STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

JOHN ELIAS BALDACCI
GOVERNOR

DAVID P. LITTELL
COMMISSIONER

June 5, 2006

Mr. Donald Strout
Bath Iron Works
700 Washington Street
Bath, Maine 04530

RE: Maine Pollutant Discharge Elimination System (MEPDES) Permit #ME0001732
Maine Waste Discharge License (WDL) Application #W000671-5R-G-R
FINAL MEPDES Permit

Dear Mr. Strout:

Enclosed, please find a copy of your **final** MEPDES permit and Maine WDL which was approved by the Department of Environmental Protection. This permit/license for your facility replaces National Pollutant Discharge Elimination System (NPDES) permit #ME0001732 issued by the U.S. Environmental Protection Agency on June 8, 1992. Please read the permit/license and its attached conditions carefully. You must follow the conditions in the order to satisfy the requirements of law. Any discharge not receiving adequate treatment is in violation of State law and is subject to enforcement action.

Any interested person aggrieved by a Department determination made pursuant to applicable regulations, may appeal the decision following the procedures described in the attached DEP FACT SHEET entitled "*Appealing a Commissioner's Licensing Decision.*"

If you have any questions regarding the matter, please feel free to call me at 287-7659.

Sincerely,

Bill Hinkel
Division of Water Quality Management
Bureau of Land and Water Quality

Enc.
cc: Stuart Rose, DEP
[redacted]
File 671

AUGUSTA
17 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0017
(207) 287-7688 FAX: (207) 287-7826
RAY BLDG., HOSPITAL ST.

BANGOR
106 HOGAN ROAD
BANGOR, MAINE 04401
(207) 941-4570 FAX: (207) 941-4584

PORTLAND
312 CANCO ROAD
PORTLAND, MAINE 04103
(207) 822-6300 FAX: (207) 822-6303

PRESQUE ISLE
1235 CENTRAL DRIVE, SKYWAY PARK
PRESQUE ISLE, MAINE 04769-2094
(207) 764-0477 FAX: (207) 760-3143

web site: www.maine.gov/dep

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STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION
STATE HOUSE STATION 17 AUGUSTA, MAINE 04333

DEPARTMENT ORDER

IN THE MATTER OF

BATH IRON WORKS	) MAINE POLLUTANT DISCHARGE
COOLING WATER, SHIP BALLAST WATER,	) ELIMINATION SYSTEM PERMIT
AND WASTE SNOW DUMP	)
BATH, SAGADAHOC COUNTY	) AND
#ME0001732	) WASTE DISCHARGE LICENSE
#W000671-5R-G-R **APPROVAL**	) **RENEWAL**

Pursuant to the provisions of the Federal Water Pollution Control Act, Title 33 USC, §1251, *et seq.*, and Maine law, 38 M.R.S.A., §414-A *et seq.*, and applicable regulations, the Department of Environmental Protection (Department) has considered the application of BATH IRON WORKS (BIW), with its supportive data, agency review comments, and other related materials on file and FINDS THE FOLLOWING FACTS:

APPLICATION SUMMARY

Bath Iron Works (BIW) has applied to the Department for renewal of Waste Discharge License (WDL) #W000671-5R-F-R issued on December 8, 2000 and two subsequent administrative modifications thereof issued on July 22, 2002 and March 25, 2004. The 12/8/00 WDL authorized the discharge of non-contact cooling water, treated ship ballast water, storm water, high pressure wash water, blast water, and launch way wash down water from five outfall points to the Kennebec River, Class SB, in Bath, Maine. The 12/8/00 WDL expired on December 8, 2005. In this permitting action the applicant seeks to 1) eliminate authorization to discharge via Outfall #002A, as BIW has eliminated the sources of wastewater previously conveyed to this outfall; 2) eliminate authorization to discharge storm water via Outfall #008A, as BIW has obtained authorization for this discharge under the Department's *Multi-Sector General Permit Maine Pollutant Discharge Elimination System Stormwater Discharge Associated with Industrial Activity*; 3) increase the monthly average discharge flow limit for Outfall #007A to allow safe operation of the cooling system that generates wastewater conveyed to this outfall; and 4) include authorization to discharge waste snow from the facility which was previously authorized by WDL #W007958-5V-G-R.

On January 12, 2001, the Department received authorization from the U.S. Environmental Protection Agency (USEPA) to administer the National Pollutant Discharge Elimination System (NPDES) permit program in Maine, excluding areas of special interest to Maine Indian Tribes. From that point forward, the program has been referred to as the Maine Pollutant Discharge Elimination System (MEPDES) permit program, and permit #ME0001732 (same as NPDES permit number) will be utilized as the primary reference number for this facility.

PERMIT SUMMARY

This permitting action is similar to the12/8/00 licensing action and two subsequent administrative modifications in that it is:

1. Carrying forward the numeric discharge flow limits for Outfalls #005A and #006A,

2. Carrying forward the daily maximum temperature limit of 130 degrees Fahrenheit for Outfalls #005A and #007A;

3. Carrying forward the daily maximum concentration limit of 60 µg/L for polynuclear aromatic hydrocarbons (PAHs) and the requirement to report the sum of all PAHs for Outfall #006A;

4. Carrying forward the pH range limitation of 6.0 to 8.5 standard units for Outfalls #005A, #006A, and #007A; and

5. Carrying forward the minimum monitoring frequency requirement for discharge flow for Outfalls #005A, #006A, and #007A.

This permitting action is different from the12/8/00 licensing action and two subsequent administrative modifications in that it is:

1. Eliminating authorization to discharge via Outfall #002A at the request of the permittee based on changes at the facility;

2. Eliminating all effluent limitations and monitoring requirements for Outfall #008A (storm water discharge) as the facility has obtained coverage for this discharge under the Department's *Multi-Sector General Permit Maine Pollutant Discharge Elimination System Stormwater Discharge Associated with Industrial Activity*;

3. Eliminating all monitoring requirements for Outfall #008B, as this waste stream is conveyed to and monitored by the City of Bath Water Pollution Control Facility and BIW;

4. Authorizing the facility to discharge an unspecified quantity of waste snow, which was previously authorized by WDL #W007958-5V-G-R;

5. Revising the oil and grease effluent limitation of 15 mg/L from a monthly average to a daily maximum limitation for Outfall #006A consistent with the limits established in MEPDES permits for discharges of storm water runoff from other industrial facilities;

6. Revising (increasing) the monthly average discharge flow limit from 13,400 gallons per day (GPD) to 45,000 GPD for Outfall #007A based on new information regarding use of the cooling system that generates non-contact cooling water conveyed to this outfall;

PERMIT SUMMARY (cont'd)

7. Revising the numeric, daily maximum discharge flow limit of 30,000 GPD to a report only requirement for Outfall #007A based on new information regarding use of the cooling system that generates non-contact cooling water conveyed to this outfall;

8. Establishing a minimum monitoring frequency requirement of once per calendar quarter for the daily maximum temperature and pH range limitations applicable to Outfalls #005A and #007A based on a Department best professional judgment determination of the minimum level of monitoring necessary to assess compliance with the effluent limitations established in this permit; and

9. Establishing a minimum monitoring frequency requirement of once per discharge event for pH for Outfall #006A based on a Department best professional judgment determination of the minimum level of monitoring necessary to assess compliance with the effluent limitations established in this permit.

CONCLUSIONS

BASED on the findings in the attached Fact Sheet, dated June 2, 2006, and subject to the Conditions listed below, the Department makes the following conclusions:

1. The discharge, either by itself or in combination with other discharges, will not lower the quality of any classified body of water below such classification.

2. The discharge, either by itself or in combination with other discharges, will not lower the quality of any unclassified body of water below the classification which the Department expects to adopt in accordance with state law.

3. The provisions of the State's antidegradation policy, 38 M.R.S.A. §464(4)(F), will be met, in that:

   (a) Existing in-stream water uses and the level of water quality necessary to protect and maintain those existing uses will be maintained and protected;

   (b) Where high quality waters of the State constitute an outstanding national resource, that water quality will be maintained and protected;

   (c) The standards of classification of the receiving water body are met or, where the standards of classification of the receiving water body are not met, the discharge will not cause or contribute to the failure of the water body to meet the standards of classification;

   (d) Where the actual quality of any classified receiving water body exceeds the minimum standards of the next highest classification that higher water quality will be maintained and protected; and

   (e) Where a discharge will result in lowering the existing water quality of any water body, the Department has made the finding, following opportunity for public participation, that this action is necessary to achieve important economic or social benefits to the State.

4. The discharges will be subject to effluent limitations that require application of best practicable treatment as defined in Maine law, 38 M.R.S.A. §414-A(1)(D).

5. No practicable upland alternative location(s) exists for the disposal of waste snow collected from the BIW industrial site.

6. The discharge will not have a significant impact on navigation.

7. BIW shall restrict the use of sand or sand-salt mixtures in those areas treated for snow removal and from which the snow will be collected for disposal in the Kennebec River.

8. BIW shall employ best management practices to minimize contamination of waste snow by litter.

9. BIW shall not discharge waste snow that is contaminated with oil, chemicals, hazardous wastes or substances, or solid waste (other than incidental street litter) such that the discharge violates Conditions 1 through 3 of this section.

ACTION

THEREFORE, the Department APPROVES the above noted application of the BATH IRON WORKS to discharge non-contact cooling water and treated ship ballast water from three outfall points, intermittent discharges from 18 of other point sources, and waste snow to the Kennebec River, Class SB, in Bath, Maine, SUBJECT TO THE ATTACHED CONDITIONS, and all applicable standards and regulations including:

1. "Maine Pollutant Discharge Elimination System Permit Standard Conditions Applicable To All Permits," revised July 1, 2002, copy attached.

2. The attached Special Conditions, including any effluent limitations and monitoring requirements.

3. The expiration date of this permit is five (5) years from the date of signature below.

DONE AND DATED AT AUGUSTA, MAINE, THIS 6TH DAY OF JUNE, 2006.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: _____ for
DAVID P. LITTELL, Commissioner

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application: November 28, 2005
Date of application acceptance: December 6, 2005

FILED
JUN - 7 2006
BOARD OF ENVIRONMENTAL PROT.
STATE OF MAINE

Date filed with Board of Environmental Protection: _____.

This Order prepared by William F. Hinkel, BUREAU OF LAND & WATER QUALITY
#ME0001732 / #W000671-5R-G-R June 2, 2006

SPECIAL CONDITIONS

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. During the period beginning the effective date of this permit and lasting through permit expiration, the permittee is authorized to discharge **non-contact cooling water** from **Outfall #005A** to the Kennebec River. Such discharges shall be limited and monitored by the permittee as specified below[1]:

Effluent Characteristic	Discharge Limitations		Minimum Monitoring Requirements	
	Monthly Average as specified	**Daily Maximum** as specified	**Measurement Frequency** as specified	**Sample Type** as specified
Flow *[50050]*	132,000 GPD *[07]*	650,000 GPD *[07]*	1/Quarter *[01/90]*	Meter *[MT]*
Temperature *[00011]*	---	130° F *[15]*	1/Quarter *[01/90]*	Grab *[GR]*
pH *[00400]*	---	6.0 – 8.5 SU *[12]*	1/Quarter *[01/90]*	Grab *[GR]*

2. During the period beginning the effective date of this permit and lasting through permit expiration, the permittee is authorized to discharge **treated ship ballast water** from **Outfall #006A** to the Kennebec River. Such discharges shall be limited and monitored by the permittee as specified below[1]:

Effluent Characteristic	Discharge Limitations	Minimum Monitoring Requirements	
	Daily Maximum as specified	**Measurement Frequency** as specified	**Sample Type** as specified
Flow *[50050]*	800,000 Gallons[2] *[57]*	1/Discharge[3] *[01/DS]*	Calculate *[CA]*
Oil and Grease *[00552]*	15 mg/L *[19]*	1/Discharge[3] *[01/DS]*	Grab *[GR]*
Polynuclear Aromatic Hydrocarbons (PAHs) Single Compound[4] *[38528]*	60 µg/L *[28]*	1/Discharge[3] *[01/DS]*	Grab *[GR]*
Sum of All PAHs[4]	Report µg/L *[28]*	1/Discharge[3] *[01/DS]*	Grab *[GR]*
pH *[00400]*	6.0 – 8.5 SU *[12]*	1/Discharge[3] *[01/DS]*	Grab *[GR]*

The italicized numeric values bracketed in the table and in subsequent text are code numbers that Department personnel utilize to code the monthly Discharge Monitoring Reports.

FOOTNOTES: **See Page 9 of this permit for applicable footnotes.**

SPECIAL CONDITIONS

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

3. During the period beginning the effective date of this permit and lasting through permit expiration, the permittee is authorized to discharge **non-contact cooling water** from **Outfall #007A** to the Kennebec River. Such discharges shall be limited and monitored by the permittee as specified below[(1)]:

Effluent Characteristic	Discharge Limitations		Minimum Monitoring Requirements	
	Monthly Average	**Daily Maximum**	**Measurement Frequency**	**Sample Type**
	as specified	**as specified**	**as specified**	**as specified**
Flow *[50050]*	45,000 GPD *[07]*	Report GPD *[07]*	1/Quarter *[01/90]*	Meter *[MT]*
Temperature *[00011]*	---	130° F *[15]*	1/Quarter *[01/90]*	Grab *[GR]*
pH *[00400]*	---	6.0 – 8.5 SU *[12]*	1/Quarter *[01/90]*	Grab *[GR]*

The italicized numeric values bracketed in the table and in subsequent text are code numbers that Department personnel utilize to code the monthly Discharge Monitoring Reports.

FOOTNOTES: See Page 9 of this permit for applicable footnotes.

SPECIAL CONDITIONS

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

4. During the period beginning the effective date of this permit and lasting through permit expiration, the permittee is authorized to discharge the **18 intermittent sources of wastewater** described in the table below to the Kennebec River.

Type of Waste Water	Approximate Volume
Non-contact cooling water (Kennebec River source) used to cool lube oil service in the gas turbine generators	3.24 million gallons (MG) discharged over a 10-12 month period
Non-contact cooling river water for air conditioning, spy arrays, and computers	5.75 MG per ship evolution
River/seawater from clean ballast tanks per ship	1 MG per ship evolution
Municipal water per ship to flex test sonar domes prior to installation and following each sea trial	175,000 gallons per ship evolution
Municipal water per ship for hydrostatic testing of shipboard piping systems	450 gallons per day (GPD)
Municipal water per ship for tank hydrostatic testing on the LLTF construction ways	500,000 gallons per year (MGY)
Steam condensate from steam heaters throughout the shipyard and aboard ships from November to April	11.3 MGY
Municipal water from piping bleeder valves to prevent winter freezing in uninsulated buildings and hoses supplying water to ships	29.5 MGY
Municipal water used to cool flame straightening processes in buildings, on the ways and platens and aboard ships	1,500 GPD
Hull wash down water per ship to clean the superstructure following sea trials	10,000 GPY
Dry dock and ship blocking wash water after docking and undocking ships to remove sediments	Variable; 200 gallons per minute (GPM) through hose when in use
Ballast and deballast river water	110 MG per dry dock evolution cycle
Low pressure wash water (<1,000 psi) to remove accumulated chlorides from ships following sea trials and prior to painting	Variable; 5-6 GPM when in use
High pressure wash water (1,000-5,000 psi) to remove marine growth from ships	Variable; 5-10 GPM when in use
High pressure wash water (5,000-10,000 psi) to remove the leachate paint layer from ships	Variable; 10-25 GPM when in use
High pressure wash water (10,000-25,000 psi) to remove old paint from ships	Variable; 5-15 GPM when in use
Ultra high pressure wash water (>25,000 psi) to remove old paint from ships	Variable; 5-15 GPM when in use
Municipal water used to supply ship board fan coil cooling unit to circulate cool air into the space during unusually hot weather	9,500 GPD

SPECIAL CONDITIONS

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

FOOTNOTES:

1. **Monitoring** – All effluent monitoring shall be conducted at a location following the last treatment unit in the treatment process as to be representative of end-of-pipe effluent characteristics. Sampling and analysis must be conducted in accordance with: a) methods approved by 40 Code of Federal Regulations (CFR) Part 136; b) alternative methods approved by the Department in accordance with the procedures in 40 CFR Part 136; or c) as otherwise specified by the Department. Samples that are sent out for analysis shall be analyzed by a laboratory certified by the State of Maine's Department of Health and Human Services.

2. **Treated Ship Ballast Water Discharge Flow Limit** – The permittee is authorized to discharge a maximum of 800,000 gallons of treated ship ballast water per ship per day at a maximum rate of 500 gallons per minute from Outfall #006A.

3. **Treated Ship Ballast Water Discharge Measurement Frequency** – The permittee shall monitor the discharge for the parameters specified in Special Condition A.3. at a minimum frequency of once per discharge event per ship and report the highest value for each month in the "Daily Maximum Flow" cell on the monthly Discharge Monitoring Report (DMR).

4. **PAHs** – The permittee shall analyze PAHs in accordance with 40 CFR Part 136, Appendix A, Method 625. The highest single PAH value of the PAHs listed below shall be reported in the "Daily Maximum Concentration" cell on the monthly DMR. The permittee shall report the sum of all PAHs on a separate piece of paper attached to the DMR.

Acenaphthylene	Acenaphthene	Anthracene
Benzo(B)Fluoranthene	Benzo(K)Fluorantene	Benzo(A)Pyrene
Crysene	Fluoranthene	Fluorene
Indeno(1,2,3-cd)Pyrene	Phenanthrene	Pyrene
Benzo(ghi)perylene	Benzo(A)Anthracene	Dibenzo(A,H)Anthracene
Napthalene	---	---

B. NARRATIVE EFFLUENT LIMITATIONS

1. The effluent shall not contain a visible oil sheen, foam or floating solids at any time which would impair the usages designated by the classification of the receiving waters.

2. The effluent shall not contain materials in concentrations or combinations which are hazardous or toxic to aquatic life, or which would impair the usages designated by the classification of the receiving waters.

3. The discharges shall not cause visible discoloration or turbidity in the receiving waters which would impair the usages designated by the classification of the receiving waters.

4. Notwithstanding specific conditions of this permit the effluent must not lower the quality of any classified body of water below such classification, or lower the existing quality of any body of water if the existing quality is higher than the classification.

SPECIAL CONDITIONS

C. CONDITIONS FOR THE DISCHARGE OF WASTE SNOW

1. Only snow which is removed from areas where the use of sand or sand/salt mixtures is restricted may be discharged. All waste snow collected for disposal via discharge must be removed from the collection area within 72 hours following the end of a snow event.

2. The permittee shall conduct periodic litter removal of the areas from which waste snow will be discharged.

3. The discharge of snow shall only occur at a site approved by the Department.

4. The discharge of snow shall not cause impoundment of the receiving waters or alter its flow and snow shall not be allowed to accumulate on inter-tidal areas or wetlands.

5. Snow, which is contaminated with oil, chemicals, hazardous wastes or substances, or solid waste (other than incidental street litter) shall not be discharged.

D. MONITORING AND REPORTING

Monitoring results obtained during the previous calendar quarter shall be summarized for each calendar quarter and reported on separate Discharge Monitoring Report (DMR) forms provided by the Department and **postmarked on or before the thirteenth (13th) day of the month or hand-delivered to the Department's Regional Office** such that the DMR's are received by the Department on or before the fifteenth (15th) day of the month following the completed reporting period. A signed copy of the DMR and all other reports required herein shall be submitted to the facility inspector (unless otherwise specified by the Department) at following address:

Department of Environmental Protection
Southern Maine Regional Office
Bureau of Land and Water Quality
Division of Water Quality Management
312 Canco Road
Portland, ME 04103

E. NOTIFICATION REQUIREMENT

In accordance with Standard Condition D, the permittee shall notify the Department of any substantial change (increase or decrease) in the volume or character of pollutants being introduced into the wastewater collection and treatment system. For the purposes of this section, notice regarding substantial change shall include information on:

1. the quality and quantity of wastewater introduced to the wastewater collection and treatment system; and

2. any anticipated impact caused by the change in the quantity or quality of the wastewater to be discharged from the treatment system.

ECIAL CONDITIONS

F. UNAUTHORIZED DISCHARGES

The permittee is authorized to discharge only in accordance with the terms and conditions of this permit and only from Outfall #005A, #006A, #007A, the 18 intermittent discharges identified in Special Condition A.4. of this permit, and waste snow from pier-side areas indicated on Attachment A of this permit. Discharges of wastewater from any other point source that are not authorized under this or another State permit are prohibited and shall be reported in accordance with Standard Condition B(5), *Bypasses,* of this permit.

G. BEST MANAGEMENT PRACTICES PLAN FOR SHIP WASHING/BLASTING

On or before December 31, 2006, the permittee shall submit to the Department, for review and comment, a best management practices plan for ship washing and blasting activities performed at the facility ***[PCS Code 05899]***. The plan shall address containment of particulates and dust generated by blasting or washing activities, cleaning of the work area, disposal of spent grit and residue, and any treatment provided.

H. REOPENING OF PERMIT FOR MODIFICATIONS

Upon evaluation of the tests results or monitoring requirements specified in Special Conditions of this permitting action, new site specific information, or any other pertinent test results or information obtained during the term of this permit, the Department may, at anytime and with notice to the permittee, modify this permit to: (1) include effluent limits necessary to control specific pollutants or whole effluent toxicity where there is a reasonable potential that the effluent may cause water quality criteria to be exceeded; (2) require additional effluent or ambient water quality monitoring if results on file are inconclusive; or (3) change monitoring requirements or limitations based on new information.

I. SEVERABILITY

In the event that any provision, or part thereof, of this permit is declared to be unlawful by a reviewing court, the remainder of the permit shall remain in full force and effect, and shall be construed and enforced in all respects as if such unlawful provision, or part thereof, had been omitted, unless otherwise ordered by the court.

ATTACHMENT A

MAINE POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT
AND
WASTE DISCHARGE LICENSE

FACT SHEET

DATE: **JUNE 2, 2006**

MEPDES PERMIT: **#ME0001732**
WASTE DISCHARGE LICENSE: **#W000671-5R-G-R**

NAME AND ADDRESS OF APPLICANT:

BATH IRON WORKS
700 WASHINGTON STREET
BATH, ME 04530

COUNTY: **SAGADAHOC**

NAME AND ADDRESS WHERE DISCHARGE OCCURS:

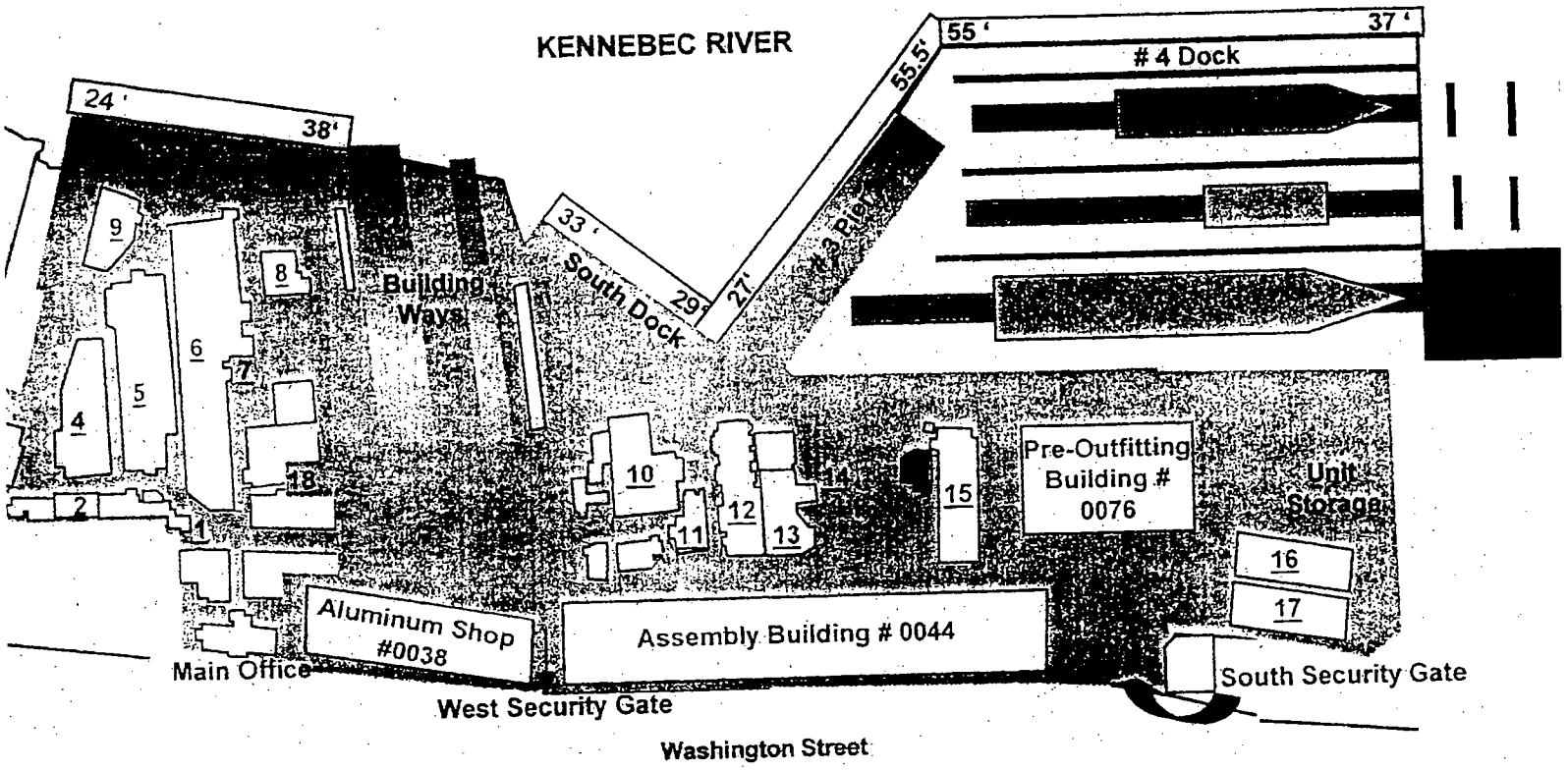
BATH IRON WORKS
700 WASHINGTON STREET
BATH, ME 04530

RECEIVING WATER / CLASSIFICATION: **KENNEBEC RIVER/CLASS SB**

COGNIZANT OFFICIAL AND TELEPHONE NUMBER: **MR. DONALD STROUT**
(207) 442-3648

1. APPLICTION SUMMARY

Application: Bath Iron Works (BIW) has applied to the Department of Environmental Protection (Department) for renewal of Waste Discharge License (WDL) #W000671-5R-G-R issued on December 8, 2000 and two subsequent administrative modifications thereof issued on July 22, 2002 and March 25, 2004. The 12/8/00 WDL authorized the discharge of non-contact cooling water, treated ship ballast water, storm water, high pressure wash water, blast water, and launch way wash down water from five outfall points to the Kennebec River, Class SB, in Bath, Maine. The 12/8/00 WDL expired on December 8, 2005. In this permitting action the applicant seeks to 1) eliminate authorization to discharge via Outfall #002A, as BIW has eliminated the sources of wastewater previously conveyed to this outfall; 2) eliminate authorization to discharge storm water via Outfall #008A, as BIW has obtained authorization for this discharge under the Department's *Multi-Sector General Permit Maine Pollutant Discharge Elimination System Stormwater Discharge Associated with Industrial Activity*; 3) increase the monthly average discharge flow limit for Outfall #007A to allow safe operation of the cooling system that generates wastewater conveyed to this outfall; and 4) include authorization to discharge waste snow from the facility which was previously authorized by WDL #W007958-5V-G-R.



rance
curity Gate
nce Gargae
ice # 0028
nce Shop #0016
Shop #0014

7.) Main Boiler room #0015
8.) North electric Shop #0018B
9.) North Assembly #0026
10.) Pipe Shop # 0029
11.) Paint and Blast #0046
12.) Paint and Blast # 0022 A/B

13.) Carpenter Shop # 0060
14.) Compressor room # 0045
15.) Hyde South Assembly #0068
16.) Paint Storage # 0621
17.) Receiving / Distribution #0075
18 Outside Machinist Shop #0018 A/C

→ 24 ' 38 ' Indicates proposed snow dumping locations w / depths at (MLW) mean l

[redacted]

2. PERMIT SUMMARY

a. Regulatory: On January 12, 2001, the Department received authorization from the U.S. Environmental Protection Agency (USEPA) to administer the National Pollutant Discharge Elimination System (NPDES) permit program in Maine, excluding areas of special interest to Maine Indian Tribes. On October 30, 2003, after consultation with the U.S. Department of Justice, the USEPA extended Maine's NPDES program delegation to all but tribally owned lands. In those areas, the Department maintains the authority to issue WDLs pursuant to Maine law. The extent of Maine's delegated authority is under appeal at the time of this permitting action. From this point forward, the program will be referred to as the Maine Pollutant Discharge Elimination System (MEPDES) program and permit #ME0001732 (same as previous NPDES individual permit number) will be utilized as the primary reference number for Bath Iron Works's MEPDES permit. NPDES permit #ME0001732, last issued by the USEPA on June 8, 1992, will be replaced by the final MEPDES permit upon issuance. Once the MEPDES permit has been issued, all terms and conditions of the NPDES become null and void.

b. Terms and Conditions: **This permitting action is similar to the12/8/00 licensing action and two subsequent administrative modifications in that it is:**

1. Carrying forward the numeric discharge flow limits for Outfalls #005A and #006A,

2. Carrying forward the daily maximum temperature limit of 130 degrees Fahrenheit for Outfalls #005A and #007A;

3. Carrying forward the daily maximum concentration limit of 60 µg/L for polynuclear aromatic hydrocarbons (PAHs) and the requirement to report the sum of all PAHs for Outfall #006A;

4. Carrying forward the pH range limitation of 6.0 to 8.5 standard units for Outfalls #005A, #006A, and #007A; and

5. Carrying forward the minimum monitoring frequency requirement for discharge flow for Outfalls #005A, #006A, and #007A.

This permitting action is different from the12/8/00 licensing action and two subsequent administrative modifications in that it is:

1. Eliminating authorization to discharge via Outfall #002A at the request of the permittee based on changes at the facility;

2. Eliminating all effluent limitations and monitoring requirements for Outfall #008A (storm water discharge) as the facility has obtained coverage for this discharge under the Department's *Multi-Sector General Permit Maine Pollutant Discharge Elimination System Stormwater Discharge Associated with Industrial Activity*;

3. Eliminating all monitoring requirements for Outfall #008B, as this waste stream is conveyed to and monitored by the City of Bath Water Pollution Control Facility;

2. PERMIT SUMMARY (cont'd)

4. Authorizing the facility to discharge an unspecified quantity of waste snow, which was previously authorized by WDL #W007958-5V-G-R;

5. Revising the oil and grease effluent limitation of 15 mg/L from a monthly average to a daily maximum limitation for Outfall #006A consistent with the limits established in MEPDES permits for discharges of storm water runoff from other industrial facilities;

6. Revising (increasing) the monthly average discharge flow limit from 13,400 gallons per day (GPD) to 45,000 GPD for Outfall #007A based on new information regarding use of the cooling system that generates non-contact cooling water conveyed to this outfall;

7. Revising the numeric, daily maximum discharge flow limit of 30,000 GPD to a report only requirement for Outfall #007A based on new information regarding use of the cooling system that generates non-contact cooling water conveyed to this outfall;

8. Establishing a minimum monitoring frequency requirement of once per calendar quarter for the daily maximum temperature and pH range limitations applicable to Outfalls #005A and #007A based on a Department best professional judgment determination of the minimum level of monitoring necessary to assess compliance with the effluent limitations established in this permit; and

9. Establishing a minimum monitoring frequency requirement of once per discharge event for pH for Outfall #006A based on a Department best professional judgment determination of the minimum level of monitoring necessary to assess compliance with the effluent limitations established in this permit.

c. Facility History: This section provides a summary of significant licensing/permitting actions and milestones that have been completed for the BIW facility.

December 8, 2000 – The Department issued WDL #W000671-5R-F-R to BIW for the discharge of non-contact cooling water, treated ship ballast water, storm water, high pressure wash water, and blast water to the Sagadahoc River in Bath, Maine. The 12/8/00 WDL superseded WDL #W000671-57-E-R issued on September 24, 1992, WDL Amendment #W000671-57-C-A issued on November 14, 1989, WDL #W000671-42-B-R issued on December 3, 1985, and WDL Amendment #W000671-42-A-A (earliest Order on file with the Department).

April 27, 2001 – The Department issued WDL #W007958-5V-G-R / MEPDES Permit #MEU507958 to BIW for the discharge of waste snow generated at the industrial site to the Kennebec River.

2. PERMIT SUMMARY (cont'd)

December 17, 2001 – The Department issued a letter to BIW thereby administratively modifying the 4/27/01 MEPDES permit by authorizing the use of the south end storage site as an approved snow discharge point and by changing the MEPDES permit number from #MEU507958 to #ME0036315.

July 22, 2002 – The Department issued a letter to BIW thereby administratively modifying the 12/8/00 WDL by authorizing the intermittent discharge of up to 48,000 gallons per day of wastewater generated by launch way wash down activities to the Kennebec River.

March 25, 2004 – The Department issued a letter to BIW thereby administratively modifying the 12/8/00 WDL to increase the discharge flow limitation for Outfall #007A to a monthly average of 13,400 GPD and a daily maximum of 30,000 GPD.

April 2005 – BIW revised its existing Spill Prevention Control and Countermeasures Plan.

September 2005 – BIW revised its Storm Water Pollution Prevention Plan (SWPPP).

October 27, 2005 – The Department accepted BIW's Notice of Intent (NOI) to Comply with Maine Multi-Sector General Permit for Storm Water Discharges Associated with Industrial Activity. The NOI was assigned number MER05B212 by the Department.

November 28, 2005 – Bath Iron Works submitted a General Application to the Department for renewal of WDL #W000671-5R-F-R. The application was accepted for processing on December 6, 2005 and was assigned WDL #W000671-5R-G-R / MEPDES permit #ME0001732.

March 24, 2006 – BIW submitted Department Form DEPLW0249, *Supplemental Information For Snow Dumps*, to the Department thereby amending it's 12/6/05 application, for approval to discharge waste snow from the BIW facility in Bath to the Kennebec River.

d. Source Description: Bath Iron Works, a General Dynamics Company (Falls Church, VA), is a designer and builder of United States Naval ships and is located along the Kennebec River in Bath, Maine. A map created by the Department showing the location of the BIW facility and receiving water is included as Fact Sheet Attachment A. An aerial photograph of the BIW facility entitled, *Key to Main Plant Facilities,* and furnished by BIW, is included as Fact Sheet Attachment B. The sources of wastewater generated by the facility are summarized in the following table.

Outfall No.	Description	Volume
#005A	Noncontact cooling (municipal) water from building #0045 XLE compressors and breath air compressor.	650,000 gpd maximum 132,000 gpd average
#006A	Treated ship ballast (river/sea) water discharged at 500 gallons per minute maximum rate, occurring before and after dry docking ships.	800,000 gpd maximum per ship
#007A	Noncontact cooling (municipal) water from air compressors at paint and blast facility (humidity, slave cooler, trim cooler).	45,000 gpd average

2. PERMIT SUMMARY (cont'd)

BIW proposes to eliminate authorization to discharge via Outfall #002A. BIW identified in its renewal application that the air compressors associated with the non-contact cooling water discharge previously licensed have been taken out of commission due to the inefficiency of transferring compressed air from the compressor's location in Building #015 on the north end of the facility to the pneumatic devices used at the south end of the facility. thus the discharge has been eliminated. Therefore, this permitting action is eliminating authorization to discharge via Outfall #002A and has changed the status of Outfall #002A to "inactive" for purposes of compliance and data management.

BIW has obtained approval under the Department's *Multi-Sector General Permit Maine Pollutant Discharge Elimination System Stormwater Discharge Associated with Industrial Activity* for the discharge of storm water from Outfall #008A, which was authorized in the previous licensing action. Therefore, this permitting action is eliminating authorization to discharge via Outfall #008A.

The source of wastewater conveyed to **Outfall #005A** is non-contact cooling water from air compressors located in Building #045 XLF/Compressor Room (BIW reference). Based on information contained in BIW's application, the discharge occurs only when the closed loop heat exchange cooling system cannot maintain safe operating temperature for the air compressors. This occurs during high production use of compressors or when ambient air temperatures are high. Flow-through make-up cooling water (municipal water) is then required to re-establish safe operating temperatures of the air compressors.

The source of wastewater conveyed to **Outfall #006A** is treated ship ballast water. Ballast water is taken onto a ship at sea to compensate for spent fuel. The treatment process involves discharging the ballast tank contents through two fractionating tanks and an activated carbon filter to remove fuel product prior to discharge overboard. This process had previously been performed at BIW's Portland facility, but was relocated to the Bath facility upon completion of construction of the Land Level Transfer Facility (LLTF) in calendar year 2001.

The source of wastewater conveyed to **Outfall #007A** is non-contact cooling water from air compressors located in the Blast 3 Compressor Room (BIW reference). This is a closed loop heat exchange cooling system as described for Outfall #005A above.

BIW has **18 intermittent discharges** associated with the facility and ships. The volumes of the intermittent discharges vary greatly depending upon the number of ships located at the facility at any given time and the potentially varying stages of construction of those ships. The intermittent discharges are as documented below:

1. 3.24 million gallons (MG) of non-contact cooling water (Kennebec River source) per ship discharged over a 10 to 12 month period. Used to cool lube oil service in the gas turbine generators.

2. 5.75 million gallons per day (MGD) maximum per ship evolution of non-contact cooling river water for air conditioning, spy arrays, and computers.

2. PERMIT SUMMARY (cont'd)

3. Over 1 MG of river/seawater per ship evolution from clean ballast tanks per ship.

4. 175,000 gallons of municipal water per ship evolution to flex test sonar domes prior to installation and following each sea trial.

5. 450 GPD of municipal water per ship evolution for hydrostatic testing of shipboard piping systems.

6. 500,000 GPY of municipal water per ship evolution for tank hydrostatic testing on the LLTF construction ways. The water is discharged onto the concrete and directed to storm drains and through the Vortech oil and grit traps.

7. 11.3 million gallons per year (MGY) of steam condensate from steam heaters throughout the shipyard and aboard ships from November to April.

8. 29.5 MGY municipal water from piping bleeder valves to prevent winter freezing in uninsulated buildings and hoses supplying water to ships.

9. 1,500 GPD of municipal water used to cool flame straightening processes in buildings, on the ways and platens and aboard ships. Water is discharged over the ground or down the sides of ships.

10. 10,000 GPY of hull wash down water per ship to clean the superstructure following sea trials.

11. Variable quantity of wastewater from for dry dock and ship blocking wash water after docking and undocking ships to remove sediments. When in use, the hose is capable of pumping at a rate of 200 gallons per minute (GPM).

12. 110 MG of ballast and deballast river water per dry docking evolution cycle.

13. Variable quantity of wastewater from for low pressure wash water (<1,000 psi) to remove accumulated chlorides from ships following sea trials and prior to painting. When in use, the flow rate is 5-6 GPM.

14. Variable quantity of wastewater from high pressure wash water (1,000-5,000 psi) to remove marine growth from ships. When in use, the flow rate is 5-10 GPM.

15. Variable quantity of wastewater from high pressure wash water (5,000-10,000 psi) to remove the leachate paint layer from ships. When in use, the flow rate is 10-25 GPM.

16. Variable quantity of wastewater from high pressure wash water (10,000-25,000 psi) to remove old paint from ships. When in use, the flow rate is 5-15 GPM.

17. Variable quantity of wastewater from ultra high pressure wash water (>25,000 psi) to remove old paint from ships. When in use, the flow rate is 5-15 GPM.

18. 9,500 GPD of municipal water used to supply ship board fan coil cooling unit to circulate cool air into the space during unusually hot weather.

2. PERMIT SUMMARY (cont'd)

The intermittent discharge listed as #18 above is a new discharge that has not been authorized prior to this permitting action. The previous licensing action acknowledged and authorized 22 intermittent discharges. One of those discharges (# 3 above) was inadvertently listed twice and BIW identified two others as no longer necessary. BIW stated that the two discharges listed as numbers 19 and 20 on the intermittent discharge list provided in the 12/8/00 WDL were associated with a construction contract for LPD ships that will not be performed. Therefore, these intermittent discharge sources have been removed from the current list.

BIW has obtained coverage under the Department's *Multi-Sector General Permit Maine Pollutant Discharge Elimination System Stormwater Discharge Associated with Industrial Activity* for the following intermittent discharges in addition to storm water runoff from the site:

1. 1.44 MGD of river water circulated through the fire main pumps;

2. 64,000 gallons per year (GPY) of drinking water tank rinse water per ship; and

3. No volume provided for LLTF shipway storm water. Flows from shipways 1-3 are diverted through oil and water separators or Vortech oil and grit traps prior to discharge overboard. Winter storm water flows for the area east of shipway 2, which is situated on pilings, bypasses these devices due to freezing potential.

This permitting action incorporates the **waste snow discharge** authorization previously authorized in a separate MEPDES permit (#ME0036315). Based on BIW's *Supplemental Information for Snow Dumps* form submitted to the Department on March 24, 2006, BIW estimates that waste snow is collected from approximately 38 acres of roadways, walkways and piers on the BIW property for discharge to various pier-side locations along the Kennebec River. The locations where waste snow may be discharged to the river is indicated on the map include as Attachment A of this permit.

Sanitary wastewater generated at the BIW facility is conveyed to the City of Bath Water Pollution Control Facility.

e. Wastewater Treatment: Treatment of the various wastewater streams identified in the Source Description above receive treatment as follows.

Non-contact Cooling Water - Outfall #005A

Non-contact cooling water from Building #0045 XLE/Air Compressor Room does not receive treatment prior to discharge. Wastewater is conveyed for discharge to the Kennebec River via a waste piping system that ultimately terminates as an 84-inch diameter discharge pipe. The receiving water level and top of the outfall pipe are approximately equal during mean low water conditions.

2. PERMIT SUMMARY (cont'd)

Treated Ship Ballast Water - Outfall #006A

Ship ballast water is treated by discharging the ballast tank contents through two fractioning tanks and an activated carbon filter to remove fuel products from the ballast water prior to discharge. This is a process to remove oily water from the ship where it is processed through a mobile unit pier side, therefore the discharges occur at various locations. The treatment unit is position dockside and the final effluent is conveyed for discharge to the Kennebec River via a 4-inch diameter outfall pipe situated above the receiving water during all water level conditions.

Non-contact Cooling Water - Outfall #007A

Non-contact cooling water from Blast 3 Air Compressor Room does not receive treatment prior to discharge. Wastewater is conveyed for discharge to the Kennebec River via a waste piping system that ultimately terminates as an 84-inch diameter discharge pipe an 84-inch diameter discharge pipe. The receiving water level and top of the outfall pipe are approximately equal during mean low water conditions.

Waste Snow Disposal

BIW stated that snow is pushed into piles and loaded into dump trucks for transportation to the south yard area on the site for disposal via overboard discharge. BIW's Storm Water Pollution Prevention Plan (SWPPP) includes facility housekeeping activities and biweekly inspections to insure facility cleanliness. BIW reports that the river bottom in front of BIW is routinely dredged to maintain necessary pier and dockside depths. River dredging is conducted in accordance with U.S. Army Corps of Engineers and Department permits. The Bath Harbormaster and United States Coast Guard have provided letters stating that snow dumping activities from BIW property do not present navigational hazards. Special Condition C of this Permit restricts the discharge of waste snow to only that snow which has been removed from areas where the use of sand or sand/salt mixtures is restricted and which has been stockpiled for a period no greater than 72 hours following the end of the snow event. BIW reports that sand, salt and calcium chloride are used at the facility. BIW also stated that snow which is visibly contaminated with trash or debris will be stored at a location within the facility that is 200 to 300 feet away from the waterfront. BIW stated that if the stockpile becomes too large for additional storage, the facility will hire a contractor to haul the waste snow to an appropriate off-site disposal area.

Ship Hull Wash Wastewater

Ships are periodically washed at the facility to remove marine growth, sea salt, blasting dust and flaking paint. When ships are in dry dock for washing, wash water is directed into two trenches that run the length of the dry dock to holding tanks. The trenches provide initial settling of solids. The trenches are periodically inspected for sediment accumulation and cleaned as deemed necessary (restricted flow, etc.). Water is conveyed through a drain, covered by a wire mesh screen, to the two 10,000-gallon collection tanks. The collection/settling tanks are routinely inspected for sediment accumulation and cleaned as needed. Water from the holding tanks is pumped to the City of Bath Water Pollution Control Facility for treatment.

While ships are under construction on the Land Level Transfer Facility hull washing activities are limited to low pressure rinse to remove dust accumulated during blasting processes. Barriers are placed around storm drains to prevent direct discharges of large debris and flotsam. Wash water is conveyed to a Vortech oil and grit trap prior to discharge. Special Condition G of this

2. PERMIT SUMMARY (cont'd)

permit required the permittee to submit to the Department a best management practices plan for ship washing and blasting activities performed at the facility, which addresses at a minimum containment of particulates and dust generated by blasting or washing activities, cleaning of the work area, disposal of spent grit and residue and any treatment provided.

3. CONDITIONS OF PERMIT

Maine law, 38 M.R.S.A. Section 414-A, requires that the effluent limitations prescribed for discharges, including, but not limited to, effluent toxicity, require application of best practicable treatment (BPT), be consistent with the U.S. Clean Water Act, and ensure that the receiving waters attain the State water quality standards as described in Maine's Surface Water Classification System. In addition, 38 M.R.S.A., Section 420 and Department rule 06-096 CMR Chapter 530, *Surface Water Toxics Control Program,* require the regulation of toxic substances not to exceed levels set forth in Department rule 06-096 CMR Chapter 584, *Surface Water Quality Criteria for Toxic Pollutants*, and that ensure safe levels for the discharge of toxic pollutants such that existing and designated uses of surface waters are maintained and protected.

4. RECEIVING WATER QUALITY STANDARDS

Maine law, 38 M.R.S.A. §469 classifies the Kennebec River at the point of discharge as Class SB waters. Maine law, 38 M.R.S.A. §465-B(2) describes the standards for Class SB waters.

5. RECEIVING WATER QUALITY CONDITIONS

The State of Maine 2004 Integrated Water Quality Monitoring and Assessment Report, prepared by the Department pursuant to Sections 303(d) and 305(b) of the Federal Water Pollution Control Act, lists the waters from the south end of Bulter Cove in Merrymeeting Bay in Bath the east point of Sagadahoc Bay in Georgetown (Waterbody ID #710) as, *"Category 2: Estuarine and Marine Waters Attaining Some Designated Uses – Insufficient Information for Other Uses."* The Report also lists a 17,294-acre segment of the Upper Kennebec River and tributaries (Waterbody ID #710-1) as, *"Category 5-B-1: Estuarine and Maine Waters Impaired Only by Bacteria (TMDL) Required."* Elevated fecal bacteria counts are attributed to non-point source pollution. In addition, the Report lists all estuarine and marine waters of the State as, *"Category 4-B-3: Estuarine and Marine Waters Impaired by Atmospheric Deposition of Mercury"* and *"Category 5-D: Estuarine and Maine Waters Impaired by Legacy Pollutants."* Impairment in this context refers to the estuarine and marine waters partially supporting the designated use of fishing and harvesting of shellfish due to elevated levels of mercury, PCBs, dioxin, and other persistent bioaccumulating substances in tissues of some fish and in lobster tomalley.

The Department has no information at this time that the discharges from BIW cause or contribute to non-attainment of the designated uses for class SB waters.

6. EFFLUENT LIMITATIONS & MONITORING REQUIREMENTS

a. Flow: Discharge flow limitations associated with the BIW facility are as follows.

Outfall #005A
The previous licensing action established, and this permitting action is carrying forward, authorization to discharge a monthly average and daily maximum flow of up to 132,000 GPD and 650,000 GPD, respectively, of non-contact cooling water from air compressors located in Building #045 XLF/Compressor Room via Outfall #005A.

Outfalls #005 and 007 connect to a flow interceptor pipe that runs north to south along the landward edge of the Land Level Transfer Facility (LLTF) and discharges on the southern end of the LLTF. A 30-inch diameter combined sewer overflow (CSO) pipe from the City of Bath and storm drains also connect to the interceptor pipe. The CSO connection is located approximately 400 feet and 300 feet south (downpipe) of the Outfall #005 and Outfall #007 connections, respectively.

Outfall #006A
The previous licensing action established, and this permitting action is carrying forward, authorization to discharge a daily maximum of up to 800,000 GPD of treated ship ballast water per ship at a maximum rate of 500 gallons per minute via Outfall #006A.

Outfall #007A
BIW seeks to renew and modify, and this permitting action is revising, authorization to discharge non-contact cooling water from air compressors located in the Blast 3 Compressor Room via **Outfall #007A**. The previous licensing action established monthly average and daily maximum flow limits of 6,700 GPD and 15,000 GPD, respectively, for Outfall #007A, which were based on BIW's anticipated intermittent use of this painting and blasting facility. On March 25, 2004, the Department administratively modified BIW's 12/8/00 WDL by increasing the monthly average and daily maximum limits to 13,400 GPD and 30,000 GPD, respectively, based on BIW's continuous use of the facility. In its current application, BIW seeks to modify the numeric discharge flow limits by increasing the monthly average limit to 45,000 GPD and establishing a report only requirement for the daily maximum value in order to allow the air compressor cooling system to fully utilize water as required for the safe operation of the compressor system when ambient air temperatures or heavy production loads force the closed cooling loop offline.

b. Oil and Grease: The previous licensing action established a monthly average oil and grease concentration limit of 15 mg/L for Outfall #006A (treated ship ballast water) based on a Department best professional judgment (BPJ) determination of best practicable treatment (BPT). This permitting action is revising the oil and grease limit from a monthly average to a daily maximum limitation consistent with the limits established in permits issued by the Department for the discharge of storm water runoff from bulk fuel storage and transfer facilities located in Maine. This permitting action is establishing a minimum monitoring frequency requirement of once per discharge event per ship and a monthly reporting requirement for oil and grease. The permittee shall report the highest value recorded for each month in the "Daily Maximum Flow" cell on the monthly Discharge Monitoring Report (DMR).

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

Due to the nature and characteristics of the discharges, this permitting action is not establishing effluent oil and grease limitations or monitoring requirements for Outfalls #005A and #007A.

c. Polynuclear Aromatic Hydrocarbons (PAHs): The previous licensing action established a daily maximum PAH (single chemical) effluent limitation of 60 micrograms per liter (µg/L) for Outfall #006A (treated ship ballast water) based on a Department best professional judgment determination of best practicable treatment, which is being carried forward in this permitting action. The license required BIW to monitor the PAH content of each discharge of treated ship ballast wastewater from each ship at the BIW facility. The license required quarterly reporting of the highest PAH value recorded during the calendar quarter reporting period. A review of the most recent 60 months of effluent compliance data on file with the Department indicates that the facility has not discharged wastewater via Outfall #006A during said period. However, BIW may discharge treated ballast tank water during the effective term of this permit.

This permitting action is revising the minimum monitoring frequency requirement from once per calendar quarter to once per discharge event per ship. The permittee is required to report the sum of all PAHs discharge for each discharge event on a separate piece of paper that must be attached to the Discharge Monitoring Reports.

d. pH: The previous licensing action established a pH range limit of 6.0 – 8.5 standard units (SU) for Outfalls #005A, #006A, and #007A, but did not establish a monitoring requirement for this parameter. The range limitation was based on Maine Board of Environmental Protection policy regarding the certification of NPDES permits and was considered by the Department as BPJ of BPT for these discharges. This permitting action is carrying forward the pH range limitation for all outfall points. Section 5(i) of Department rule 06-096 CMR Chapter 523, *Waste Discharge License Conditions*, requires the permittee to report monitor results for parameters limited in permits not less than once per year. Therefore, this permitting action is establishing a minimum monitoring frequency requirement of once per calendar quarter for Outfalls #005A and #007A.

For Outfall #006A (treated ship ballast water), this permitting action is establishing a requirement to monitor pH once per discharge event per ship and report the highest value recorded for each month in the "Daily Maximum Flow" cell on the monthly Discharge Monitoring Report (DMR).

e. Temperature: The previous licensing action established a daily maximum temperature limit of 130 degrees Fahrenheit (F) for Outfalls #005A and #007A (non-contact cooling water) to ensure compliance with Department rule 06-096 CMR Chapter 582, *Regulations Relating to Temperature*. Chapter 582 prohibits the discharge of wastewater that will cause the monthly mean of the daily ambient temperatures in any tidal body of water, as measured outside the mixing zone, to be raised more than 4 degrees F, nor more than 1.5 degrees F from June 1 to September 1. Additionally, the Rule prohibits the discharge of wastewater that will cause the temperature of any tidal waters to exceed 85 degrees F at any point outside the mixing zone. Based on this rule, the characteristics of the wastewater discharged by BIW, and assuming a maximum effluent temperature of 130 degrees F for each outfall, the Department calculated a potential receiving water temperature increase of 0.037 degrees F. Therefore, the Department established a daily maximum numeric temperature limit of 130 degrees F but did not require effluent monitoring for this parameter. This permitting action is carrying forward the daily

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

maximum effluent temperature limit of 130 degrees F for Outfalls #005A and #007A to ensure compliance with Chapter 582. Chapter 523 of Department rules, *Waste Discharge License Conditions*, requires the permittee to report monitor results for parameters limited in permits not less than once per year. Therefore, this permitting action is establishing a minimum monitoring frequency requirement of once per calendar quarter for temperature.

f. Whole Effluent Toxicity (WET), Priority Pollutant, and Analytical Chemistry Testing: Maine law, 38 M.R.S.A., §414-A and §420, prohibit the discharge of effluents containing substances in amounts that would cause the surface waters of the State to contain toxic substances above levels set forth in Federal Water Quality Criteria as established by the USEPA. Department rule, 06-096 CMR Chapter 530, *Surface Water Toxics Control Program* (toxics rule) sets forth effluent monitoring requirements and procedures to establish safe levels for the discharge of toxic pollutants such that existing and designated uses of surface waters are maintained and protected and narrative and numeric water quality criteria are met. Department rule 06-096 CMR Chapter 584, Surface *Water Quality Criteria for Toxic Pollutants*, sets forth ambient water quality criteria (AWQC) for toxic pollutants and procedures necessary to control levels of toxic pollutants in surface waters.

The previous licensing action neither established nor addressed WET or priority pollutant testing requirements of the toxics rule. Chapter 530 Section (2)(A) specifies the dischargers subject to the rule as, *"all licensed dischargers of industrial process wastewater or domestic wastes discharging to surface waters of the State must meet the testing requirements of this section. Dischargers of other types of wastewater are subject to this subsection when and if the Department determines that toxicity of effluents may have reasonable potential to cause or contribute to exceedences of narrative or numerical water quality criteria."* BIW is not authorized to discharge industrial process wastewater or domestic wastes. The Department has no information at this time that the discharges from BIW contain toxic pollutants in toxic amounts or that would have a reasonable potential to cause or contribute to exceedences of narrative or numerical water quality criteria. Therefore, this permitting action is not establishing WET, priority pollutant or analytical chemistry testing at this time. In accordance with Special Condition H of this permit, the Department reserves the right to reopen this permit at any time and with notice to the permittee to establish toxics testing requirements pursuant to Chapter 530 based on new information regarding the sources or characterization of wastewater discharged via Outfalls #005A, #006A, and #007A, or any other point source at the BIW facility.

7. DISCHARGE IMPACT ON RECEIVING WATER QUALITY

As permitted, the Department has determined the existing water uses will be maintained and protected and the discharge will not cause or contribute to the failure of the (tidal) Kennebec River to meet standards for Class SB classification.

8. PUBLIC COMMENTS

Public notice of this application was made in the *Times Record* newspaper on or about November 15, 2005. The Department receives public comments on an application until the date a final agency action is taken on the application. Those persons receiving copies of draft permits shall have at least 30 days in which to submit comments on the draft or to request a public hearing, pursuant to Chapter 522 of the Department's rules.

9. DEPARTMENT CONTACTS

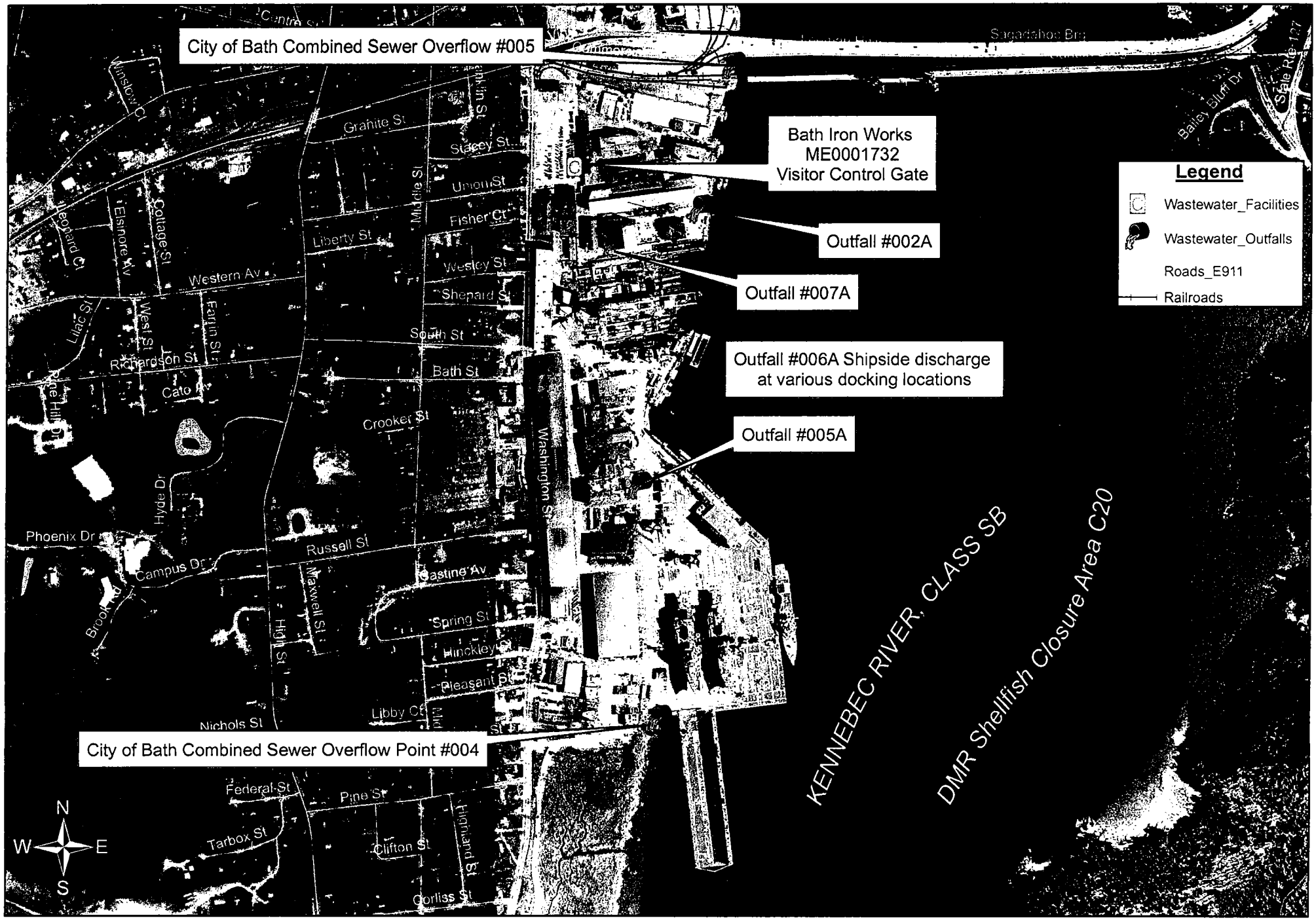
Additional information concerning this permitting action may be obtained from, and written comments sent to:

William F. Hinkel
Division of Water Quality Management
Bureau of Land & Water Quality
Department of Environmental Protection
17 State House Station
Augusta, Maine 04333-0017 Telephone: (207) 287-7659 Fax: (207) 287-7826
e-mail: bill.hinkel@maine.gov

10. RESPONSE TO COMMENTS

During the period of May 1, 2006 through May 31, 2006, the Department solicited comments on the proposed draft Maine Pollutant Discharge Elimination System Permit to be issued to BIW for the proposed discharges. The Department received no significant comments on the proposed draft permit; therefore, a response to comments was not prepared.

ATTACHMENT A



Bath Iron Works at Bath, Maine

Map created by Maine DEP
April 25, 2006
Revised June 2, 2006

ATTACHMENT B

KEY

To Main Plant Facilities

1 Clock House Credit Union

2 Personnel Human Resources

3 Maintenance/ Plant Engineers

4 Main Administration

5 Offices

6 Aluminum Shop Dept. 43 (Welders) & Dept. 50 (Shipfitters)

7 Main Assembly

8 Flat Panel Line

9 Preoutfit II

10 South Yard Distribution Center

11 Wire Spray Aluminum

12 Hyde South Assembly

13 Dept. 25 (Carpenters)

14 Blast & Paint Facilities

15 Dept. 27 (Painters) & Dept. 30 (Laborers)

16 Dept. 13 (Laborers)

17 Dept. 10 Operations & Products Offices

18 Boiler Shop/Dept. 09 (Outside Machinists)

19 Outfitting Pier

20 South Pier

21 220-Ton Crane

22 Construction Ways

23 330-Ton Crane

24 Dept. 17 (Sheet Metal)

25 Dept. 11 (Pipe Coverers)

26 Dept. 19 (Electricians)

27 Dept. 07 (Machinists)

28 Dept. 15 (Pipefitters)

29 North Offices: Engineering/Drafting Management Systems Lofting/Planning Auditorium

30 Temporary Offices

31 North Yard Assembly

32 North Pier

33 IUMSWA - Local 6 Union Hall

34 Petit House: Industrial Sales

35 Wesley Center: Training

36 Rogers House

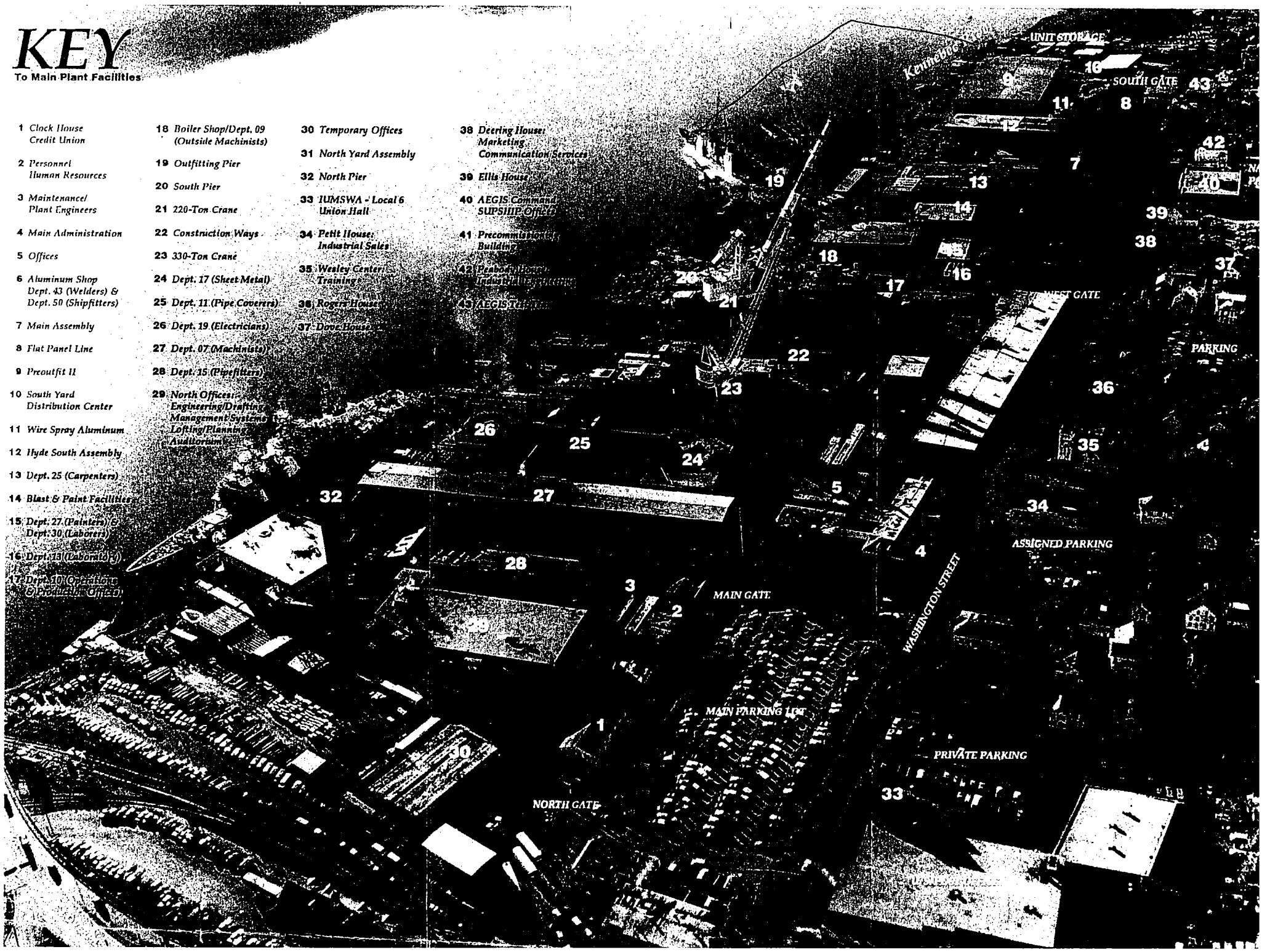
37 Dove House

38 Deering House: Marketing Communication Services

39 Ellis House

40 AEGIS Command SUPSHIP Offices

41 Precommissioning Building

42 Peabody House: Industrial Engineering

43 AEGIS Training