STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

JOHN ELIAS BALDACCI
GOVERNOR

DAVID P. LITTELL
COMMISSIONER

April 14, 2006

Mr. Bruce Yates
Terminal Manager
Global Companies LLC
1 Clark Road
P.O. Box 2678
South Portland, ME. 04106

RE: Maine Pollutant Discharge Elimination System Permit #ME0001775
Maine Waste Discharge License Application W002565-5S-H-R
Final Permit/License

Dear Mr. Yates:

Enclosed please find a copy of your **final** MEPDES permit/WDL which was approved by the Department of Environmental Protection. You must follow the conditions in the permit 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 287-7693.

Sincerely,

Gregg Wood
Division of Water Quality Management
Bureau of Land and Water Quality

Enc.
cc: Fred Gallant, DEP/SMRO
Sandy Lao, USEPA

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AUGUSTA, MAINE 04333-0017
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STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION
STATE HOUSE STATION 17 AUGUSTA, MAINE 04333

DEPARTMENT ORDER

IN THE MATTER OF

GLOBAL COMPANIES, LLC	)	MAINE POLLUTANT DISCHARGE
SOUTH PORTLAND, CUMBERLAND CO., MAINE	)	ELIMINATION SYSTEM PERMIT
BULK FUEL STORAGE & TRANSFER FACILITY	)	AND
ME0001775	)	WASTE DISCHARGE LICENSE
W002565-5S-H-R **APPROVAL**	)	**RENEWAL**

Pursuant to the provisions of the Federal Water Pollution Control Act, Title 33 USC, Section 1251, et. seq. and Maine Law 38 M.R.S.A., Section 414-A et seq., and applicable regulations, the Department of Environmental Protection (Department hereinafter) has considered the application of GLOBAL COMPANIES LLC (Global hereinafter), with its supportive data, agency review comments, and other related materials on file and FINDS THE FOLLOWING FACTS:

APPLICATION SUMMARY

The applicant has applied for renewal of combination Maine Pollutant Discharge Elimination System (MEPDES) permit #ME0001775/Maine Waste Discharge License (WDL) #W002565-5S-F-T, (permit hereinafter). The permit was last issued by the Department on August 1, 2001 and expired on January 17, 2005. The permit approved the discharge of treated stormwater runoff from a bulk fuel and storage and/or transfer facility to Barberry Creek, Class C, in South Portland, Maine.

PERMIT SUMMARY

This permitting action is carrying forward the terms and conditions of the previous permitting action with the following exceptions.

1) Reducing the monitoring frequency for all parameters from 1/Month to 1/Quarter for all three outfalls.

2) Requiring the permittee to develop, maintain and periodically update a Storm Water Pollution Prevention Plan (SWPPP) for the facility.

CONCLUSION

BASED on the findings in the attached Fact Sheet dated February 24, 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 MRSA Section 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 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 discharge will be subject to effluent limitations that require application of best practicable treatment.

ACTION

THEREFORE, the Department APPROVES the above noted application of GLOBAL COMPANIES, LLC to discharge treated stormwater runoff to the Barberry Creek, Class C, via three outfalls and is 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 effluent limitations and monitoring requirements.

3. This permit expires five (5) years from the date of signature below.

DONE AND DATED AT AUGUSTA, MAINE, THIS 14TH DAY OF April, 2006.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: _____
David P. Littell, Commissioner

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application January 10, 2006.

Date of application acceptance January 10, 2006.

FILED
APR 18 2006
BOARD OF ENVIRONMENTAL PROT.
STATE OF MAINE

Date filed with Board of Environmental Protection _____

This Order prepared by GREGG WOOD, BUREAU of LAND AND WATER QUALITY

W25655SH 4/13/06

SPECIAL CONDITIONS

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

The permittee is authorized to discharge treated storm water runoff to the Barberry Creek. Such treated waste water discharges shall be limited and monitored by the permittee as specified below.

OUTFALL #001 - Storm water runoff

Effluent Characteristic	Discharge Limitations				Minimum Monitoring Requirements	
	Monthly Average	Daily Maximum	Monthly Average	Daily Maximum	Measurement Frequency	Sample Type
Flow *[50050]*	---	---	---	316 gpm(1) *[78]*	1/ Quarter *[01/90]*	Measure *[MS]*
Total Suspended Solids *[00530]*	---	---	---	50 mg/L *[19]*	1/ Quarter *[01/90]*	Grab(2) *[GR]*
Oil & Grease *[00552]*	---	---	---	15 mg/L *[19]*	1/Quarter *[01/90]*	Grab(2) *[GR]*

OUTFALL #002 - Storm water runoff

Effluent Characteristic	Discharge Limitations				Minimum Monitoring Requirements	
	Monthly Average	Daily Maximum	Monthly Average	Daily Maximum	Measurement Frequency	Sample Type
Flow *[50050]*	---	---	---	700 gpm(1) *[78]*	1/ Quarter *[01/90]*	Measure *[MS]*
Total Suspended Solids *[00530]*	---	---	---	50 mg/L *[19]*	1/ Quarter *[01/90]*	Grab(2) *[GR]*
Oil & Grease *[00552]*	---	---	---	15 mg/L *[19]*	1/Quarter *[01/90]*	Grab(2) *[GR]*

The italicized numeric values in brackets in the tables above and the tables that follow are not limitations but codes used by Department personnel to code monthly Discharge Monitoring Reports (DMR's).

SPECIAL CONDITIONS

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

OUTFALL #003 - Storm water runoff

Effluent Characteristic	Discharge Limitations				Minimum Monitoring Requirements	
	Monthly Average	Daily Maximum	Monthly Average	Daily Maximum	Measurement Frequency	Sample Type
Flow *[50050]*	---	---	---	800 gpm(1) *[78]*	1/ Quarter *[01/90]*	Measure *[MS]*
Total Suspended Solids *[00530]*	---	---	---	50 mg/L *[19]*	1/ Quarter *[01/90]*	Grab(2) *[GR]*
Oil & Grease *[00552]*	---	---	---	15 mg/L *[19]*	1/Quarter *[01/90]*	Grab(2) *[GR]*

OUTFALL #004 - Hydrostatic test waters

Effluent Characteristic	Discharge Limitations				Minimum Monitoring Requirements	
	Monthly Average	Daily Maximum	Monthly Average	Daily Maximum	Measurement Frequency	Sample Type
Flow (Total Gallons) *[82220]*	---	---	---	6.6 EE6 gal *[57]*	1/Discharge *[01/DS]*	Measure *[MS]*
Total Suspended Solids *[00530]*	---	---	---	50 mg/L *[19]*	1/Discharge *[01/DS]*	Grab(2) *[GR]*
Oil & Grease *[00552]*	---	---	---	15 mg/L *[19]*	1/Discharge *[01/DS]*	Grab(2) *[GR]*
Total Residual Chlorine *[50060]*	---	---	---	0.019 mg/L(3) *[19]*	1/Discharge *[01/DS]*	Grab(2) *[GR]*

SPECIAL CONDITIONS

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

Footnotes:

Sampling Locations: Samples for all parameters shall be collected after the oil/water separators during the first hour of discharge.

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 Human Services.

(1) **Flow** - The flow through the oil/water separators shall consist of storm water runoff only. The direct or indirect discharge of liquids from petroleum product pipelines, transport tanks, vessels or storage tanks through the oil/water separators is not authorized by this permit. No chemical treatment such as dispersants, emulsifiers or surfactants may be added to the oil/water separators or any waste water discharge stream contributing flow to the separators. There shall be no discharge of tank bottom water alone or in combination with storm water discharge or other waste waters.

At no time shall the flow through the oil/water separators exceed the design flow of the individual separators. Flow measurement devices or calculated flow estimates via pump curves or tank volumes or other methods must be approved by the Department. Measurement of flow may be suspended upon approval from the Department in the event the permittee limits flow to the separators by installing a permanent constriction to prevent flows from exceeding the design capacity of the separators. The installation, replacement or modification of any flow measurement or constriction device requires prior approval by the Department.

(2) **Sample Type** - Storm water runoff from one significant storm event per calendar quarter shall be sampled for TSS, oil & grease and benzene. Significant storm event is defined as any event that is greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previously measurable storm event. Suitable size and type of samples shall be collected in accordance with 40 CFR Part 136. Grab samples will be collected within the first hour (first flush) after the diked area(s) drainage area and/or pumpout has started. Separate aliquot samples shall be taken for the analysis for each parameter. Oil & Grease shall be analyzed in accordance with EPA's test method 1664.

SPECIAL CONDITIONS

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

Footnotes:

(3) **Total Residual Chlorine (TRC)** – TRC shall be tested using Amperometric Titration or the DPD Spectrophotometric Method. The EPA approved methods are found in Standard Methods for the Examination of Water and Waste Water, (Most current edition), Method 4500-CL-E and Method 4500-CL-G or U.S.E.P.A. Manual of Methods of Analysis of Water and Wastes. EPA Region I's Quality Assurance Office established a Minimum Level (ML) of detection of 0.05 mg/L for TRC in April of 1992. Compliance/non-compliance determinations will be based on the ML. It is noted the permittee is authorized to utilize natural attenuation or reduction by chemical treatment to maintan compliance with the TRC established in this permit.

Detectable results: All detectable analytical test results shall be reported to the Department including results which are detected below the ML. If the concentration result is at or above the ML, the concentration shall be reported at that level.

Non-detectable results: If the analytical test result is below the ML, the concentration result shall be reported as <X where X is the detection level achieved by the laboratory for that test.

B. NARRATIVE EFFLUENT LIMITATIONS

1. The effluent shall not contain a visible oil sheen, foam or floating solids at any time that 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 discharge 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. OIL/WATER SEPARATOR MAINTENANCE

The permittee shall maintain an up-to-date operations and maintenance plan for the oil/water separators. The plan shall include, but not be limited to, measures to ensure the separators perform within the designed performance standards of the system, is maintained on a routine basis to maximize the design capacity and efficiency of the system, and that adequate staffing and training of personnel is provided to ensure compliance with discharge limitations. The operations and maintenance plan shall remain on site at all times and will be subject to periodic inspection by Department personnel.

C. OIL/WATER SEPARATOR MAINTENANCE

For the purposes of minimizing suspended solids in the storm water directed to the separators, the permittee shall implement best management practices (BMP's) for erosion and sedimentation control. The permittee shall periodically inspect, maintain and repair erosion and sedimentation control structures as necessary. See Special Condition E, *Storm Water Pollution Prevention Plan* of this permit.

D. HYDROSTATIC TEST WATER

Tanks being hydrostatically tested must be clean of product, all construction debris, including sandblasting grit, prior to testing and discharge. The discharge must be dechlorinated if test results indicate that discharged waters will violate the daily maximum limits for total residual chlorine established in this permit. Hydrostatic test water from tanks that have been washed, cleaned and certified for welding need not be discharged through an oil/water separator. The permittee shall notify the Department of an intended discharge of hydrostatic test water at least three days, excluding weekends, prior to the discharge.

E. STORM WATER POLLUTION PREVENTION PLAN (SWPPP)

The permittee shall develop, maintain and periodically update a Storm Water Pollution Prevention Plan (SWPPP) for the facility. As the site or any operations conducted on it have changed or are expected to change materially or substantially, the permittee shall modify its SWPPP as necessary to include such changes and notify the Department and the EPA within 90 days of such modifications to the plan. The permittee shall maintain a copy of the SWPPP and any subsequent revisions at the terminal and shall make the plan available to any Department or EPA representative upon request.

SPECIAL CONDITIONS

E. STORM WATER POLLUTION PREVENTION PLAN (cont'd)

The SWPPP requirements are intended to facilitate a process whereby the permittee thoroughly evaluates potential pollution sources at the terminal and selects and implements appropriate measures to prevent or control the discharge of pollutants in storm water runoff. The process involves the following four steps: (1) formation of a team of qualified facility personnel who will be responsible for preparing the SWPPP and assisting the terminal manager in its implementation; (2) assessment of potential storm water pollution sources; (3) selection and implementation of appropriate management practices and controls; and (4) periodic evaluation of the effectiveness of the plan to prevent storm water contamination and comply with the terms and conditions of the permit.

F. UNAUTHORIZED DISCHARGES

The permittee is authorized to discharge only in accordance with the terms and conditions of this permit and only from Outfalls #001, #002 and #003. Outfall #004 is an administrative outfall utilized to track test results for hydrostatic water discharges. Discharges of waste water from any other point source are not authorized under this permit, but shall be reported in accordance with Standard Condition B(5)(*Bypass*) of this permit.

G. MONITORING AND REPORTING

Monitoring results shall be summarized for each calendar quarter and reported on separate Discharge Monitoring Report Forms provide by the Department and **postmarked on or before the thirteenth (13th) day of the month or hand-delivered to a Department 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 Discharge Monitoring Report and all other reports required herein shall be submitted to the Department assigned compliance inspector (unless otherwise specified) at the following address:

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

SPECIAL CONDITIONS

H. REOPENING OF PERMIT FOR MODIFICATIONS

Upon evaluation of the tests results in the 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 aspects as if such unlawful provision, or part thereof, had been omitted, unless otherwise ordered by the court.

MAINE POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT

AND

MAINE WASTE DISCHARGE LICENSE

FACT SHEET

Date: February 24, 2006

PERMIT NUMBER: **ME0001775**
LICENSE NUMBER: **W002565-5S-H-R**

NAME AND ADDRESS OF APPLICANT:

GLOBAL COMPANIES LLC
P.O. Box 2678
South Portland, Maine 04116

NAME AND ADDRESS WHERE DISCHARGE OCCURS:

Global Companies LLC
One Clark Road
South Portland, Maine 04116

RECEIVING WATER CLASSIFICATION: **Barberry Creek/Class C**

COGNIZANT OFFICIAL AND TELEPHONE NUMBER: **Mr. Bruce Yates**
Terminal Manager
(207) 767-8259 Ext. 1233
Email: byates@globalp.com

1. APPLICATION SUMMARY

a. Application: The applicant has applied for renewal of combination Maine Pollutant Discharge Elimination System (MEPDES) permit #ME0001775/Maine Waste Discharge License (WDL) #W002565-5S-F-T, (permit hereinafter). The permit was last issued by the Department on August 1, 2001 and expired on January 17, 2005. The permit approved the discharge of treated stormwater runoff from a petroleum storage and/or transfer facility to Barberry Creek, Class C, in South Portland, Maine.

2. PERMIT SUMMARY

a. Terms and conditions - This permitting action is carrying forward the terms and conditions of the previous permitting action with the following exceptions.

1) Reducing the monitoring frequency for all parameters from 1/Month to 1/Quarter for all three outfalls.

2) Requiring the permittee to develop, maintain and periodically update a Storm Water Pollution Prevention Plan (SWPPP) for the facility.

b. History – Relevant regulatory actions for the facility are as follows:

August 7, 1999 – The Department issued WDL renewal #W002565-5S-C-R to Northeast Petroleum for a five-year term.

August 30, 1999 – The EPA issued NPDES permit # ME0001775 to Northeast Petroleum for a five-year term.

January 12, 2001 – The State of Maine received authorization from the U.S. EPA to administer the National Pollutant Discharge Elimination System (NPDES) permit program in Maine.

January 17, 2001 – The Department issued WDL renewal #W002565-5S-E-R to Fore River Properties. It is noted the WDL transferred the WDL from Northeast Petroleum to Fore Rivers Properties

August 1, 2001 – The Department issued combination MEPDES permit modification and transfer #ME0001775/WDL #W002565-5S-F-T to Global Companies LLC. The permit modified and transferred the 1/17/01 WDL from Fore River Properties to Global Companies LLC. The permit had an expiration date of January 17, 2006.

September 1, 2001 – The Department issued combination MEPDES permit modification #ME0001775/WDL #W002565-5S-G-M to Global Companies LLC. The permit had an expiration date of January 17, 2006.

January 10, 2006 – Global Companies LLC filed a timely and complete application to the Department to renew the combination MEPDES permit/WDL for its South Portland facility.

2. PERMIT SUMMARY (cont'd)

c. Source Description: The primary activities of the Global Companies South Portland facility are the receipt, transport, and total storage of approximately 28 million gallons of energy fuels including No. 2 and #6 fuel oils and kerosene. Fuel is received at the storage and transfer facility by either ship or tank trucks. Fuels are loaded onto local delivery trucks via two loadings racks to be delivered to customers in surrounding communities in the area.

The sizes of each of the bulk tanks and their contents are listed below:

Tank No.	Contents	Capacity in bbls and (gallons)	
AST # 1	No. 6 Fuel	55,000 bbls	2,310,000 gals
AST # 2	No. 6 Fuel	55,000 bbls	2,310,000 gals
AST # 3	No. 6 Fuel	55,000 bbls	2,310,000 gals
AST # 4	Distallate	35,500 bbls	1,491,000 gals
AST # 5	Distallate	55,000 bbls	2,310,000 gals
AST # 6	No. 2 Fuel	55,000 bbls	2,310,000 gals
AST # 7	No. 2 Fuel	55,000 bbls	2,310,000 gals
AST # 8	Distallate	37,500 bbls	1,575,000 gals
AST # 9	No. 6 Fuel	55,000 bbls	2,310,000 gals
AST # 14	Kerosene	10,000 bbls	420,000 gals
AST # 15	Kerosene	10,000 bbls	420,000 gals
AST # 16	No. 2 Fuel	158,000 bbls	6,600,000 gals

d. Waste Water Treatment - The previous permitting action contained the following text:

Oil/Water Separator OWS-1 (Outfall 001) *- Oil/water separator OWS-1 is being retrofitted with coalescing plates which are being installed within the existing structure to improve the separation of oil from water. The location of the oil/water separator and associated discharge (Outfall 001) will not be modified. The drainage system for OWS-1 is being modified to collect stormwater from the secondary containment dike areas associated with Tanks 1, 2, 3, 8, 9, 14, and 15 in addition to drainage from the truck loading racks and terminal yard totaling approximately 3.66 acres. Previously stormwater collected within the dike containment areas was allowed to evaporate or slowly infiltrate the ground. The modifications to this drainage system will direct stormwater through the oil/water separator before being discharged. The maximum design flow rate and permit limit remain at 316 gallons per minute.*

Oil/Water Separator OWS-2 (Outfall 002) *- Oil/water separator OWS-2 is being replaced with a new underground, double-wall, 7,000 gallon, steel Highland separator. The new oil/water separator and associated discharge (Outfall 002) are being installed in the same location as the previous separator and outfall. The existing 8" diameter discharge pipe is being replaced with a 10" diameter outfall pipe. The new separator will have a maximum design flow rate and permit limit of 700 gallons per minute.*

2. PERMIT SUMMARY (cont'd)

OWS-2 will collect and process stormwater drainage from the secondary containment area associated with Tank 4 and drainage from yard areas immediately adjacent to the separator totaling approximately 0.76 acres.

Oil/Water Separator OWS-3 (Outfall 03) *- Oil/water separator OWS-3 is being replaced with a new aboveground 8, 000 gallon, steel Highland separator and relocated approximately 260 feet to the west (Barberry Creek). The old separator will be abandoned in place and the outlet will be sealed. A new 10" diameter discharge pipe will be installed for this outfall. The new separator will have a maximum design flow rate and permit limit of 800 gallons per minute.*

OWS-3 will collect stormwater drainage from the secondary containment dikes associated with Tanks 5, 6, and 7 and the new proposed tank totaling approximately 5.72 acres.

Miscellaneous Discharge

Global requests that one (1) minor non-stormwater discharge be incorporated into the modified permit. There is one (1) garage floor drain which discharges to the tank farm floor at Tank 14 (refer to the attached plot plan - Attachment A).

Global is planning to utilize a section of the existing garage (consisting of the floor drain) for secure storage of on-site vehicles including trucks and yard equipment. Global proposes to maintain use of the existing floor drain for collecting and redirecting precipitation runoff from stored vehicles.

Global will not use this area of the existing garage for chemical storage or vehicle maintenance. In addition, this section of the garage is set-off from the other garage sections by the wall, a door and by the grade of the floor, which is pitched toward the subject floor drain. Other areas of the garage are currently vacant with the exception of small quantities of foam concentrate associated with the facility's fire protection system. Drainage within these other areas of the garage is directed toward previously used floor drains that have been sealed and away from the subject floor drain.

Based on the permittee's 1/10/06 application submitted to the Department, all improvements have been completed and are fully operational/functional as of the date of this permitting action.

3. CONDITIONS OF PERMITS

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., Article 4-A §468(1)(D)(1) indicates that at the point of discharge, Barberry Creek is classified as a Class C waterway. Maine law, 38 M.R.S.A., Article 4-A §465(4) describes the classification standards for Class C waters.

5. RECEIVING WATER CONDITIONS

Barberry Creek is listed in a table entitled, *Category 5-A: Rivers and Streams Impaired By Pollutants Other Than Those Listed in 5-B through 5-D (TMDL Required)* in a document entitled *The State of Maine 2004 Integrated Water Quality Monitoring and Assessment Report*, prepared pursuant to Sections 303(d) and 305(b) of the Federal Water Pollution Control Act. The report indicates macro-invertebrate sampling by the Department in calendar year 2003 indicates Barberry Brook is not attaining Class C aquatic life criteria due to urban non-point source storm water runoff.

The Department has prepared a total maximum daily load (TMDL) to address the above referenced non-attainment and submitted the TMDL to the EPA for approval. The EPA has not taken action on the TMDL as of the date of this permitting action. If an approved TMDL determines that Global's discharge is causing or contributing to the non-attainment, this permit will be re-opened per Special Condition H, *Reopening Permit For Modifications*, of this permit, to impose more stringent limitations or corrective actions to bring the waterbody into attainment.

6. EFFLUENT LIMITATIONS & MONITORING REQUIREMENTS

Discharges from activities associated with bulk petroleum stations and terminal operations must satisfy best conventional technology (BCT) and best available technology (BAT) requirements and must comply with more stringent water quality standards if BCT and BAT requirements are not adequate. On September 25, 1992, EPA promulgated through its General Permit for Storm Water Discharge Associated with Industrial Activity, that the minimum BAT/BCT requirement for storm water discharges associated with industrial activity is a Storm Water Pollution Prevention Plan (SWPPP) [57 FR, 44438]. In addition to a SWPPP, the Department is carrying numeric effluent limitations and or monitoring

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

requirements forward from the previous MEPDES permitting action for petroleum constituents to ensure the discharge(s) do not contribute to violations of the State's water quality standards.

This permit authorizes the discharge of treated storm water and hydrostatic test waters with numeric effluent limitations which are within applicable water quality standards and requires the development and implementation of a SWPPP for additional protection of the environment. The effluent parameters for each waste stream are discussed in more detail below. The sections are arranged according to the effluent characteristic(s) being regulated.

a. Storm Water Runoff Only – Outfalls #001, #002 and #003

1. Flow - Typically, the treatment technology for storm water runoff employed by bulk storage petroleum terminals is an oil/water [O/W] separator. This device uses gravity to separate the lower-density oils from water; resulting in an oil phase above the oil/water interface and a heavier particulate (sludge) phase on the bottom of the O/W separator. It follows that the sizing of O/W separators is based on the following design parameters: water-flow rate, density of oil to be separated, desired percentage removal of oil, and the operating temperature range.

   The previous permitting action established daily maximum flow limits of 316 gpm for Outfall #001, 700 gpm for Outfall #002 and 800 gpm for Outfall #003. All are based on information supplied by the permittee as to the design capacity of the O/W separator. The permittee has indicated the capacity has not changed from the previous permitting action and as a result is being carried forward in this permitting action.

2. Total Suspended Solids (TSS) - Total suspended solids have been limited in this permit to minimize the potential carryover of petroleum fractions to the receiving water(s) by adsorption to particulate matter or suspended solids. Both heavy metals and polynuclear aromatic hydrocarbons (PAHs) readily adsorb to particulate matter.

   The previous permitting action established a daily maximum concentration limit of 50 mg/L for TSS based on a Department best professional judgment (BPJ) of limits that were achievable for bulk fuel storage and transfer facilities located in the State of Maine. The 8/30/99 NPDES permit issued by the EPA established a daily maximum concentration limit of 100 mg/L based on a EPA Region I BPJ determination that the technology guidelines promulgated at 40 CFR Part *423—Steam Electric Power Generating Point Source Category*, for point source discharges of low volume waste water were appropriate to control the discharge of sediment particles and oils from bulk storage petroleum terminals in the region.

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

a. Storm Water Runoff Only – Outfalls #001, #002 and #003

The Department issued WDL renewals for all the bulk fuel storage and transfer facilities in calendar years 1997 - 2000 (generally speaking) with a daily maximum concentration limit of 50 mg/L for TSS. Many of the facilities, including the permittee's facility, have not been able to consistently comply with the daily maximum limit of 50 mg/L after implementing the SWPPP and properly operating and maintaining the O/W separators. A number of the facilities have written to the Department requesting the Department revise the limit to be consistent with EPA's Region I BPJ limit of 100 mg/L. Given the non-attainment of aquatic life sandards as described in Section 5 of this Fact Sheet, the Department is not granting the increase in TSS limitations at this time. If implemnentation of the TMDL provides an opportunity for the permittee to increase concentrations of TSS through pollutant trading or offsets by others in the watershed, the Department is amenable to re-evaluating the TSS limitations in this permit.

3. Oil and Grease (O&G) – The previous permitting action contained a daily maximum concentration limit of 15 mg/L based on Department regulation, Chapter 600-§16, stipulating that all oil terminal facilities shall be equipped with an oil/water separator system capable of receiving all oily water runoff from the facility and reducing oil content to 15 mg/L or less. A review of the DMR data for the period 2001 to the present indicates the limit has consistently been achieved and is therefore being carried forward in this permitting action.

b. Hydrostatic Test Water (Outfall #004)

The previous permitting action established sampling protocols and reporting requirements for TSS, oil & grease, total iron, chemical oxygen demand (COD), pH and total residual chlorine. The permittee has indicated that hydrostatic testing of pipelines and tanks with water remains a common practice at the facility. In addition to hydrostatic testing, pipelines and tanks are tested via X-ray. The permittee would like to retain authorization to discharge hydrostatic test waters. Therefore, the authorization to discharge hydrostatic test waters is being carried forward in this permitting action in accordance with the following conditions:

1. Flow – The previous permitting action did not establish a flow limitation but did establish a reporting requirement. This permitting action is establishing a limitation of 6.6 million gallons (6.6 EE6) which is equal to the volume of the largest tank on site, 158,000 barrels.

2. Total Suspended Solids – The previous permitting action did not establish any limitations for TSS. This permitting action is establishing a daily maximum limit of 50 mg/L based on a Department BPJ of limits that are achievable given the tanks that are hydrostatically tested have been washed and cleaned in preparation for repair and testing.

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

3. Oil & Grease: The previous permitting action did not establish any limitations for oil & grease. This permitting action is establishing a daily maximum concentration limit of 15 mg/L that is a Department BPJ of limits that are achievable given the tanks that are hydrostatically tested have been washed and cleaned in preparation for repair and testing.

4. Total residual chlorine (TRC): The previous permitting action did not establish any limits for TRC. This permitting action is establishing a daily maximum TRC limit of 0.019 mg/L. The limitation is equal to the acute ambient water quality criteria (AWQC) given the dilution at 7Q10 (the 7-day low flow that statistically occurs once every 10 years) is assumed to be 1:1. However, compliance with this limitation will be based on EPA's minimum level (ML) of detection of 0.050 mg/L.

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 waterbody to meet standards for Class C classification. If an approved TMDL determines that Global's discharge is causing or contributing to the non-attainment, this permit will be re-opened per Special Condition H, *Reopening Permit For Modifications*, of this permit, to impose more stringent limitations or corrective actions to bring the waterbody into attainment.

8. PUBLIC COMMENTS

Public notice of this application was made in the Portland Press newspaper on or about December 2, 2005. The Department receives public comment on an application until the date a final agency action is taken on that 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

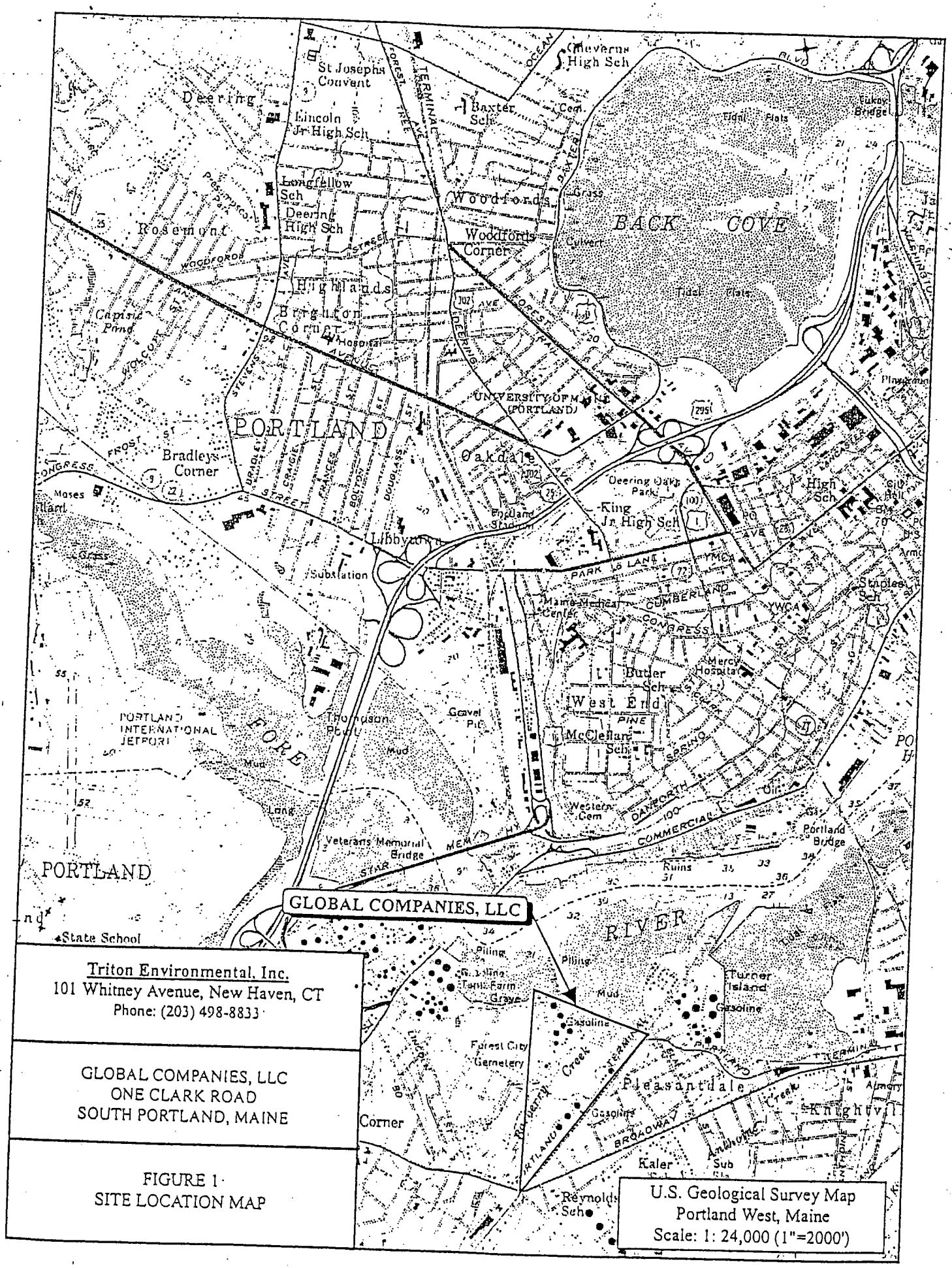
Additional information concerning this permitting action may be obtained from and written comments should be sent to:

Gregg Wood
Division of Water Quality Management
Bureau of Land and Water Quality
Department of Environmental Protection
17 State House Station
Augusta, Maine 04333-0017 Telephone (207) 287-7693
Electronic mail: gregg.wood@maine.gov

10. RESPONSE TO COMMENTS

During the period of February 24, 2006 through the date of issuance of this permit, the Department solicited comments on the proposed draft MEPDES permit/WDL for the discharge(s) from the Global Companies' bulk fuel facility in South Portland. The Department did not receive comments from the permittee, state or federal agencies, or interested parties that resulted in any substantive change(s) in the terms and conditions of the permit. Therefore, the Department has not prepared a Response to Comments.

ATTACHMENT A


GLOBAL COMPANIES, LLC
Deering
St Josephs Convent
Lincoln Jr High Sch
Baxter Sch
Cheverus High Sch
Longfellow Sch
Deering High Sch
Woodfords
Woodfords Corner
Rosemont
Highlands
Brighton Corner
Capisic Pond
BACK COVE
Tidal Flats
Grass
Culvert
UNIVERSITY OF MAINE (PORTLAND)
PORTLAND
Bradleys Corner
Oakdale
Deering Oaks Park
King Jr High Sch
Portland Stadium
Libbytown
Substation
Maine Medical Center
Staples Sch
Butler Sch
Mercy Hospital
West End
McClellan Sch
Thompson Pond
Gravel Pit
Mud
PORTLAND INTERNATIONAL JETPORT
FORE
Veterans Memorial Bridge
Western Cem
Portland Bridge
Ruins
RIVER
State School
Piling
Gasoline
Turner Island
Forest City Cemetery
Pleasantdale
Knightvil
Corner
Kaler Sub
Reynolds Sch
Triton Environmental, Inc.
101 Whitney Avenue, New Haven, CT
Phone: (203) 498-8833
GLOBAL COMPANIES, LLC
ONE CLARK ROAD
SOUTH PORTLAND, MAINE
FIGURE 1
SITE LOCATION MAP
U.S. Geological Survey Map
Portland West, Maine
Scale: 1: 24,000 (1"=2000')