



JANET T. MILLS
GOVERNOR



MELANIE LOYZIM
COMMISSIONER

MEMORANDUM

TO: Mark C. Draper, Board Chair of the Board of Environmental Protection
Laura Jensen, Assistant Attorney General

FROM: Brian Kavanah, Director, Bureau of Water Quality
Laura Crossley, Bureau of Water Quality, CMRO

SUBJECT: ADMINISTRATIVE CONSENT AGREEMENT, Town of Camden

DATE: December 2, 2021

Statute and Rule Reference: The Town of Camden violated 38 M.R.S. § 414(5), which makes it unlawful to violate the terms or conditions of a license once issued by the Department of Environmental Protection and 38 M.R.S. § 413(1), which makes it unlawful to discharge a pollutant without first obtaining a permit for that specific discharge.

Location: Publicly Owned Treatment Works, 20 Lions Lane, Camden, Maine

Violator: Town of Camden

Description: Between April 2015 and April 2021, the Town of Camden discharged approximately 3.5 million gallons of untreated wastewater during sanitary sewer overflows (SSOs), the majority of which discharged from two emergency overflow structures in the Bayview and Sea Street pump stations.

In addition to the SSOs and during this same period, Camden exceeded permit condition limits for flow, fecal coliform bacteria, total suspended solids and percent removal, and biochemical oxygen demand and percent removal. Out of the 18 effluent violations, five flow effluent violations exceeded the permit limit by more than 15%.

Environmental Issues: Camden's SSOs mostly occurred during heavy storm events. SSOs release bacteria, as well as other uncontrolled pollutants, from untreated wastewater flows.

Since the hiring of the most recent Public Owned Treatment Work Supervisor at the end of 2014, Camden has actively investigated and removed excess inflow and infiltration. Currently, the Sea

Street force main runs under Camden Harbor, which makes it vulnerable to damage and difficult to repair.

Staff Recommendation: The Department recommends acceptance of this Administrative Consent Agreement as proposed, stipulating a monetary penalty of twenty-five thousand five-hundred eleven dollars (\$25,511), of which fifteen thousand five-hundred eleven dollars (\$15,511) will be suspended contingent upon the implementation of an approved plan and schedule to address SSOs, including the rerouting and replacement of the force main at Sea Street, and the completion of a capacity, management, operations and maintenance plan. Ten thousand dollars (\$10,000) will be paid to Maine Coast Heritage Trust as a Supplemental Environmental Project.

Estimated Presentation Time: 15 minutes

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

Yes No

POSTED FOR 30-DAY PUBLIC COMMENT:

Enforcement Coordinator: Ron Mongeon Posting Date: 10/01/2021 Expires: 11/01/2021