

# DEP Permit Process

Issuance of wastewater discharge permits is a core function of the Division of Water Quality Management in order to assure the protection and improvement of waters of the state. Once an application is accepted as complete for processing the decision process includes:

- Opportunity for public comment on the application.
- Review of application materials and draft decision document by DEP staff including the permit writer, water quality engineers, biologists, compliance inspectors, and enforcement staff.
- Consultation with, and review of draft decision document by, other state departments including Marine Resources and Inland Fisheries and Wildlife, and federal review agencies including the Environmental Protection Agency, National Marine Fisheries Service, US Fish and Wildlife Service, and U.S. Army Corps.
- Issuance of a proposed draft decision document for a 30-day public comment period to all interested parties.
- DEP review of public comments and revision of decision document as appropriate based on comments. The decision document may then be issued as final or reissued for another public comment period.
- Once a final decision document is issued it is subject to appeal to the Board of Environmental Protection or to court.
- It should be noted that the Dept. of Marine Resources and U.S. Army Corps of Engineers conduct separate review processes and that pursuant to 38 M.R.S. § 464 (4)(A)(9), the Department may not issue a water discharge license for those discharges that would, in the judgement of the Secretary of the United States Army, substantially impair anchorage or navigation.

