

**TAB 1**  
**Maine DEP General Application**  
**for WDL/MEPDES Permit**



Maine Department of Environmental Protection

**General Application for  
Waste Discharge License (WDL) /  
Maine Pollutant Discharge Elimination System (MEPDES) Permit**

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Regulatory requirements for the preparation and filing of applications may be found in  
Chapters 2, 521 and 522 of the Department's rules.

GENERAL INSTRUCTIONS

1. This general form is to be used to make application for the discharge of pollutants to the surface waters of the State, from all source except from privately owned discharges subject to the Over Board Discharge Program requirements.
2. Applicants are responsible for publishing public notice of their application at the time it is filed with the Department. See pages 7 and 8.
3. For a proposed new discharge of wastewater of more than 25,000 gallons per day or a project involving licenses from more than two bureaus in DEP, an applicant must conduct a public informational meeting before submitting an application to the Department. See page 7.
4. In some circumstances an applicant must have a pre-application or pre-submission meeting with the Department prior to filing of an application. See page 9.
5. At the time an application is filed with the Department, a copy must be provided to the municipal office and notice provided to all abutters by certified mail. See page 7.
6. Application fees must be paid at the time an application for a **new** discharge or permit is filed. Contact the Department for additional information and calculation of the fee amount. For existing discharges, fees are charged on an annual basis and application fees are not required with an application for permit renewal.
7. Attach additional sheets as necessary in answering specific questions. Be sure to number each sheet to identify the question to which it pertains.
8. Failure to fully complete all required forms or to pay necessary application fees will result in the application being returned.
9. After completing the application, submit 2 copies to:

Maine Department of Environmental Protection  
Bureau of Water Quality  
Division of Water Quality Management  
State House Station 17  
Augusta, Maine 04333-0017

10. Please read the entire application form before furnishing any information. If you need any assistance in filling out the form or required attachments, please contact the Department at the above address or by calling (207) 287-7688.
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Maine Department of Environmental Protection  
General Application for WDL / MEPDES Permit

This application is for a:

New discharge  Renewal  Increased discharge  Transfer of owner  Modification  Other: \_\_\_\_\_

If assigned: MEPDES#: ME

WDL #: W - - -

FACILITY AND APPLICANT INFORMATION

1. Facility Information (911 Address):

Facility Name: Whole Oceans, LLC

Town: Bucksport

Global Positioning System (GPS) reference data if available

Facility Type:  Federal  State  Other Public  Private  Other

Receiving Water Name(s): Penobscot Rv.

State: ME Zip: 04416

2. Applicant Information:

Name: Whole Oceans, LLC

Address: c/o Pierce Atwood LLP, 254 Commercial Street

Town: Portland

Telephone: (203) 918-1863

e-mail: rpiasio@wholeoceans.com

State: ME Zip: 04101

3. Owner Information (if different from Applicant):

Name: Whole Oceans, LLC

Address: c/o Pierce Atwood LLP, 254 Commercial Street

Town: Portland

Telephone: (203) 918-1863

e-mail: rpiasio@wholeoceans.com

State: ME Zip: 04101

4. Operator Information (if different from Applicant/Owner):

Name: Rob Piasio

Address: c/o Pierce Atwood LLP, 254 Commercial Street

Town: Portland

Telephone: (203) 918-1863

e-mail: rpiasio@wholeoceans.com

State: ME Zip: 04101

NOTE: If a wastewater treatment facility is operated under a contract with third party, the contract for services must be reviewed and approved by the Department.

5. Cognizant Official (Person to whom correspondence regarding this application should be sent):

Name: Rob Piasio

Address: c/o Pierce Atwood LLP, 254 Commercial Street

Town: Portland

Telephone: (203) 918-1863

e-mail: rpiasio@wholeoceans.com

State: ME Zip: 04101

6. Person in responsible charge of the treatment facility operations:

Name: John Pond, CES, Inc. - jpond@ces-maine.com

Operator's license #: #00844

Grade:

Telephone: (207) 989-4824

Professional Engineer?

7. Briefly describe nature of business and activities requiring WDL /MEPDES Permit:

Whole Oceans, LLC proposes to build a land-based Atlantic salmon recirculating aquaculture system (RAS).

ELECTRONICALLY SIGNED DECISIONS

8. Electronically signed decision options. To expedite processing of applications and reduce paper usage, **all final decisions on an application will be electronically signed by the Commissioner (or his/her designee) and will be sent to the respective e-mail addresses provided for the Applicant and the Cognizant Official** listed on this application, unless the “opt out” signature block is signed below.

*I hereby decline to receive an electronically signed decision on the WDL/MEPDES permit via e-mail and choose to receive manually signed (hand written) decision via regular (U.S. Postal) mail.*

Sign to **DECLINE** only

(Applicant):

Date:

SUPPORTING MATERIALS AND REQUIRED ATTACHMENTS

9. For **new and transfer applications only** from privately-owned facilities, include:

■ A Certificate of Good Standing issued by the Maine Secretary of State.  
(See Attach. A)

■ Proof of Title, Right or Interest (TRI) in the property on which the treatment system and outfall pipes and structures are or will be located. See Chapter 2 of the Department’s rules for TRI criteria.

(See Attach. B)

10. For **transfer applications only**, answer the following then skip to the Certification on page 6.

A. Name of current/former owner:

B. Describe any planned changes in the current discharge:

C. Provide a statement describing the technical and financial capacity to comply with the current permit conditions and applicable laws and rules. (use a separate sheet)

11. Unless submitted previously and there have been no changes, provide a topographic map (or other map if a topographic map is unavailable) extending one mile beyond the property boundaries of the source, depicting the facility and each of its intake and discharge structures

(See Attach. C)

12. If modification of an existing permit is being requested, attach a statement describing the nature of the modification and the reasons or circumstances necessitating the change. Include any relevant modified process flow schematics available.

Maine Department of Environmental Protection  
General Application for WDL / MEPDES Permit

13. Attachments for specific activities and circumstances. For each specific question, check 'Yes' or 'No' to indicate if the statement is applicable to a discharge or activity described in this application. Where 'Yes' is checked, attach the applicable form.

Specific Question	Yes	No	Applicable Form
A. Is this facility a publicly owned treatment works treating sanitary wastewaters?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	DEP Form: Publicly Owned Treatment Facilities (DEPLW0106)
B. Does this application seek authorization to introduce septage into treatment works?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	DEP Form: Disposal of Septage and Holding Tank Wastes in Wastewater Treatment Facility (DEPLW0507-A2004)
C. Is this application for a subsurface wastewater disposal system?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	DEP Form: Application for Subsurface Wastewater Disposal System (DEPLW0313-B2005)
D. Is this application for a land surface (including spray irrigation) wastewater disposal system?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	DEP Form: Application for Surface Wastewater Disposal System (DEPLW0450-B2005)
E. Is this a food processing facility or POTW that treats food processing wastewaters? (See Att. D)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	DEP Form: Food Processing Facilities (DEPLW1999-19)
F. Is this an existing discharge of industrial process wastewater?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	EPA Form: 2C
G. Is this to be a new discharge of industrial process wastewater? (See Att. E)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	EPA Form: 2D
H. Is this a discharge of non-contact cooling water?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	EPA Form: 2E
I. Is this discharge of storm water associated with an industrial activity?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	EPA Form: 2F
J. Is this a discharge of non-process wastewater?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	EPA Form 2E
K. Is this application for an Atlantic salmon net pen facility?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	DEP Form: Supplemental Information for Atlantic Salmon Aquaculture Net Pen (for Individual Permit) (DEPLW0956)
L. Is this a fish hatchery or rearing facility? (See Att. F)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	DEP Form: Fish Rearing Facilities (DEPLW1999-18)
M. Does this application involve a new or modified outfall structure? (See Att. G)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	DEP Form: Outfall Information (DEPLW1999-17)
N. Is this application for a waste snow dump?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	DEP Form: Supplemental Information for Snow Dumps (DEPLW0249)

OUTFALL AND TREATMENT INFORMATION

Use attachments as necessary to provide details for each discharge point and treatment system.

14. Describe each discharge location. Include all combined sewer overflow (CSO) points, bypasses, emergency discharge points, at pump stations, etc.

<u>Outfall Number/Name</u>	<u>Description, Volume Discharged and Receiving Water</u>
Existing Outfall - 003	36" steel pipe -- 10 - 12" diffuser ports 32'- 49' of water at low tide Volume Discharged: 4 mg/d Receiving Water: Penobscot River

If any of the above-listed discharges (other than CSOs) are intermittent or seasonal, please describe the nature, circumstances and duration of each.

15. Briefly describe current treatment facilities or methods for each discharge.

(See Att. H)

16. If this is a renewal application, please describe all significant modifications to the treatment facilities (and collection system if applicable) since the last permit application was filed.

N/A

17. Are new or expanded treatment facilities or outfall structures being proposed? Yes If so, please include a construction schedule. Plans and specifications must be submitted to the Department for review and approval prior to construction of the facilities. (See Attach. H)

18. If this application is for a new or increased discharge, include a statement that:

- describes in detail the nature of and reason for the requested increase in pollutant loading to the receiving water; (See Attach. H)
- if the Department determines that the discharge will diminish the remaining assimilative capacity of the receiving water, demonstrates that alternative methods to reduce or eliminate the increased discharge are not feasible. Include engineering and economic analyses that consider alternative methods of production, process controls, wastewater minimization methods, improved wastewater treatment methods and alternate disposal sites; and
- if the Department determines that the discharge will diminish the remaining assimilative capacity of the receiving water, demonstrates that the increased pollutant load will result in important social and economic benefits to the State.

Maine DEP has conducted preliminary modeling which determined that the remaining assimilative capacity of the receiving water would not be diminished at the projected loadings listed on page 9 of 9 of the attached (Attach. H).

CERTIFICATION

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

Additionally, by signing below, I certify that

(1) notice of this application has been made by publication in **Ellsworth American** newspaper circulated in the area where the project site is located on or about March 8, 2018 (a copy of the advertising form is included in this application); (2) notice has been sent by certified mail or Certificate of Mailing to owners of land abutting the discharge site (a copy of the list of abutters is included in this application); and (3) notice and a copy of this application have been provided to the clerk of the municipality(ies) where the discharge is located. (4) Further, if this is a new discharge over 25,000 gallons per day, a public meeting attended by approximately 215+/- members of the public was held on March 20, 2018

The forgoing steps have been taken in accordance with the instructions attached to this application and the provisions of Chapters 2 and 522 of the Department's rules.

By: Signature:



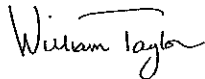
Date: June 1, 2018

Printed Name: Robert Piasio

Title: Chief Executive Officer

Assisting Parties. If the applicant has been assisted in preparing this application, the person assisting must sign below.

Signature:



Date: June 1, 2018

Printed Name: William Taylor

Telephone: (207) 791-1213

Affiliation: Pierce Atwood LLP

Address: Merrill's Wharf, 254 Commercial Street

Town: Portland

State: ME

Zip: 04101

Professional Registration or Certification: Maine Bar No. 2875

See following pages for requirements on public notice, public meetings, pre-applications meetings and pre-submission meetings.

Instructions for providing notices of the application. For all applications, the first 3 items must be completed. If the application is for a new discharge, you must also complete item 4.

1. *Publication of Public Notice.* Applicants for waste discharge permits are required to publish a public notice that the application is being filed with the Department of Environmental Protection. The notice must be published within 30 days prior to the application being sent to the Department. The notice should be published in the legal advertisement section of a daily or weekly newspaper having general circulation in the area where the discharge will occur. If the public notice is not published at the proper time or if the application is returned because it is incomplete, you may be asked to have the notice published a second time.

Using the form on the next page, fill in the blanks with the appropriate information. Strike out all of the items (CSO, multiple discharge sources, etc.) in the second paragraph that do not apply to your discharge. The form may then be sent to the newspaper that is to publish the notice. Additionally, include a copy of the form with the application filed with the Department.

2. *Notice to Abutters.* Applicants are also required to send a copy of the public notice by certified mail or Certificate of Mailing to all abutting property owners within 30 days prior to the application being filed with the Department. For the purposes of public notice of this application, an "abutter" is any person who owns property that is both (1) adjoining and (2) within 1 mile of the delineated project boundary, including owners of property directly across a public or private right of way. Additionally, include a copy of the form with the application filed with the Department.

3. *Notice to Municipal Office.* Applicants are required to send a copy of the public notice by certified mail to the town or city clerk of each municipality where the discharge is located within 30 days prior to the application being filed with the Department. Applicants must also file a duplicate copy of the application with each municipality.

4. *Public Meeting.* Where the application is for a new discharge of greater than 25,000 gallons per day, you must hold a public meeting in accordance with Chapter 2, Section 8, of the Department's rules. Notice of the meeting must be sent to abutters and the clerk of the municipality(ies) where the discharge is located at least 10 days prior to the meeting. Notice of the meeting must be published in the same newspaper used to publish the notice of filing.

After all required notices have been made, sign the statement on the Certification page of the application.



NOTICE OF INTENT TO FILE  
MAINE WASTE DISCHARGE LICENSE / MAINE POLLUTANT DISCHARGE ELIMINATION  
SYSTEM PERMIT APPLICATION

Please take note that, pursuant to 38 MRSA, Sections 413 and 414-A, \_\_\_\_\_ of \_\_\_\_\_ intends to file a wastewater discharge permit application with the Department of Environmental Protection (DEP). The application is for the discharge of \_\_\_\_\_ of \_\_\_\_\_ to the \_\_\_\_\_ in \_\_\_\_\_, Maine.

*Include as applicable:*

*CSO:* Included in this application is the discharge from \_\_\_\_\_ Combined Sewer Overflows to \_\_\_\_\_.

*Multiple industrial point sources:* The application includes \_\_\_\_\_ associated with the primary activity described above.

*Antidegradation:* The application proposes a new or increased discharge that may lower existing receiving water quality within its legal classification, and the application contains a statement regarding important social and economic benefits resulting from the activity causing the discharge, pursuant to 38 MRSA, Section 464.

*Mixing Zone:* The application includes a request for establishment of a mixing zone in the \_\_\_\_\_, inside of which classifications standards and uses not need to be met, pursuant to 38 MRSA, Section 451.

The application will filed on or about \_\_\_\_\_ and will be available for public inspection at DEP's Augusta office during normal business hours. A copy may also be seen at the municipal offices in \_\_\_\_\_.

A request for a public hearing or request that the Board of Environmental Protection assume jurisdiction over this application must be received by the DEP, in writing, no later than 20 days after the application is found acceptable for processing, or 30 days from the date of this notice, whichever is longer. Requests shall state the nature of the issue(s) to be raised. Unless otherwise provided by law, a hearing is discretionary and may be held if the Commissioner or the Board finds significant public interest or there is conflicting technical information.

During the time specified above, persons wishing to receive copies of draft permits and supporting documents, when available, may request them from DEP. Persons receiving a draft permit shall have 30 days in which to submit comments or to request a public hearing on the draft.

Public comment will be accepted until a final administrative action is taken to approve, approve with conditions or deny this application. Written public comments or requests for information may be made to

Maine Department of Environmental Protection  
Division of Water Quality Management  
Department of Environmental Protection  
State House Station #17  
Augusta, Maine 04333-0017  
Telephone (207) 287-7688

### **Pre-application and pre-submission meetings**

**Pre-application meetings.** Pre-application meetings between the applicant and the Department are an opportunity for the applicant to determine the statutory and regulatory requirements that apply to a specific project and to identify a Project Manager for the application. The purpose of these meetings is to identify issues, processing times, fees and the types of information and documentation necessary for the Department to properly assess the project. The applicant shall consult the appropriate bureau Permit Assistance Coordinator to determine what information the applicant must provide before or during a pre-application meeting. Any applicant may request a pre-application meeting. The Department shall make a date available for the meeting as expeditiously as possible, but no later than 30 days from receipt of a written request and receipt of all information required for a pre-application meeting by the bureau. The Department shall prepare a written summary of all pre-application meetings.

For waste discharge permits, pre-application meetings are required prior to submission to or acceptance by the Department of an application for the following:

New wastewater discharge license for a discharge greater than 25,000 gallons per day (38 M.R.S.A. Sections 413, et seq.);

Projects requiring new or amended licenses involving more than two bureaus.

**Pre-submission meetings.** Pre-submission meetings between the applicant and the Department occur after the applicant has finished preparing the application for submission. These meetings are an opportunity to review the assembled application to ensure that the necessary information has been included prior to filing the application with the Department. An applicant may request a pre-submission meeting by contacting the Project Manager, or the Permit Assistance Coordinator for the bureau if no Project Manager has been identified. The Department shall make a date available for the meeting as expeditiously as possible, but no later than 20 days from receipt of a written request.

For waste discharge permits, a pre-submission meeting is required prior to submission to or acceptance by the Department of an application for the following:

Any application for which a pre-application meeting was held; or

Any application that has been previously rejected by the Department (see Chapter 2, Section 7-B of the Department's rules).

**Waivers.** The requirement of a pre-application or pre-submission meeting may be waived by written notice from the Department and agreement by the applicant. The Department will agree to waive a pre-application or pre-submission meeting if the Department is satisfied that such a meeting would be of no value in achieving the purposes noted above.

Note: The waiver of a pre-application or pre-submission meeting does not waive the public informational meeting required for new discharges of more than 25,000 gallons per day.

**ATTACHMENT A TO WDL  
Certificate of Good Standing**

# State of Maine



## Department of the Secretary of State

*I, the Secretary of State of Maine, certify that according to the provisions of the Constitution and Laws of the State of Maine, the Department of the Secretary of State is the legal custodian of the Great Seal of the State of Maine which is hereunto affixed and of the reports of qualification of foreign limited liability companies in this State and annual reports filed by the same.*

*I further certify that WHOLE OCEANS, LLC, a DELAWARE limited liability company, is a duly qualified foreign limited liability company under the laws of the State of Maine and that the application for authority to transact business in this State was filed on May 24, 2017.*

*I further certify that said foreign limited liability company has filed annual reports due to this Department, and that no action is now pending by or on behalf of the State of Maine to forfeit the authority to transact business in this State and that according to the records in the Department of the Secretary of State, said foreign limited liability company is a legally existing limited liability company in good standing under the laws of the State of Maine at the present time.*

*In testimony whereof*, I have caused the Great Seal of the State of Maine to be hereunto affixed. Given under my hand at Augusta, Maine, this twenty-third day of February 2018.



A handwritten signature in black ink, appearing to read 'Matthew Dunlap', written over a horizontal line.

Matthew Dunlap  
Secretary of State