



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION



PAUL R. LEPAGE
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February 21, 2014

Ralph Abele
Chief Water Quality Branch
United States Environmental Protection Agency
Region 1
5 Post Office Square - Suite 100
Boston, MA 02109-3912

RE: Maine's 2012 §303(d) list and Integrated Water Quality Report

Dear Mr. Abele,

The Maine Department of Environmental Protection hereby submits our final draft 2012 Integrated Water Quality Monitoring and Assessment Report to the U.S. Environmental Protection Agency as required of Sections 305(b) and 303(d) of the Clean Water Act, and in fulfillment of the reporting requirements of 38 M.R.S.A. Section 464.3.A. of the State of Maine's Water Classification Program.

Descriptions of the listing methods used by the Department are presented in Chapter 4. Specific surface waterbody attainment and impairment assignments are found in the Appendices (a separate document and electronic file). The appendices are broken into four waterbody types: rivers/streams, lakes, wetlands and estuarine/marine waters.

Summary of Significant Findings

- Thirty-two river and stream assessment units are delisted from Category 5-A for the 2010 cycle. As noted below, most of the decrease in Category 5-A is due to approval of the Statewide % Impervious Cover Total Maximum Daily Load (TMDL). In addition, thirteen segments are added to Category 3, five segments to Category 4-B and nine segments to Category 5.
- In September 2012 EPA approved a Statewide % Impervious Cover TMDL that resulted in the removal of 30 segments with aquatic life impairments from Category 5-A to Category 4-A. These 30 segments are located in 18 different towns. Two segments are delisted from Category 5-A to Category 2 based on newer data showing water quality standards attainment.

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- Thirteen segments are added to Category 3 based on new data indicating potential impairment.
- In May 2011, new MEPDES permits incorporating phosphorus discharge limits for mills on the freshwater portion of the Penobscot River were issued, putting in place water quality protection based on actual waste load allocations. As a result of this permitting action, five mainstem segments are being moved from to Category 5-A to 4-B in the current reporting cycle.
- Seven segments are newly listed in Category 5-A for aquatic life impairments and two segments are newly listed in Category 5-B for bacteria-only impairments.
- Lakes and ponds of Maine were relatively unchanged (as a percent of total assessed waters) with respect to their listing categories during the 2010 to 2012 time frame. This period saw a small reduction in Category 3, 4-A and 5-A and a small increase in Category 2 waters. Two lakes were delisted from Category 5-A to Category 2 because a paleolimnological study indicated naturally eutrophic conditions, two lakes were moved from Category 4-A to Category 2 due to an improvement in water quality, and one lake was moved from Category 3 to Category 5-A based on new data indicating impairment.
- All freshwaters in Maine continue to be listed for an impaired Fish Consumption Use caused by mercury from sources beyond the region. These waters are in Category 4-A because of US EPA's approval, on December 20, 2007, of a Regional Mercury TMDL. Many mainstem river segments are listed in Category 5-D for non-attainment of the fish consumption use due to legacy PCB contamination of fish tissue.
- Maine DEP began development of a biological monitoring and assessment program for freshwater wetlands in 1998 and wetland numeric biocriteria are currently being developed. For the current cycle, attainment decisions are based on expert judgment of DEP biologists using statutory narrative aquatic life use criteria. In the 2012 report, eight new waters are added to Category 2 based on new data showing attainment, three waters are added to Category 3 based on data indicating potential impairment and two waters are moved to Category 5-A based on data indicating impairment. Furthermore, five waters are moved to Category 4-A as a result of the Statewide % Impervious Cover TMDL.
- For estuarine and marine waters, one waterbody is delisted from Category 3 to Category 2 due to new information. One Category 3 waterbody was subdivided into 2 segments, which are moved to Category 5-A based on new data indicating impairment.
- The Groundwater Program is described in Chapter 6. A significant portion of Maine's groundwater may be threatened by contamination, particularly in unforested areas, which comprise approximately 11% of the State. Important sources of groundwater contamination in Maine include disposal activities such as septic systems and landfills, leaking storage facilities, agriculture, spilled hazardous materials or previously unregulated activities.

We greatly appreciate the outstanding support and professionalism of Jennie Bridge, and her prompt, accurate and insightful reviews of the Report. Her attention to detail was a great help to my staff and has significantly improved the version we are now submitting for final review.

We look forward to EPA's review of this final draft of Maine's 2012 Integrated Report.

Sincerely,

A handwritten signature in cursive script that reads "Michael Kuhns".

Michael Kuhns, Director,
Bureau of Land and Water Quality

cc: Don Witherill, Director, Division of Environmental Assessment (DEA)
Susanne Meidel, Water Quality Standards Coordinator, DEA
Jennie Bridge, USEPA Region 1
Diane Switzer, USEPA Region 1
Greg Dain, USEPA Region 1