

December 3, 2008

Ms. Jennifer Robinson
Compliance Officer
Phoenix Salmon US, Inc.
P.O. Box 263 Estes Head
Eastport, Maine 04631

**RE: Atlantic Salmon Aquaculture General Permit #MEG130000
APPROVAL – Notice of Intent for Cutler West #MEG130017**

Dear Ms. Robinson:

Enclosed, please find a Department Order granting coverage for Phoenix Salmon US Inc.'s Cutler West facility (DMR Designation: MACH CW2) under the Atlantic Salmon Aquaculture General Permit #MEG130000, which was issued on September 22, 2008.

A copy of the final (9/22/08) Maine Pollutant Discharge Elimination System (MEPDES) permit #MEG130000 was previously mailed to you. The final permit is also available to view and download at: http://www.maine.gov/dep/blwq/docstand/wd/atlantic_salmon_aquaculture/index.htm. Please read the permit and its attached conditions carefully. You must follow the conditions in the order to satisfy the requirements of law.

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

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

Sincerely,

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

Enc.

pc: Matt Young, DEP
Lori Mitchell, DEP
Diantha Robinson, DMR
Sylvia Brann, DMR
Sandy Lao, USEPA
File #W8228

IN THE MATTER OF

PHOENIX SALMON US, INC.)	ATLANTIC SALMON AQUACULTURE
CUTLER, WASHINGTON COUNTY, ME)	GRANTING OF COVERAGE
CUTLER WEST)	
#W008228-5Y-B-R)	MEG130000
#MEG130017)	GENERAL PERMIT
MACH CW2)	RENEWAL
APPROVAL)	

The Department of Environmental Protection (Department) has considered the Notice of Intent submitted by PHOENIX SALMON US, INC., with supportive data, agency review comments and other related materials on file for coverage under the Atlantic Salmon Aquaculture General Permit, #MEG130000, issued by the Department on September 22, 2008, and FINDS THE FOLLOWING FACTS.

The applicant proposes to operate an Atlantic salmon aquaculture facility consisting of a maximum of 20 100-meter circular net pens in the waters of Machias Bay, Class SB, in Cutler, Maine. This permitting action is a renewal of the original granting of coverage issued by the Department in Waste Discharge License #W008228-5Y-A-N on October 14, 2005. The applicant has indicated that it intends to comply with the terms and conditions of the 9/22/08 Atlantic Salmon Aquaculture General Permit. The permittee is authorized to discharge only: 1) in accordance with the permittee's Notice of Intent, accepted for processing on November 11, 2008; and 2) in accordance with the terms and conditions of Atlantic Salmon Aquaculture General Permit, #MEG130000 issued on 9/22/08.

Operated in accordance with the Atlantic Salmon Aquaculture General Permit, #MEG130000, the discharges identified by the applicant will not have a significant adverse effect on water quality or cause or contribute to the violation of the water quality standards of the receiving water.

THEREFORE, the Department GRANTS coverage for PHOENIX SALMON US, INC. under the Atlantic Salmon Aquaculture General Permit, #MEG130000, subject to the terms and conditions therein.

DONE AND DATED AT AUGUSTA, MAINE, THIS 2nd DAY OF December, 2008.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: _____
DAVID P. LITTELL, Commissioner

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Public notice of the Notice of Intent was published on or about October 24, 2008.
A Notice of Intent was received by the Department on November 6, 2008.

Date filed with Board of Environmental Protection: _____