and protect against impacts upon water quality and designated uses caused by the aggregate effect of the discharge on specific aquatic organisms. Acute and chronic WET tests are performed on the brook trout (*Salvelinus fontinalis*) and the invertebrate water flea (*Ceriodaphnia dubia*). Chemical-specific monitoring is required to assess the levels of individual toxic pollutants in the discharge, comparing each pollutant to acute, chronic, and human health water quality criteria.

06-096 C.M.R. ch. 530 § 2(A) specifies the dischargers subject to the rule as:

All licensed dischargers of industrial process wastewater or domestic wastes discharging to surface waters of the State must meet the testing requirements of this section. Dischargers of other types of wastewater are subject to this subsection when and if the Department determines that toxicity of effluents may have reasonable potential to cause or contribute to exceedances of narrative or numerical water quality criteria.

Canton discharges domestic (sanitary) wastewater to surface waters and is therefore subject to the testing requirements of the toxics rule.

06-096 C.M.R. ch. 530 § 2(B) categorizes dischargers subject to the toxics rule into one of four levels (Levels I through IV).

7. EFFLUENT LIMITATIONS & MONITORING REQUIREMENTS (cont'd)

The four categories for dischargers are as follows:

Level I	Chronic dilution factor of <20:1
Level II	Chronic dilution factor of $\geq 20:1$ but <100:1.
Level III	Chronic dilution factor $\geq 100:1$ but <500:1 or >500:1 and $Q \geq 1.0$ MGD
Level IV	Chronic dilution factor >500:1 and $Q \leq 1.0$ MGD

Based on the criteria, the permittee's facility is considered a Level III discharger as the chronic dilution of the receiving water is $\geq 100:1$. 06-096 C.M.R. ch. 530 § 2(D) specifies routine WET, priority pollutant, and analytical chemistry test schedules for Level III dischargers as follows.

Surveillance level testing

Level	WET Testing	Priority pollutant testing	Analytical chemistry
III	1 per year	none required	1 per year

Screening level testing

Level	WET Testing	Priority pollutant testing	Analytical chemistry
III	1 per year	1 per year	1 per year

This permit provides for reconsideration of effluent limits and monitoring schedules after evaluation of toxicity testing results. The monitoring schedule includes consideration of results currently on file, the nature of the wastewater, existing treatment, and receiving water characteristics.

06-096 C.M.R. ch. 530 § 3(E) states:

For effluent monitoring data and the variability of the pollutant in the effluent, the Department must apply the statistical approach in Section 3.3.2 and Table 3-2 of USEPA's "Technical Support Document for Water Quality-Based Toxics Control" (USEPA Publication 505/2-90-001, March 1991, EPA, Office of Water, Washington, D.C.) to data to determine whether water-quality based effluent limits must be included in a waste discharge license. Where it is determined through this approach that a discharge contains pollutants or WET at levels that have a reasonable potential to cause or contribute to an exceedance of water quality criteria, appropriate water quality-based limits must be established in any licensing action.

7. EFFLUENT LIMITATIONS & MONITORING REQUIREMENTS (cont'd)

WET evaluation

On April 8, 2024, the Department conducted a statistical evaluation on the most recent 60 months of WET test results on file with the Department for the Canton POTW in accordance with the statistical approach outlined above.

The April 8, 2024, statistical evaluation indicates the discharge from Canton has not exceeded or demonstrated a reasonable potential to exceed the critical acute or chronic ambient water quality thresholds for the water flea or brook trout. See **Attachment D** of this Fact Sheet for a summary of the WET test results.

06-096 C.M.R. ch. 530 § 2(D)(3)(b) states, in part, that Level III facilities "... may be waived from conducting surveillance testing for individual WET species or chemicals provided that testing in the preceding 60 months does not indicate any reasonable potential for exceedance as calculated pursuant to section 3(e)."

Based on the provisions of 06-096 C.M.R. ch. 530 and Department best professional judgment, this permitting action is carrying forward the waiver for surveillance level WET testing requirements for this facility. Special Condition J. *Statement For Reduced/Waived Toxics Testing* of this Permit explains the statement required by the discharger to reduce WET testing.

Analytical Chemistry & Priority Pollutant Testing Evaluation:

06-096 C.M.R. ch. 530 § 4(C) states:

The background concentration of specific chemicals must be included in all calculations using the following procedures. The Department may publish and periodically update a list of default background concentrations for specific pollutants on a regional, watershed or statewide basis. In doing so, the Department shall use data collected from reference sites that are measured at points not significantly affected by point and non-point discharges and best calculated to accurately represent ambient water quality conditions. The Department shall use the same general methods as those in section 4(D) to determine background concentrations. For pollutants not listed by the Department, an assumed concentration of 10% of the applicable water quality criteria must be used in calculations.

The Department does not have any information on the background levels of metals in the water column in Whitney Brook in the vicinity of the permittee's outfall. Therefore, a default background concentration of 10% of the applicable water quality criteria is being used in the calculations of this permitting action.

7. EFFLUENT LIMITATIONS & MONITORING REQUIREMENTS (cont'd)

06-096 C.M.R. ch. 530 § 4(E) states:

In allocating assimilative capacity for toxic pollutants, the Department shall hold a portion of the total capacity in an unallocated reserve to allow for new or changed discharges and non-point source contributions. The unallocated reserve must be reviewed and restored as necessary at intervals of not more than five years. The water quality reserve must be not less than 15% of the total assimilative quantity...

However, given the discharge restrictions, and that Canton is the only discharger on Whitney Brook, the reserve of 15% is not being withheld.

On April 8, 2024, the Department conducted a statistical evaluation of the most recent 60 months of chemical-specific test results on file with the Department. The April 8, 2024, evaluation indicated that the discharge does not exceed or have a reasonable potential to exceed any acute, chronic, or human health AWQC for any of the pollutants of concern. See **Attachment E** of this Fact Sheet for test dates and results for the pollutants of concern.

06-096 C.M.R. ch. 530 § 2(D)(3)(b) states, in part, that Level III facilities "... may be waived from conducting surveillance testing for individual WET species or chemicals provided that testing in the preceding 60 months does not indicate any reasonable potential for exceedance as calculated pursuant to section 3(e)."

Based on the provisions of 06-096 C.M.R. ch. 530 and Department best professional judgment, this permitting action is carrying forward the waiver for surveillance level testing requirements for this facility. Due to the intermittent nature of the discharge this permit is also carrying forward the 1/year screening level testing for analytical chemistry. Special Condition J. *Statement For Reduced/Waived Toxics Testing* of this Permit explains the statement required by the discharger to reduce surveillance testing.

8. ANTI-DEGRADATION

As permitted, the Department has determined the existing water uses will be maintained and protected and the discharge will not cause, contribute, or have a reasonable potential to cause or contribute to the failure of the water body to meet standards for Class B classification.

9. ANTI-BACKSLIDING

Federal regulation 40 C.F.R. §122.44(l) contains the criteria for what is often referred to as the anti-backsliding provisions of the Federal Water Pollution Control Act (Clean Water Act). In general, the regulation states that except for provisions specified in the regulation, effluent limitations, standards, or conditions must be at least as stringent as the final effluent limitations, standards, or conditions in the previous permit. Applicable exceptions include (1) material and substantial alterations or additions to the permitted facility occurred after permit issuance which justify the application of a less stringent effluent limitation and (2) information is available which was not available at the time of the permit issuance (other than revised regulations, guidance, or test methods) and which would justify the application of less stringent effluent limitations at the time of permit issuance. All limitations in this permit are equally or more stringent than the previous permit.

10. PUBLIC COMMENTS

Public notice of this application was made in the *Sun Journal* newspaper on or about September 23, 2021. The Department receives public comments on an application until the date a final agency action is taken on the application. Those persons receiving copies of draft permits must have at least 30 days in which to submit comments on the draft or to request a public hearing, pursuant to *Application Processing Procedures for Waste Discharge Licenses*, 06-096 C.M.R. ch. 522 (effective January 12, 2001).

11. DEPARTMENT CONTACTS

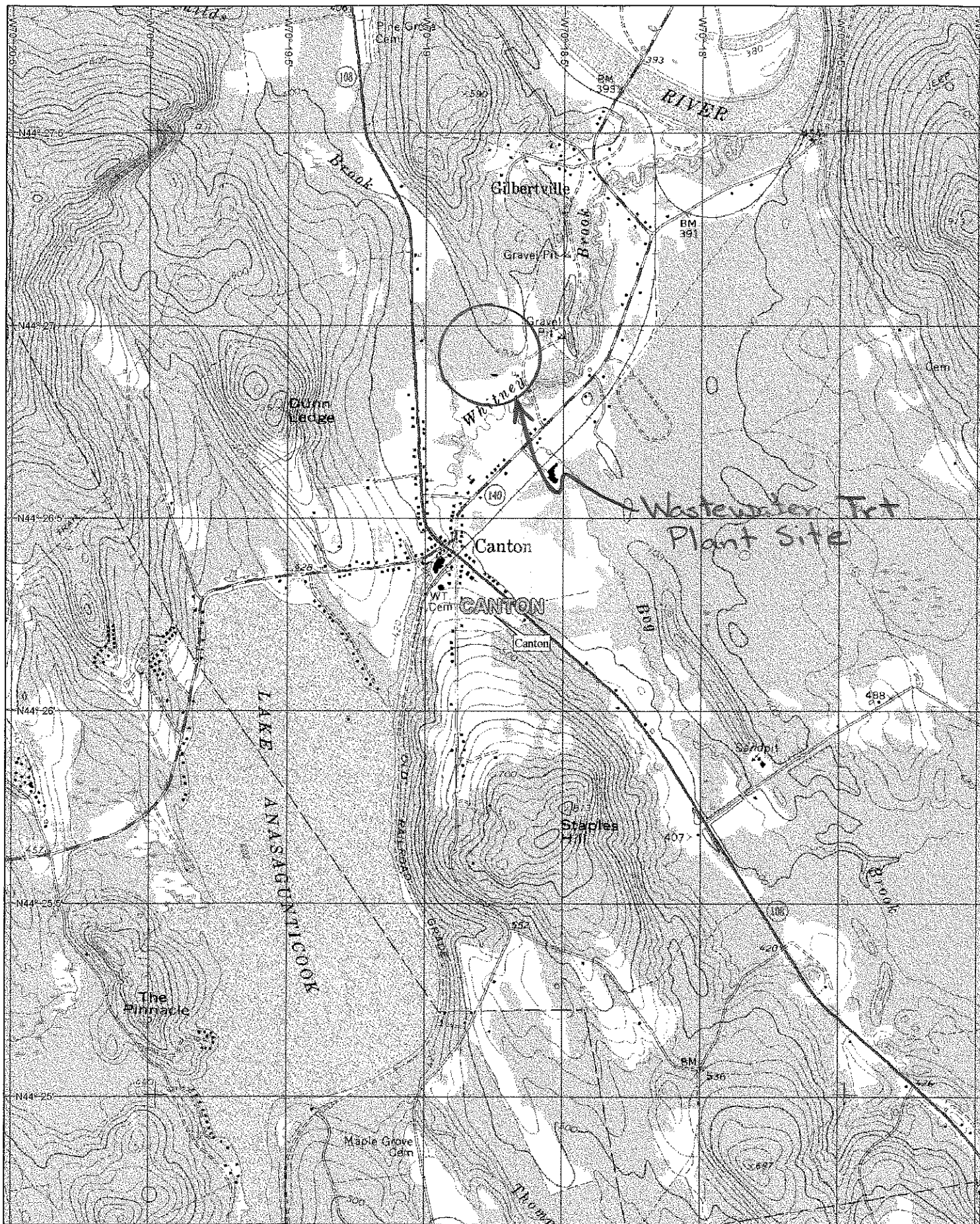
Additional information concerning this permitting action may be obtained from, and written comments sent to:

Benjamin Pendleton
Division of Water Quality Management - Bureau of Water Quality
Department of Environmental Protection
17 State House Station
Augusta, Maine 04333-0017 Telephone: (207) 592-6871
e-mail: Benjamin.S.Pendleton@maine.gov

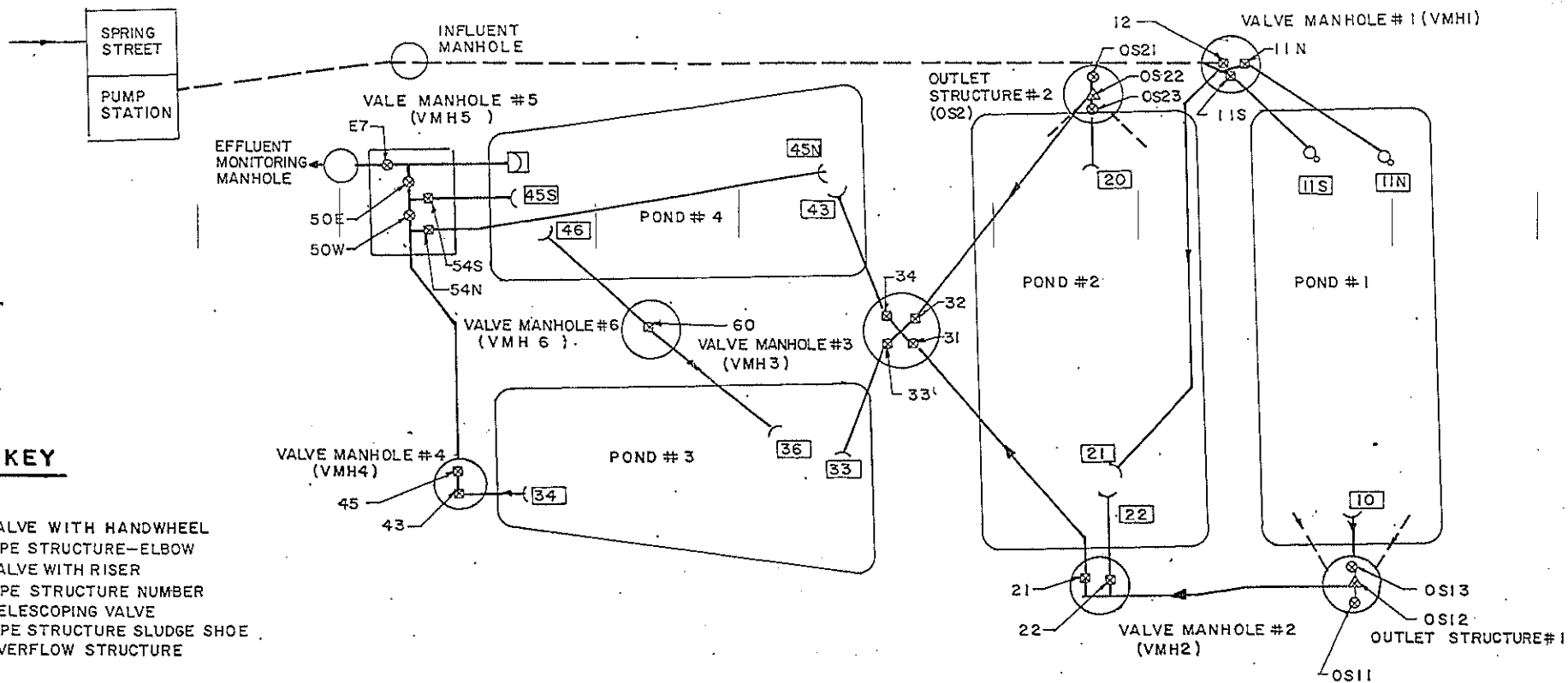
12. RESPONSE TO COMMENTS

This space is reserved until the end of the 30-day comment period.

FACT SHEET ATTACHMENT A



FACT SHEET ATTACHMENT B



VALVE & CONTROL LOCATIONS **CANTON TREATMENT PLANT** APPENDIX G

WOODARD & CURRAN INC.
 CONSULTING ENGINEERS
 15 HILAND AVE.

FACT SHEET ATTACHMENT C



MW1

CANTON WWTF

MW2

Whitney Brook

FACT SHEET ATTACHMENT D

FACILITY WET EVALUATION REPORT



Facility: CANTON WWTP

Permit Number: ME0102067

Report Date: 8/1/2024

Receiving Water: MACHIAS RIVER

Rapidmix: Y

Dilution Factors: 1/4 Acute: N/A

Acute: 100.000

Chronic: 100

Effluent Limits: Acute (%): 1.000

Chronic (%): 1.000

Date range for Evaluation: From

31/Jul/2019

To: 31/Jul/2024

Test Type: A_NOEL

Test Species: MYSID SHRIMP

Test Date

Result (%)

Status

08/27/2019

100.000

OK

03/09/2020

100.000

OK

11/09/2021

100.000

OK

08/09/2022

50.000

OK

Species Summary:

Test Number: 4

RP: 2.600

Min Result (%): 50.000

RP factor (%): 19.231

Status: OK

Test Type: C_NOEL

Test Species: SEA URCHIN

Test Date

Result (%)

Status

08/27/2019

100.000

OK

11/09/2021

100.000

OK

Species Summary:

Test Number: 2

RP: 3.800

Min Result (%): 100.000

RP factor (%): 26.316

Status: OK

FACT SHEET ATTACHMENT E

CHEMICAL TEST REPORT

Data entered into Toxscan for the period

08/apr/2019 - 08/Apr/2024

Facility Name: **CANTON WWTP**Permit Number: **ME0102067****ALKALINITY**

Test Date	Result (ug/l)	Lsthan	Status
10/13/2020	59000.000	N	

ALUMINUM

Test Date	Result (ug/l)	Lsthan	Status
10/13/2020	24.900	N	

AMMONIA

Test Date	Result (ug/l)	Lsthan	Status
10/13/2020	2200.000	N	

COPPER

Test Date	Result (ug/l)	Lsthan	Status
10/13/2020	2.430	N	

MERCURY

Test Date	Result (ng/l)	Lsthan	Status
10/11/2021	1.140	N	
11/10/2022	1.800	N	
02/20/2023	1.430	N	

NICKEL

Test Date	Result (ug/l)	Lsthan	Status
10/13/2020	0.840	N	

PH

Test Date	Result (ug/l)	Lsthan	Status
10/13/2020	7.500	N	

SOLIDS

Test Date	Result (ug/l)	Lsthan	Status
10/13/2020	261000.000	N	

SPECIFIC CONDUCTANCE (UMHOS)

Test Date	Result (ug/l)	Lsthan	Status
10/13/2020	399.000	N	

TOTAL CALCIUM

Test Date	Result (ug/l)	Lsthan	Status
10/13/2020	13000.000	N	

TOTAL HARDNESS

Test Date	Result (ug/l)	Lsthan	Status
10/13/2020	40200.000	N	

TOTAL MAGNESIUM

Test Date	Result (ug/l)	Lsthan	Status
10/13/2020	1890.000	N	

TOTAL ORGANIC CARBON

Test Date	Result (ug/l)	Lsthan	Status
10/13/2020	22000.000	N	

TOTAL SUSPENDED SOLIDS

Test Date	Result (ug/l)	Lsthan	Status
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	10/13/2020	13000.000	N	
ZINC				
	Test Date	Result (ug/l)	Lsthan	Status
	10/13/2020	2.300	N	

FACT SHEET ATTACHMENT F

STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

CHAPTER 530.2(D)(4) CERTIFICATION

MEPDES# _____ Facility Name _____

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

COMMENTS:

Name (printed): _____

Signature: _____ Date: _____

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

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

Scheduled Toxicity Testing for the next calendar year

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

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

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

MAINE POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT

STANDARD CONDITIONS APPLICABLE TO ALL PERMITS

CONTENTS

SECTION	TOPIC	PAGE
A	GENERAL PROVISIONS	
1	General compliance	2
2	Other materials	2
3	Duty to Comply	2
4	Duty to provide information	2
5	Permit actions	2
6	Reopener clause	2
7	Oil and hazardous substances	2
8	Property rights	3
9	Confidentiality	3
10	Duty to reapply	3
11	Other laws	3
12	Inspection and entry	3
B	OPERATION AND MAINTENANCE OF FACILITIES	
1	General facility requirements	3
2	Proper operation and maintenance	4
3	Need to halt reduce not a defense	4
4	Duty to mitigate	4
5	Bypasses	4
6	Upsets	5
C	MONITORING AND RECORDS	
1	General requirements	6
2	Representative sampling	6
3	Monitoring and records	6
D	REPORTING REQUIREMENTS	
1	Reporting requirements	7
2	Signatory requirement	8
3	Availability of reports	8
4	Existing manufacturing, commercial, mining, and silvicultural dischargers	8
5	Publicly owned treatment works	9
E	OTHER PROVISIONS	
1	Emergency action - power failure	9
2	Spill prevention	10
3	Removed substances	10
4	Connection to municipal sewer	10
F	DEFINTIONS	10

MAINE POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT

STANDARD CONDITIONS APPLICABLE TO ALL PERMITS

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).

MAINE POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT

STANDARD CONDITIONS APPLICABLE TO ALL PERMITS

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

MAINE POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT

STANDARD CONDITIONS APPLICABLE TO ALL PERMITS

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.

MAINE POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT

STANDARD CONDITIONS APPLICABLE TO ALL PERMITS

- (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.

MAINE POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT

STANDARD CONDITIONS APPLICABLE TO ALL PERMITS

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.

MAINE POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT

STANDARD CONDITIONS APPLICABLE TO ALL PERMITS

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

MAINE POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT

STANDARD CONDITIONS APPLICABLE TO ALL PERMITS

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).

MAINE POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT

STANDARD CONDITIONS APPLICABLE TO ALL PERMITS

- (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.

MAINE POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT

STANDARD CONDITIONS APPLICABLE TO ALL PERMITS

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

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

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.