STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

JOHN ELIAS BALDACCI
GOVERNOR

DAWN R. GALLAGHER
COMMISSIONER

Mr. Steven Jocher
Safety, Health & Environmental Manager
Cyro Industries
1796 Main Street
Sanford, ME. 04073

November 18, 2005

RE: Maine Pollutant Discharge Elimination System (MEPDES) Permit #ME0022667
Maine Waste Discharge License (WDL) Application #W001914-5R-D-R
Final Permit/License

Dear Mr. Jocher:

Enclosed please find a copy of your **final** MEPDES permit and Maine WDL which was approved by the Department of Environmental Protection. 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.*"

We would like to make you aware of the fact that your monthly Discharge Monitoring Reports (DMR) may not reflect the revisions in this permitting action for several months. However, you are required to report applicable test results for parameters required by this permitting action that do not appear on the DMR. Please see the attached April 2003 O&M Newsletter article regarding this matter.

If you have any questions regarding the matter, please feel free to call me at 287-7693.

Sincerely,

Gregg Wood
Division of Water Resource Regulation
Bureau of Land and Water Quality

Enc.
cc: Stuart Rose, DEP/SMRO
David Webster, USEPA

AUGUSTA
17 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0017
(207) 287-7688
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: 764-1507

web site: www.maine.gov/dep

printed on recycled paper

DMR Lag

(reprinted from April 2003 O&M Newsletter)

When the Department renews discharge permits, the parameter limits may change or parameters may be added or deleted. In some cases, it is merely the replacement of the federally issued NPDES permit with a state-issued MEPDES permit that results in different limits. When the new permit is finalized, a copy of the permit is passed to our data entry staff for coding into EPA's Permits Compliance System (PCS) database. PCS was developed in the 1970's and is not user-friendly. Entering or changing parameters can take weeks or even months. This can create a lag between the time your new permit becomes effective and the new permit limits appearing on your DMRs. If you are faced with this, it can create three different situations that have to be dealt with in different ways.

1. If the parameter was included on previous DMRs, but only the limit was changed, there will be a space for the data. Please go ahead and enter it. When the changes are made to PCS, the program will have the data and compare it to the new limit.

2. When a parameter is eliminated from monitoring in your new permit, but there is a delay in changing the DMR, you will have a space on the DMR that needs to be filled. For a parameter that has been eliminated, please enter the space on the DMR for that parameter only with "NODI-9" (No Discharge Indicator Code #9). This code means monitoring is conditional or not required this monitoring period.

3. When your new permit includes parameters for which monitoring was not previously required, and coding has not caught up on the DMRs, there will not be any space on the DMR identified for those parameters. In that case, please fill out an extra sheet of paper with the facility name and permit number, along with all of the information normally required for each parameter (parameter code, data, frequency of analysis, sample type, and number of exceedances). Each data point should be identified as monthly average, weekly average, daily max, etc. and the units of measurement such as mg/L or lb/day. Staple the extra sheet to the DMR so that the extra data stays with the DMR form. Our data entry staff cannot enter the data for the new parameters until the PCS coding catches up. When the PCS coding does catch up, our data entry staff will have the data right at hand to do the entry without having to take the extra time to seek it from your inspector or from you.

   EPA is planning significant improvements for the PCS system that will be implemented in the next few years. These improvements should allow us to issue modified permits and DMRs concurrently. Until then we appreciate your assistance and patience in this effort.

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

DEPARTMENT ORDER

IN THE MATTER OF

CYRO INDUSTRIES	)	MAINE POLLUTANT DISCHARGE
SANFORD, YORK COUNTY, MAINE	)	ELIMINATION SYSTEM PERMIT
NON-CONTACT COOLING WATERS	)	AND
ME0022667	)	WASTE DISCHARGE LISENCE
#W001914-5R-D-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 (the Department) has considered the application of CYRO INDUSTRIES with its supportive data, agency review comments, and other related materials on file and FINDS THE FOLLOWING:

APPLICATION SUMMARY

The applicant has applied for renewal of Maine Pollutant Discharge Elimination System (MEPDES) permit #ME0022667 and Department Waste Discharge License #W001914-5R-C-R, which was issued on October 2, 2000, and subsequently modified on July 18, 2001. The WDL authorized the discharge of up to a weekly average of 0.300 million gallons per day (MGD) of non-contact cooling waters from an industrial facility that manufactures acrylic sheets, molding and extrusion products. The non-contact cooling waters are discharged to the Mousam River, Class C in Sanford, Maine.

PERMIT SUMMARY

This permitting action is carrying forward all the terms and conditions of the effective MEPDES permit/WDL issued by this Department on October 2, 2000 and subsequently modified on July 18, 2001.

CONCLUSIONS

BASED on the findings in the attached Fact Sheet dated October 17, 2005, 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 of 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 CYRO INDUSTRIES to discharge up to a weekly average of 0.300 MGD of non-contact cooling waters from an industrial manufacturing facility to the Mousam River, Class C, in Sanford, 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. This permit expires five years from the date of signature below.

DONE AND DATED AT AUGUSTA, MAINE THIS 21st DAY OF November, 2005.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: _____
DAWN GALLAGHER, Commissioner

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application September 21, 2005.

Date of application acceptance September 29, 2005.

FILED
NOV 28 2005
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

W19195RD 11/17/05

SPECIAL CONDITIONS

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. During the period beginning the effective date of the permit and lasting through permit expiration, the permittee is authorized to discharge non-contact cooling water from **Outfall #001** to the Mousam River. Such discharges shall be limited and monitored by the permittee as specified below:

Effluent Characteristic	Discharge Limitations			Minimum Monitoring Frequency	
	Monthly Average as specified	**Weekly Average** as specified	**Daily Maximum** as specified	**Measurement Frequency**	**Sample Type**
Flow *[50050]*	---	0.300 MGD *[03]*	---	1/Week (1) *[01/07]*	Totalizer *[TL]*
Temperature *[00011]*	---	22°C (72°F) *[04]*	---	1/Week (1) *[01/07]*	Grab *[GR]*
pH *[00400]*	---	---	6.0-8.5 S.U. *[12]*	1/Week (1) *[01/07]*	Grab *[GR]*

The italicized numeric values in brackets in the table above are not limitations but are code numbers used by Department personnel to code Discharge Monitoring Reports (DMR's).

Footnotes:

(1) All limitations are in effect on a year-round basis but monitoring and reporting is only required between June 1 and September 30 of each year.

SPECIAL CONDITIONS

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 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.

C. NOTIFICATION REQUIREMENT

In accordance with Standard Condition D, the permittee shall notify the Department of the following:

1. Any substantial change in the volume or character of pollutants being discharged.

2. For the purposes of this section, adequate notice shall include information on:

   a) the change in quality and quantity of cooling water being discharged.

   b) any anticipated impact of the change in the quality or quantity of the cooling water being discharged.

D. UNAUTHORZED DISCHARGES

The permittee is authorized to discharge only in accordance with the terms and conditions of this permit and only from Outfall #001. Discharges of wastewater 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.

SPECIAL CONDITIONS

E. MONITORING AND REPORTING

Monitoring results shall be summarized and reported on separate Discharge Monitoring Report Forms provided by the Department at a frequency of 1/Quarter and **postmarked on or before the thirteenth (13th) day of the month or hand-delivered to a Department Regional Office such that the DMRs 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 following address:

Department of Environmental Protection
Southern Maine Regional Office
Bureau of Land and Water Quality
Division of Engineering, Compliance & Technical Assistance
312 Canco Road
Portland, Maine 04103

F. RE-OPENER CLAUSE

Upon evaluation of the test results in Special Conditions A of this permitting action, new site specific information, or any other 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 pollutants or whole effluent toxicity where there is reasonable potential that the effluent may cause water quality criteria to be exceeded: (2) require additional monitoring if results on file are inconclusive; or (3) change monitoring requirements or limitations based on new information.

G. 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: **October 17, 2005**

PERMIT NUMBER: **ME0022667**
LICENSE NUMBER **W001914-5R-D-R**

NAME AND ADDRESS OF APPLICANT:

CYRO INDUSTRIES
1796 Main Street
Sanford, Maine 04073

COUNTY: **York County**

NAME AND ADDRESS WHERE DISCHARGE OCCURS:

Cyro Industries
Route 109
Sanford, Maine 04073

RECEIVING WATER/CLASSIFICATION: **Mousam River/Class C**

COGNIZANT OFFICIAL AND TELEPHONE NUMBER: **Mr. Richard Healy,**
Plant Manager
(207) 324-6000

1. APPLICATION SUMMARY

The applicant has applied for renewal of Maine Pollutant Discharge Elimination System (MEPDES) permit #ME0022667 and Department Waste Discharge License #W001914-5R-C-R, which was issued on October 2, 2000, and subsequently modified on July 18, 2001. The WDL authorized the discharge of up to a weekly average of 0.300 million gallons per day (MGD) of non-contact cooling waters from an industrial facility that manufactures acrylic sheets, molding and extrusion products. The non-contact cooling waters are discharged to the Mousam River, Class C in Sanford, Maine.

2. PERMIT SUMMARY

a. Terms and Conditions - This permitting action is carrying forward all the terms and conditions of the effective MEPDES permit/WDL issued by this Department on October 2, 2000 and subsequently modified on July 18, 2001.

b. History: The most recent licensing/permitting actions include the following:

January 11, 1978 – The Department issued WDL#1914 that authorized the discharge of non-contact cooling water to the Mousam River. The license limited the discharge to 0.5 MGD at 28°C (82°F). The WDL indicated the non-contact cooling water discharge was approved in an effort to remove the waste stream from the municipal collection and treatment systems.

February 14, 1978 – The U.S. Environmental Protection Agency (EPA) issued National Pollutant Discharge Elimination System (NPDES) permit #ME0022667. The permit authorized the discharge of up to a daily maximum of 0.5 MGD of non-contact cooling waters with a daily maximum temperature limit of 82°F. Compliance with the permit limits were determined at the outlet from the plant. It is noted, the non-contact cooling waters were, and still are, conveyed to the Mousam River via a buried 1,500 feet long pipe ten inches (10") in diameter.

July 2, 1982 – Cyro Industries submitted an application to the EPA to renew NPDES permit #ME0022667.

January 7, 1983 – The EPA issued a letter to Cyro Industries indicating that the 7/2/82 application to renew the NPDES permit was deemed complete for processing.

February 23, 1983 – The Department renewed the non-contact cooling water WDL for the Cyro Industries facility and carried forward all limitations and monitoring requirements established in the 1/11/78 WDL.

May 10 1988 – The Department renewed the non-contact cooling water WDL for the Cyro Industries facility by issuing Department WDL#W001914-57-A-R. The WDL modified the limitations from the 2/23/83 WDL by establishing the 0.5 MGD as a monthly average limit rather than a daily maximum limit, reduced the daily maximum temperature to 20°C (68°F) and required monitoring the ambient receiving water temperature in July, August, September and October of each year.

April 6, 1993 – Cyro Industries submitted a *License By Rule Notification Form* with the Department to renew #W001914-57-A-R.

May 10, 1993 – The *License By Rule* was effective for a term of five years, consistent with the term for an individual WDL. The *License By Rule* was assigned a license number of #W001914-57-B-R.

2. PERMIT SUMMARY

October 1, 1999 – The EPA issued a letter to Cyro Industries informing the company that NPDES #ME0022667 issued on 2/14/78 was being administratively continued since a re-application was filed with the EPA back in 1982.

February 29, 2000 – Cyro Industries filed an application with the Department to renew *License By Rule* #W001914-57-B-R as an individual license.

June 29, 2000 – The EPA issued a NPDES General Permit (MEG250279) for the non-cooling water discharge from the Cyro Industries facility and formerly retire individual NPDES permit #ME0022667.

October 2, 2000 – The Department issued a renewal of WDL#W001914-57-A-R.

January 12, 2001 – The Department received authorization from EPA to administer the NPDES program in Maine. From that point forward, the program has been referred to as the Maine Pollutant Discharge Elimination System (MEPDES) permit program.

June 11, 2001 - CYRO Industries submitted an application to the Department to modify WDL #W001914-5R-B-R to incorporate the terms and conditions of the MEPDES program.

July 18, 2001 – The Department issued combination MEPDES permit #ME0022667/WDL modification W001914-5R-C-M.

September 21, 2005 – Cyro Industries submitted a timely and complete application for renewal of the combination MEPDES permit/WDL.

c. Source Description: The manufacturing process for polymerizing raw materials into an acrylic plastic requires the heating of chemicals until a reaction begins which thereafter generates its own heat. The heat generated is dissipated carefully to create a uniform, high quality solid. Cooling is currently achieved with either electrically operated chillers or fan coolers. "Contact" cooling waters where water comes into contact with the product is discharged to the Sanford Sewer District's waste water treatment facility.

"Non-contact" cooling waters are circulated through a heat exchanger without ever touching the product or any process chemicals. Cyro Industries maintains several distinct non-contact cooling water systems that are identified on the following page.

2. PERMIT SUMMARY (cont'd)

SYSTEM	VOLUME (gpm)	DISCHARGE	DESCRIPTION
Plant #1	85	Mousam River	Vessel cooling
Waste Treatment	10	Mousam River	Evaporative recovery
Plant #2 – Air Compressor	100	Sub-Surface (1)	Recycled monomer and compressor cooling

Footnotes:

(1) Prior to December 9, 1998, cooling waters from Plant #2 were conveyed to the Sanford Sewer District's wastewater treatment facility. On December 9, 1998, the Department issued a modification of Cyro Industries Site Location of Development Order to permit the disposal of these non-contact cooling waters via a sub-surface infiltration system.

d. Waste Water Treatment: Non-contact cooling waters discharged to the Mousam River do not receive any formal treatment prior to discharge. However, during the summer months of calendar years 1999 and 2000, Department personnel from the Bureau of Land & Water Quality's Division of Environmental Assessment responsible for water quality studies and assessing the impact of discharges on receiving waters made note of Cyro Industries discharge during data gathering events. It was observed that because the non-contact cooling waters are piped underground approximately 1,500 feet before discharging to the Mousam River, (see Attachment A of this Fact Sheet) the discharge temperature was cooler than the ambient temperature of the river. It was concluded that the heat in the non-contact cooling water discharge from Cyro Industries was being dissipated as it travels through the outfall pipe. As a result the discharge is benefiting the river during the summer months rather than having a negative impact. See the discussion on temperature below.

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., §467(6)(A)(2) states that Mousam River is classified as a Class C waterway. Maine law, 38 M.R.S.A., §465(4) describes the classification standards for Class C waters.

5. RECEIVING WATER QUALITY CONDITIONS

The 2004 Integrated Water Monitoring and Assessment (305b) Report prepared by the State of Maine lists the main stem of the Mousam River (20.5 miles, Class B and Class C) in *Category 4-A: Rivers And Streams With Impaired Use, TMDL Completed* and in *Category 4-B-2: Rivers and Streams Impaired by Bacteria From Combined Sewer Overflows (TMDL Required Only If Control Plans Are Insufficien)t.* This segment of the river is not attaining the standards of its assigned classification for bacteria and aquatic life standards. The causes of the non-attainment include the discharge of treated municipal waste waters, combined sewer overflows (CSO's) and stream flow modification for hydropower generation and urban non-point sources. It is noted the Department submitted a final Total Maximum Daily Load (TMDL) report to the EPA for review and approval in February of calendar year 2001. The document entitled, Mousam River TMDL, Town of Sanford, Final Report, Feb 2001, was prepared due to the fact that a 3.7 mile segment of the Mousam River from the Route #4 bridge in Sanford to Estes Lake in Sanford was not attaining the standards of its assigned classification for dissolved oxygen and certain toxic substances. It is noted the Sanford Sewerage District's discharge is located approximately 0.8 miles downstream of the Route #4 bridge and 2.9 miles upstream of Estes Lake in Sanford. The TMDL was developed for BOD, phosphorus, ammonia nitrogen, and seven toxic substances and was approved by the EPA on March 8, 2001. To meet the more stringent water quality based limits of their MEPDES permit issued on March 28, 2003, the Sanford Sewerage District recently completed an $18 million upgrade to their waste water treatment facility.

The Department does not have an information indicating that the non-contact cooling water discharged by Cyro Industries is causing or contributing to any non-attainment of water quality standards in the Mousam River.

6. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

a. Flow – The previous permitting action established a weekly average flow limitation of 0.300 MGD that is being carried forward in this permitting action. A review of the monthly Discharge Monitoring Report (DMR) data for the period June – September for calendar year 2001 to the present indicates the weekly average flow has ranged from 0.115 MGD to 0.247 MGD with an arithmetic mean of 0.198 MGD.

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

b. Temperature - Department Regulation Chapter 582, *Regulations Relating To Temperature,* states that no discharge shall cause the ambient temperature of any freshwater body such as a stream or river, as measured outside a mixing zone, to be raised more than 5°F. The regulation also limits a discharger to an in-stream temperature increase (ΔT) of 0.5° F above the ambient receiving water temperature when the weekly average temperature of the receiving water is greater than or equal to 66° F or when the daily maximum temperature is greater than or equal to 73° F. The temperature thresholds are based on EPA water quality criterion for the protection of brook trout and Atlantic salmon (both species indigenous to the Mousam River). The weekly average temperature of 66° F was derived to ensure normal growth of the brook trout and the daily maximum threshold temperature of 73° F protects for the survival of juveniles and adult Atlantic salmon during the summer months. As a point of clarification, the Department interprets the term "weekly average temperature" to mean a seven (7) day rolling average. To promote consistency, the Department also interprets the ΔT of 0.5° F as a weekly rolling average limit when the receiving water temperature is $\geq$66° F and <73° F and a daily limitation when the temperature is $\geq$73° F. All calculations are based on 7Q10 low flow conditions in the receiving waters.

To comply with Department Regulation Chapter 582, the flow and temperature of the discharge must be regulated such that during the summer period June 1 – September 30, it does not change the receiving water temperature by more than 0.5°F as a weekly rolling average. The mass balance thermal calculations below indicate that if the Mousam River was at 7Q10 low flow conditions (5.0 cfs) and at a critical temperature of 66°F and the plant was operating at a weekly average temperature of 22°C (72°F) and a weekly average flow of 0.3 MGD, the ΔT in the receiving water would be approximately 0.5°F:

(Plant flow)(Discharge Temp) + (7Q10 flow)(RW Temp) = (Total flow)(RW Temp)

(0.3 MGD)(72°F) + (3.23 MGD)(66°F) = (3.53 MGD)(X°F)

X = 66.51°F

The previous permitting action established a weekly average temperature limitation of 72°F that is being carried forward in this permitting action. A review of the monthly DMR data for the period June – September for calendar year 2001 to the present indicates the discharge temperature has ranged from 59°F to 69°F with an arithmetic mean of 63°F.

c. pH: The previous permit established a pH range limit of 6.0 – 8.5 standard units. This permitting action is carrying forward the limitation as a best practicable treatment (BPT) limitation. A review of the monthly DMR data for the period June – September for calendar year 2001 to the present indicates the pH of the discharge has ranged from a low of 6.6 standard units to a high of 8.4 standard units.

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

d. Monitoring and Reporting: Based on the insignificance of the potential thermal impact on the receiving water during the winter months (October 1 – May 31), this permitting action, as with the previous permitting action, is not requiring monitoring and reporting between said months for parameters limited in the permit. Monitoring and reporting are only required in the months of June through September, inclusively. The limitations will remain in effect on a year round basis and remain enforceable year round.

7. IMPACT OF THE DISCHARGE ON THE RECEIVING WATER

The Department has made the determination that designated and existing water uses will be maintained and protected and the discharge will not cause or contribute to the receiving water not attaining the standards of its assigned classification.

8. PUBLIC COMMENTS

Public notice of this application was made in the Sanford News newspaper on or about September 15, 2005. The Department receives public comments 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 a 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 Resource Regulation
Bureau of Land and Water Quality
Department of Environmental Protection
17 State House Station
Augusta, Maine 04333-0017 Telephone (207) 287-3901
e-mail: gregg.wood@maine.gov

10. RESPONSE TO COMMENTS

During the period of October 17, 2005, through the issuance date of the permit/license, the Department solicited comments on the proposed draft permit/license to be issued for the discharge(s) from the Cyro Industries facility in Sanford. 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.