



Melanie Loyzim
Acting Commissioner

Department of
Environmental Protection
State of Maine

MEMORANDUM

TO: Mark C. Draper, Board Chair of the Board of Environmental Protection,

Laura Jensen, Assistant Attorney General

FROM: Melanie Loyzim, Acting Commissioner,

Laura Crossley, Bureau of Water Quality

SUBJECT: Administrative Consent Agreement, Kennebec Sanitary Treatment District

DATE: December 17, 2020

Statute and Rule Reference:

38 M.R.S. § 414(5) makes it unlawful to violate the terms or conditions of a license once issued by the Department of Environmental Protection.

38 M.R.S. § 413(1) is specific to discharges of pollutants and makes it unlawful to discharge pollutants without first obtaining a permit for that specific discharge.

Location: Kennebec Sanitary Treatment District, 401 Water Street, Waterville, Maine

Violator: Kennebec Sanitary Treatment District.

Maine Waste Discharge License (WDL) # W000687-5M-J-R and Maine Pollutant Discharge Elimination System ("MEPDES") Permit # ME0100854

Description: Kennebec Sanitary Treatment District (KSTD) experienced a force main break on November 29, 2019, that lasted until December 13, 2019. Initially, they shut down the main pump station and began an intentional bypass of the flow to the Kennebec River from their licensed combined sewer overflow (CSO) outfall with the expectation that the repair would be completed quickly. Due to unexpected complications the repair could not be completed in a timely manner.

During the first five days of the incident, KSTD did not plan or attempt to reroute the discharge to the nearest gravity sewer access about 700-800 feet away. When Department staff visited the site on the sixth day after the force main break, KSTD was told to arrange for a pump-around to avoid further discharge from the CSO. The connection to the sewer line downstream took another two days to establish and activate.

In addition, KSTD has failed to have a proper Operations and Maintenance Plan since 2015.

Environmental Issues: In total, KSTD discharged an estimated 21.6 million gallons of untreated wastewater directly to the Kennebec River, which is a Class B river. The discharge consisted of conventional non-persistent pollutants which includes the discharge of one industrial user to KSTD, a manufacturer of paper products for the food service industry.



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Staff Recommendation: The Department recommends acceptance of this Administrative Consent Agreement as proposed stipulating a monetary penalty of thirty-three thousand nine hundred twelve dollars (\$33,912.00), to be paid to Maine Rivers as a Supplemental Environmental Project (SEP) and other remedial corrective actions.

Is the agreement subject to 30-day public comment pursuant to 38 M.R.S. § 347-A(6)?

Yes No

Public comments received are attached to this memo.

POSTED FOR 30-DAY PUBLIC COMMENT:

Enforcement Coordinator: _____RM_____ Posting Date: __10/23/2020_ Expires: 11/22/2020

PROCEED WITH SIGNATURE:

Enforcement Coordinator: ___RM___ Date: ___11/30/2020___