

**Stormwater Pollution Prevention Plan  
for  
BRUNSWICK EXECUTIVE AIRPORT  
BRUNSWICK, MAINE**

**Prepared for:**



**in accordance with the regulations of the  
State of Maine Department of Environmental Protection  
Maine Pollutant Discharge Elimination System  
Multi-Sector General Permit  
Facility Permit # MER05CO27**

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## **1.0 EXECUTIVE SUMMARY**

On January 12, 2011, the Maine Department of Environmental Protection (MEDEP) processed a Notice of Intent (NOI) for the Midcoast Regional Redevelopment Authority (MRRA) to comply with the *Maine Multisector General Permit for Stormwater Discharges Associated with Industrial Activity*, under the Maine Pollutant Discharge Elimination System (MPDES). MRRA filed under the category of “Air Transportation Facility” (Processing # MER05CO27). This permit was subsequently re-filed under the April 26, 2011 permit. The Department re-issued the MSGP on December 7, 2016. The facility’s permit coverage was renewed by the receipt of an NOI on April 4, 2017.

As the former Naval Air Station Brunswick, this facility was previously assigned under the EPA Multi-Sector General Permit SIC #4512.

As part of the conditions of the initial permit, each activity is required to prepare a facility-specific Stormwater Pollution Prevention Plan (“SWPPP”). The purpose of the SWPPP is to establish policy, responsibilities, and procedures for the stormwater pollution program and to provide technical guidance on pollution prevention due to stormwater runoff from industrial areas.

The stormwater program is designed to reduce the discharge of pollutants into receiving waters of the United States. Elimination of non-stormwater discharges and source controls are the major elements of the stormwater program. The SWPPP consists of Best Management Practices (BMPs), structural controls, education, and inspection procedures to be followed at Brunswick Executive Airport to minimize stormwater pollution.

### **1.1 PLAN LOCATION**

The original signed copy of this document will be retained in MRRA offices at 15 Terminal Road, Suite 200, Brunswick, Maine.

### **1.2 PLAN IMPLEMENTATION**

The effectiveness of this Plan is dependent upon the adoption of practical stormwater pollution prevention procedures and the willingness of personnel to comply with them. Site personnel must be familiar with all SWPPP protocol and procedures.

## 2.0 STORMWATER POLLUTION PREVENTION PERSONNEL AND RESPONSIBILITIES

MRRA is responsible for stormwater management activities at Brunswick Executive Airport. Members of the MRRA stormwater pollution prevention team are listed in Table 2.1.

Table 2.1: MRRA Stormwater Pollution Prevention Personnel

PERSONNEL/POSITION	CONTACT INFORMATION	ROLES/RESPONSIBILITIES
Woodie Bartley, POC 1	207-798-6512	<ul style="list-style-type: none"><li>• Coordinate Plan development and updates, and implementation</li><li>• Coordinate site inspections</li><li>• Oversee sampling program</li><li>• Coordinate employee training programs</li><li>• Will keep original working SWPPP document</li><li>• Maintain all records and ensure required reports are submitted</li><li>• Prepare and send results to POC 2</li><li>• Coordinate with MRRA tenants and their activities</li><li>• Carry out quarterly visual monitoring and numeric monitoring as required by MEDEP under this permit</li></ul>
Eric Perkins, POC 2 Stacy Revels, POC 3 Johanna Sigel, POC 4	207-798-6512	<ul style="list-style-type: none"><li>• Assist POC 1 with all above activities</li></ul>

### **3.0 RELATED PLANS FOR BRUNSWICK EXECUTIVE AIRPORT**

MRRA and/or its tenants have or will have other related plans that outline daily management, contingency, emergency response, and environmental compliance measures that are related to stormwater pollution prevention and management.

- **Spill Prevention Control and Countermeasures (SPCC) Plan:** FlightLevel Aviation, the fixed base operator for Brunswick Executive Airport, completed a SPCC Plan. This plan outlines the prevention of any discharge of oil into navigable waters or adjoining shorelines. The main thrust of the SPCC regulation is prevention as opposed to after-the-fact reactive measures commonly described in Oil Spill Contingency Plans.
- **Hazardous Waste Management Plan:** Companies at Brunswick Executive Airport that generate, store and dispose of hazardous waste will be in charge of completing their respective plans, if applicable. A Hazardous Waste Management Plan (HWMP) describes procedures to be followed in the generation, storage, and disposal of hazardous waste, non-hazardous chemical wastes, waste oil and reclaimed fuel.
- **PFAS Management Plan:** MRRA will be working with the Navy, MEDEP and USEPA on the preparation of a PFAS Management Plan for Brunswick Executive Airport that outlines a proactive and comprehensive approach to managing PFAS contaminants in the stormwater system and when encountering these substances during construction activities.

### **4.0 SITE ASSESSMENT**

#### **4.1 General Description**

Formerly part of the Naval Air Station Brunswick (NASB), Brunswick Executive Airport is a roughly 1,100-acre general aviation airport located completely within the jurisdictional limits of the Town of Brunswick. On August 24, 2005, the Federal Base Realignment and Closure (BRAC) Commission voted to close NASB MRRA received the airport property through a Public Benefit Conveyance (PBC) and is the Federal Aviation Administration (FAA) designated airport sponsor.

Brunswick Executive Airport is using the facility's existing runways and taxiways, hangars and terminal facilities. Some areas that were used for aviation, such as the Navy's fuel storage area, have been converted to non-aviation use. New fuel tanks and dispensers have been installed closer to the FBO and general aviation terminal area, Building 200.

The facilities with relevant air sector activities that will be covered under this permit are listed in Table 4.2.

## 4.2 Stormwater Drainage Patterns

A site map has been included in Appendix A.

Brunswick Executive Airport drains into two major watersheds: The Mere Brook – Harpswell Cove watershed; and the Androscoggin watershed. Approximately 79 percent of the airport is in the Mere Brook – Harpswell Cove watershed. Mere Brook enters the airport property at the western boundary and flows into its natural streambed for approximately 1,000 linear feet. It is then routed under the airport operations area via a triple-barrel culvert for approximately 3,500 linear feet. When it exits the culverts, Mere Brook is joined by a number of small, intermittent streams to form a wide, tidal stream that discharges into the mouth of Harpswell Cove. The channel of Mere Brook is relatively narrow and deeply incised for most of its length.

Mere Brook is currently on Maine’s list of Urban Impaired Streams and is a Class B Waterbody, which means it has been assessed by MEDEP as not meeting water quality standards for aquatic life use. Currently, it is at 24 percent impervious cover and the TMDL target is 10 percent (See Appendix F: TMDL Summary for Mere Brook).

Approximately 21 percent of the airport property is in the Androscoggin watershed. The Androscoggin River flows west to east along the northern boundary of the Town of Brunswick and forms the boundary between Cumberland and Sagadahoc Counties. At its closest point, the Androscoggin River is approximately 2,000 feet from the northern boundary of the property. Flows from several small tributaries originating on the property are divided into two unnamed tributaries that convey surface water to the Androscoggin River.

## 4.3 Potential Pollutant Sources

The following table describes common activities and pollutant sources for the air transportation and facilities sector. See Section 5.1 for more details on the operation of the deicing station.

*Table 4.1: Common Activities and Pollutant Sources – Air Sector*

<b>ACTIVITY</b>	<b>POLLUTANT SOURCE</b>	<b>POLLUTANT</b>
Aircraft storage	Engine oil, hydraulic fluid, fuel	Fuel, oil, hydraulic fluids, heavy metals
Aircraft deicing/anti-icing	Runoff of deicing/anti-icing fluid	Glycol fluids
Runway deicing/anti-icing	Urea-based deicing/anti-icing materials	Ammonia from urea-based compounds
Aircraft servicing	Engine oil, hydraulic fluid, fuel	Fuel, oil, hydraulic fluids, heavy metals
Aircraft, ground vehicle and equipment maintenance and washing	Spills and leaks of engine oils, hydraulic fluids, transmission oil, radiator fluids, chemical solvents used for parts cleaning, waste parts, batteries, oil and fuel filters, oily rags, spent wash water	Spent solvents, oil, heavy metals, ethylene glycol, acid/alkaline wastes, detergents
Runway maintenance	Tire rubber, oil and grease, paint	Debris, oil

	chips, and jet fuel	
Material handling: transfer storage disposal	Fueling: spills, leaks and hosing area Liquid storage in above ground storage: spills and overfills, external corrosion, failure of piping systems Waste material storage and disposal: paint solids, solvents, trash, spent abrasives, petroleum products	Fuel oil, heavy metals, material being stored, paint solids, spent solvents
Fuel truck storage	Engine oils, fuel, transmission fluid	Fuel oil, hydraulic fluids

*Table 4.2: Facilities with Relevant Air Sector Activities*

<b>FACILITY</b>	<b>ACTIVITIES/OPERATIONS</b>	<b>TENANTS</b>
Hangar 6	Aircraft Maintenance (business jets)	Tempus Jets
Hangar 6	Aircraft Maintenance (small aircraft)	American Classic Aviation
Hangar 6	Aircraft Storage	Flight Level Aviation
Hangar 4	Aircraft Maintenance (business jets)	Precision Air
T hangar	Aircraft Storage	10 multiple owners
TechPlace	Aircraft Manufacturing	Clamar Floats/Atol USA
Hangar 5	Aircraft Storage	MRRA & Flight Level Aviation
Hangar 5	Aircraft Maintenance (small aircraft)	Sunbird Aviation
Hangar 7	Aircraft Storage	Flight Level Aviation
FBO Fuel Farm	Aircraft fueling	Flight Level Aviation
Building 292	Airport Runway Maintenance	MRRA
Building 251	Aircraft Deicing Operations	MRRA, Flight Level Aviation

## Summary of Potential Pollutant Sources

This section describes activities, materials and physical features of Brunswick Executive Airport that may contribute significant amounts of pollutants to stormwater runoff or, during periods of dry weather, result in pollutant discharges through the storm drainage system that drains the property. This assessment of stormwater pollution risk will support subsequent efforts to identify and set priorities for changes in materials, material management practices, and/or site features. In addition, the selection of appropriate structural and non-structural control techniques can be evaluated and implemented.

### Fueling Operations

Fuel is the major potential pollutant on Brunswick Landing. The storage locations and dispensing stations are listed in Table 4.3, below.

*Table 4.3: Brunswick Executive Airport Fuel Throughput (Projected)*

<b>LOCATION</b>	<b>FUEL TYPE</b>	<b>ANNUAL THROUGHPUT (GALLONS)</b>
Fuel Farm	Jet-A, 100 LL Fuel	1 Million Gallons (Max.)

### Aircraft Deicing/Anti-Icing

Deicing will be accomplished by physical removal of the snow and ice from the surfaces of the aircraft. Fixed Base Operator (FBO) personnel will sweep off the wings and other surfaces with brooms. Small spray cans of deicing fluid will also be used on the deicing pad.

Deicing agents: In 1994, to ensure compliance with the Clean Air Act, the Navy shifted from the use of ethylene glycol to propylene glycol. MRRRA will continue to use propylene glycol for all aircraft deicing (See Table 4.4 below).

*Table 4.4: Aircraft Deicing/Anti-Icing at Brunswick Executive Airport*

<b>DEICING SEASON</b>	<b>DEICING AGENT</b>	<b># AIRCRAFT DEICED</b>	<b>TOTAL DEICING AGENT USED (Gallons)</b>
November - April	Propylene Glycol	TBD	TBD

### Aircraft Servicing

A variety of combined activities come under the heading of aircraft servicing, including aircraft storage, maintenance, deicing, and runway deicing. The following is a brief description of the elements of aircraft operations.

#### Aircraft Storage.

Normally, the aircraft will be housed on the parking ramps next to the hangars. During storage, qualified personnel perform regular inspections and conduct tests, including drawing fuel and fluid samples. Any major spill that might occur during aircraft storage has the potential of entering the storm sewer system.

Any spills occurring on the northernmost area of the parking ramp, adjacent to Hangar 6, could flow north to a catch basin and into an unnamed tributary, and eventually into the Androscoggin River and Merrymeeting Bay. All spills flow through a series of detention ponds, prior to leaving Brunswick Landing.

A spill occurring from the midpoint of Hangar 6 to a point past Hangar 5 could flow to any number of catch basins and into the Picnic Pond System to an unnamed tributary and then to Harpswell Cove via Mere Brook.

A spill occurring at any place in the southernmost area of the parking ramp (south of Hangar 5) could flow through a single retention pond, then into Mere Brook and Harpswell Cove.



## Aircraft, Ground Vehicle and Equipment Maintenance and Washing

### Aircraft Maintenance

Hangar spills that result from maintenance activities have a low potential for contributing to stormwater pollution. Maintenance operations that take place on the parking ramp have moderate potential for stormwater pollution.

### Runway Maintenance.

MRRA enlists the services of contractors to maintain the runway.

*Table 4.5: Site Evaluation of Vehicle and Equipment Maintenance Facilities*

<b>BUILDING</b>	<b>RESPONSIBLE ACTIVITY</b>	<b>MAINTENANCE TYPE</b>	<b>POTENTIAL STORMWATER CONTAMINATES</b>
Hangar 4	Precision Aviation	Routine maintenance of aircraft	Fuel, oil and lubricants
Hangar 5	MRRA, FlightLevel Aviation & Sunbird Aviation	Routine maintenance of aircraft	Fuel, oil and lubricants
Hangar 6	Tempus Jets,& American Classic Aviation	Routine maintenance of aircraft	Fuel, oil and lubricants
Hangars 6 & 7	FlightLevel Aviation	Routine maintenance of aircraft	Fuel, oil and lubricants
TechPlace	MRRA	Small business incubator	TBD
T hangars	Multiple tenants	Routine maintenance of aircraft	Fuel, oil and lubricants
Building 292	MRRA	Snow Removal Equipment	Fuel, Oil, Lubricant

### Significant Spills and Leaks

There have not been any significant spills or leaks under MRRA's ownership – since taking possession from the Navy in 2011.

## **5.0 STORMWATER MANAGEMENT**

All of the facilities at Brunswick Executive Airport are required to comply with the Best Management Practices (BMPs) outlined in this SWPPP, whether or not they have a site-specific plan. The following sections outline the applicable BMPs for all industrial activities at Brunswick Executive Airport. In addition, all new development and construction activities must comply with the State's stormwater management rules and regulations.

## **5.1 Non-Structural BMPs**

### Good Housekeeping

Good housekeeping practices are intended to keep a clean and orderly work environment. The most effective first step toward preventing stormwater pollution from industrial sites is using common sense to improve housekeeping methods. MRRA and its tenants will implement the following procedures to promote good housekeeping:

- Improved operation and maintenance of industrial machinery and processes.
- Material storage practices;
- Routine and regular clean-up schedules;
- Maintaining well organized work areas; and
- Training schedules.

### Operation and Maintenance

These procedures ensure that equipment is working properly. BMPs include:

- Keeping dry and clean floors and ground surfaces. Keeping surfaces clean and dry makes leaks more visible and easier to clean.
- Regularly disposing of garbage.
- Ensuring that equipment is working properly. Properly maintained equipment has a lower risk of malfunctioning.
- Routinely inspecting for leaks or conditions that could lead to the discharge of chemicals or contact of stormwater with raw materials, materials or products in process, or waste materials.

### Materials Storage Practices/Minimizing Exposure

Improper storage can result in the release of materials and chemicals, resulting in stormwater runoff pollution. Proper storage techniques to be used at Brunswick Executive Airport include:

- Providing adequate aisle space to facilitate material transfer and ease access for inspections.
- Storing containers, drums and bags away from direct traffic routes to prevent accidental spills. Storing drums on special spill pallets.
- When stacking containers, doing so in accordance with the manufacturer's instructions to avoid damaging the containers from improper weight distribution.
- Storing containers off the ground to prevent corrosion.

### Preventative Maintenance

All companies or operations at Brunswick Executive Airport that own or operate equipment, vehicles, or aircraft are required to implement a preventative maintenance program if one is not

in place. Preventative maintenance involves the regular inspection and testing of equipment and operational systems. These inspections could uncover conditions such as cracks or slow leaks, which could cause breakdowns or failures that result in stormwater discharge of pollutants. An acceptable program should include the following elements:

- Identification of equipment, systems and facility areas to be inspected;
- A schedule for periodic inspections or tests of equipment and systems;
- Appropriate and timely adjustments, repair, or replacement of equipment and systems; and
- Maintenance of complete records on inspections, equipment and systems.

#### Source Material and Waste Storage

There are several methods of storage for materials and waste at Brunswick Executive Airport, including:

1. Aboveground Storage Tanks (ASTs);
2. Underground Storage Tanks (USTs);
3. Drum Storage;
4. Satellite Accumulation Areas; and
5. Material Stockpiles.

**Aboveground Storage Tanks (AST).** Brunswick Executive Airport has ASTs at various locations. The ASTs are used for storing materials such as waste oil, fuel oil, jet fuels, and other liquids. The following BMPs have been developed to correctly install and maintain ASTs to minimize the potential for failure.

Construction and Condition Standards. The existing 1994 standards have been developed for use when installing new and evaluating existing ASTs. These requirements are in addition to other existing American Society of Testing Materials (ASTM) standards. In the case of conflict, when designing new tanks or evaluating existing tanks, the more stringent requirement will always be used. Furthermore, all existing ASTs identified as deficient by MRRA will be a priority to retrofit. The following standards apply:

- An AST will be given preference over an Underground Storage Tank (UST). USTs will be used only when an aboveground option is not practical.
- ASTs are to be installed on an impervious surface. Concrete foundations suitable for the tank being installed will be provided.
- All ASTs provide 110 percent secondary containment. In selecting the type of containment, the MEDEP preference for berm versus double wall will be considered, and a berm will be used whenever possible.
- All ASTs will be protected from traffic by means of bollards, curbs, guard rails or other similar positive control devices.
- All piping should be aboveground whenever possible. All aboveground piping shall be double wall or otherwise secondarily contained. If any underground piping is used, it shall be provided with secondary containment and leak detection in accordance with the

Title 38 of the Maine Revised Statutes Annotated (MRSA), Chapter 691 (UST regulations).

- All ASTs and other containers containing flammables shall be labeled as such and shall indicate material type (i.e. fuel oil, diesel, gasoline, waste oil, etc.).
- These standards will pertain to all storage of over 55 gallons for a single container and 75 gallons total volume for multiple containers regardless of the POL material stored. POL products include, but are not limited to: fuels, oils, lubricants, grease, waste oils, etc.
- Locations and descriptions of all new facilities will be provided to MRRRA for required permitting and SPCC and SWPPP modifications. No installation will be constructed without approval of the MRRRA POC.

Inspections and Testing. All ASTs must be inspected and documented in accordance with the Spill Prevention Control and Countermeasures (SPCC) plan associated with that AST and documentation must be on file in the MRRRA office.

Drum Storage. Brunswick Executive Airport houses several drums of material in various locations. These drums may be empty or contain hazardous wastes, nonhazardous wastes, hazardous materials, nonhazardous materials, cleaning compounds, oil, solvents, spill clean-up equipment, and several other miscellaneous source materials. There are two different types of secondary containment for drum storage. Plastic overpack drums are designed to fully encapsulate a drum for various reasons, including spills and leaks. Drums can also be stored in a secondary containment berm, on pallets. The berm should be equipped with a drain and a discharge valve maintained closed. Any water accumulation in the containment area must be inspected for contamination prior to discharge. If the contents of the drums would produce a visible sheen on the water, the water to be discharged must be visually inspected for sheen prior to discharge. If the contents would not produce a visible sheen the water must be appropriately sampled before discharge.

#### Vehicle/Aircraft Support Equipment

This section outlines the requirements for vehicle maintenance at Brunswick Executive Airport. The following BMPs are designed to be used in all of the vehicle and maintenance areas.

Parts Cleaning. Parts are routinely cleaned in tanks containing solvents. These tanks should be located away from any drainage systems. Parts cleaned using solvents must be thoroughly dried using rags and the rags should be disposed of afterwards. When the cleaning solvents are routinely changed, they must be disposed of as hazardous waste. Pertaining to DEP regulations, the following BMPs must be adhered to when operating any parts cleaning tank:

1. Close the cover whenever parts are not being handled in the cold cleaning degreaser.
2. Drain the cleaned parts for at least fifteen seconds or until dripping ceases.
3. If used, supply a solvent spray that is a solid fluid stream (not a fine, atomized, or shower-type spray) at a pressure that does not exceed ten pounds per square inch gauge (psig).
4. Do not degrease porous or adsorbent materials, such as cloth, leather, wood, or rope.
5. Minimize drafts across the top of each cold cleaning degreaser, such that whenever the cover is open, the cold cleaning degreaser is not exposed to drafts greater than 131.2 feet

per minute (ft/min), as measured between 3.28 and 6.56 feet upwind and at an equal elevation of the tank lip.

6. Do not operate the cleaning tank if any of the components of the tank are leaking and have not been repaired.

**Painting Best Management Practices.** All painting will be performed indoors, in special designated areas. No painting will be allowed outdoors. Painting uses materials or creates wastes that are sometimes hazardous. If painting BMPs are not adhered to, stormwater runoff from areas where these activities occur can become polluted by solvents and dusts from sanding and grinding. These potentially harmful substances in stormwater can enter water bodies directly through storm drains.

**Spray Painting Enclosures and Required Equipment.** Spray painting is permitted, only inside a building to prevent over-spray from being released to the environment. Activities are encouraged to use low volatile organic compound (VOC) paint where feasible. If paint spray guns are used, they must be high-volume, low-pressure (HVLP) guns. Finally, when spraying paint, operators must be cognizant of the fact that an effort must be made to reduce overspray. This improves paint transfer efficiency.

- **Spray Painting.** In these instances, special precautions must be taken to ensure that emissions are limited or eliminated entirely. These spray-painting operations must be conducted within a closed building or temporary enclosure with adequate ventilation. Ground covering such as tarps, drip pans, or other spill collection devices must be in place to collect over-spray and excess paint if practical. After the paint operations are completed, all waste paint, solvent, or other liquid materials must be collected and segregated, properly packaged, and properly managed.
- **Painting by Physical Application.** Physical application is applying paint with brushes, rollers or other hand-held means. This is permitted both inside and outside. Nevertheless, the following precautions must be followed to minimize stormwater pollution:
  - Tarps or drop cloths must completely cover the surrounding area to prevent the release of contaminants by inadvertent splatter or spillage.
  - All excess paint, solvent, or other liquid materials must be collected and segregated, properly packaged and disposed of properly.

**Sanding and Sandblasting.** In most painting operations, preparation work requires that old paint and debris be removed by physical means.

**Sandblasting:** Sandblasting is permitted only inside a special sandblasting booth. Sandblasting area is fully enclosed and has provisions to capture all spent sandblast media and associated dust. In addition, the sandblasting enclosure has air filters installed to minimize escape of dust. The activity performing the sandblasting must use approved media. Spent sandblast media must be segregated and disposed of in accordance with its hazard class. If an alternative enclosure is to be used, the enclosure must be approved by MRRA prior to being used.

**Sanding and Grinding:** This method of surface preparation is preferable, except when lead paint is being removed and if the surface can be adequately prepared. Sanding and grinding can be

completed outside an enclosure provided that areas outdoors where sanding is done are covered with either a tarp or drop cloth to collect paint debris that is generated. Abrasive sanding can be conducted indoors where the floor is impervious and there are no floor drains in the immediate area. The residue from abrasive sanding must be swept up or vacuumed immediately when sanding is finished.

General Practices in Maintenance Areas. Even with the proper management techniques, operational or small spills occasionally occur in maintenance activities. These small operational spills must be cleaned without using water. Rags, absorbent pads or speedy-dry are the only approved materials for removing spilled material in these circumstances. In maintaining a clean work environment, personnel should observe the following BMPs:

- Hosing down work areas is prohibited. If the indoor work area has to be hosed, the drain must exit to the municipal (sanitary) sewer system and have an oil/water separator in line. If questions about drains arise, contact MRRA before discharging. Hangar decks are cleaned with a scrubbing unit called a “Zamboni.” The units are built to wash the deck and collect the residual water. All water is then discharged through an oil/water separator into the sanitary sewer system.
- Drip pans must be used to collect leaking or dripping fluids during routine maintenance. Oil, fuel and waste antifreeze are recycled and should be kept separated when collected and stored. A drip pan must be put under equipment when unclipping hoses, unscrewing filters, or removing parts. In addition, a drip pan must be placed under any equipment that might leak while work is performed to keep splatters or drips off the floor.
- After removing fluids from a piece of equipment, promptly transfer used fluids to the proper recycling or disposal drums. Do not leave full drip pans or other containers unattended. Locate waste and recycling drums in controlled areas. Again, these areas must have secondary containment to collect any inadvertent spillage.

### Fueling Operations

General Fueling BMPs. In addition to the procedures developed in the SPCC Plan, several other BMPs will be adopted to further reduce the risk of stormwater pollution. These BMPs include:

- Insuring the installation and proper operation of overfill prevention equipment;
- Prohibiting the topping off of fuel storage tanks;
- Proper cleaning of fueling areas;
- Control of petroleum spills; and
- Developing employee awareness of stormwater pollution prevention in fueling operations.

Overfill Prevention. All fueling equipment used on Brunswick Executive Airport must have an overfill prevention device and must be maintained on a regular basis by the operators. Operators must be aware of the proper use of these devices. For example, all fueling pumps for refueling vehicles must have a back pressure shut-off to prevent overfilling. Systems for refueling stationary tanks must have equipment that restricts the flow of fuel before the tank is filled. Specific tanks may develop problems such that overfill prevention equipment will not work. When this happens, the operator must stop fueling and immediately contact Jim Nall General Manager, FlightLevel, to initiate repair.

Proper Cleaning of Refueling Areas. Refueling equipment will be cleaned using only physical removal methods (rags, cloths and towels). Flushing the fueling area with running water is prohibited.

### Shipping and Receiving

Materials spilled, leaked or lost during loading/unloading may collect in the soil on other surfaces and may be carried away by runoff or when the area is cleaned. Stormwater may wash off pollutants from machinery used to load or unload materials. The following BMPs are intended to reduce or eliminate the potential for stormwater contamination:

- Areas to load and unload vehicles must have designed vehicle access. In addition, loading and unloading areas must be located so that leaks can be contained in containment or flow diversion systems. These areas must have spill response equipment permanently on hand and the spill response telephone number prominently posted.
- Covered loading and unloading areas, such as building overhangs, reduce exposure of materials, vehicles and equipment to rain. Any loading areas that are uncovered should be used only when it is not raining if possible. If it is raining, special attention must be made not to spread any contamination to the stormwater system.

### Vehicle and Aircraft Washing (Corrosion Control)

Vehicle and aircraft washing is permitted inside hangars at Brunswick Executive Airport. Discharge from vehicle and aircraft washing inside the hangar are connected to an oil/water separator and go to the sanitary sewer.

Aircraft Washing. Aircraft washing has to be completed within a hangar. All effluent must stay within the hangar and be discharged into the floor drains. Aircraft washing is permitted in any hangar at Brunswick Executive Airport. Aircraft washing on taxiways, runways, or parking aprons is strictly prohibited. However, rinsing aircraft, with no detergent added, is permitted on the Taxiway "I" Washrack.

Vehicle and Heavy Equipment Washing. Vehicle washing inside the industrial area must be completed over an approved washrack. A washrack is an area that is graded to a central drain, which goes to an oil/water separator and discharges to a sanitary sewer. The following washracks are approved for washing of vehicles:

- Building 86, Ground Support Equipment
- All hangars.

All washracks are within enclosed (4-sided) structures. It is important to ensure that all residue and effluent stay within the washrack and be discharged down the drains, which are connected to an oil/water separator/sanitary sewer.

### Aircraft Maintenance

Aircraft Deicing. Deicing chemicals such as propylene glycol are necessary to maintain aircraft

safety and runoff of residuals from their use can adversely impact the environment. For this reason, minimization of deicing materials, while maintaining safe conditions, has become a major consideration for airfield operations. Prior to the deicing of an aircraft, excess snow is removed by mechanical methods. After mechanical methods are used to remove excess snow, the valve to the reclaim system is opened to collect any contaminants. Hot water is used to remove ice from the surfaces, and then a mixture of propylene glycol is used to deice aircraft before takeoff. After the aircraft has been deiced, the deicing pad is rinsed again to flush any contaminants into the reclaim system. The control valve is left open for a period of time to allow the contaminants to drain completely, then the reclaim control valve is closed. Deicing operations typically use on average, fifty-six (56) gallons of propylene glycol in various concentrations.

The Navy constructed an aircraft deicing pad. Aircraft is deiced on the pad, residual deicing fluid collected and stored in a 45,000 gallon tank, then disposed of off-site.

### Sediment and Erosion Control

Environmental Impacts of Erosion and Sedimentation. Eroded soil contains nitrogen, phosphorus and other nutrients. When carried into water bodies, these nutrients trigger algal blooms that reduce water clarity, deplete oxygen, lead to fish kills and create odors. Erosion of streambanks and adjacent areas destroys streamside vegetation that provides aquatic and wildlife habitats. Excessive deposition of sediments in streams blankets the bottom fauna, “paves” stream bottoms, and destroys fish spawning areas. Turbidity from sediment reduces in-stream photosynthesis, which leads to reduced food supply and habitat. Finally, suspended sediment abrades and coats aquatic organisms, weakening them. Erosion removes the smaller and less dense constituents of topsoil. These constituents, clay and fine silt particles and organic material, hold nutrients that plants require. The remaining subsoil is often hard, rocky, and infertile. Thus reestablishment of vegetation is difficult and the eroded soil produces less growth.

Erosion and Sediment Controls. Erosion and sediment controls will be incorporated into all projects. These measures are both temporary and permanent in nature. Temporary measures serve to meet short-term goals of minimizing erosion and restricting the transport of sediment within and from the limits of the site. Permanent measures serve to meet long-term goals of sustainable stabilization of the site with durable erosion control features to control sediment discharge from the site. Details and erosion control-specific notes will be provided in the construction drawings and specifications for all projects. For more information on erosion control, refer to the Maine Erosion and Sedimentation Control BMP manual, 2003 edition, provided by the Maine Department of Environmental Protection.

For major projects, general location and site plans will be provided in the construction drawings. The site plan drawings will show existing and proposed changes, areas of disturbance, and locations of major features. Also, a materials management plan has been developed for Brunswick Executive Airport that describes the procedures required for the management of contaminated soil and equipment encountered during development activities.

Stockpiles. All stockpile sites will be approved by the MRRA POC. Any stockpile site that temporarily ceases use for over 21 days will be stabilized with temporary seed and mulch within



14 days of the last construction activity.

Waste Materials. Projects requiring a Stormwater Permit will require a Construction Waste Management Plan. The Plan shall address both hazardous and non-hazardous wastes. Any use of hazardous materials will be approved by MRRA.

### Spill Prevention and Response

FlightLevel Aviation has a Spill Prevention Control and Countermeasure Plan for Brunswick Executive Airport. This Plan was prepared in accordance with the United States Environmental Protection Agency (EPA), Code of Federal Regulations, 40 CFR Part 112 – Oil Pollution Prevention (40 CFR 112). This Plan was developed to prevent the discharge of oil and oil products and established procedures for a coordinated response to oil discharges. Copies of this Plan are kept at both the FlightLevel Aviation office in Building 200 and the MRRA office in Building 200.

## **5.2 Structural BMPs**

Detention Ponds. There are four drainage systems on the property that have been significantly modified in the past to clean and treat stormwater before it is discharged. These drainage systems are listed and described below.

1. Picnic Pond System. The Picnic Pond system is made up of three ponds and is the repository for the stormwater that drains from over eighty (80) percent of the Brunswick Landing industrial area. Starting at Outfall 2, located behind Building 201 (formerly “the Galley”), this system stretches from there to the Picnic Pond Dam.
  - a. Dike “A.” The first BMP is located directly behind the former Navy Relief/Sea Cadet center. This dike is designed to slow the effluent originating at Outfall 2. Because of the airfield operations, historically much of the pollution is polycyclic aromatic hydrocarbons (PAHs), which are the products of incomplete combustion of jet fuel. Fortunately, these products are heavier than water and rapidly settle out. This structure will continue to be used to collect and concentrate these products and will also serve as a sedimentation pond to pick up road sand.
  - b. Dike “B.” Dike B is located approximately 200 yards downstream of Dike A, behind Building 516 (formerly “Niteflite”). Like Dike A, this structure has a dual purpose of being a line of defense for spill control; however, it is also valuable for “wet treatment.” Contaminants will be retained behind this structure and will be broken down to low levels before discharging to Picnic Pond.
  - c. Picnic Pond. Picnic Pond serves as the last line of defense for spill control originating from the industrial area. In addition, the pond further increases the detention time for stormwater.
2. Mere Brook Spill Control Dam. This structure is located at the outfall of the south ramp, within the Weapons Compound. First and foremost, this structure serves as a water treatment device. It also provides significant protection to Mere Brook in the event of a large spill on the south ramp. Finally, this structure allows some wet treatment of stormwater as well as a settling pond for PAHs.

Disposal to Sanitary Sewer. At present there are no known stormwater/sanitary sewer cross-connections. In 1997, the Navy performed a thorough study, which included visual, smoke and dye-testing.

### **5.3 PFAS Management**

Under the United States federal Superfund law, officially known as the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), the US Navy is legally responsible for the remediation of any designated contaminants. In addition, under CERCLA, the Navy is responsible for the investigation and remediation of any contamination resulting from its presence in perpetuity, as well as long-term monitoring of the remediated sites and base property.

The emerging contaminants associated with Per- and Polyfluoroalkyl Substances (PFAS) including PFOS & PFOA, are not currently defined as hazardous substances under CERCLA, but are considered to be pollutants or contaminants under the law. The NAS Brunswick CERCLA Federal Facility Agreement between the Navy, EPA & MEDEP covers releases of CERCLA hazardous substances, pollutants, & contaminants at the former base.

Beginning in 2010, the Navy has been conducting PFAS investigations on and around the former base properties due to emerging concerns of PFAS-containing aqueous film-forming foam (AFFF). In 2019, the Navy completed a comprehensive evaluation of PFAS on the former Navy base to better understand the extent of the related issues. These studies have shown that PFAS is generally found in areas of historical industrial uses, such as the airport and areas where AFFF was stored or used for training purposes.

Based upon the comprehensive evaluation above, the Navy has initiated a Remedial Investigation/Feasibility Study (RI/FS) of the property, as well as a comprehensive assessment of the stormwater system to determine if the system is providing a pathway of contaminated groundwater to the drainage systems. If any pathways are discovered during this assessment, the Navy will be expected to mitigate appropriately.

Since its inception, MRRA has worked closely with the Navy, US EPA and the Maine DEP to help facilitate appropriate environmental remediation of contaminated sites and ensure the safe transfer of properties for redevelopment or conservation purposes in accordance with the Reuse Master Plan and meeting its legislative mandate.

As a recent example, MRRA has worked with these entities to establish a model protocol for the management and treatment of PFAS contaminants, should they be encountered during construction related activities. The Navy required, as part of all completed NAS Brunswick real property conveyances, that "...no access to groundwater for dewatering or other purposes be permitted without the prior written approval of the Navy and the applicable federal and state regulatory agencies".

Where construction activities are proposed on former NAS Brunswick property that is or has a potential to be contaminated above EPA's Lifetime Health Advisories for PFOS and PFOA, any ground water generated as part of the proposed construction activities will need to be properly managed and treated. The management and treatment of construction-generated ground water will be approved and coordinated by the Navy, in consultation with MEDEP and EPA.

As part of this process, the Navy has installed best available control technologies (Granulated Activated Carbon filter systems) for the treatment of PFAS substances in their water treatment facility. Should any PFAS contaminated groundwater be discovered during construction activities, the Navy will treat same in the facility.

MRRA will work with the Navy, MEDEP and USEPA on the development of a PFAS Management Plan reflective of the requirements and practices outlined above.

#### **5.4 Summary of Sampling Data**

Sampling data was not collected in the past but will be collected from Q3 2021 going forward.

#### **5.5 Non-stormwater Discharge Evaluation**

The only non-stormwater discharges found during site inspection evaluations on 9/17/2021 were uncontaminated condensate drainage from heat pumps, and those discharges are allowed under Special Condition C.2.d of the MSGP.

### **6.0 INSPECTION, MONITORING & TRAINING ACTIVITIES**

#### **6.1 Personnel Training**

MRRA will conduct an annual training to relevant MRRA and tenant personnel on responsibilities to comply with this Plan. MRRA staff and the tenant POCs and personnel who are involved with the use, storage, or transfer of materials outside of or within the loading/unloading areas at the facility shall be familiar with the contents of their site-specific plan as well as this Plan. Tenant POCs will be trained by MRRA staff annually, and the tenant POCs will in turn train their personnel. MRRA Personnel shall be trained at the time of hire.

Records from the training sessions will be retained by MRRA and will include the date of the training session, leader of the training session, attendees' names, and a brief discussion of the topics covered. As situations change and the plan is updated, personnel shall be informed of plan modifications in training sessions. The training sessions shall at a minimum cover the following topics:

1. Spill Prevention and Response
  - a. Identifying potential spill areas and drainage routes at the respective facility, including information on past spills and causes.
  - b. Reporting spills in accordance with the SPCC.
  - c. Specifying material handling procedures and storage requirements.
  - d. Implementing spill response procedures.

2. Good Housekeeping
  - a. Require regular vacuuming and/or sweeping of workspaces.
  - b. Promptly clean up spilled materials to prevent polluted runoff.
  - c. Identify places where brooms, vacuums, sorbents, foams, neutralizing agents, and other good housekeeping and spill response equipment is located.
  - d. Display signs reminding personnel of the importance of good housekeeping.
  - e. Discuss updated procedures and report on the progress of practicing good housekeeping.
  - f. Provide instructions on securing drums and containers and frequently checking for leaks and spills.
  - g. Outline a regular schedule for housekeeping activities.
  - h. Provide instructions on conducting periodic inspections.
  - i. Annual inspection/cleaning of deicing diversion CB before start of season.
3. Materials Management Practices
  - a. Neatly organize materials for storage.
  - b. Identify toxic and hazardous substances stored and handled on site.
  - c. Discuss handling procedures for these materials.
  - d. Discuss and provide instruction on implementing required BMPs.

The above-identified training session will be incorporated into existing environmental training programs wherever possible. Training must be completed prior to the implementation of BMPs at each site.

## 6.2 Monitoring

### Visual Monitoring

Once every quarter, MRRA and/or its contractors will visually inspect the stormwater outfalls at the sites listed in Table 6.1 and denoted in Appendix A. The visual examination will be done during daylight hours. As defined in Special Condition K.1.b and K.3.a-d which require Visual Monitoring of the stormwater discharge to be collected within the first 60 minutes of the beginning of the discharge. If not collected within the first 60 minutes an explanation as to the reason why must be documented. Samples collected more than 2.25 hours after the beginning of the discharge during a qualifying storm event are not acceptable and will be rejected by the Department. If there has not been a qualifying storm event during the calendar quarter, a document must be added to the SWPPP to document the reason. (Snow cover, frozen, not operating, dangerous condition, etc.)

### Analytical Monitoring

- **Benchmark:** There is no benchmark monitoring required at this time at Brunswick Landing (per DEP).
- **Numeric:** There is no numeric monitoring required at this time at Brunswick Landing (per DEP)
- **Impaired Waters.** Mere Brook is currently on Maine's list of Urban Impaired Streams (UIS) and is a Class B waterbody, which means it has been assessed by DEP as not

meeting water quality standards for aquatic life use. Currently, it is at 24 percent impervious cover and the Total Maximum Daily Load (TMDL) target is 10 percent (See Appendix F: TMDL Summary for Mere Brook). The DEP will notify MRRA if impaired waters monitoring is required. The notice will include the DEP's decision as well as the reason for additional monitoring (MSGP, 4/26/11, Section E, Page 25). At that time, monitoring must be conducted quarterly at each outfall which discharges to the impaired waterbody (Mere Brook) for that parameter the waterbody is impaired for.

*Table 6.1: Visual Monitoring Schedule for Brunswick Landing*

<b>Outfall #</b>	<b>Visual Monitoring</b>	<b>Benchmark Monitoring</b>	<b>Numeric Monitoring</b>	<b>Impaired Waters Monitoring</b>	<b>Monitoring Dates<sup>1</sup></b>
#1 Allagash	✓	N/A	N/A	N/A	-1 <sup>st</sup> Quarter (Jan 1 – March 31) -2 <sup>nd</sup> Quarter (April 1 – June 30) -3 <sup>rd</sup> Quarter (Jul 1 – Sep 30) -4 <sup>th</sup> Quarter (Oct 1 – Dec 31)
#2 Galley	✓	N/A	N/A	N/A	-1 <sup>st</sup> Quarter (Jan 1 – March 31) -2 <sup>nd</sup> Quarter (April 1 – June 30) -3 <sup>rd</sup> Quarter (Jul 1 – Sep 30) -4 <sup>th</sup> Quarter (Oct 1 – Dec 31)
#3 South Ramp Monitoring Location	✓	N/A	N/A	N/A	-1 <sup>st</sup> Quarter (Jan 1 – March 31) -2 <sup>nd</sup> Quarter (April 1 – June 30) -3 <sup>rd</sup> Quarter (Jul 1 – Sep 30) -4 <sup>th</sup> Quarter (Oct 1 – Dec 31)
#4 Runway Drainage	✓	N/A	N/A	N/A	-1 <sup>st</sup> Quarter (Jan 1 – March 31) -2 <sup>nd</sup> Quarter (April 1 – June 30) -3 <sup>rd</sup> Quarter (Jul 1 – Sep 30) -4 <sup>th</sup> Quarter (Oct 1 – Dec 31)

1. Visual examinations of industrial stormwater discharges must be performed once per monitoring quarter. If no qualifying storm event resulted in discharge from the facility during a monitoring quarter, the permittee is excused from visual monitoring from that quarter provided the permittee documents in the monitoring records that no runoff occurred.

### **6.3 Quarterly Site Compliance Inspections**

Quarterly site compliance inspections will be conducted by MRRA and/or its contractors. The inspections will be evenly spaced with a minimum of sixty (60) days between inspections. The Quarterly Site Compliance Evaluation/Inspection checklist will be adapted and used for reporting, and if needed, a Corrective Action Report (CAR) will be generated. During the deicing season (per MSGP Appendix S) MRRA will conduct monthly inspections for all areas and equipment used in the deicing operations; this includes all the months for which deicing chemicals are used. MRRA shall also conduct one of the quarterly Site Compliance Inspections during a qualifying rain event during the deicing season or within thirty (30) days after deicing operations have ceased.

Table 6.2: Quarterly Site Compliance Inspection Schedule for Brunswick Landing

Site	Entity Doing Inspection	Inspection Dates <sup>2</sup>
Brunswick Executive Airport	MRRA, with DEP	-1 <sup>st</sup> Quarter (Jan 1 – March 31) -2 <sup>nd</sup> Quarter (April 1 – June 30) -3 <sup>rd</sup> Quarter (Jul 1 – Sep 30) -4 <sup>th</sup> Quarter (Oct 1 – Dec 31)

## 6.4 Recordkeeping and Reporting

Annual reporting is not required unless the Department's Industrial Stormwater Inspectors find deficiencies in the development or implementation of any portion of the SWPPP. If deficiencies are found, reports will be required for the next three consecutive permit years.

During the deicing season, monthly inspections must be conducted for all areas and equipment used in the deicing operations. At least one quarterly site inspection must be conducted during one qualifying rain event during the deicing season or within 30 days after deicing operations stop.

The SWPPP will be amended as follows, per MSGP (4/26/11):

1. A change in design, construction, operation, or maintenance at the facility that has a significant effect on the discharge or potential for discharge of pollutants from the facility, including the addition or reduction of industrial activity.
2. Monitoring, inspections or investigations by the permittee or by local, state or federal officials that determine the SWPPP is ineffective in eliminating or significantly minimizing pollutants from sources identified under PartV9D)(4), or is otherwise not achieving the general objectives of controlling pollutants in discharge from the facility.
3. A release of hazardous substances and oil (see 38 M.R.S.A. § 543, 550 and 1318-B).
4. A discharge authorized under this General Permit that is determined by Department notification to cause or have the reasonable potential to cause or contribute to, the violation of an applicable water quality standard. The SWPPP must document actions necessary to ensure future discharge(s) do not cause or contribute to the violation of a water quality standard.
5. A change in policies and procedures of MRRA and its tenants that enhance pollution prevention, or the development of new best management practices and that minimize the stormwater impact on the environment.

Any incidents of noncompliance and steps taken to prevent recurring incidents of noncompliance will be annotated. The results of the audit will remain on file at the MRRA office and be open to inspection by EPA and MEDEP personnel during normal working hours.

## **7.0 CERTIFICATION**

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowingly violating the law.

---

Steven H. Levesque

---

Name

Executive Director

---

Title

12/16/2021

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Date

## APPENDIX A

### Stormwater Pollution Prevention Plan Drainage Map



## APPENDIX B

### Notice of Intent MRRA



## NOTICE OF INTENT TO COMPLY WITH THE MAINE MULTI-SECTOR GENERAL PERMIT FOR STORMWATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITY

Notice of Intent (NOI) submission constitutes the expressed intent of the entity in Section A (of this form) and authorizes the discharge of stormwater associated with industrial activity to waters of the State (excluding groundwater), from the facility/site identified in Section B (of this form), under Maine's Multi-sector General Permit (MSGP). This also certifies that the responsible official understands and meets the eligibility conditions of Part I of the MSGP, agrees to comply with all applicable terms and conditions of the MSGP, and understands that continued authorization under the MSGP is contingent on maintaining eligibility for coverage. **In order to be granted coverage the information on this form must be correct and up-to-date. Please send the completed form with any corrections or updates to the Maine Department of Environmental Protection, 17 State House Station, Augusta, ME 04333-0017. If you have not paid your Fall 2010 invoice be sure to include a check for \$300 made payable to: Treasurer, State of Maine. Please read the instructions on the back prior to completing the NOI form.**

### A. Company Information – Legal Name & Billing Address

Permit Owner Legal Name	Midcoast Regional Redevelopment Association	ME State Charter Number (if business):
Billing Address	2 Pegasus Street, Suite 1, Unit 2	
City/Town	Brunswick	04011
Daytime Phone: (with area code)	(207) 798-6512	
E-mail:	stevel@mrra.us	

The 4-digit Standard Industrial Classification (SIC) Code(s) or the 2-letter Activity Code(s) that best represent the industrial activity at the facility or any multiple sector-specific industrial activities.

SIC# or Activity Code

4512-4581

Additional SIC# or Activity Code

### B. Facility/Site Physical Location

### C. Contact Person Information for this NOI

Facility/Site Name	Brunswick Executive Airport	Permit Contact Person	Tom Brubaker
Physical Address	2 Pegasus Street, Suite 1, Unit 2	Title	Public Works and Utilities Manager
City/Town	Brunswick	State	Maine
Daytime Phone:	(207) 798-6512	City/Town	Brunswick
Title, Right, or Interest (to this site location):	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Daytime Phone:	(207) 798-6512
Email:	martym@mrra.us	Email:	tomb@mrra.us



# **NOTICE OF INTENT TO COMPLY WITH THE MAINE MULTI-SECTOR GENERAL PERMIT FOR STORMWATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITY**

Facility Latitude: (if known)	43° 53' 32.5" N	Facility Longitude: (if known)	069° 56' 19.8" W
Name(s) of the receiving waters: Mere Brook (aka Mare) and Androscoggin River		The facility discharges stormwater to a municipal separate stormwater sewer system (MS4). <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Is the water considered impaired? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		If yes, name(s) of MS4 operator:	
If yes, list category: Urban Impaired Stream		Town of Brunswick	

## **D. Permit Information**

Applicable Sector(s) of industrial activity, as designated in Part I(B)(1) and Part I(B)(2) of the MSGP, that include associated discharges that you seek to have covered under this permit (check all that apply):

- |                                   |                                   |  |                                    |                                    |                                    |                                   |                                   |
|-----------------------------------|-----------------------------------|--|------------------------------------|------------------------------------|------------------------------------|-----------------------------------|-----------------------------------|
| <input type="checkbox"/> Sector A | <input type="checkbox"/> Sector B | <input type="checkbox"/> Sector C            | <input type="checkbox"/> Sector D  | <input type="checkbox"/> Sector E  | <input type="checkbox"/> Sector F  | <input type="checkbox"/> Sector G | <input type="checkbox"/> Sector H |
| <input type="checkbox"/> Sector I | <input type="checkbox"/> Sector J | <input type="checkbox"/> Sector K            | <input type="checkbox"/> Sector L  | <input type="checkbox"/> Sector M  | <input type="checkbox"/> Sector N  | <input type="checkbox"/> Sector O | <input type="checkbox"/> Sector P |
| <input type="checkbox"/> Sector Q | <input type="checkbox"/> Sector R | <input checked="" type="checkbox"/> Sector S | <input type="checkbox"/> Sector T  | <input type="checkbox"/> Sector U  | <input type="checkbox"/> Sector V  | <input type="checkbox"/> Sector W | <input type="checkbox"/> Sector X |
| <input type="checkbox"/> Sector Y | <input type="checkbox"/> Sector Z | <input type="checkbox"/> Sector AA           | <input type="checkbox"/> Sector AB | <input type="checkbox"/> Sector AC | <input type="checkbox"/> Sector AD |                                   |                                   |

## **E. Certification of Responsible Official**

I certify under penalty of law that I have personally examined the information submitted in this document and all attachments thereto and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the information is true, accurate, and complete. By my signature as a responsible official for the entity or individual identified in Section A of this NOI, I certify under penalty of law that that I am the operator of the facility, and have Title, Right or Interest, as indicated in Section B.

**Printed Name:** Steve Levesque

**Title:** Executive Director

**Signature:**

## **OFFICE USE ONLY**

<b>In Good Standing</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	Permit ID	Acct. # 014-06A-1751-142
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## APPENDIX C

### DEP Multisector General Permit

**STATE OF MAINE**  
**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**Maine Pollutant Discharge Elimination System  
Multi-Sector General Permit  
Stormwater Discharge Associated  
With Industrial Activity**



Bureau of Land and Water Quality  
Waste Discharge License # W-008227-5Y-B-R

April 26, 2011



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**Part I. GENERAL COVERAGE UNDER THIS PERMIT**

- A. Permit Coverage. This Multi-Sector General Permit (MSGP), hereinafter described as the General Permit, authorizes the direct discharge or point source discharge of stormwater associated with industrial activity to waters of the State other than groundwater or to a MS4 that discharges to waters of the State, provided that the discharge meets the requirements of this General Permit and applicable provisions of Maine’s waste discharge and water classification statutes and rules.

This General Permit is effective April 26, 2011, and authorization to discharge under this General Permit expires April 25, 2016. The Department intends subsequent re-issuance of this Multi-Sector General Permit. This General Permit applies State-wide. This General Permit replaces Maine’s MSGP for Industrial Activity issued October 11, 2005.

- B. Eligibility. Except for stormwater discharges identified under Part (I)(E) Limitations on Coverage, this permit may cover the following new and existing discharges composed entirely of stormwater.
1. Stormwater discharges associated with industrial activity, as defined in this General Permit, from the “Sectors” of industry activity based on Standard Industrial Classification (SIC) codes or Industrial Activity Codes as described in Table 2, and that are specifically identified by outfall or discharge location in the Stormwater Pollution Prevention Plan (SWPPP). References to “Sectors” in this General Permit (e.g., Sector-specific monitoring requirements,) refer to Sectors of industrial activity listed in Table 2 and Appendices A-AD.
  2. Discharges designated by the Department as requiring permit coverage pursuant to 40 CFR 122.26 (a)(1)(v). These discharges are described in Appendix AD of this General Permit.
  3. Stormwater discharges associated with industrial activity from facilities with existing effluent guideline limitations for stormwater under 40 CFR Subchapter N. The following activities are eligible for coverage under this General Permit:
    - a. Runoff from material storage piles at cement manufacturing facilities [40 CFR Part 411 Subpart C (established February 23, 1977)];
    - b. Contaminated runoff from phosphate fertilizer manufacturing facilities [40 CFR Part 418 Subpart A (established April 8, 1974)];
    - c. Coal pile runoff at steam electric generating facilities [40 CFR Part 423 (established November 19, 1982)];
    - d. Discharges from spray down or intentional wetting of logs at wet deck areas [40 CFR Part 429 Subpart I (established January 26, 1981)]; provided additional BMPs, such as a water use

management plan approved by the Department, is implemented for those facilities discharging to Class AA, A, GPA and to waters having a drainage area of less than 10 square miles as defined by Maine's Water Classification Program, 38 M.R.S.A. §§ 464(4), 465, and 465-A;

- e. Mine dewatering discharges at crushed stone mines [40 CFR Part 436, Subpart B];
- f. Mine dewatering discharges at construction sand and gravel mines [40 CFR Part 436, Subpart C];
- g. Mine dewatering discharges at industrial sand mines [40 CFR Part 436, Subpart D];
- h. Runoff from asphalt emulsion facilities [40 CFR Part 443, Subpart A (established July 24, 1975)]; and
- i. Runoff from landfills [40 CFR Part 445, Subpart A and B (established February 2, 2000)].

- C. Multiple Sector-Specific Industrial Activities. If a facility is engaged in more than one Sector-specific industrial activity as described in Table 2 and Appendices A-AD, the facility's owner or operator shall comply with the Sector-specific requirements and conditions applicable to each industrial activity. Sector-specific requirements are applied only to those areas of the facility where each industrial activity occurs. Sector-specific monitoring requirements and effluent limitations are applied outfall by outfall.

Where stormwater from multiple industrial activities mixes and is discharged in a single outfall, the monitoring requirements and effluent limitations are additional. The facility's owner or operator is required to monitor the discharge for all requirements of all applicable Sectors of industrial activity which occur in the outfall's drainage area. Where more than one effluent limitation for a specific parameter applies to a discharge, compliance with the more restrictive limitation is required

If the facility's owner or operator complies with all requirements applicable to each Sector-specific industrial activity, the discharges from these multiple Sector-specific activities are authorized under this General Permit.

- D. Allowable Non-Stormwater Discharges. This permit authorizes the following non-stormwater discharges provided that they do not cause or contribute to a violation of water quality standards as determined by the Department. Appropriate BMPs for these discharges must be addressed in the SWPPP to ensure limited impact on receiving waterbodies.

- 1. Discharges from fire fighting activities;
- 2. External building wash-down that does not use detergents;
- 3. Lawn watering;
- 4. Uncontaminated groundwater;
- 5. Uncontaminated springs;
- 6. Air conditioning condensate;

7. Irrigation drainage;
8. Uncontaminated foundation or footing drains where flows are not contaminated with process materials such as solvents, or in contact with soils where spills or leaks of toxic or hazardous materials have occurred;
9. Incidental windblown mist from cooling towers that collects on rooftops or adjacent portions of a facility, but not intentional discharges from a cooling tower (e.g., “piped” cooling tower blow-down or drains);
10. Uncontaminated utility vault dewatering; and
11. Hydrostatic test water that does not contain any treatment chemicals and is not contaminated with process chemicals.

If any of the above non-stormwater discharges are present and may reasonably be expected to mix with stormwater discharges from an industrial activity, these conditions must be specifically identified and addressed in the facility's SWPPP.

E. Limitations on Coverage: The following stormwater discharges are not authorized by this permit. If any of the following discharges or types of discharges mixes with an authorized stormwater discharge associated with industrial activity, the entire discharge is not eligible for coverage under this General Permit and not authorized by this General Permit.

1. Stormwater discharges associated with industrial activity that is mixed with other discharges, unless the other discharge is authorized by a different Maine Pollutant Discharge Elimination System (MEPDES) permit; or the other discharge is identified in Part I(B)(3) of this permit;
2. Stormwater discharges associated with industrial activity which require an individual waste discharge permit or require coverage under an alternative general permit. The Department may require any person with a discharge authorized by this General Permit to apply for and obtain an individual permit. Any interested person may petition the Department to take action under this paragraph. Examples of when an individual waste discharge permit may be required are specified in rule;
3. A waste discharge permit may be required for activities such as combined sewer overflows (CSO(s)), spray irrigation, process water treatment systems, metallic mine drainage, and other discharges not covered by this General Permit;
4. Stormwater discharges which the Department has found to be, or may reasonably be expected to be, contributing to a violation of a water quality standard or is a significant contributor of pollutants. This limitation on coverage does not apply if the permittee demonstrates participation and compliance with the implementation of a Department Approved Watershed Management Plan to restore water quality to the impaired waterbody. Proof of participation in the implementation of a Watershed Management Plan is required with the Notice of Intent (NOI) submittal.

NOTE: Part IX(H) of this General Permit, defines a Department Approved Watershed Management Plan as it pertains to the requirements of this General Permit.

5. Stormwater discharges associated with industrial activity from facilities where any MEPDES permit has been denied or is in the process of being denied, terminated, or revoked by the Department (other than in a replacement permit issuance process), except that the Department may allow coverage under this General Permit if ownership or operation of the facility has changed to a different owner or operator and new circumstances at the facility justify allowing coverage;
  6. Stormwater discharges associated with construction activity disturbing one (1) acre or more, and where stormwater runoff discharges to the waters of the State, unless in conjunction with mining activities;
  7. New stormwater discharges that do not meet the applicable stormwater standards for stormwater quality as set forth in 06-096 CMR 500 Stormwater Management. Changes in or expansion of a facility covered by this General Permit which result in one (1) acre or more of disturbed area or five (5) acres or more of developed area will require that the facility meet the applicable stormwater standards of 06-096 CMR 500;
  8. Stormwater discharges associated with industrial activity that may adversely affect a listed or a proposed to be listed, endangered or threatened species or its critical habitat; and
- F. Authorization. Coverage under this General Permit, or an individual waste discharge permit or alternative general permit, is required if a facility has a stormwater discharge associated with an industrial activity. An owner or operator of a stormwater discharge associated with industrial activity seeking coverage under this General Permit shall submit a NOI form to the Department by one of the following accepted methods: e-mail, US Postal Service (USPS), or by hand delivery, in accordance with the requirements of Part IV of this General Permit. Upon review of the NOI, the Department may accept or reject the authorization to discharge pursuant to the terms and conditions of this General Permit. If the NOI is denied, the owner or operator shall resubmit any Department-requested information or submit an application for an individual or an alternative general permit. The Department may deny coverage under this permit at any time and require submittal of an application for an individual or an alternative general permit.
1. Granting Authorization to Existing Facilities. A permittee discharging stormwater associated with industrial activity authorized under Maine's October 11, 2005, MSGP shall submit a completed NOI by no later than May 25, 2011. Unless notified by the Department to the contrary, a person who submits a NOI is authorized to discharge under the terms and conditions of this General Permit. A permittee shall modify the facility's SWPPP to comply with the terms and conditions of this General Permit.

2. Granting Authorization to New Facilities. A stormwater discharge associated with industrial activity not authorized under Maine's October 11, 2005, MSGP shall submit a completed NOI no later than thirty (30) days after written notification by the Department. Unless notified by the Department to the contrary, a person who submits a NOI is authorized to discharge under the terms and conditions of this General Permit.
- G. Public Posting of NOIs. The Department shall post a list of all NOIs at: <http://www.maine.gov/dep/blwq/docstand/stormwater/multisector/lists.htm>.
- H. No Exposure Certification. Existing facilities that certified "no exposure" under Maine's October 11, 2005, MSGP shall submit a new Maine Multi- Sector No Exposure Certification if still applicable on Department form DEPLW0968 for the Department's review and approval by no later than May 17, 2011. A facility qualifies for "no exposure" when all industrial activities and materials are protected by a storm resistant shelter designed to prevent exposure to stormwater, and the discharge satisfies the conditions at 40 CFR §122.26(g) and Appendix AE of this General Permit. Terminating a No Exposure Certification is addressed in Appendix AE.
- I. New Ownership of a Permitted Facility. If ownership of facility authorized under this General Permit changes, the new owner or operator shall submit a new NOI to gain authorization to discharge under this General Permit.
- J. Termination of Coverage. An owner or operator of a facility shall notify the Department, on Department form DEPLW0967, when the discharge(s) of stormwater associated with industrial activity no longer occurs at the facility, or if ownership of the facility or industrial activity changes. Upon verification of the status of the facility by the Department, coverage under this General Permit is then terminated. If a facility has a corporate name change but no change in owner, operator or activity, the facility must notify the Department of the name change but is not required to file a notice of termination (NOT).
- K. Authority for General Permit. A permit is required for the direct or indirect discharge of pollutants to the waters of the State. A general permit may be issued for point source stormwater discharges. A discharger of stormwater associated with industrial activity who fails to obtain coverage under this General Permit, an individual MEPDES permit or an alternative general permit and discharges stormwater to waters of the State or to a Municipal Separate Storm Sewer System (MS4) is in violation of Maine's waste discharge and water quality laws and the Clean Water Act, and is subject to penalties under 38 M.R.S.A. § 349 and Section 309 of the Clean Water Act. A permittee under this General Permit who violates the terms and conditions of this General Permit is subject to enforcement by the Department for violation of this General Permit. Nothing in this General Permit is intended to limit the Department's authority under the waste discharge and water classification statutes or rules.

## Part II. LIMITATIONS ON DISCHARGES TO IMPAIRED WATERS

- A. New Discharges to Impaired Waters. A *new* discharge or discharger is not eligible for coverage under this General Permit to discharge to an “impaired water” as defined in Part IX(M) unless:
  - 1. All exposure of the pollutant(s) for which the waterbody is impaired is prevented, and procedures to prevent exposure are documented and retained on site with the SWPPP; or
  - 2. Documentation proving that the pollutant(s) for which the waterbody is impaired is not present in the facility’s discharge(s), or treatment of the pollutant is provided for in compliance with 06-096 CMR 500, and these findings are retained in the facility’s SWPPP.
- B. Existing Discharges to Impaired Waters. Discharges to impaired waters authorized under the 2005 MSGP must file a NOI under this General Permit and comply with Part VI(D) and (E) for monitoring and corrective actions. If a TMDL or the 303d list is modified after the effective date of this General Permit, the Department will notify the permittee of the change(s) and any additional monitoring requirements. The 303d and TMDL lists are available at: <http://www.maine.gov/dep/blwq/docmonitoring/305b/index.htm>
- C. Watershed Management Plan Compliance. Participation in and compliance with the implementation of a Department Approved Watershed Management Plan as defined for this General Permit, that has a means of funding that is in effect meets the requirements of Part II of this General Permit. A copy of the agreement stating participation of the permittee in the Watershed Management Plan is required upon submittal of the NOI or upon the Department’s approval of the Watershed Management Plan. If a Watershed Management Plan is approved after a NOI is filed with the Department, a permittee must submit to the Department a copy of the agreement documenting participation in the implementation of the Watershed Management Plan to meet the impaired waters monitoring requirements under this General Permit.

## Part III. PERMIT CONDITIONS

- A. Stormwater Pollution Prevention Plan (SWPPP). Development of a SWPPP, as described in Part V of this General Permit, is required before submitting a NOI for authorization to discharge stormwater associated with industrial activity under this General Permit. If a facility has been implementing a SWPPP under Maine’s 2005 MSGP, the owner or operator shall review and update the SWPPP to implement all provisions of this General Permit prior to submitting a NOI. A copy of the SWPPP must be kept on site at all times to maintain permit coverage and to remain compliant with the MSGP.
- B. Monitoring Requirements. The owner or operator of the stormwater discharge associated with industrial activity shall comply with the monitoring



requirements and Sector-specific numeric limitations of Parts VI and VII of this General Permit.

- C. Numeric Effluent Limitations Based on Effluent Guidelines. Discharges from regulated activities subject to the effluent guidelines listed in Table 1 below are eligible for coverage under this General Permit provided the facility's activity(ies) match the listed activity or SIC code(s) and meet effluent limitation guidelines established in federal regulations and Part VII of this General Permit. A regulated activity must meet the effluent limits and comply with the Sector requirements as noted in their corresponding Sector-specific Appendix.

Table 1: Effluent Guidelines Applicable To Eligible Discharges For General Permit Coverage

Regulated Activity	New Source performance standards included in effluent guidelines	Sectors affected	SIC or Activity Codes
Runoff from material storage piles at cement manufacturing facilities (40 CFR Part 411 Subpart C [established February 23, 1977])	Yes	E	3241
Contaminated runoff from phosphate fertilizer manufacturing facilities (40 CFR Part 418 Subpart A [established April 8, 1974])	Yes	C	2874
Coal pile runoff at steam electric generating facilities (40 CFR Part 423 [established November 19, 1982])	Yes	O	SE
Discharges resulting from spray down or intentional wetting of logs at wet deck storage areas (40 CFR Part 429, Subpart 1 [established January 26, 1981])	Yes	A	2411
Mine dewatering discharges at crushed stone mines (40 CFR part 436, Subpart B)	No	J	1422-1429
Mine dewatering discharges at construction sand and gravel mines (40 CFR part 436, Subpart C)	No	J	1442
Mine dewatering discharges at industrial sand mines (40 CFR part 436, Subpart D)	No	J	1446
Runoff from asphalt emulsion facilities (40 CFR part 443, Subpart A [established July 24, 1975])	Yes	D	2951, 2952
Runoff from landfills (40 CFR Part 445, Subpart A and B [established February 2, 2000])	Yes	K & L	HZ, LF

- D. Reporting. The minimum reporting requirements and deadlines for this General Permit are listed in this section.
1. Annual Report. If the Department's Industrial Stormwater inspector finds deficiencies in the development or implementation of any portion of the SWPPP, (including but not limited to a SWPPP that fails to identify an industrial activity, a discharge, or the permittee fails to conduct required

monitoring or implement a BMP set forth in the SWPPP) the permittee shall submit an updated SWPPP within thirty (30) days of written notice, and submit annual reports for the next three consecutive permit years, including subsequent permit reissuance. Annual reports must be submitted on Department form DEPLW1201 for the Department's review and approval. This annual report must summarize the function of all BMPs, results of visual, benchmark, numeric and impaired waters monitoring, location of significant spills, quarterly site inspections, annual non-stormwater discharge certification results, and all implemented or planned corrective actions. The annual report must be submitted to the Department by May 9th of each permit year. An electronic version of this form is available at:

<http://www.maine.gov/dep/blwq/docstand/stormwater/multisector.htm#form>

2. **Numeric Effluent Limitation Monitoring.** Sectors C, D, E, K, L & O are subject to quarterly monitoring requirements. Numeric Monitoring schedules for Sectors A, B, & J are activity dependent and are outlined in each Sector. All monitoring results must be recorded in the SWPPP. If the average of the two quarterly monitoring samples exceeds the numeric limit for any parameter, the permittee shall submit the results to the Department within 14 days of receiving the results. Additional numeric monitoring and reporting requirements are outlined in Part VI(F).
  3. **Impaired Waters and Benchmark Monitoring.** Impaired Waters and Benchmark Monitoring requirements are outlined in Part VI(D), (E) and (G) respectively. A summary of these results must be maintained in the SWPPP. Benchmark Monitoring is required for Sectors A, B & N. Each Sector may be subject to separate or additional monitoring requirements.
  4. **Visual Monitoring of Stormwater Discharges.** All facilities must perform visual monitoring of stormwater discharges in accordance with Part VI of this General Permit, and maintain visual monitoring data in the SWPPP.
- E. **Retention of Records.** In addition to the requirements of Part VIII(L)(2) of this General Permit, the permittee shall retain copies of the SWPPP, all reports and certifications required by this General Permit, and records of all data used to complete the Notice of Intent to be covered by this General Permit, for a period of at least three (3) years from the date that the facility's coverage under this General Permit expires or is terminated. The Department may extend the time of record retention at any time.
- F. **Accessibility.** The permittee shall make a copy of the SWPPP, including all monitoring, reporting, and Notice of Intent available to the public, if requested to do so in writing.

#### Part IV. NOTICE OF INTENT REQUIREMENTS

- A. Notice of Intent (NOI). By submitting a NOI, the applicant agrees to comply with the terms and conditions of this General Permit. A NOI must be submitted to the Department with the appropriate fee. Failure to submit proper payment will result in rejection of the NOI as incomplete.
  
- B. Processing of NOI. Prior to authorization of a stormwater discharge associated with industrial activity, a NOI must be reviewed and approved by the Department. The NOI is deemed approved thirty (30) calendar days after the Department receives the notification, unless the Department approves or denies the NOI prior to that date. If the applicant does not receive correspondence from the Department within the thirty (30) day period after the NOI submission, the applicant is authorized to carry out the activity. For existing permittees coverage under the 2005 MSGP is administratively continued, until coverage is granted under this General Permit, an alternative general permit, an individual permit or if coverage is otherwise terminated.
  
- C. NOI Submission. A person shall file the NOI on Department form DEPLW0953. A person shall sign the NOI in accordance with Part VIII(E). The NOI must contain all information listed in the General Permit. The NOI must be sent to the address indicated on the NOI form. A copy the initial NOI form shall be provided by the applicant to municipal office, town, or city, or the county commissioner in the case of an unorganized territory in which the discharge will occur at the time it is submitted to the department. Permittees covered under Maine's 2005 MSGP have the option of submitting a NOI electronically to the Department, these NOI renewals may be submitted electronically to [2011renewal.DEP@maine.gov](mailto:2011renewal.DEP@maine.gov).
  
- D. NOI Contents.
  - 1. Site identification number (beginning with MER05) assigned to facility under Maine's 2005 General Permit, if any;
  - 2. The facility's legal business name and charter number if applicable (State of Maine) to determine Title, Right and Interest in the property/business; owner's or operator's/contact's name, address, telephone number;
  - 3. Facility/Site information including facility name, address and location, including the latitude and longitude of the facility if known;
  - 4. The name of the receiving water(s), (if known), or if the discharge is through a municipal separate storm sewer system (MS4), the name of the owner or operator of the MS4 and the ultimate receiving water(s), if known;
  - 5. The SIC or Activity Code(s) that best represents the industrial activity conducted at the facility;
  - 6. An identification of the applicable Sector(s); and

7. Additional information required by the Department as part of the NOI, to determine whether or not to authorize the discharge under this General Permit.
- E. Where to Submit. A completed and signed NOI, in accordance with Part VIII(E), must be submitted with the appropriate fee to:

Maine Department of Environmental Protection  
Municipal and Industrial Stormwater Coordinator  
17 State House Station  
Augusta ME 04333-0017
- F. Deficient NOI. If any portion of the NOI does not meet one or more of the minimum requirements of this part, the applicant will be notified of the deficiency within the 30-day review period. It is the responsibility of the applicant to make all required changes and resubmit the NOI. The review period will begin when the revised NOI is received by the Department.

#### Part V. STORMWATER POLLUTION PREVENTION PLAN REQUIREMENTS

- A. Stormwater Pollution Prevention Plan (SWPPP) Preparation. Each facility seeking coverage under this General Permit must prepare a SWPPP as described in Part III(A) prior to submitting a NOI for permit coverage. The SWPPP must be prepared in accordance with good engineering practices and identify potential pollutant sources which may reasonably be expected to affect the quality of stormwater discharges associated with industrial activity from the facility. The SWPPP must describe and ensure the implementation and maintenance of Best Management Practices (BMPs) and Control Measures as identified in this Part. Implementation of the SWPPP must reduce or eliminate polluted stormwater discharges associated with industrial activity, and assure compliance with this General Permit.
- B. Control Measures. The permittee shall select, design, install and implement control measures (including BMPs) to address potential pollutant sources and any discharge(s) associated with industrial activity. Control measures must be evaluated in conjunction with monitoring to meet the terms and conditions of this General Permit. The selection of these control measures must be in accordance with good engineering practices, and the requirements of each Sector. (See Appendix A–AD.) The SWPPP must fully describe these control measures, including their implementation and maintenance schedules.
- C. Non-Numeric Technology Based Effluent Limits. When developing control measures the following must be performed as applicable using the best practicable technology, best available technology, best control technology (BPT/BAT/BCT). The below listed Best Management Practices are considered limits of this General Permit which must be met for compliance. Additional Non-Numeric Technology Based Effluent Limits may also be

required as noted in the Sector specific requirements in Appendices A–AD. The methods utilized to meet these limits must be documented in the SWPPP:

1. The permittee shall minimize exposure of the manufacturing process, and material or product storage areas to stormwater (where practicable) by locating industrial activities and materials inside or by protecting them with storm resistant coverings. By eliminating the exposure of the manufacturing process, and material or product storage areas as required by Appendix AE, the facility may qualify for No Exposure Certification. The Department also encourages methods and designs which minimize or mitigate impervious area and reduce runoff.
2. The permittee shall perform good housekeeping procedures, and keep all exposed areas that are potential sources of pollutants clean and orderly. Implement at regular intervals, measures such as sweeping impervious areas, proper labeling of containers, and the storage of liquids within proper secondary containment.
3. The permittee shall regularly inspect, test, maintain and repair all industrial equipment, systems and BMPs to prevent situations that may result in leaks, spills or other releases of pollutants. If the permittee or Department inspector finds that a structural control measure(s) must be repaired or modified to ensure proper function, the permittee shall make the required repairs or modifications as quickly as possible, but no later than twelve (12) weeks from discovery unless otherwise authorized by the Department. Temporary control measures must be in place during this time to reduce or prevent discharges of pollutants. If a non-structural control measure is found to be deficient, the correction of the deficiency for that control measure must be initiated within five (5) days and completed no later than thirty (30) days from discovery. (See Part V(E).)

D. SWPPP Contents. The SWPPP must contain the following components:

1. **Pollution Prevention Team.** The SWPPP must identify the individual(s) (by name or title) whom comprise the facility's stormwater Pollution Prevention Team. The Pollution Prevention Team is responsible for assisting the facility/plant manager in developing, implementing, maintaining and revising the facility's SWPPP. Responsibilities of each team member must be listed.
2. **Site Description.** The SWPPP must include a narrative site description of the activities conducted at the site.
3. **Site Map.** The site map must include:
  - a. Approximate drainage boundaries including directions of stormwater flow and outfall locations (use arrows to show flow path);
  - b. Boundary of impervious surfaces;

- c. Locations of all existing structural BMPs to reduce pollutants in stormwater runoff;
  - d. Locations of all surface waters including wetlands and streams;
  - e. Locations of potential pollutant sources identified under Part V(D)(4) below;
  - f. Locations where major spills or leaks identified under Part V(D)(5) have occurred within the past three years. For the purpose of the site map, mark only areas of frequent spills (greater than three occurrences per year) or large spills (greater than 10 gallons). ALL locations of fuel spills must be documented within the SWPPP;
  - g. Locations of the following activities exposed to stormwater: fueling stations, vehicle and equipment maintenance, storage and cleaning areas; loading or unloading areas; locations used for the treatment, storage or disposal of wastes; liquid storage tanks; material processing, transfer or storage areas; access roads, rail cars or tracks;
  - h. Locations of stormwater conveyance systems including swales, ditches, culverts, subsurface stormwater infrastructure, outfalls, including boat ramps, and an approximate outline of the area draining to each outfall;
  - i. Location and description of non-stormwater discharges (e.g., wastewater licensed outfall);
  - j. Location and source of run-on from adjacent property that contains either significant quantities of pollutants or volume to the facility; and
  - k. The name of the nearest receiving water(s), including intermittent streams and wetland(s) that may receive discharges from the facility. An unnamed stream or wetland must be designated as such. The status of the receiving water in terms of water quality classification must also be noted. Contact a regional Stormwater Inspector for assistance if you are not aware of the classification status of the water body to which the facility discharges.
4. Summary of Potential Pollutant Sources. The permittee shall identify each separate area where industrial materials or activities are exposed, or have the potential to be exposed to stormwater. Industrial materials or activities include, but are not limited to, material handling equipment or activities; industrial machinery; cleaning, fueling and maintenance of vehicles; equipment storage; and, storage of raw materials, intermediate products, by-products, final products, or waste products. Material handling activities include the storage, loading or unloading, transportation, or movement of any raw material, intermediate product, final product or

waste product. If applicable, include an evaluation of how the quality and quantity of the stormwater flowing onto the facility from adjacent properties impacts the stormwater discharges from the permitted facility. For each separate area identified, the description must include:

- a. Industrial activities area. A list of the activities (e.g., material storage, loading, access areas, equipment fueling and cleaning, cutting, grinding, or processing). Each drainage area must be described and include a prediction of the direction of flow and an estimate of the types of pollutants which may be present in the stormwater discharge. The flow of stormwater across the site must be clearly depicted on the site map;
  - b. Pollutants. A list of the associated pollutant(s) or pollutant parameter(s) (e.g., crankcase oil, iron, biochemical oxygen demand, pH, sediment, etc.) for each activity. The pollutant list must include all significant materials that have been handled, treated, stored or disposed of in a manner that may allow exposure to stormwater three (3) years prior to review of or development of the SWPPP; and
  - c. Method of on-site storage or disposal. A storage practice or disposal method must be detailed for all raw materials, intermediate materials, final products and waste materials. Waste materials must be handled in accordance with Maine's Solid Waste Management Rules.
5. Potential for Spills and Leaks. The permittee shall clearly identify areas where potential spills and leaks, may occur, along with the accompanying drainage points, and provide a list of spills and leaks that occurred during the three (3) year period prior to submitting a NOI or latest revision of the SWPPP for any area exposed to precipitation or area which drains to a stormwater conveyance.

Spills and leaks include, but are not limited to, releases of oil or hazardous substances in excess of quantities that are reportable under Clean Water Act (CWA) §311 (See 40 CFR 110 and 40 CFR 117.21), section 102 of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) or 38 M.R.S.A. §§ 543, 550 and 1318-B. Unlicensed discharges of oil and hazardous matter are prohibited (See 38 M.R.S.A. §§ 543 & 1317-A). These discharges must be removed to the Commissioner's satisfaction (See 38 M.R.S.A. §§ 1318-B, 548, 568). Hazardous matter discharges must be reported (See 38 M.R.S.A. §§ 1318-B). Oil and hazardous matter have "safe harbor" incentives for reporting (See 38 M.R.S.A. §§ 550 & 1318).

6. Wastewater/Process Water Containment. The location of all wastewater or process water containment tanks must be clearly noted in the SWPPP

and on the site map. Any stationary above ground tank, container, or container storage area used for the storage of wastewater or process water that has the potential to discharge to surface waters or a stormwater conveyance during a malfunction must be held in a secondary containment device capable of containing 100% of the contents of the tank, plus precipitation. The containment devices must meet all Federal and State rules for primary and secondary containment. Secondary containment may be waived if the tank is equipped with a level sensor and alarm to signal an overflow or leak and the facility has a contingency plan in place to remove excess liquid to a second containment structure or off site treatment facility to prevent exposure to stormwater. The containment structures must be visually inspected for signs of deterioration at least once per year. The contingency plan and tank inspection procedure must be documented in the SWPPP. (See CMR 06-096 520 for definitions.)

7. Sampling Data. All stormwater sampling data, including visual monitoring results collected during the term of this General Permit must be maintained in the SWPPP.
8. Stormwater Controls. Describe the type and location of existing non-structural and structural BMPs selected for each area where industrial materials or activities are exposed to stormwater. All the areas identified in Part V(D)(4) and (5) must have a BMP(s) identified for the area's discharges. For areas where BMPs are not currently in place, describe appropriate BMPs to control pollutants in stormwater discharges. The SWPPP must include an implementation schedule for all proposed BMPs. Refer to individual Sector(s) for additional requirements or guidelines for new BMP installations. Selection of all BMPs must take into account:
  - The quantity and nature of the pollutants, and their potential to impact the water quality of receiving waters;
  - Opportunities to combine the dual purposes of water quality protection and local flood control benefits (including physical impacts of high flows on streams such as bank erosion, impairment of aquatic habitat, etc.); and
  - Opportunities to offset stormwater and temperature impacts from impervious areas on dry weather flows and low flow situations to streams.
9. BMP Types Considered. (See Part V(C) Non-Numeric Technology Based Effluent Limits.) The permittee shall describe how each BMP is currently implemented, or will be implemented. The following types of structural, and non-structural BMPs must be considered for implementation at the facility. This requirement may have been fulfilled with the area-specific BMPs identified under Part V(D)(8), in which case, the previous description is sufficient. However, many of the following BMPs may be more generalized or non site-specific and therefore not previously



considered. If the permittee, agent or Department stormwater inspector determines that any of these BMPs are not appropriate or are inadequate to reduce or eliminate pollutants, an explanation of this determination along with corrective actions must be documented in the SWPPP. The BMP examples listed below are not intended to be a comprehensive list. The permittee is encouraged to keep abreast of new BMPs or new applications of existing BMPs to find the most cost effective means of permit compliance for the facility. If BMPs are planned at the facility which are not listed previously in the SWPPP (e.g., replacing a chemical with a less toxic alternative, adopting a new or innovative BMP, etc.), include an implementation timeline within this section of the SWPPP.

a. Non-Structural BMPs.

**Good Housekeeping:** The permittee shall keep all exposed areas free of materials which could contribute pollutants to stormwater discharges by performing good housekeeping measures such as sweeping, and proper material containment. Measures must include compliance with the Non-Numeric Technology Based Effluent limits noted in Part V(C) and the individual Sector requirements in Appendices A-AD.

**Minimizing Exposure:** Where practicable industrial materials and activities should be protected by a storm resistant shelter to prevent exposure to stormwater, or located in an area that does not discharge to a surface water or a MS4.

**Preventive Maintenance:** The permittee shall implement a preventive maintenance program which includes the timely inspection and maintenance of stormwater management devices, (e.g., cleaning oil/water separators, catch basins) as well as inspecting, testing, maintaining and repairing facility equipment and systems to avoid breakdowns or failures that may result in discharges of pollutants to surface waters.

**Spill Prevention and Response Procedures:** The permittee shall describe spill prevention and clean up procedures for spills or leaks. These procedures, and the necessary spill response equipment, must be made available to employees who may cause or encounter a spill or leak. Where appropriate, the permittee shall explain existing or planned material handling procedures, storage requirements, secondary containment, and equipment (e.g., diversion valves) in the SWPPP which are intended to minimize spills or leaks at the facility. Unlicensed discharges of oil and hazardous matter are prohibited (See 38 M.R.S.A. §§ 543 & 1317- A). These discharges must be removed to the Commissioner's satisfaction (See 38 M.R.S.A. §§ 1318-B, 548, 568). Hazardous matter discharges must be reported (See 38 M.R.S.A. §§ 1318-B).

Oil and hazardous matter have “safe harbor” incentives for reporting (See 38 M.R.S.A. §§ 550 & 1318).

- Procedures to properly label all storage containers.
- Preventative measures such as barriers between material storage and traffic areas, secondary containment provisions and procedures for material storage and handling.
- Procedures for quick response to stop leaks, spills and other releases. Employees who may cause, detect or respond to a spill situation shall be properly trained. The training must be documented in the SWPPP.
- Procedures to notify trained facility personnel, emergency response and regulatory agencies in the event of a spill or release. Documentation of spills and releases must be included in the facility SWPPP.

Employee Training: The permittee shall describe the annual stormwater employee training program for the facility. The description must include the topics to be covered, (such as spill response, good housekeeping and material management practices). The permittee shall provide employee training for all employees who work in areas where industrial materials or activities are exposed to stormwater, and for employees who are responsible for implementing activities identified in the SWPPP (e.g., inspectors, spill responders and maintenance staff). The employee training must address the components and goals of the SWPPP.

b. Structural BMPs.

Sediment and Erosion Control: The permittee shall identify areas at the facility which, due to topography, land disturbance or other factors, have a potential for soil erosion. The permittee shall describe and implement structural, vegetative, or stabilization BMPs to manage runoff and limit erosion and sediment transport and the resulting discharge of pollutants.

Stormwater Velocity Control: The permittee shall install stormwater velocity dissipation controls where appropriate.

NOTE: This Permit requires compliance with Maine’s Erosion and Sedimentation Control Law. Installation of Structural BMPs may require a separate permit pursuant to the Natural Resources Protection Act, Maine Stormwater Management or the Site Location of Development Act.
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Stormwater structural devices: The permittee shall describe the stormwater management practices (permanent structural BMPs other than those which control the generation or source(s) of pollutants) that currently exist or are planned for the facility.

These types of BMPs typically are used to divert, filter, reuse, or otherwise reduce pollutants in stormwater discharges from the site.

10. Other Controls. No solid materials, including floatable debris, may be discharged to waters of the State, except as authorized by a permit issued under section 404 of the Clean Water Act. Off-site vehicle tracking, or blowing, of raw, final, waste materials or sediments, and the generation of dust, must be minimized and documented in the SWPPP.
- E. Maintenance. All BMPs identified in the SWPPP must be maintained in effective operating condition. If site inspections identify BMPs that are not operating effectively, maintenance must be performed before the next anticipated storm event, or as necessary, to maintain the continued effectiveness of stormwater controls. If maintenance prior to the next anticipated storm event is impracticable, maintenance must be scheduled and implemented as soon as practicable, but not later than twelve (12) weeks from the date of discovery unless authorized by the Department. The maintenance schedule and reason for delay must be documented in the SWPPP. The Department will take into account the size and cost of the project, the need to obtain supplies, construction timeframes, weather, the amount of pollution discharged and the condition of receiving waters in determining if a delay is acceptable. In the case of non-structural BMPs, the effectiveness of the BMP must be maintained by appropriate means (e.g., available spill response supplies, training, etc.). Maintenance and BMP follow up actions must comply with Part V(I)(3) of this General Permit.
- F. Allowable Non-Stormwater Discharges. Allowable non-stormwater discharges are listed in Parts I(D) and (E). Except for flows from fire fighting activities, the permittee shall identify all sources of allowable non-stormwater discharge(s) in the SWPPP and include:
  - Identification of each allowable non-stormwater source;
  - The location where it is likely to be discharged; and
  - Descriptions of appropriate BMPs for each source.

If mist blown from cooling towers is listed as an allowable non-stormwater discharge, the permittee shall specifically evaluate the potential for the discharge(s) to be contaminated by chemicals used in the cooling tower and determine that the levels of such chemicals would not cause or contribute to a violation of an applicable water quality standard.
- G. Applicable State or Local Plans. The SWPPP must be consistent and updated with applicable state or local stormwater, waste disposal, sanitary sewer or septic system regulations to the extent these apply to the facility and are more stringent than the requirements of this General Permit.
- H. Monitoring Frequency and Procedure Documentation. The SWPPP must document the procedures for conducting the three types of analytical

monitoring (Benchmark, Numeric, and Impaired Waters) and Visual Monitoring where applicable. These procedures are outlined in Part VI of this General Permit. SWPPP documentation must include the following:

1. Location of sample collection (outfall designation).
  2. Sampling parameters and sampling frequency for each parameter including the benchmark or limit associated with that parameter.
  3. Monitoring schedule including monitoring exceptions, adverse weather conditions and waivers.
- I. Site Compliance Evaluations and Follow-up Corrective Actions. This General Permit requires the completion of quarterly site inspections or Site Compliance Evaluations. The SWPPP must include procedures for conducting and documenting the evaluations as required by this part.
1. **Frequency of Inspections.** The permittee shall conduct Site Compliance Evaluations a minimum of four (4) times a year, one of which must be conducted within 24 hours of a qualifying storm event. These inspections must be evenly spaced with a minimum of sixty (60) days between inspections. Inspections must be done by qualified personnel as defined by the permittee. Qualified personnel may be either a facility employee or agent provided the inspector can accurately assess facility conditions that may impact stormwater discharges and BMP effectiveness. These inspections may be conducted in conjunction with Part (VI)(B), Quarterly Visual Monitoring, or be conducted separately. If the permittee decides to conduct more frequent inspections, the SWPPP must specify the frequency of inspections.
  2. **Scope of the Site Compliance Evaluation.** The evaluation/inspection must include all areas where industrial materials or activities are exposed to stormwater, as identified in Part V(D)(4), and all associated stormwater conveyances and areas where spills and leaks have occurred within the past three (3) years. Inspectors shall evaluate and document:
    - a. Industrial materials, residue, or trash on the ground that could contaminate stormwater;
    - b. Leaks or spills from industrial equipment, drums, barrels, tanks or similar containers;
    - c. Offsite tracking of industrial materials or sediment where vehicles enter or exit the site;
    - d. Tracking, blowing or whirling of raw, final, or waste materials and the evidence of, or the potential for, pollutants to contact stormwater;
    - e. Stormwater BMPs identified in the SWPPP must be inspected and evaluated to ensure that they are operating correctly. Inspect

stormwater conveyances and outfalls for erosion, integrity and potential pollutants. Where discharge locations or outfalls are inaccessible, nearby downstream locations must be inspected if possible; and

- f. The once per year Non-Stormwater Discharge Certification may be incorporated into one of the four Site Compliance Evaluations.
3. Site Compliance Evaluation Follow-up Actions. Based on the results of the Site Compliance Evaluation, the permittee shall:
    - a. Complete a Site Compliance Evaluation Report. This report summarizes the scope of the inspection as noted in Part V(I)(2) above. The permittee shall prepare a Site Compliance Evaluation Report upon completing the inspection. This report must include the name(s) or position(s) of personnel performing the inspection, the date(s) of the evaluation, and major observations relating to the implementation of the SWPPP. The inspection report(s) must identify any incidents of non-compliance and proposed or implemented follow-up action(s). Where an inspection report does not identify any incidents of non-compliance, the report must contain a certification that the facility is in compliance with the SWPPP and this General Permit. The Department has prepared a guidance checklist that may be used or modified for reporting.
    - b. Develop a Corrective Action Report (CAR). A Corrective Action Report is a description of actions, BMPs, site modifications or behaviors necessary to meet the terms and conditions of this General Permit. Two types of CARs may be generated.
    - c. Structural BMP Corrective Action Report. This CAR includes modification(s) or addition(s) and implementation of a structural BMP(s). If a noted deficiency is related to a structural BMP excluding routine maintenance, the permittee shall notify the regional stormwater inspector within fourteen (14) business days by phone, email or USPS. Notwithstanding the timeframes described above, the Department reserves the right to take enforcement actions for unpermitted discharges.

Note: If temporary stabilization measures are needed in emergency situations, a permittee may begin installation provided the addition of the BMP or stabilization measure is not in violation of State or Federal laws. The Department should be contacted within 24 hours in these situations.

- d. Non-Structural BMP Corrective Action Report. This CAR notes the addition or modification of a non-structural BMP(s) which must be developed, implemented and kept with the SWPPP.

- e. Content of a Corrective Action Report. All CARs must contain at a minimum the initial inspection date, a summary of the deficiency and corrective action(s) planned or implemented including temporary measures. The date the corrective action(s) was initiated, completed or expected to be completed.

Inspection reports and follow-up CARs must be signed by the permittee in accordance with Part VIII(G).

- f. SWPPP Modification and Timeline for Completion of Corrective Actions. Modify the SWPPP as necessary (e.g., to show additional controls on the site map) as required by Part V(D)(3) and revise the description of controls as required by Part V(D)(8) to include additional or modified BMPs to correct problems identified in the Site Compliance Evaluation and Corrective Action Report. The permittee shall complete revisions to the SWPPP within thirty (30) calendar days following the inspection, and initiate changes to non-structural BMPs within five (5) business days. If existing structural BMPs require modification or if additional structural BMPs are necessary, implementation must be completed before the next anticipated storm event to the extent practicable, but not more than twelve (12) weeks after discovery of the deficiency unless otherwise authorized by the Department. Temporary BMPs must be utilized during the design and construction phase of new structural BMPs. These temporary BMPs must be implemented as soon as practicable after the Site Compliance Evaluation is complete. The permittee shall retain a record of actions taken in accordance with Part V(I) of this General Permit as part of the SWPPP for at least three (3) years from the date that permit coverage expires or is terminated.

- J. SWPPP Documentation Requirements. The permittee shall keep the following inspection, monitoring and certification records on site with the facility's SWPPP. The complete and up-to-date records which demonstrate full compliance with the conditions of this General Permit include:

1. A copy of the NOI submitted to the Department along with any correspondence exchanged between the permittee and the Department specific to coverage of this General Permit.
2. A copy of the Department's acknowledgement letter assigning the facility Permit ID number, and discharge authorization.
3. A copy of the General Permit, (electronic is acceptable), which can be made available to SWPPP team members.
4. Dates and descriptions of spills, leaks, or other releases that resulted in discharges of pollutants to waters of the State through stormwater or

otherwise; the circumstances leading to the release and actions taken in response to the release; and, the measures taken to prevent the recurrence of such releases.

5. Records of annual employee training, including topics covered, training date(s), and printed names and signatures of participating employees.
  6. Documentation of maintenance and repairs of stormwater control measures, including dates of regular maintenance, discovery dates of areas in need of repair or replacement; repair date when control measure(s) returned to full function; and, the justification for any extended maintenance or repair schedules.
  7. Documentation of inspections and monitoring data.
  8. Description of any deviations from monitoring schedules.
  9. Corrective Action Reports and summary of completed actions taken at the site, including event(s) and date(s) when problems were discovered and modifications occurred.
  10. Documentation of monitoring exceedances and the facility's response including corrective actions; additional monitoring; documentation indicating the benchmark exceedance was due to natural background pollutant levels; or a finding of no further pollutant reductions were technologically, or economically, practicable, and achievable in light of best industry practice.
  11. Documentation to support any determination that pollutants of concern are not expected to be present above natural background levels if the permittee discharges directly to impaired waters, and that such pollutants were not detected in the discharge or were solely attributable to natural background sources.
  12. Documentation of the annual non-stormwater discharge certification.
- K. Requirement to Maintain Updated SWPPP. The permittee shall amend the SWPPP within thirty (30) days of completion of any of the following:
1. A change in design, construction, operation, or maintenance at the facility that has a significant effect on the discharge or potential for discharge of pollutants from the facility including the addition or reduction of industrial activity;
  2. Monitoring, inspections, or investigations by the permittee or by local, State, or Federal officials which determine the SWPPP is ineffective in eliminating or significantly minimizing pollutants from sources identified under Part V(D)(4), or is otherwise not achieving the general objectives of controlling pollutants in discharge(s) from the facility;

3. A release of hazardous substances and oil (see 38 M.R.S.A. § 543, 550 and 1318-B); and
  4. A discharge authorized under this General Permit that is determined by Department notification to cause or have the reasonable potential to cause or contribute to the violation of an applicable water quality standard. The SWPPP must document actions necessary to ensure future discharge(s) do not cause or contribute to the violation of a water quality standard.
- L. Department Review. Department staff may notify the permittee at any time that a SWPPP does not meet one or more of the minimum requirements of this General Permit.
- M. Signature, SWPPP Review and SWPPP Availability. The SWPPP must be signed in accordance with Part VIII(E), and a working copy retained at the facility covered by this General Permit. (See Part III(E) for records retention requirements.) The permittee shall only submit a copy of the SWPPP to the Department upon written notification. Upon the Department's request, the SWPPP must be submitted electronically via e-mail or saved to a compact disc and mailed or hand delivered to the Department.
- N. Additional Requirements for SARA Title III Facilities. Potential pollutant sources for which the permittee has reporting requirements under EPCRA 313 must be identified in the summary of potential pollutant sources as per Part V(D)(4). Note this additional requirement only applies to the permittee if the permittee is subject to reporting requirements under EPCRA 313.
- O. Salt Storage Pile Requirements. Salt storage pile(s) used for deicing or commercial or industrial purposes located at the facility, must be enclosed or covered to prevent exposure to precipitation, with exception of adding or removing materials from the pile, and for sand/salt storage piles at municipal public works facilities. See 06-096 CMR 574, and 38 M.R.S.A. §413(2-D) for additional requirements.

## Part VI. MONITORING REQUIREMENTS

- A. Monitoring Requirements and Limitations. The monitoring requirements and numeric limitations applicable to a facility depend on the types of industrial activities conducted. The permittee shall review Parts III (Permit Conditions), VI (Monitoring Requirements) and VII (Sector Specific Requirements) of this General Permit to determine which monitoring requirements and numeric limitations apply to the industrial activity or activities at the facility.
1. Sector-specific monitoring requirements. Sector-specific monitoring requirements and limitations are applied outfall by outfall at facilities with multiple Sector-specific industrial activities. Where stormwater from multiple Sector-specific industrial mixes, the monitoring requirements and limitations are additional.



2. Approved watershed management plans. Participation in the implementation of a Department Approved Watershed Management Plan for discharges to impaired waters fulfills the requirement of Part VI.
- B. Quarterly Visual Monitoring. All permittees covered under this General Permit, regardless of the facility's Sector of industrial activity are required to conduct quarterly visual monitoring. Visual monitoring requirements are waived if the facility is conducting Benchmark, Impaired Waters sampling and analysis, or Numeric Monitoring for Total Suspended Solids (TSS). Visual Monitoring must be resumed if Benchmark Monitoring, Numeric Monitoring or Impaired Waters sampling is ceased.
1. Visual Monitoring Documentation. The permittee shall perform and document a visual examination of a stormwater discharge associated with industrial activity from each outfall (except representative outfalls) on a quarterly basis. The visual examination must be made during daylight hours and normal operations. If no qualifying storm event occurs during an inspection cycle, or adverse weather prevents collecting a sample, the permittee shall document this in the SWPPP, and is excused from visual monitoring for that quarter. Visual monitoring must be performed during the next qualifying storm event. The permittee shall sign and certify the documentation in accordance with Part VIII (E). The visual monitoring event must be performed and documented according to procedures outlined in document DEPLW0768, Visual Monitoring of Stormwater Discharges Associated with Industrial Activity, available at:  
<http://www.maine.gov/dep/blwq/docstand/stormwater/multisector.htm#form>
  2. Qualifying storm event and visual examination procedures. A qualifying storm event is either precipitation, ice or snow melt that produces a measurable discharge at an outfall that occurs at least 72 hours from a previous qualifying storm event. A grab Sample must be collected within the first 60 minutes, but not more than 2.25 hours from the time stormwater begins to discharge from an outfall. The examination must document observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of stormwater pollution. The sample examination must be conducted in a well lit area. Laboratory analytical testing is not required for visual samples. The 72-hour storm interval is waived if the permittee can document that less than a 72-hour interval is representative for local storm events during the sampling period. The same individual should perform visual monitoring for the entire permit term.
- C. Coal Pile Runoff Monitoring (Piles greater than 30 cubic yards). Monitoring must be conducted quarterly during a qualifying storm event. Discharges from coal piles are subject to numeric limits for total suspended solids (TSS)

not to exceed 50mg/L and pH 6.0-9.0 s.u. See Part VI(F) for additional requirements if TSS or pH exceeds the numeric the limit.

1. The permittee shall comply with the limitations and monitoring requirements as referenced in Part I(B)(3)(c) for all discharges containing coal pile runoff, regardless of the facility's Sector of industrial activity.
2. The permittee shall not dilute coal pile runoff with stormwater or other flows in order to meet this limitation.
3. The permittee shall collect a grab sample at the point of discharge and analyze the sample(s) for pH and TSS. Sampling results must be retained and reported in accordance with Part III(D).

D. Impaired Waters Monitoring and Corrective Actions.

1. Monitoring for existing discharges to impaired waters without an EPA approved or established Total Maximum Daily Load (TMDL). Upon submittal of a NOI, the permittee is required to indicate if the discharge will be to an impaired waterbody as listed on the 303d list and defined in this General Permit. If the Department determines that the facility is contributing to the impaired status, or additional data is needed to determine if the stormwater discharge is contributing to the waterbody's impairment, the permittee shall follow the monitoring requirements below. The Department will notify the permittee in writing of any additional monitoring requirements under this part. If the permittee does not receive notice from the Department to commence monitoring, no additional monitoring is required under this section.

If notified by the Department, the permittee shall monitor during a qualifying storm event. Monitoring must be conducted quarterly at each outfall (except for representative outfalls) according to the instructions in Part VI(E)(1-5) below. The permittee shall calculate the average of each parameter from the quarterly samples to determine the average monitoring value for each parameter.

- a. Monitoring may be reduced to twice per calendar year if the average of the first year's monitoring values indicate that the pollutant(s) for which the water body is impaired is not detected above natural background pollutant levels. Natural background pollutant levels include those substances that naturally occur in soil and groundwater, but do not include legacy or historical pollutants from earlier site activities or pollutants from neighboring sources which are not naturally occurring. In permit years three and four, the monitoring may be reduced to once per year if the average monitoring value for each parameter did not exceed natural background levels in permit year two (2) from the permittee's stormwater discharge.

- b. If the pollutant of concern is detected, but at levels consistent with natural background pollutant levels, the permittee shall keep the following documentation of this discharge with the facility's SWPPP.
      - i) An explanation of why the presence of the pollutant causing the impairment is detected at the outfall;
      - ii) An explanation why the pollutant is not related to the activities at the facility; and
      - iii) Data or studies which link the presence of the pollutant causing the impairment to what can be considered natural background sources in the watershed.
    - c. If the presence of the pollutant causing the impairment is shown to be related to the facility and not due to natural background pollutant levels, the permittee shall determine the source of the pollutant. The permittee shall develop and implement a corrective action plan to reduce or eliminate the presence of the pollutant(s) in the stormwater discharge. This plan must be incorporated into the facility's SWPPP, and submitted to the Department within the first quarter of the second permit year, or the first quarter of the second year after submittal of the NOI. Sampling for the pollutant(s) must continue quarterly until the pollutant is no longer present or a determination on the discharge is made by the Department.
  - 2. Monitoring and corrective actions for discharges to impaired waters *with* an EPA approved or established TMDL. No additional monitoring is required unless specified in the TMDL or requested by the Department.

If monitoring is required by the Department, and the results indicate the pollutant(s) that the TMDL addresses is present in the stormwater discharge in a quantity above the allowable allocation, the permittee shall develop and implement BMPs to meet the requirements of the TMDL. A corrective action plan must be developed and incorporated into the facility's SWPPP.
- E. Monitoring Procedures for Discharges to Impaired Waters. The following applies only to facilities that have received notice from the Department that impaired waters monitoring is required. The notice will include the Department's decision, and reason for additional monitoring.
  - 1. If a facility discharges to an impaired waterbody, the permittee shall perform quarterly monitoring at each outfall (except representative outfalls) that discharges to the impaired water for all pollutants for which the waterbody is impaired and for which a standard analytical method exists. (See 40 CFR part 136 for a list of approved methods.)

2. If the pollutants for which the waterbody is impaired are suspended solids, turbidity or sediments, the permittee shall monitor for Total Suspended Solids (TSS).
  3. If the pollutant for the impaired waterbody is an indicator or surrogate pollutant, the permittee shall monitor for that indicator or surrogate pollutant.
  4. If the impairment is due to impervious cover within the watershed, the facility shall calculate the amount of impervious area(s) discharging to the impaired waterbody and document this in the SWPPP. Additional monitoring and corrective actions may be required by the Department upon review of the results of the calculation, the facility's SWPPP and existing BMPs.
  5. No monitoring is required when a waterbody's biological communities are impaired and the Department has not specified an indicator or surrogate as causing the impairment, or when a waterbody's impairment is related to hydrologic modifications. If the biological community is impaired and an indicator or surrogate is noted, the permittee shall monitor for the indicator or surrogate.
- F. Numeric Effluent Limitation Monitoring. Sectors A, B<sup>1</sup>, C, D, E, J, K, L & O have discharges subject to numeric effluent limitations that are authorized for coverage under this General Permit. The permittee shall collect two quarterly samples, and calculate the average of each parameter from the quarterly samples to determine an average monitoring value for each parameter. If the **average** of the first two quarterly samples for any parameter does not exceed the effluent limitation, the effluent monitoring requirements are fulfilled for the **permit year**. Results that do not exceed the numeric limitation must be recorded in the Facility's SWPPP. If the **average** of the two quarterly samples exceeds the numeric effluent limitation for any parameter, the permittee shall submit results to the Department within 14 days of receiving the monitoring results. Additional monitoring requirements are outlined in each Sector when numeric limitations have been exceeded. Facilities are required to monitor such discharges to evaluate compliance with numerical effluent limits. (See also Part III C, Table 1 and Sector-specific requirements.)
- Numeric monitoring for Sectors: C, D, E, K, L, & O must be conducted quarterly during a qualifying storm event as described in Part VI(B)(2). Numeric monitoring for Sectors A, B and J are activity dependent non-stormwater discharges and are outlined in each Sector.
- G. Benchmark Monitoring Requirements. Benchmark concentrations are not numeric effluent limitations and exceeding the benchmark is not a permit violation. Benchmark monitoring data is primarily used to determine the

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<sup>1</sup> Sector B is only required to conduct numeric monitoring if conducting wet decking operations.

overall effectiveness of stormwater control measures, and to determine when additional corrective action(s) are required. Sectors A, B & N must perform quarterly benchmark monitoring from each outfall (except representative outfalls) that produces a stormwater discharge associated with an industrial activity.

Benchmark monitoring must be conducted during a qualifying storm event as defined in this General Permit. A grab sample must be collected between 60 minutes but not more than 2.25 hours from the time stormwater begins to discharge from an outfall. A grab sample(s) must be collected during daylight and normal operating hours. Department guidance and assistance is available for proper sampling techniques. Results must be summarized and reported in the Facility's SWPPP. Appropriate corrective actions must be initiated according to Part VI(G)(2) below if there is an exceedance.

Benchmark monitoring is not required if the facility is in compliance with and can demonstrate participation in the implementation of a Department Approved Watershed Management Plan. Benchmark Monitoring is not required from any outfalls subject to Impaired Waters sampling and analysis, or Numeric Monitoring for Total Suspended Solids (TSS). Benchmark Monitoring must be resumed if Numeric Monitoring or Impaired Waters sampling is ceased.

1. Collect a minimum of four (4) quarterly samples. The permittee shall calculate the average of each parameter from the quarterly samples to determine an average monitoring value for each parameter. If the average of the four (4) monitoring values of the quarterly samples for any parameter does *not exceed* the benchmark, the monitoring requirements are fulfilled for that parameter, for the **permit term**. Samples must be analyzed using procedures consistent with methods listed in 40 CFR Part 136. The use of an alternate method or benchmark parameter may be proposed by the permittee to the Department in writing. The Department will approve or deny the use of alternate methods or parameters on a case-by-case basis.
2. After collecting four (4) quarterly samples, if the average of the four (4) monitoring values of the quarterly samples of any parameter *exceeds* the benchmark, the permittee shall review the selection, design, and implementation of control measures and complete a corrective action report. Upon making any necessary modifications, the permittee shall continue quarterly monitoring for any parameter that has exceeded its benchmark four additional quarters.
3. If the average monitoring values of the subsequent quarterly samples of any parameter continues to exceed the benchmark, the permittee shall select, install and implement control measures including BMPs to address the selection and design considerations to meet the benchmark; or

4. Make the determination that no further pollutant reductions are technologically available, economically practicable and achievable in light of best industry practice to meet the technology based effluent limits in which case the permittee shall continue monitoring once per year. The rationale for this determination must be documented in the SWPPP.
- H. Monitoring Schedule. Visual monitoring, Coal pile monitoring, Impaired waters monitoring, Numeric monitoring for Sectors: C, D, E, K, L, & O and Benchmark monitoring requirements begin the first full quarter following the date of discharge authorization and must be conducted on a quarterly basis. The permittee shall monitor at least once in each of the following three (3) month intervals listed below. Numeric Monitoring schedules for Sectors A, B (for wet decking operations) and J are outlined in each Sector.

January 1 – March 31

April 1- June 30

July 1 – September 30

October 1 – December 31

For example, if the applicant obtains coverage on May 1, 2011; the first monitoring period is July 1- September 30, 2011.

- I. Representative Outfalls. “Representative outfalls” means two or more outfalls within a single drainage area that discharge substantially identical effluents, have like industrial activities and significant materials or practices occurring within the outfalls’ designated drainage area. If the facility contains representative outfalls, the permittee may test the effluent of one of the outfalls during a given sampling period provided that subsequent samples are taken from a different outfall within the representative outfalls’ drainage area. The permittee will not be required to monitor more than one representative outfall within a designated drainage area per monitoring event. For this to be permissible, the SWPPP must include the permittee’s narrative and include the following: locations of the outfalls and associated drainage area; why the outfalls are expected to discharge substantially identical effluents; and, estimates of the size of the drainage area (in square feet) for each outfall(s).
- J. Monitoring Exceptions. If limited rainfall or frozen conditions prevent the discharge from an outfall, the permittee is excused from monitoring for that monitoring quarter. The altered schedule must be fully documented in the SWPPP.
- K. Adverse Weather Conditions. Adverse weather conditions are those which are dangerous or create inaccessibility for personnel and may include such things as local flooding, high winds, electrical storms, drought, excessive rain, frozen conditions and icing. If adverse weather conditions prevent the collection of samples these conditions must be documented in the SWPPP.

**Part VII. SECTOR-SPECIFIC REQUIREMENTS FOR INDUSTRIAL ACTIVITY**

- A. Sector Specific Requirements. The permittee shall comply with additional requirements of this part. Sector-specific requirements are in addition to the “basic” requirements specified in Parts I-VI and the General Permit Requirements in Part VIII of this General Permit. Sector specific requirements may be found in Appendices A-AD. No Exposure requirements may be found in Appendix AE.

**Part VIII. GENERAL REQUIREMENTS**

- A. Duty to Comply. The permittee shall comply with all conditions of this General Permit. Any non-compliance may constitute a violation of Maine’s water quality laws, General Laws, and the federal Clean Water Act and opens up the discharger to penalties under 38 M.R.S.A. § 349, and § 309 of the Clean Water Act and is grounds for enforcement action. Enforcement action may include termination of authorization to discharge under the General Permit, and thus requiring that certain actions be taken in order to continue coverage, denial of permit re-authorization, instituting penalties, or other actions deemed applicable by the Department and other federal and local agencies.
1. The permittee shall comply with effluent standards or prohibitions established under section 307(a) of the Clean Water Act, and 38 M.R.S.A., § 420 or Chapter 530.5 for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if the General Permit has not yet been modified to incorporate the requirement.
  2. 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 M.R.S.A. § 349.
- B. Continuation of the Expired General Permit. An expired General Permit continues in force and effect until a new General Permit is reissued.
- C. Duty to Reapply. If the permittee wishes to continue an activity regulated by this General Permit after the expiration and reissuance of this General Permit, the permittee shall apply for and obtain coverage under a new permit.
- D. Other applicable conditions. The conditions in 06-096 CMR 523(2) also apply to discharges pursuant to this General Permit and are incorporated herein as if fully set forth. These conditions address areas such as: duty to comply; need to reduce or halt activity not a defense; duty to mitigate; permit actions; property rights; duty to provide information; and, inspection and entry.
- E. Signatory Requirements. All Notices of Intent, SWPPPs, reports, certifications or information either submitted to the Department, or that this

General Permit requires to be maintained by the permittee, shall be signed and certified in accordance with 06-096 CMR 521(5).

- F. Oil and Hazardous Substance Liability. 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 CWA. 38 M.R.S.A. § 543, 550, and 1318-B.
- G. Release in Excess of Reportable Quantities. If a release in excess of reportable quantities occurs, the permittee shall notify the Department immediately. This permit does not relieve the permittee of the reporting requirements of 40 CFR 117, 40 CFR 302 and 38 M.R.S.A. § 543, 550 and 1318-B. The discharge of hazardous substances in the stormwater discharge(s) from a facility shall be minimized in accordance with the applicable SWPPP for the facility, and in no case, during any 24-hour period, shall the discharge(s) contain a hazardous substance equal to or in excess of reportable quantities.
- H. Severability. The conditions of this General Permit are severable, and if any provision of this General Permit, or the application of any provision of this General Permit to any circumstance, is held invalid, the application of such provision to other circumstances and the remainder of this General Permit shall not be affected thereby.
- I. Transfer of Permit. This General Permit is not transferable to any person.
- J. State Laws. Nothing in this General Permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable Maine State law.
- K. Proper Operations 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 General Permit and with the requirements of the SWPPP. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. Proper operation and maintenance requires the operations of backup or auxiliary facilities or similar systems, installed by a permittee only when necessary to achieve compliance with the conditions of the General Permit.
- L. Monitoring and Records.
  - 1. Samples and measurements taken for the purpose of monitoring shall be representative of the volume and nature of the discharge over the sampling and reporting period.



2. The permittee shall retain records of all monitoring information including all calibration, maintenance records and all original strip chart recordings from continuous monitoring instrumentation, copies of all reports required by this General Permit, and records of all data used to complete the NOI for this General Permit, for a period of at least three (3) years from the date that the facility's coverage under this General Permit expires or is terminated. This retention period may be extended by request of the Department at any time.
  3. Records of monitoring information shall include:
    - a. The date, exact place, and time of sampling or measurements;
    - b. The individual(s) who performed the sampling or measurements;
    - c. The date(s) analyses were performed;
    - d. The individual(s) who performed the analyses;
    - e. The analytical techniques or methods used; and,
    - f. The results of such analyses.
  4. Monitoring must be conducted according to test procedures approved under 40 CFR 136 and applicable Maine regulations, unless other test procedures have been specified in this General Permit.
- M. Bypass of Stormwater Control Facilities. Bypass means the intentional diversion of stormwater from any portion of the stormwater collection and treatment system. The permittee may allow any bypass to occur which does not cause effluent benchmark or numeric limitations (as noted by Sector) to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the notice provisions below.
1. Anticipated Bypass. If the permittee knows in advance of the need for a bypass which may exceed benchmark or numeric limitations, he or she shall notify this Department in writing at least ten days prior to the date of the bypass. Such notice shall include the anticipated quantity and the anticipated effect of the bypass.
  2. Unanticipated Bypass. Unanticipated bypass of stormwater control structures is prohibited unless one of the conditions in Part VIII(M)(3) of this section is met. The permittee shall submit notice of an unanticipated bypass. Any information regarding the unanticipated bypass shall be provided orally within 24 hours from the time the permittee became aware of the circumstances. A written submission shall also be provided within five (5) days of the time the permittee became aware of the bypass. The written submission shall contain a description of the bypass and its cause; the period of the bypass, including exact dates and times, and if the bypass 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 bypass.

3. Prohibition of Bypass. Bypass is prohibited and enforcement action against the permittee may be taken for the bypass unless:
  - a. The bypass was unavoidable to prevent loss of life, personal injury or severe property damage; and
  - b. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated waste, or maintenance during normal periods of equipment downtime. This condition is not satisfied if the permittee should, in the exercise of reasonable engineering judgment, have installed adequate backup equipment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance.
  - c. The Department may approve an anticipated by-pass after considering its adverse effects, if the Department determines that proper notification was made as determined in paragraph VIII(M)(1), and it will meet the two conditions of paragraph VIII(M)(3) above.<sup>2</sup>

N. Upset Conditions.

1. Definition. Upset means an exceptional incident in which there is unintentional and temporary noncompliance with technology based 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.
2. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based effluent limitations if the requirements of Part VIII(N)(3) of this General Permit 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.
3. Conditions necessary for a demonstration of upset. A permittee whom wishes to establish an affirmative defense of an upset shall demonstrate, through properly signed, current operating logs, or other relevant evidence, that:
  - a. An upset occurred and the permittee can identify the specific cause(s) of the upset;
  - b. The permitted facility was at the time being properly operated; and
  - c. The permittee submitted notice of the upset within 24 hours;<sup>3</sup>

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<sup>2</sup> See 06-096 CMR 523(2)(m)

<sup>3</sup> See 06-096 CMR 523(2)(n)

- d. The permittee complied with any remedial measures required<sup>4</sup>.
- 4. The permittee must provide the burden of proof during enforcement proceedings involving occurrence of an upset.
- O. Inspection and Entry. Employees and agents of the Department may enter any property at reasonable hours in order to determine compliance.
- P. Reopener. This General Permit may be modified or reopened as provided in 38 M.R.S.A. § 414-A (5).
- Q. Requiring an Individual Permit or an Alternative General Permit.
  - 1. The Department may require any owner(s) or operator(s) authorized to discharge stormwater under this General Permit to apply for and obtain either an individual MEPDES permit or an alternative general permit. Any interested person may petition the Department to take action under this paragraph.
  - 2. Any owner(s) or operator(s) authorized to discharge stormwater by this General Permit may request to be excluded from coverage of this General Permit by applying for an individual permit. The request may be granted by issuance of an individual permit.
  - 3. If a facility requests or is required to obtain coverage under an individual permit, then authorization to discharge stormwater under this General Permit shall automatically be terminated on the date of issuance of the individual permit. Until such time as an alternative permit is issued, the existing General Permit remains fully in force.
- R. Availability of Reports. Except for data determined to be confidential under Part VIII(S) below, all reports prepared in accordance with the terms of this General Permit shall be available for public inspection at the DEP at 28 Tyson Drive, Augusta Maine. As required by the CWA, effluent data shall not be considered confidential. Knowingly making any false statement on any such report may result in penalties including the possibility of fine and imprisonment.
- S. Confidentiality of Information. Any information submitted to the Department pursuant to these regulations may be claimed as confidential by the subcommittee. Any such claim must be asserted at the time of the submission in the manner prescribed on the application form or instructions or, in the case of other submissions, by stamping the words "confidential business information" on each page containing such information. If no claim is made at the time of submission, the Department may make the information available to the public without further notice.

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<sup>4</sup> Ibid

A claim of confidentiality will be denied unless the Department determines that the information may be withheld in accordance with 38 M.R.S.A. 414 (6), Confidentiality of records, and 38 M.R.S.A. 401 et. seq., Freedom of Access.

- T. Right to Appeal. All final license or permit decisions made by the commissioner may be appealed to the Board of Environmental Protection pursuant to Title 38, § 341-D (4) or a judicial appeal may be filed.
- U. Notice Required. Prior to discharging under the terms of a General Permit, a person shall file with the Department an initial Notice of Intent (NOI) for coverage on a form provided by the Department for the specific discharge category. A check for the appropriate fee amount must accompany each NOI in order for the application for coverage under the General Permit to be considered complete.
- V. Effective Date of Coverage. The Department must notify an applicant for coverage under this General Permit within 30 days of receipt of each complete NOI as to whether or not coverage for the specific discharge is accepted. If the Department does not notify the applicant within 30 days, the NOI is deemed to be accepted and coverage is granted. In the event coverage is not granted, the Department shall notify the applicant of the reasons for not granting coverage. Discharges not acceptable for General Permit coverage may apply for issuance of an individual discharge permit.
- W. Continuing Coverage. Coverage under an existing General Permit will be continued upon payment of an applicable annual fee, provided there are no changes in the discharge as described in the NOI. If changes occur or are proposed, the person having filed the NOI shall notify the Department, as specified in the General Permit. Persons wishing to continue coverage are required to so notify the Department.
- X. Transfers of Ownership. This General Permit is not transferable. In the event that the ownership of a facility or discharge is transferred to a new owner(s) or operator(s), coverage under this General Permit may be obtained by the new owner by filing a new Notice of Intent form with the Department. The former owner shall also file a Notice of Termination.
- Y. General Restrictions. A discharge covered by a General Permit may not:
  - 1. Contain any pollutant, including toxic substances, in quantities or concentrations which may cause or contribute to any adverse impact on the receiving water;
  - 2. Be to a receiving water which is not meeting its classification standard for any characteristic which may be affected by the discharge; or,
  - 3. Impart color, taste, turbidity, radioactivity, settleable materials, floating substances, or other properties that cause the receiving water to be unsuitable for the designated uses ascribed to its classification.

- Z. Sampling and Test Procedures. Where a General Permit requires sampling and testing of an effluent of other waste stream, all samples and measurements shall be representative of the volume and nature of the activity being monitored. The sampling, preservation, handling and analytical methods used must conform with Standard Methods for the Examination of Water and Waste Water, American Public Health Association, Washington D.C., latest approved edition or methods referenced in 40 CFR Part 136. However, different but equivalent methods are allowable if they receive prior written approval from the Department.
- AA. Monitoring Requirements. The Department may require additional monitoring of an individual discharge as may be reasonably necessary in order to characterize the nature, volume or other attributes of that discharge or its sources.
- AB. Removed Substances. Solids, sludges, filter backwash or other pollutants removed or resulting from the treatment of wastewaters must be disposed of in a manner approved by the Department.

## Part IX. DEFINITIONS

The following terms have the following meanings as used in this General Permit. These definitions are intended to be consistent with the definitions at 38 MRSA §§ 361-A and 466, 06-096 CMR 520 and 521(9)(b), and 40 CFR §§ 122.2 and 122.26(b).

- A Anticipated Bypass. “Anticipated Bypass” means a bypass of stormwater control structure(s) including operational or structural best management practice(s), which is planned or scheduled due to maintenance, repair or other known reason. Provisions must be developed to protect the receiving water from pollutants during an anticipated bypass of a stormwater control.
- B Best Available Technology (BAT). “Best Available Technology” or “BAT” means the technology-based standard established by the Clean Water Act as the most appropriate means available on a national basis for controlling the direct discharge of toxic and nonconventional pollutants. In general, BAT effluent limitations guidelines represent the best existing performance of treatment technologies that are economically achievable.
- C Best Control Technology (BCT). “Best Control Technology” or “BCT” means a technology-based standard established by EPA for the discharge from existing conventional pollutants including Biological Oxygen Demand (BOD), Total Suspended Solids (TSS), fecal coliform, pH, oil and grease. The BCT is established in light of a two-part "cost reasonableness" test which compares the cost for an industry to reduce its pollutant discharge with the cost to treat for similar levels of reduction of a pollutant loading. The second test examines the cost-effectiveness of additional industrial treatment beyond

BPT. EPA must find limits which are reasonable under both tests before establishing them as BCT.

- D Best Management Practices (BMPs). “Best Management Practices” or “BMPs” means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants to 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.
- E Best Practicable Control Technology (BPT). “Best Practicable Control Technology” or “BPT” means the first level of technology-based standards established by the Clean Water Act to control the discharge of pollutants. BPT effluent limitation guidelines are generally based on the average of best existing performance by plants within an industrial category or subcategory.
- F Control Measure. “Control Measure” means BMP or other method (including effluent limitations) used to prevent or reduce the discharge of pollutants to waters of the States.
- G Department. “Department” means the State of Maine Department of Environmental Protection.
- H Department Approved Watershed Management Plan. “Department Approved Watershed Management Plan” means, for the purpose of this General Permit, the implementation of a Plan approved by the Department that has a means of funding that is in effect to meet all of the following requirements:
  - 1. The Management Plan must adequately assess the watershed for pollutants and activities contributing to the waterbody’s impairment.
  - 2. The causes found to be contributing to the water quality impairment must be adequately addressed via structural or operational Best Management Practices in the watershed. The Management Plan will be reviewed by Department staff to determine the ability of the Management Plan to improve water quality based on the known pollutants and causes of impairment and for compliance with any approved TMDLs.
  - 3. The Plan must include a schedule of implementation and a monitoring component to assess the progress of the watershed in attaining the goals of the Management Plan.

The Long Creek Watershed Management Plan in the municipalities of South Portland, Portland, Westbrook and Scarborough is a Department Approved Watershed Management Plan.

- I Discharge. “Discharge” means any spilling, leaking, pumping, pouring, emptying, disposing or other addition of any pollutant to waters of the State.

- J Facility. “Facility” means a location where stormwater discharges associated with industrial activity occur including but not limited to, buildings, storage areas, travel ways and processing areas.
- K Facility Associated with Industrial Activity. “Facility Associated with Industrial Activity” means the point source discharge which is directly related to manufacturing, processing, or raw material storage areas described in Appendices A-AD. This includes, but is not limited to, stormwater discharges associated with industrial activity.
- L Infiltration. “Infiltration” means any process specifically used to meet all or part of the stormwater standards of this General Permit by actively directing all or part of the stormwater into the soil. Infiltration is the process by which runoff percolates through the unsaturated overburden and fractured bedrock to the water table. For this General Permit, infiltration does not include:
1. Incidental wetting of soil in ditches, detention basins or the equivalent;
  2. Wetting of under drained basins, dry swales, or similar filtration systems;
  - or
  3. Wetting buffers meeting department requirements for stormwater control.
- M Impaired Waters. “Impaired Waters” means for the purposes of this General Permit, any water body listed on the 303d list of Maine’s Integrated Water Quality Monitoring and Assessment Report.
- N Municipal Separate Storm Sewer System (“MS4”). “Municipal Separate Storm Sewer System” or “MS4” means conveyances for stormwater, including, but not limited to, roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, human-made channels or storm drains (other than publicly owned treatment works and combined sewers) owned or operated by any municipality, sewer or sewage district, Maine Department of Transportation, Maine Turnpike Authority, State agency or Federal agency or other public entity that discharges directly to waters of the State other than groundwater.
- O No Exposure. “No Exposure” means that industrial activities are protected by a storm resistant shelter to prevent exposure to stormwater including rain, snow, snowmelt, run-on and runoff.
- P Non-Numeric Technology Based Effluent Limitations. “Non-Numeric Technology Based Effluent Limits” means Best Management Practices approved and required by the Department that are designed and installed according to Best Practical Technology and Best Available Technology. This technology limits or eliminates pollutants generated on-site by industrial activities from coming into contact with waters of the State. Non-Numeric Technology Based Effluent limits are assigned by industrial activity and are described in the appropriate Sector specific Appendix.

- Q Notice of Intent (“NOI”). “Notice of Intent” or “NOI” means a notification of intent to seek coverage under this General Permit made by the applicant to the Department on a form provided by the Department.
- R Notice of Termination (“NOT”). “Notice of Termination” or “NOT” means a notification to end coverage under this General Permit on a form provided by the Department.
- S Outfall. “Outfall” means any direct discharge of stormwater from an area of industrial activity to waters of the State or to a MS4.
- T Owner or Operator. “Owner or Operator” means the owner or operator of any “facility or activity” subject to regulation under the NPDES program. In the case of a publicly owned facility or activity, the owner shall be included as a licensee in any permit issued under the State NPDES program.
- U Permittee. “Permittee” means the person that is covered under this General Permit for discharge of stormwater associated with industrial activity.
- V Person. “Person” means an individual, firm, corporation, municipality, quasi-municipal corporation, (such as a watershed district), state agency, federal agency or other legal entity.
- W Point Source. “Point Source” or “direct discharge” means a discharge from any discrete, confined or discernible conveyance, including, but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel, or other floating craft from which pollutants are or may be discharged. This does not include discharges to buffers designed and maintained in accordance with Chapter 500 Appendix F.
- X Qualifying Storm Event. “Qualifying Storm Event” means a storm event that is either precipitation, ice or snow melt that produces a measurable discharge at an outfall that occurs at least 72 hours from a previous measurable storm event.
- Y Stormwater. “Stormwater” means precipitation including runoff from rain, snow melt or ice melt that flows across the surface as sheet flow, shallow concentrated flow or in drainage ways. “Stormwater” means the same as Storm Water.
- Z Stormwater Discharge Associated with Industrial Activity. “Stormwater Discharge Associated with Industrial Activity” means the discharge from any conveyance which is used for collecting and conveying stormwater and which is directly related to manufacturing, processing or raw materials storage areas at an industrial plant or facility. The term does not include discharges from facilities or activities excluded from the MEPDES program under 38 MRSA 413. For the categories of industries identified in Table 2 and Appendices A –



AD, the term includes, but is not limited to, point sources stormwater discharges from the following areas: industrial plant yards; immediate access roads and rail lines used or travelled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility; material handling sites; refuse sites; sites used for the application or disposal of process waste waters (as defined at Chapter 525); sites used for the storage and maintenance of material handling equipment; sites used for residual treatment, storage or disposal; shipping and receiving areas; manufacturing buildings; storage areas (including tank farms) for raw materials, and intermediate and finished products; and areas where industrial activity has taken place in the past and significant materials remain and are exposed to storm water.

AA Surface Water. “Surface Water” means for purposes of this General Permit, any river, stream, brook, freshwater wetland, coastal wetland, lake, pond or ocean including the marginal and high seas.

BB Unanticipated Bypass. “Unanticipated Bypass” means for purposes of this General Permit, an unanticipated bypass of stormwater discharge from the site that was originally intended to go through a structural control device to remove pollutants associated with an industrial activity from that stormwater discharge. An unanticipated bypass may include the over topping or complete bypass of a stormwater pond or structural stormwater collection system. All unanticipated bypasses must be reported to the Department according to Part VIII(M)(2) of the General Permit.

<b>Table 2. Sectors of Industrial Activity Covered By this General Permit</b>	
<b>SIC Code or Activity Code</b>	<b>Activity Represented</b>
<b>SECTOR A: TIMBER PRODUCTS</b>	
2411	Log Storage and Handling (Wet deck storage areas only authorized if no chemical additives are used in the spray water or applied to the logs)
2421	General Sawmills and Planning Mills
2426	Hardwood Dimension and Flooring Mills
2429	Special Product Sawmills, Not Elsewhere Classified
2431-2439 (except 2434)	Millwork, Veneer, Plywood, and Structural Wood (see Sector W)
2448, 2449	Wood Containers
2451, 2452	Wood Buildings and Mobile Homes
2491	Wood Preserving
2493	Reconstituted Wood Products
2499	Wood Products, Not Elsewhere Classified
<b>SECTOR B: PAPER AND ALLIED PRODUCTS</b>	
2611	Pulp Mills
2621	Paper Mills
2631	Paperboard Mills
2652-2657	Paperboard Containers and Boxes
2671-2679	Converted Paper and Paperboard Products, Except Containers and Boxes
<b>SECTOR C: CHEMICAL AND ALLIED PRODUCTS</b>	
2812-2819	Industrial Inorganic Chemicals
2821-2824	Plastics Materials and Synthetic Resins, Synthetic Rubber, Cellulosic and Other Manmade Fibers Except Glass
2833-2836	Medicinal chemicals and botanical products; pharmaceutical preparations, in vitro and in vivo diagnostic substances; biological products, except diagnostic substances
2841-2844	Soaps, Detergents, and Cleaning Preparations; Perfumes, Cosmetics, and Other Toilet Preparations
2851	Paints, Varnishes, Lacquers, Enamels, and Allied Products
2861-2869	Industrial Organic Chemicals
2873-2879	Agricultural Chemicals
2873	Facilities that Make Fertilizer Solely from Leather Scraps and Leather Dust
2891-2899	Miscellaneous Chemical Products
3952 (limited to list)	Complete list can be found in Sector C specific requirements
<b>SECTOR D: ASPHALT PAVING AND ROOFING MATERIALS AND LUBRICANTS</b>	
2951,2952	Asphalt Paving and Roofing Materials
2992,2999	Miscellaneous Products of Petroleum and Coal
<b>SECTOR E: GLASS, CEMENT, CLAY, CONCRETE, STONE,AND GYPSUM PRODUCTS</b>	
3211	Flat Glass

<b>Table 2. Sectors of Industrial Activity Covered By this General Permit</b>	
<b>SIC Code or Activity Code</b>	<b>Activity Represented</b>
3221,3229	Glass and Glassware, Pressed or Blown
3231	Glass Products Made of Purchased Glass
3241	Hydraulic Cement
3251-3259	Structural Clay Products
3261-3269	Pottery and Related Products
3271-3275	Concrete, Gypsum and Plaster Products
3281	Cut Stone and Cut Stone Products
3291-3299	Abrasive, Asbestos, and Miscellaneous Nonmetallic Mineral Products
<b>SECTOR F: PRIMARY METALS</b>	
3312-3317	Steel Works, Blast Furnaces, and Rolling and Finishing Mills
3321-3325	Iron and Steel Foundries
3331-3339	Primary Smelting and Refining of Nonferrous Metals
3341	Secondary Smelting and Refining of Nonferrous Metals
3351-3357	Rolling, Drawing, and Extruding of Nonferrous Metals
3363-3369	Nonferrous Foundries (Castings)
3398,3399	Miscellaneous Primary Metal Products
<b>SECTOR G: METAL MINING (ORE MINING AND DRESSING)</b>	
1011	Iron Ores
1021	Copper Ores
1031	Lead and Zinc Ores
1041,1044	Gold and Silver Ores
1061	Ferroalloy Ores, Except Vanadium
1081	Metal Mining Services
1094,1099	Miscellaneous Metal Ores
<b>SECTOR H: COAL MINES AND COAL MINING RELATED FACILITIES</b>	
1221-1241	Coal Mines and Coal Mining-Related Facilities
<b>SECTOR I: OIL AND GAS EXTRACTION AND REFINING</b>	
1311	Crude Petroleum and Natural Gas
1321	Natural Gas Liquids
1381-1389	Oil and Gas Field Services
2911	Petroleum Refineries
<b>SECTOR J: MINERAL MINING AND DRESSING</b>	
1411	Dimension Stone
1422-1429	Crushed and Broken Stone, Including Rip Rap
1442,1446	Sand and Gravel
1455,1459	Clay, Ceramic, and Refractory Materials
1474-1479	Chemical and Fertilizer Mineral Mining
1481	Nonmetallic Minerals Services, Except Fuels
1499	Miscellaneous Nonmetallic Minerals, Except Fuels

<b>Table 2. Sectors of Industrial Activity Covered By this General Permit</b>	
<b>SIC Code or Activity Code</b>	<b>Activity Represented</b>
<b>SECTOR K: HAZARDOUS WASTE TREATMENT, STORAGE, OR DISPOSAL FACILITIES</b>	
HZ	Hazardous Waste Treatment Storage or Disposal
<b>SECTOR L: LANDFILLS AND LAND APPLICATION SITES</b>	
LF	Landfills, Land Application Sites , and Open Dumps
<b>SECTOR M: AUTOMOBILE SALVAGE YARDS</b>	
5015	Automobile Salvage Yards
<b>SECTOR N: SCRAP RECYCLING FACILITIES</b>	
5093	Scrap Recycling Facilities
<b>SECTOR O: STEAM ELECTRIC GENERATING FACILITIES</b>	
SE	Steam Electric Generating Facilities
<b>SECTOR P: LAND TRANSPORTATION AND WAREHOUSING</b>	
4011,4013	Railroad Transportation
4111-4173	Local and Highway Passenger Transportation
4212-4231	Motor Freight Transportation and Warehousing
4311	United States Postal Service
5171	Petroleum Bulk Stations and Terminals
<b>SECTOR Q: WATER TRANSPORTATION</b>	
4412-4499	Water Transportation
<b>SECTOR R: SHIP AND BOAT BUILDING OR REPAIRING YARDS</b>	
3731, 3732	Ship and Boat Building or Repairing Yards
<b>SECTOR S: AIR TRANSPORTATION</b>	
4512-4581	Air Transportation Facilities
<b>SECTOR T: TREATMENT WORKS</b>	
TW	Treatment Works
<b>SECTOR U: FOOD AND KINDRED PRODUCTS</b>	
2011-2015	Meat Products
2021-2026	Dairy Products
2032	Canned, Frozen and Preserved Fruits, Vegetables and Food Specialties
2041-2048	Grain Mill Products
2051-2053	Bakery Products
2061-2068	Sugar and Confectionery Products
2074-2079	Fats and Oils
2082-2087	Beverages
2091-2099	Miscellaneous Food Preparations and Kindred Products
2111-2141	Tobacco Products
<b>SECTOR V: TEXTILE MILLS, APPAREL, AND OTHER FABRIC PRODUCT MANUFACTURING, LEATHER AND LEATHER PRODUCTS</b>	
2211-2299	Textile Mill Products

<b>Table 2. Sectors of Industrial Activity Covered By this General Permit</b>	
<b>SIC Code or Activity Code</b>	<b>Activity Represented</b>
2311-2399	Apparel and Other Finished Products Made From Fabrics and Similar Materials
3131-3199 (except 3111)	Leather and Leather Products, except Leather Tanning and Finishing (see Sector Z)
<b>SECTOR W: FURNITURE AND FIXTURES</b>	
2434	Wood Kitchen Cabinets
2511-2599	Furniture and Fixtures
<b>SECTOR X: PRINTING AND PUBLISHING</b>	
2711-2796	Printing, Publishing, and Allied Industries
<b>SECTOR Y: RUBBER, MISCELLANEOUS PLASTIC PRODUCTS, AND MISCELLANEOUS MANUFACTURING INDUSTRIES</b>	
3011	Tires and Inner Tubes
3021	Rubber and Plastics Footwear
3052, 3053	Gaskets, Packing, and Sealing Devices and Rubber and Plastics Hose and Belting
3061, 3069	Fabricated Rubber Products, Not Elsewhere Classified
3081-3089	Miscellaneous Plastics Products
3931	Musical Instruments
3942-3949	Dolls, Toys, Games and Sporting and Athletic Goods
3951-3955 (except 3952)	Pens, Pencils, and Other Artists' Materials
3961, 3965	Costume Jewelry, Costume Novelties, Buttons, and Miscellaneous Notions, Except Precious Metal
3991-3999	Miscellaneous Manufacturing Industries
<b>SECTOR Z: LEATHER TANNING AND FINISHING</b>	
3111	Leather Tanning and Finishing
<b>SECTOR AA: FABRICATED METAL PRODUCTS</b>	
3411-3499	Fabricated Metal Products, Except Machinery and Transportation Equipment
3911-3915	Jewelry, Silverware, and Plated Ware
<b>SECTOR AB: TRANSPORTATION EQUIPMENT, INDUSTRIAL OR COMMERCIAL MACHINERY</b>	
3511-3599 (except 3571-3579)	Industrial and Commercial Machinery (except Computer and Office Equipment) (see Sector AC)
3711-3799 (except 3731, 3732)	Transportation Equipment (except Ship and Boat Building and Repairing) (see Sector R)
<b>SECTOR AC: ELECTRONIC, ELECTRICAL, PHOTOGRAPHIC, AND OPTICAL GOODS</b>	
3571-3579	Computer and Office Equipment

**Table 2. Sectors of Industrial Activity Covered By this General Permit**

<b>SIC Code or Activity Code</b>	<b>Activity Represented</b>
3612-3699	Electronic, Electrical Equipment and Components, except Computer Equipment
3812	Measuring, Analyzing and Controlling Instrument; Photographic and Optical Goods

**SECTOR AD: STORMWATER DISCHARGES DESIGNATED BY THE DEPARTMENT**

The Sector AD is used to provide permit coverage for facilities designated by the Department as needing a stormwater permit, and any discharges of stormwater associated with industrial activity that do not meet the description of an industrial activity covered by Sectors A-AC.

*Eligibility for Permit Coverage.* Because this Sector is primarily intended for use by discharges designated by the Department as needing a stormwater permit (which is an atypical circumstance), and the facility may or may not normally be discharging stormwater associated with industrial activity, you must obtain the Department's written permission to use this permit prior to submitting an NOI. If you are authorized to use this permit, you will still be required to ensure that your discharges meet the basic eligibility provisions of this General Permit.

A complete list of SIC codes can be obtained from the internet at [http://www.osha.gov/pls/imis/sic\\_manual.html](http://www.osha.gov/pls/imis/sic_manual.html) or in paper from various locations in the document titled: "Handbook of Standard industrial Classifications", Office of Management and Budget, 1987.

## Appendix S

<b>Sector S - Air Transportation</b>
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- A. Covered Stormwater Discharges. The requirements for Sector S apply to stormwater discharges associated with industrial activity from Air Transportation facilities as identified by the SIC Codes specified below.

SECTOR S: AIR TRANSPORTATION	
4512-4581	Air Transportation Facilities

- B. Limitations on Coverage. (See also Part I(E).) This General Permit does not authorize the following discharges: aircraft, ground vehicle, runway and equipment wash waters; and dry weather discharges of deicing chemicals **unless** the facility performs deicing in a location that includes a deicing recovery system. These discharges must be covered by a separate MEPDES permit.

Only those portions of the facility that are involved in vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling and lubrication), equipment cleaning operations or deicing operations are addressed in this Appendix.

- C. Special Conditions.

Hazardous Substances or Oil. Each individual permittee is required to report spills equal to or exceeding the reportable quantity (RQ) levels specified at 40 CFR 110, 117 and 302. See also 38 M.R.S.A. § 543, 550 and 1318-B. If an airport authority is the sole permittee, then the sum total of all spills at the airport must be assessed against the RQ. If the airport authority is a co-permittee with other operators at the airport, such as numerous different airlines, the assessed amount must be the summation of spills by each co-permittee. If separate, distinct individual permittees exist at the airport, then the amount spilled by each separate permittee shall be the assessed amount for the RQ determination.

- D. Additional SWPPP Requirements and Non-Numeric Technology Based Effluent Limits.

If an airport's tenant has a SWPPP for discharges from their own areas of the airport, that SWPPP must be integrated with the plan for the entire airport. Tenants of the airport facility include air passenger or cargo companies, fixed based operators and other parties who have contracts with the airport authority to conduct business operations on airport property and whose operations result in stormwater discharges associated with industrial activity.

1. Site Map. (See also Part V(D)(3).) The permittee shall identify areas where any of the following may be exposed to stormwater: aircraft and runway deicing operations; fueling stations; aircraft, ground vehicle, equipment maintenance and cleaning areas; and, storage areas for aircraft, ground vehicles and equipment awaiting maintenance.

2. Potential Pollutant Sources and Exposed Materials. (See also Part V(D)(4).) The permittee must describe the following activities: aircraft, runway, ground vehicle, equipment maintenance and cleaning; aircraft and runway deicing operations. These areas may include apron and centralized aircraft deicing stations, runways, taxiways and ramps.

If the permittee uses deicing chemicals, the permittee shall maintain a record of the types (including the Material Safety Data Sheets [MSDS]) used and the monthly quantities, either as measured or, in the absence of metering, as estimated to the best of the facility's owner(s) or operator(s) knowledge. This includes all deicing chemicals, not just glycols and urea (e.g., potassium acetate), because large quantities of these other chemicals can still have an adverse impact on receiving waters. Tenants or other fixed-based operations that conduct deicing operations shall provide the above information to the airport authority for inclusion in any comprehensive airport SWPPPs.

Note: "deicing" will generally be used to imply both deicing (removing frost, snow or ice) and anti-icing (preventing accumulation of frost, snow or ice) activities, unless specific mention is made regarding anti-icing and/or deicing activities.

**Runway Deicing Operation.** Evaluate, at a minimum, whether over-application of deicing chemicals occurs by analyzing application rates and adjusting as necessary, consistent with considerations of flight safety. Also consider these BMP options (or their equivalents): metered application of chemicals; pre-wetting dry chemical constituents prior to application; installing a runway ice detection system; and, implementing anti-icing operations as a preventive measure against ice buildup.

**Aircraft Deicing Operations.** Determine whether excessive application of deicing chemicals occurs and adjust as necessary, consistent with considerations of flight safety. This evaluation must be carried out by the aircraft pilot. Consider using alternative deicing/anti-icing agents as well as containment measures for all applied chemicals. The permittee may consider BMP options (or their equivalents) for reducing deicing fluid use. Also consider using ice-detection systems and airport traffic flow strategies and departure slot allocation systems.

**Management of deicing.** Where deicing operations occur, describe and implement a program to control or manage contaminated runoff to reduce the amount of pollutants being discharged from the activity. Consider these BMP options or equivalents: a dedicated deicing facility with a runoff collection and recovery system; use vacuum collection trucks; store contaminated stormwater or deicing fluids in tanks and release controlled amounts to a publicly owned treatment works; collect contaminated runoff in a wet pond for biochemical decomposition (be aware of attracting wildlife that may prove hazardous to flight operations); and, direct runoff into vegetative swales or other infiltration measures. Also consider recovering deicing materials when these materials are applied during non-precipitation events (e.g., covering storm sewer inlets, using booms, installing absorptive interceptors in the drains, etc.) to prevent these



materials from later becoming a source of stormwater contamination. Used deicing fluid should be recycled whenever possible.

Source Reduction. Consider alternatives to the use of urea and glycol-based deicing chemicals to reduce the aggregate amount of deicing chemicals used and/or decrease environmental impact. Chemical options to replace ethylene glycol, propylene glycol and urea include: potassium acetate; magnesium acetate; calcium acetate; and, anhydrous sodium acetate.

3. Good Housekeeping Measures. (See also Part V(D)(9)(a).) Describe and implement measures to prevent or minimize the contamination of stormwater from all areas used for aircraft, ground vehicle and equipment maintenance (including the maintenance conducted on the terminal apron and in dedicated hangers). Consider the following practices or equivalents: perform maintenance activities indoors; maintain an organized inventory of material used in the maintenance areas; drain all parts of fluids prior to disposal; prevent the practice of hosing down the apron or hanger floor; use dry cleanup methods; and collect the or treat stormwater from the maintenance area.
  - a. Aircraft, Ground Vehicle and Equipment Cleaning Areas. Clean equipment only in the designated areas identified in the SWPPP and site map. Describe and implement measures that prevent or minimize the contamination of stormwater from cleaning areas.
  - b. Aircraft, Ground Vehicle and Equipment Storage Areas. Store all aircraft, ground vehicles and equipment awaiting maintenance in designated areas. Consider the following BMPs or equivalents: store aircraft and ground vehicles indoors; using drip pans for the collection of fluid leaks; and, perimeter drains, dikes or berms surrounding the storage areas.
4. Inspections. Specify the frequency of inspections in the SWPPP. During the deicing season, inspections must be conducted monthly for all areas and equipment used in the deicing operations. This includes all months during which deicing chemicals are used. The Department may specifically require the permittee to increase inspections and SWPPP reevaluations as necessary.

The permittee shall conduct one of the quarterly Site Compliance Evaluations (See also Part V(I).) during a qualifying rain event during the deicing season or within 30 days after deicing operations have ceased.

5. Material Containment. Maintain the vessels of stored materials (e.g., used oils, hydraulic fluids, spent solvents, and waste aircraft fuel) in good condition, to prevent or minimize contamination of stormwater. Also plainly label the vessels (e.g., “used oil,” “Contaminated Jet A,” etc.). Describe and implement measures that prevent or minimize contamination of stormwater from these areas. Consider the following BMPs or equivalents: store materials indoors; store waste materials in a centralized location; and, install berms or dikes around storage areas.

Airport Fuel System and Fueling Areas. Describe and implement measures to prevent or minimize the discharge of fuel to the storm sewer or surface waters resulting from fuel servicing activities or other operations conducted in support of the airport fuel system. Consider the following BMPs or equivalents: implement spill and overflow practices (e.g., placing absorptive materials beneath aircraft during fueling operations); using dry cleanup methods; and, collect contaminated stormwater.

- E. Visual Monitoring Requirements. (See also Part VI.) Visual monitoring must be conducted quarterly during a qualifying storm event. Collect a grab sample for visual monitoring analysis from each outfall that has an associated industrial activity within the outfall's drainage area. The outfall(s) must be sampled quarterly unless the facility has representative outfalls.

Visual monitoring requirements are waived if the facility is in compliance with and can demonstrate participation in the implementation of an established Department Approved Watershed Management Plan; or if the facility is conducting Benchmark, Impaired Waters sampling and analysis, or Numeric Monitoring for Total Suspended Solids (TSS). Visual monitoring is only waived for the outfall(s) associated with Numeric Monitoring. The permittee shall conduct quarterly visual monitoring at outfalls that do not require Numeric Monitoring.

**Visual monitoring must be resumed if Benchmark Monitoring, Numeric Monitoring or Impaired Waters sampling is ceased.**

## APPENDIX D

### SWPPP Corrective Action Log



# Maine's Multi-Sector General Permit

## Corrective Action Report (C.A.R)

### A. General Information

Facility Name:				
Permit Number:				
Contact Person:			Title:	
Phone:		Ext:		Email:
C.A.R Date:				
Site Inspection or Site Compliance Evaluation Date:				

### B. Report Information

If a non-structural BMP is found to be deficient, this form must be kept in the facility's SWPPP.

Is there a structural or non-structural BMP deficiency?	<input type="checkbox"/> Structural	<input type="checkbox"/> Non-Structural	<input type="checkbox"/> Both
---	-------------------------------------	---	-------------------------------

If non-structural BMP deficiencies are identified please use the table below (See Section C for Structural):

Non-structural BMP	Location	Deficiency	Corrective Actions (Start and Stop Dates)	SWPPP Modifications

**C. If structural BMP deficiencies are identified please complete the following information:**

**If a structural BMP is found to be deficient, excluding routine maintenance, this report must be kept with the facility's SWPPP and you must notify the regional stormwater inspector within (14) business days by phone, email, or USPS. If a non-structural BMP is found to be deficient, this form must be kept in the facility's SWPPP.**

**Description of BMP and the deficiency: (Please include the reason for the deficiency)**\_\_\_\_\_

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**Location of BMP:**\_\_\_\_\_

**Description of planned corrective actions including any temporary BMPs:**\_\_\_\_\_

---

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**Are other Department licenses or permits required? Yes      No**

**If so what, and have they been obtained?**\_\_\_\_\_

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**Date of construction or completion of corrective action:**\_\_\_\_\_

**Date of SWPPP modifications:**\_\_\_\_\_

**Note:** If existing structural BMPs require modification or if additional structural BMPs are necessary, implementation must be completed before the next anticipated storm event to the greatest extent practicable, but not more than twelve (12) weeks after discovery of the deficiency unless otherwise authorized by the Department. Temporary BMPs must be implemented as soon as practicable after the Site Compliance Evaluation or site inspection is complete.

Signature of Responsible Official: I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate and compete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowingly violating the law.

**Name:**\_\_\_\_\_ **Date:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

## APPENDIX E

### SWPPP Amendment Log

## SWPPP Amendment Log

**Project Name:** Brunswick Executive Airport  
**SWPPP Contact:** Woodie Bartley

[illegible]

## APPENDIX F

### TDML Summary: Mere Brook





## TMDL Assessment Summary

### *Mere Brook a.k.a. Mare Brook*

#### Watershed Description

This TMDL assessment summary applies to the entire 8-mile length of Mere Brook located in the City of Brunswick, Maine. Mere Brook begins in a wetland area near Matthew Drive. The stream crosses Bettina Lane and flows southeast through a small forested area. Just below Seahawk Avenue, Mere Brook continues underground for approximately 1 mile, as it flows through the Brunswick Naval Complex, emerging near Swampy Brook. Mere Brook then flows east through a wetland, eventually emptying into Harpswell Cove. The Mere Brook watershed covers approximately 3,648 acres in the City of Brunswick.

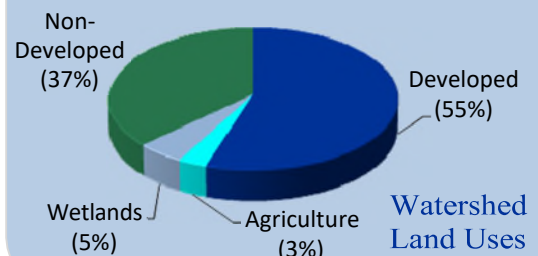
- Stormwater runoff from impervious cover (IC) is likely the largest source of pollution to Mere Brook. Stormwater falling on roads, roofs and parking lots in developed areas flows quickly off impervious surfaces, carrying dirt, oils, metals, and other pollutants, and sending high volumes of flow to the nearest section of the stream.
- Most of the Mere Brook watershed is developed (55%), particularly in the northeastern portion of the watershed near the intersection of Orion Street and Seahawk Avenue. The majority of this development is classified as high-intensity development or developed open space.
- Brunswick Naval Complex is located in the center of the Mere Brook watershed.
- Wetlands and woodlands near the headwaters and the mouth of Mere Brook absorb and filter stormwater pollutants, and help protect both water quality in the stream and stream channel stability.
- Mere Brook is currently on Maine's list of Urban Impaired Streams.

#### Definitions

- TMDL is an acronym for Total Maximum Daily Load, representing the total amount of a pollutant that a water body can receive and still meet water quality standards.
- Impervious cover refers to landscape surfaces (e.g. roads, sidewalks, driveways, parking lots, and rooftops) that no longer absorb rain and may direct large volumes of stormwater runoff into the stream.

#### Waterbody Facts

- Segment ID: ME0106000106\_602R02
- City: Brunswick, ME
- County: Cumberland
- Impaired Segment Length: 8 miles
- Classification: Class B
- Direct Watershed: 5.7 mi<sup>2</sup> (3,648 acres)
- Watershed Impervious Cover: 21%
- Major Drainage Basin: Presumpscot River and Casco Bay Watershed



### Why is a TMDL Assessment Needed?

Mere Brook, a Class B freshwater stream, has been assessed by DEP as not meeting water quality standards for aquatic life use and has been listed on the 303(d) list of impaired waters. The Clean Water Act requires that all 303(d)-listed waters undergo a TMDL assessment that describes the impairments and establishes a target to guide the measures needed to restore water quality. The goal is for all waterbodies to comply with state water quality standards.

The impervious cover TMDL assessment for Mere Brook addresses water quality impairments to aquatic life use (based on stream habitat and benthic macroinvertebrate assessments). These impairments are associated with a variety of pollutants in urban stormwater as well as erosion, habitat loss and unstable stream banks caused by excessive amounts of runoff.



*Mere Brook downstream of S-144.  
(Photo: DEP Biomonitoring Program)*

### Sampling Results & Pollutant Sources

DEP makes aquatic life use determinations using a statistical model that incorporates 30 variables of data collected from rivers and streams, including the richness and abundance of streambed organisms, to determine the probability of a sample meeting Class A, B, or C conditions. Biologists use the model results and supporting information to determine if samples comply with standards of the class assigned to the stream or river (Davies and Tsomides, 2002).

Mere Brook has benthic-macroinvertebrate data collected by DEP in 2000-2003 at four sampling stations (S-143, S-144, S-331, and S-457). Data collected at these stations indicate Class B Mere Brook meets the lower Class C criteria or is “non attaining” (NA), meaning it does not meet Class A, B, or C conditions on different sample dates.

### Impervious Cover Analysis

Increasing the percentage of impervious cover (%IC) in a watershed is linked to decreasing stream health (CWP, 2003). Because Mere Brook’s impairment is not caused by a single pollutant, %IC is used for this TMDL to represent the mix of pollutants and other impacts associated with excessive stormwater runoff. The

Sampling Station	Sample Date	Statutory Class	Model Results
S-143	9/11/2000	B	C
S-143	8/7/2001	B	C
S-143	8/24/2001	B	C
S-143	8/14/2003	B	NA
S-143	9/30/2003	B	NA
S-144	9/11/2000	B	NA
S-144	8/7/2001	B	NA
S-144	8/24/2001	B	NA
S-144	9/30/2003	B	NA
S-331	9/11/2000	B	NA
S-331	8/7/2001	B	C
S-331	7/31/2002	B	C
S-457	9/11/2000	B	NA
S-457	8/7/2001	B	C
S-457	7/31/2002	B	NA
S-457	8/14/2003	B	NA
S-457	9/30/2003	B	NA

Mere Brook watershed has an impervious surface area of 21% (Figure 1). DEP has found that in order to support Class B aquatic life use, the Mere Brook watershed may require the characteristics of a watershed

with 8% impervious cover. This WLA & LA target is intended to guide the application of

Best Management Practices (BMP) and Low Impact Development (LID) techniques to reduce the *impact* of impervious surfaces. Ultimate success of the TMDL will be Mere Brook's compliance with Maine's water quality criteria for aquatic life.

*8% IC represents an approximate 62% reduction in stormwater runoff volume and associated pollutants when compared to existing pollutant loads.*

#### Impervious Cover GIS Calculations

*The Impervious Cover Calculations are based on analysis of GIS coverage's presented in Figure 1. These maps were derived from a detailed field assessment conducted by DEP Staff, as described in the TMDL.*

### Next Steps

Because Mere Brook is an impaired water, stormwater runoff in the watershed should be considered during the development of a watershed management plan to:

- Encourage greater citizen involvement through the development of a watershed coalition to ensure the long term protection of Mere Brook;
- Address existing stormwater problems in the Mere Brook watershed by installing structural and applying non-structural best management practices (BMPs); and
- Prevent future degradation of Mere Brook through the development and/or strengthening of local stormwater control ordinances.



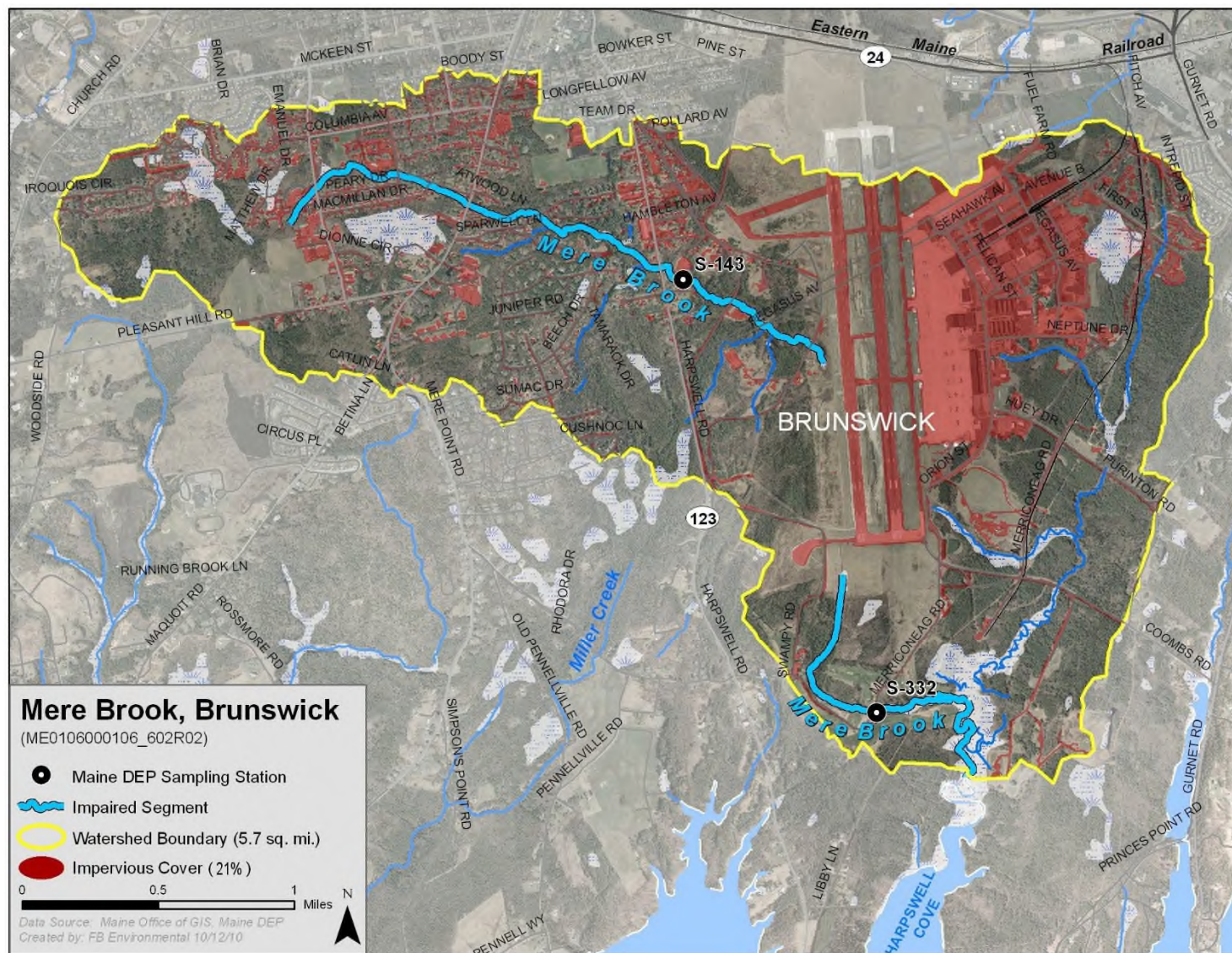


Figure 1: Map of Mere Brook watershed impervious cover.



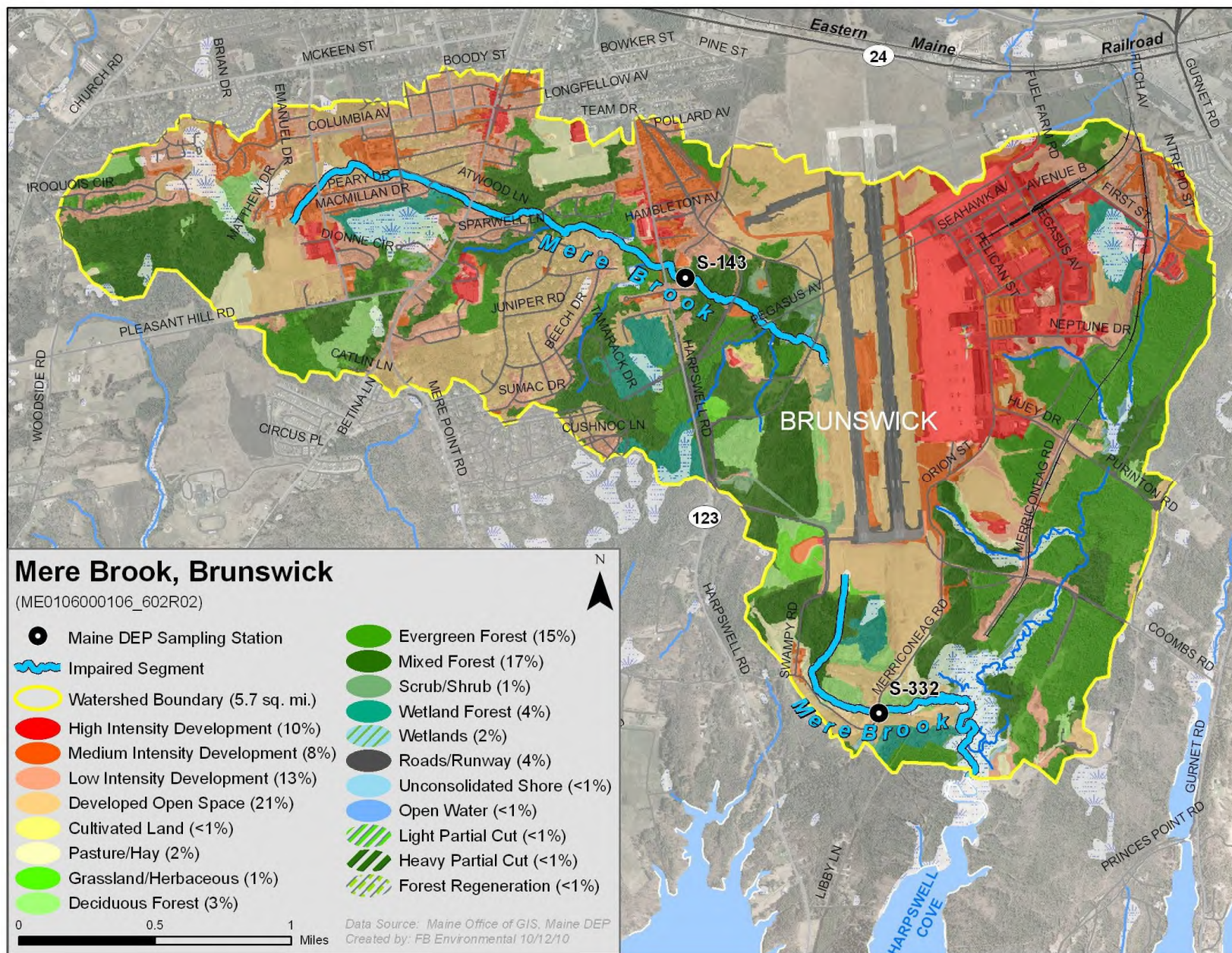


Figure 2: Map of Mere Brook watershed land cover.

### References

- Center for Watershed Protection (CWP). 2003. Impacts of Impervious Cover on Aquatic Systems. Watershed Protection Research Monograph No. 1. Center for Watershed Protection, Ellicott City, MD. 142 pp.
- Davies, Susan P. and Leonidas Tsomides. 2002. Methods for Biological Sampling and Analysis of Maine's Rivers and Streams. Maine Department of Environmental Protection. Revised August, 2002. DEP LW0387-B2002.
- Maine Department of Environmental Protection (DEP). 2010. Assessment Database Detail Report for Mere Brook. Bureau of Land and Water Quality, Augusta, ME.



October 22, 2019

Mr. Paul Burgio  
Department of Navy  
Base Realignment and Closure PMO – Northeast  
4911 South Broad Street  
Philadelphia, Pennsylvania 19112

Subject: Final Sediment Feasibility Study

Dear Paul:

I am writing on behalf of the Midcoast Regional Redevelopment Authority to express our concern with the study and remediation approach on historical contamination in the four stormwater ponds designed to handle stormwater flow and treatment of contaminants.

It is our understanding that Navy is proposing to only remediate the contaminated sediment in the four-stormwater retention and treatment ponds once and would then consider the job complete. While the entire property had been evaluated through the Environmental Impact Statement and subsequent environmental surveys (including groundwater surveys) in completing a Finding of Suitability for transfer for each of the properties that have been transferred to date (approximately 90% of the former base property), and developing its various records of decisions ROD's, there continues to be some areas of the property that are impacted by the known CERCLA regulated and other emerging contaminants (PFOS and PFOA), which are currently being evaluated by the Environmental Protection Agency and the Maine Department of Environmental Protection.

Based upon the above, as part of the proposed ROD, MRRA requests that following the proposed clean-up of the ponds, the Navy continue to monitor the stormwater systems and stormwater ponds for contaminants that are a residue of the Navy activities and take appropriate remedial action to remove the contaminant impacting public health or a natural resource.

Thank you for your consideration.

Sincerely,

  
Jeffrey K. Jordan  
Deputy Director

cc. Steve Levesque, Executive Director  
MRRA Board of Trustees  
John Eldridge, Town Manager, Town of Brunswick



Todd Bober, Dept. of the Navy, Base Realign. & Closure PMO-NE  
Mike Daly, USEPA Region#1  
Iver McLeod, MEDEP  
Finn Whiting, MEDEP  
Matt Panfil, Dir. of Planning, Town of Brunswick  
Jared Woolston, Brunswick Planning Office.  
Suzanne Johnson, RAB Co-Chair  
Jerry Reid, Commissioner Maine Dept. of Environmental Protection

September 28, 2020

Ms. Melanie Loyzim  
Acting Commissioner  
Maine Department of Environmental Protection  
17 State House Station  
Augusta, Maine 04333-0017

Subject: Picnic Pond & Brunswick Landing Stormwater Restoration

Dear Commissioner Loyzim,

Of behalf of the Midcoast Regional Redevelopment Authority (MRRA), we would like to propose a partnership with the Maine Department of Environmental Protection (MEDEP), the Town of Brunswick (Town) and other local, state and federal stakeholders in exploring the feasibility of developing a plan for the restoration of the Picnic Pond stormwater retention system and the re-engineering of the Brunswick Landing stormwater distribution system. As you are aware, there is a significant public interest in remediating all environmental contamination at the former Navy base, eliminating future runoff contamination into the Mare Brook impaired stream and Harpswell Cove and in restoring the "on-base" streams to pre-base ecological conditions.

## Background

### The Picnic Pond System

A portion of stormwater runoff from the former Naval Air Station Brunswick (now Brunswick Landing) drains into the "Picnic Pond System", which flows into Mare Brook, an Urban Impaired Stream and eventually into Harpswell Cove. This system consists of four interconnected water bodies used to channel and control stormwater drainage on the property from several natural streams (see Attachment A). The Picnic Pond dam was built in 1954, when the sewer and stormwater systems on the base were separated. In 1997, dikes were constructed to create three other impoundment ponds. The US Navy still has ownership of the Picnic Pond System and adjacent properties.

When the Navy base was operational, this system captured more than 80% of the stormwater discharged from the industrial portions of the base. Currently, captured stormwater to the system comes from the same area of the former base. However, the current runoff has been significantly reduced due to several factors, including, but not limited to less airport operations and industrial activities on the property, as well as a significant reduction in impervious surfaces. In addition, since the early 2000's, potential stormwater impacts related to new development are managed and minimized through compliance with the MEDEP stormwater program.





With that being said, the Picnic Pond System is the subject of federal actions under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), also known as the national Superfund Law, for the investigation and remediation of various contaminants resulting from discharges associated with the Navy's historical usage of the property. A Record of Decision is being prepared documenting the agreed-upon necessary remediation actions and the Navy is planning on commencing clean-up of the Picnic Ponds in 2021.

### MRRA Stormwater Collection and Distribution System

Upon closure of the Navy base in 2011, the majority of the stormwater infrastructure transferred to MRRA. Since these conveyances, and as part of its long-term capital improvement program, MRRA is in the process of upgrading all of the former Navy infrastructure it inherited, including the electric, wastewater, water, roads and stormwater systems on the former base. MRRA has expended over \$4.5 million to date in making these improvements. In 2019, MRRA completed a physical survey of the stormwater systems on the airport property and has made a number of improvements. MRRA is currently in the process of physically examining the remainder of the off-airport system that discharges into the Picnic Pond system. Similar to the other infrastructural improvements it has undertaken over the past nine years, MRRA will seek funding to make the necessary repairs.

Based upon numerous environmental assessments and studies conducted by the Navy over the years, the MRRA owned stormwater system does not appear to contain any CERCLA Contaminants of Concern. If they do appear in any area of the former base, the Navy does have the legal responsibility to take appropriate remedial actions, if those contaminants are associated with their historical activities.

### PFAS Management and Investigation

While PFAS substances are not considered CERCLA contaminants, the Navy is managing them on Brunswick Landing, as if they were. This is evidenced by the Navy's willingness to incorporate best available technologies into its existing groundwater treatment facility to treat PFAS and development of a model protocol for the handling and treatment of contaminated groundwater, when encountered during construction activities. In addition, based upon the discovery of PFAS substances in certain areas of the former base, the Navy plans to conduct a comprehensive "base wide" PFAS Remedial Investigation and evaluate the potential for transport of those substances through MRRA's stormwater distribution system.

### MARE Brook Watershed Plan

The Town of Brunswick is currently leading an effort to develop a plan for the Mare Brook Watershed. Mare Brook is an Urban Impaired Stream that begins and runs through the





developed areas of the Town of Brunswick and a portion of Brunswick Landing. MRRA actively participates in this watershed planning effort.

## Restoration Opportunity

Given the significant local public interest and extensive dialogue regarding the legacy stormwater management system associated with the former Navy base, and the strong desire to restore the ecological values of the Mare Brook Watershed to pre-base conditions, we believe there may be an opportunity to evaluate and develop a model plan that will result in the complete environmental restoration of the Picnic Pond Drainage System and re-engineering of the Brunswick Landing stormwater distribution and management systems.

To achieve this effort, MRRA proposes a partnership with the Town of Brunswick, and the Maine Departments of Environmental Protection and Inland Fisheries & Wildlife to develop and implement this restoration and re-engineering effort. Key local, state and federal stakeholders would also be invited to participate in this effort. It is envisioned that this effort would involve several phases (all of which would require funding), as follows:

1. Development of the waterway restoration plan
2. Design of re-engineered MRRA distribution system
3. Design of new land-side stormwater treatment and management facilities
4. Develop implementation strategy and action plan, including funding plan
5. Implement the program

Thank you for considering this important proposal. We believe such an effort can provide a demonstration of how we can work together in Maine to couple a significant economic development initiative with an innovative environmental remediation and restoration program (from a Navy Base to a great new place.), which could serve as a model for similar larger scale activities in the State.

Please let me know how we can proceed.

Sincerely,

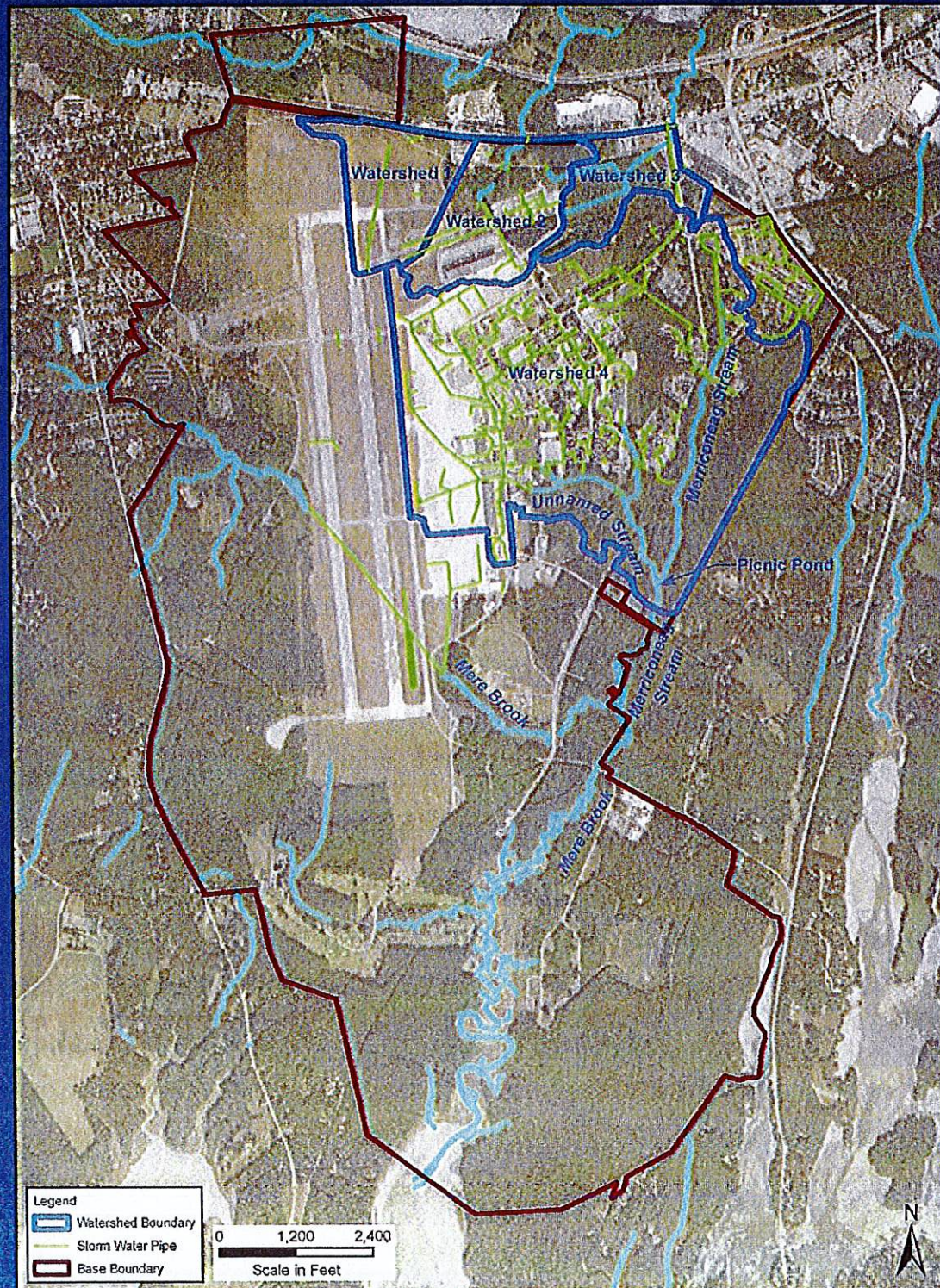
  
Steven H Levesque  
Executive Director

cc: John Eldridge, Brunswick Town Manager  
MRRA Board of Trustees





FIGURE 2-1 WATERSHED LAYOUT







Kristine Logan  
Executive Director, MRRA  
15 Terminal Rd  
Brunswick, ME 04011

February 1, 2023

Thuane Fielding  
Base Closure Manager  
Department of the Navy BRAC Program Management Office East  
203 S. Davis Drive, Bldg. 247, Joint Base Charleston, SC, 29404

Subject: Navy Covenant Agreement with MRRA

Dear Ms. Fielding,

As you are aware, the Midcoast Regional Redevelopment Authority (MRRA) has a Covenant Agreement with the Navy to pay twenty five percent (25%) of land sales and lease revenue to the Navy to cover the cost of property acquisition. Over the past year, the contamination of PFOS and PFOA in the soil and water on the Brunswick Landing, has caused development efforts to slow down and in several incidences, come to a complete halt. There are solutions to the PFAS issues that would allow development to continue, but they are costly. If MRRA had the financial resources to contribute to the required remediation efforts that arise during development, projects could continue in a safe manner. MRRA is respectfully requesting that the Navy authorize the annual Navy Covenant Agreement payment be used toward the clean-up, management, or study of PFOS and PFOA issues at Brunswick Landing.

Last year, MRRA made a payment to the Navy of \$278,082 as part of the Covenant Agreement and anticipates a payment for FY 2023 of around \$418,000. With the expectation of a slowdown in property transfers over the next several years due to the anticipated requirements of PFAS cleanup, MRRA predicts future annual payments to be around \$150,000 to \$200,000. This is likely not significant money to the Navy, but it can make a huge impact when applied to projects that are on hold because of a lack of funding to address issues that arise due to the discovery of soils or ground water containing high levels of PFOS. For instance, current improvements are underway to upgrade a sewer pump station here on the Brunswick Landing that serves over 200 customers. The project has been halted due to encountering contaminated ground water by PFOS in amounts that exceed the current capacity of the on-site filtering system. The cost to remedy the problem, and allow the project to be completed, is \$97,000. No one has those additional, unanticipated funds needed to complete the project.

As we are all aware, PFOS and PFOA are highly persistent, toxic chemicals that have contaminated soil and water in many communities. These chemicals are associated with a range of adverse health effects, including cancer, hormone disruption, developmental and reproductive problems, and immune system damage. As development continues on the Brunswick Landing, the presence of PFOS and PFOA in the soil and water creates the need for significant mitigation practices to be put into place to protect the risks to public health, particularly for those who live and work in the affected area or use the waters where contaminated water might migrate to. Having funding readily available to address issues as they arise allows MRRA to stay ahead of PFAS issues and redevelopment of the former Naval Air Station to continue.

***Impact on the Community***

The contamination of PFOS and PFOA has had a significant impact on the community as well as the local economy. Cleaning up the contamination is essential to protect public health and restore the environment, but it is also a necessary step towards revitalizing the local economy and improving the quality of life for residents.

Re-directing funds from MRRA's payments to the Navy would allow the organization to address the critical issue of PFOS and PFOA contamination. Ceasing these payments would provide MRRA with the necessary funds to invest in cleanup of the soil and water, mitigation efforts needed to continue projects, and to begin the process of restoring the environment and protecting public health. As a result, MRRA would be able to make a meaningful impact on the community and demonstrate its commitment to the health and well-being of community members.

In conclusion, the contamination of PFOS and PFOA in the soil and water presents a serious threat to public health and the environment. MRRA is requesting that the Navy authorize the cessation of payments to the Navy under the Navy Covenant Agreement and allow MRRA to redirect these funds towards the clean-up of PFOS and PFOA. This is a necessary step towards protecting public health, revitalizing the local economy, and improving the quality of life for residents. By addressing this critical issue, MRRA and the Navy, can demonstrate its commitment to the community and work towards a more effective cleanup process and continued future development for all of Brunswick Landing.

Sincerely,

*Kristine Logan*

Kristine Logan  
Executive Director