



## Portland Water District

FROM SEBAGO LAKE TO CASCO BAY

August 19, 2022

Mark Graham  
Director, North American Facilities and Project Management  
Covetrus, Inc.  
12 Mountfort St.  
Portland, ME 04101

### BEST MANAGEMENT PRACTICES INDUSTRIAL DISCHARGE PERMIT

Dear Mr. Graham,

Please find enclosed your Industrial Discharge Permit. The permit is valid from **August 22, 2022 to August 21, 2025** for the wastewater discharge at Covetrus' compounding pharmacy, located on Mountfort Street in Portland, Maine.

In preparing this permit we reviewed your recent permit application and also considered monitoring data from our treatment facility and local and federal discharge limitations. Based on this analysis, we considered whether or not Covetrus requires permit-specific limits, conditions, or monitoring requirements for any parameter(s) in order to ensure compliance with the Clean Water Act.

Covetrus' compounding pharmacy is regulated under the federal category for pharmaceutical manufacturing (40 CFR 439 Subpart D), but the potential impact to the sewer from pharmacy wastewater is expected to be low as Covetrus will not discharge process (non-sanitary) wastewater from the compounding pharmacy. Because of this, Covetrus' will be permitted as a Best Management Practices (BMP) industrial user. Wastewater monitoring is not required with a BMP permit.

This permit does include a requirement for semi-annual certification that Covetrus is meeting the Best Management Practices specified in this permit. Namely, Covetrus is not discharging process wastewater, is collecting, storing and disposing of waste that is not appropriate for sewer disposal, and is performing required maintenance on the pH adjustment system. Covetrus must maintain a log of maintenance activities performed on the pH adjustment system. This log (or equivalent information), as well as invoices and/or manifests for chemical waste pickups must be submitted with the semi-annual certification, which is due **January 15 and July 15** of each year covered by the permit. Electronic submissions are encouraged and appreciated as long as a hard copy is retained at the Covetrus facility.

Please note that the discharge permit requires all semi-annual Best Management Practices reports to include the following certification statements, signed by an authorized representative of your company:

*"I certify that Covetrus does not discharge process (non-sanitary) wastewater from the compounding pharmacy to the sewer system. I also certify that Covetrus is maintaining the pH adjustment system as needed to ensure that waste discharged does not interfere with City of*



*Portland and Portland Water District wastewater collection and treatment. I further certify that Covetrus continues to collect and store waste(s) that are not appropriate for sewer disposal. These wastes are routinely removed by an authorized chemical removal company. I understand that if Covetrus stops performing these conditional activities then the Best Management Practices designation would no longer apply."*

*"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 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 fines and imprisonment for knowing violations."*

Covetrus, Inc. must provide notification in writing at least 45 days prior to making any modification in wastewater discharges or other changes to its current practices as described in the permit application dated June 9, 2022. Covetrus is required to abide by the City of Portland's Rules and Regulations for Use of the Sewer System. You may view these rules by visiting the city website at <https://www.portlandmaine.gov/574/Sewer-Rules-Regulations>.

Please do not hesitate to contact me at 207-523-5202 or by email at [pretreatment@pwd.org](mailto:pretreatment@pwd.org) with questions or requests for further information.

Sincerely,



Industrial Pretreatment Program Supervisor  
Portland Water District

Cc: Bryan Drost, Operation Manager, Covetrus Portland  
Theodore Sorrentino, Facilities and Office Manager, Covetrus Portland  
Greg O'Grady, Pharmacist in Charge, Covetrus Portland  
Ben Pearson, Compliance Coordinator, City of Portland  
Paul Hunt, Environmental Services Manager, Portland Water District

# CITY OF PORTLAND



## DEPARTMENT OF PUBLIC WORKS

### AUTHORIZATION TO DISCHARGE INDUSTRIAL WASTEWATER TO THE CITY OF PORTLAND AND PORTLAND WATER DISTRICT TREATMENT FACILITIES

Company Name: **Covetrus Maine**  
Mailing Address: **12 Mountfort St.**  
**Portland, ME 04101**

Effective Date: **August 22, 2022**  
Expiration Date: **August 21, 2025**

**Covetrus Maine** is hereby authorized by the City of Portland to discharge wastewater from their **12 Mountfort St. Facility** into the City of Portland wastewater collection and treatment facilities subject to the general and specific conditions attached hereto, Section 24 of the City's Code of Ordinances and the Rules & Regulations for the Use of the Wastewater System, and applicable Federal and State laws.

Date: August 22, 2022

Approved by: \_\_\_\_\_  
Michael Murray, Acting Director  
Department of Public Works

**Covetrus Maine**  
**Best Management Practices Industrial Wastewater Discharge Permit**

**SPECIAL CONDITIONS**

**Effective August 22, 2022 – August 21, 2025**

**Covetrus Maine**

**SPECIAL CONDITIONS**

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## SPECIAL CONDITIONS

### Discharge Limitations and Monitoring Requirements

During the period beginning August 22, 2022 and lasting through August 21, 2025, the following discharges are authorized:

#### **1. PERMITTEE CLASSIFICATION**

Covetrus Maine is a CATEGORICAL industrial user and shall not discharge any pollutant that exceeds the limits set forth by the applicable federal or local pretreatment standard. Covetrus is governed by 40 CFR 439, the Pharmaceutical Manufacturing Point Source Category, Subpart D: Mixing, Compounding and Formulation. This subpart requires that any new sources must achieve the following pretreatment standards:

<b>Regulated Parameter</b>	<b>Maximum Daily Discharge (mg/L)</b>	<b>Average monthly discharge must not exceed (mg/L)</b>
Acetone	20.7	8.2
n-Amyl acetate	20.7	8.2
Ethyl acetate	20.7	8.2
Isopropyl acetate	20.7	8.2
Methylene Chloride	3.0	0.7

In addition, Covetrus Maine is a Best Management Practice (BMP) industrial user as defined by the Portland Water District and the City of Portland and must comply with the federal pretreatment standards found in 40 CFR part 403. As the permittee does not discharge process (non-sanitary) wastewater, the monitoring requirements to demonstrate compliance with the above categorical limits are waived. The permittee shall not discharge any pollutant which exceeds the limits set forth by the applicable local pretreatment standard. The permittee shall not cause pass-through or interference with the publicly owned treatment works (POTW) (see General Conditions XII (C)).

Covetrus Maine is categorized as a BMP industry because the potential impact from its wastewater discharge is expected to be low. Covetrus does not discharge any process wastewater from its compounding pharmacy. Although chemicals are stored and used on site, Covetrus does not discharge chemical waste to the sewer.

The BMP classification is conditional on Convetrus continuing to:

- not discharge process (non-sanitary) wastewater from the compounding pharmacy to the sewer system;
- properly operate and maintain the pH adjustment system;
- properly collect, store and dispose of chemical waste;

-maintain and submit accurate records of these activities.

In addition, Covetrus must report any changes in activities to the control authority and must seek approval to discharge any new waste streams. In the event that Covetrus ceases to do any of the conditional activities listed above the BMP classification no longer applies and a full industrial pretreatment permit (requiring routine wastewater discharge monitoring) may be issued.

## **2. SEMI-ANNUAL BMP CERTIFICATION REQUIREMENTS**

The permittee must provide the Portland Water District with semi-annual BMP certification reports. Reports must include the following certification statement:

*I certify that Covetrus does not discharge process (non-sanitary) wastewater from the compounding pharmacy to the sewer system. I also certify that Covetrus is maintaining the pH adjustment system as needed to ensure that waste discharged does not interfere with City of Portland and Portland Water District wastewater collection and treatment. I further certify that Covetrus continues to collect and store waste(s) that are appropriate for sewer disposal. These wastes are routinely removed by an authorized chemical removal company. I understand that if Covetrus stops performing these conditional activities then the Best Management Practices designation would no longer apply.*

The following certification statement must be submitted with all monitoring reports and correspondence:

*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 fines and imprisonment for knowing violations.*

A responsible company official must sign certification statements. The Portland Water District has a list of authorized

representatives for Covetrus Maine on file. Unsigned reports or those signed by an unauthorized representative will be rejected. See General Condition XVI for more information.

The reporting requirements will be due according to the schedule specified in Special Condition #3.

### **3. REPORTING DUE DATES**

The permittee shall submit BMP reports twice per year for each year covered by the permit. The permit term begins on August 22, 2022 and ends on August 21 2025. The reporting schedule is as follows:

#### **BMP Certification Reports**

##### **Covering period from:**

**July - December 2022**

**January - June 2023**

**July - December 2023**

**January - June 2024**

**July - December 2024**

**January - June 2025**

##### **Report due by:**

**January 15, 2023**

**July 15, 2023**

**January 15, 2024**

**July 15, 2024**

**January 15, 2025**

**July 15, 2025**

Best Management Practice Certification Reports must include, at a minimum:

- a cover letter on company letterhead with authorized signature (see General Condition Section XVI);
- appropriate certification statements (see Special Condition #2);
- pH adjustment system maintenance log (see attached for template) and/or invoices;
- chemical waste pick-up invoices or manifests (if any).

### **4. SAMPLE LOCATION**

Sampling is not required as no process wastewater discharge occurs from the compounding pharmacy at this site.

### **5. NOTIFICATION OF VIOLATIONS**

The permittee must notify PWD within 24 hours of becoming aware of an accidental spill or intentional release to the sewer system. The permittee shall follow notification guidelines in General Condition Section XVIII and XX. Process wastewater or chemical spills to the sewer may result in BMP status being revoked.

Contact information for notification of violations or spills is as follows: By phone at (207)761-8300 (24 hour access) or by email at [pretreatment@pwd.org](mailto:pretreatment@pwd.org). A voice message left at the above

number OR an email to the above email address will be considered adequate notification, as long as it is within 24 hours of industry awareness of the violation. If possible, please follow up all voice messages with an email as well.

The Portland Water District reserves the right to conduct sampling at the facility. If sampling by the Portland Water District indicates a violation, PWD shall notify the permittee. Resampling by the permittee may be required.

Any violations of this permit, including failure to report spills to the sewer system, may result in enforcement actions as outlined in the Portland Water District Industrial Pretreatment Program Enforcement Response Plan. A copy of the plan is available on PWD's website at <https://www.pwd.org/industrial-pretreatment-portland>.

## **6. WASTEWATER PRETREATMENT FACILITY**

A. The permittee shall at all times maintain in good working order and operate at maximum efficiency all existing wastewater treatment and/or control facilities.

***Covetrus operates a pH adjustment system in the basement of the facility.***

B. The permittee shall collect all waste flows and discharge them into its Wastewater Treatment Facility in such a manner as to maximize removal of pollutants, unless authorization to the contrary is obtained by the Director of Public Works or his/her authorized representative.

C. If accurate flow measurements of discharge are required, the permittee shall install flow-measuring facilities of a design approved by the City of Portland and the Portland Water District. Final plans and specifications must be submitted to the Portland Water District and approved prior to the construction of the facility.

***No new or additional flow-measuring equipment is required to be installed as of the date of this permit.***

D. If applicable, in order to maintain compliance with the effluent limitations and prohibitions of this permit, the permittee shall either:

1. Provide an alternative power source sufficient to operate the waste control facilities; or, if such alternative power source is not in existence,

2. Halt, reduce, or otherwise control production and/or all discharges upon the reduction, loss, or failure of the primary source of power to the wastewater control facilities.

## **7. PERMIT TERMS ACCEPTANCE CLAUSE**

Covetrus Maine shall be deemed to agree to all of the terms of this permit upon its acceptance of this permit. See General Conditions Section IV for information concerning the permit appeals process.

## **8. IMPLEMENTATION SCHEDULE**

If installation or substantial modification of pretreatment or other facilities are required by state or federal laws, or by the City of Portland or the Portland Water District, then an implementation schedule for compliance acceptable to the Portland Water District shall be developed.

*No such schedule is required as of the date of this permit.*

## **9. pH ADJUSTMENT SYSTEM MAINTENANCE LOG**

Please see page 8 of this document for an example log for recording maintenance performed on the pH adjustment system. You may use this as a template or provide your own equivalent log.



General Conditions – Portland  
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Updated 8/29/18

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## I. DEFINITIONS

Unless the context clearly indicates otherwise, the meaning of terms or abbreviations used in this discharge permit shall be as defined in the City of Portland Rules and Regulations for use of the Wastewater System and Section 24 of the City's Code of Ordinances or as defined below.

### **FOR THE PURPOSE OF THIS PERMIT, THE FOLLOWING DEFINITIONS SHALL APPLY:**

1. Grab Sample: An individual sample collected in a period of less than 15 minutes.
2. Composite Sample: A sample consisting of a minimum of eight grab samples collected at regular intervals over a normal operating day (unless otherwise specified) and combined proportional to flow, or a sample continuously collected proportional to flow over a normal operating day.
3. Daily Maximum: The maximum value not to be exceeded during any 24 hour period.
4. Daily Average: The value of a composite sample or the mean value of the analysis of the specified number of samples collected at regular intervals over a normal operating day.
5. Designee: The person or organization selected to manage and administer the Industrial Pretreatment Program. As of May 1<sup>st</sup>, 2018, the Portland Water District is the City of Portland's designee.
6. Average: The arithmetic average.
7. Continuous: Continuous monitoring of the characteristic in question.
8. 30 Day Average: Average of all daily values obtained from samples taken within thirty (30) consecutive days. Also known as monthly average.
9. Caustic Alkalinity: A specified portion of the total alkalinity; Commonly referred to as hydroxide alkalinity in the literature.
10. Organic Scan: Testing for all toxic organic compounds listed on the latest EPA priority pollutant list; including pesticides and PCBs.
11. BOD: 5-day biochemical oxygen demand.
12. COD: Chemical oxygen demand.
13. TSS: Total suspended solids.
14. Mg/L: Milligrams per liter.
15. µg/L: Micrograms per liter.
16. GPM: Gallons per minute.
17. MGD: Million gallons per day.

## II. DUTY TO COMPLY

- A. All discharges authorized herein shall comply with the City of Portland Rules and Regulations for use of the Wastewater System and the City of Portland's Sewer Use Ordinance (Section 24 of the City's Code of Ordinances) and with the terms and conditions of this permit. The discharge of any pollutant more frequently than, or at a level in excess of, that identified and authorized by this permit, the Sewer Use Ordinance and the Rules and Regulations for use of the Wastewater System shall constitute a violation of the terms and conditions of this permit. Such a violation may result in the imposition of penalties as provided for in the City of Portland Sewer Use Ordinance and the Rules and Regulations for use of the Wastewater System, and/or Federal Clean Water Act (PL 92-500 and its amendments).
- B. In addition, all permittees must comply with "CMR Chapter 528 Pretreatment Program" and the Federal Pretreatment standards found in Title 40 of the Code of Federal Regulations, Part 403 (typically referred to as 40 CFR Part 403). If the permittee is defined as a Categorical user, they must also comply with the applicable Federal Categorical Pretreatment standards.

## III. FACILITY MODIFICATION

Modifications, additions, expansions and/or closures that cause a substantial change in the volume and/or character of wastewater discharged to the treatment works must be reported to the City of Portland and its designee, in writing, *at least forty-five (45) days prior to the proposed modification*. This permit may then be modified or reissued to reflect such changes. No change in the permittee's discharge may be made unless reported to and approved by the City of Portland and its designee. In no case shall new connections, increased flows, or significant changes in effluent quantity and/or quality be permitted if such will cause violation of the effluent limits specified herein.

## IV. PERMIT MODIFICATION

- A. After notice and opportunity for a hearing as provided by Section 24-57 of the City's Code of Ordinances and/or Section 5.3 of the City of Portland Rules and Regulations for use of the Wastewater System, this permit may be modified, suspended, or revoked in whole or in part during its term for causes including the following:
1. Violation of any terms or conditions of this permit.
  2. Obtaining a permit by misrepresentation or failure to disclose fully all relevant facts.
  3. A change in conditions or the existence of a condition which requires either a temporary or permanent reduction or elimination of the authorized discharge.
  4. Promulgation of a more stringent pretreatment standard by State or Federal agencies having jurisdiction over receiving waters. Permits modified under this section may include implementation schedules, self-monitoring requirements, revised effluent limitations and other provisions necessary to assure compliance.
- B. Revisions - The City of Portland or its designee reserves the right to make appropriate revisions to this permit in order to establish any appropriate effluent limitations, schedule or compliance, or other provisions which may be authorized under Federal, State or City acts in order to bring all such discharges into compliance with these acts.

## V. STATEMENT OF NON-TRANSFERABILITY

This permit may not be transferred to the permittee's successor or assigns. In the event of any change in control or ownership of the facility which is the source of the permitted discharge, the new owner shall be required to apply for a new permit for the discharge *at least sixty (60) days prior to the transfer*. This permit, upon such transfer, shall be void.

VI. **RE-APPLICATION**

If the permittee desires to continue to discharge after the expiration of this permit, it shall reapply on the application forms then in use *at least sixty (60) days before this permit expires. Under no circumstances shall the permittee continue to discharge after the expiration of the permit.*

VII. **ACCESSIBILITY**

The permittee shall permit the City of Portland or its designee and/or other duly authorized Department of Public Works or Portland Water District personnel upon the presentation of proper credentials:

1. To have access to all points of user's facility and grounds;
2. To have access to and copy any records required to be kept under the terms and conditions of this permit;
3. To inspect any monitoring equipment or monitoring method required by this permit; or,
4. To measure and/or sample any intake, wastewater facility, or effluent so covered under the terms and conditions of this permit.

VIII. **OTHER REGULATORY REQUIREMENTS**

This permit does not preclude obtaining any other required Federal, State, or Local permits.

IX. **SEVERABILITY CLAUSE**

The provisions of this permit are severable, and the validity of any condition or subdivision thereof shall not make void any other condition or subdivision thereof.

X. **RELIEF FROM PENALTIES**

Nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance, whether or not noncompliance is due to accident, equipment breakdown, labor dispute, or natural disasters.

XI. **DISCHARGE LIMITATIONS**

- A. The discharge from Categorical users must conform to the limitations established by the applicable Federal Categorical Pretreatment standard(s); except as may be otherwise authorized or limited by this permit. See "Special Conditions, Section 1" for details.
- B. The permittee is authorized to discharge wastewater whose effluent characteristics shall not exceed the values listed in Section 24-47 of the City's Sewer Use Ordinance and / or Schedule "A" of the City of Portland Rules and Regulations for use of the Wastewater System as may be specified herein.
- C. All limitations are conditional and may be revised should the concentrations prove detrimental to the proper operation and maintenance of the Treatment Facilities. Upon notification to reduce the specified concentrations, the permittee shall be responsible for all costs incurred at the Treatment Facilities, resulting from excessive discharge concentrations.

XII. **PROHIBITED DISCHARGES**

- A. The permittee shall not discharge any prohibited waste identified in section 24-47(a) of the City's Sewer Use Ordinance and / or Section 2.2 of the City of Portland Rules and Regulations for use of the Wastewater System.

B. Slug discharges are prohibited. A slug discharge is defined as any discharge of a non-routine, episodic nature, including, but not limited, to an accidental spill or a non-customary batch discharge. For the purpose of this permit, any discharge of wastewaters whose characteristics are identified in Section 24-47 (a) of the City's Code of Ordinances and / or Section 2.2 of the City of Portland Rules and Regulations for use of the Wastewater System shall be considered a slug discharge and require immediate notification to the City of Portland or its designee. (See Section XVIII for notification requirements.)

C. General Prohibitions:

An Industrial User may not introduce into the Publicly Owned Treatment Works (POTW) any pollutants which cause Pass Through or Interference.

1. Pass Through is defined as a discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the National Pollutant Discharge Elimination System (NPDES) permit (including an increase in the magnitude or duration of a violation).
2. Interference is defined as a discharge which, alone or in conjunction with a discharge or discharges from other sources, both:
  - (a) Inhibits or disrupts the POTW treatment processes or operations, or its sludge processes, use, or disposal; and
  - (b) therefore is a cause of a violation of any requirement of the POTW NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued thereunder (or more stringent state or local regulations): Section 405 of the Clean Water Act, The Solid Waste Disposal Act (SWDA) (including Title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), and including State regulations contained in any State sludge management plan prepared pursuant to subtitle D of the SWDA), the Clean Air Act, the Toxic Substances Control Act, and the Marine Protection, Research and Sanctuaries Act.

D. Specific Prohibitions:

In addition, the following pollutants shall not be introduced into the POTW:

- (1) Pollutants which create a fire or explosion hazard in the POTW, including, but not limited to, waste streams with a closed cup flashpoint of less than 140 degrees Fahrenheit or 60 degrees Centigrade using the test methods specified in 40 CFR 261.21.
- (2) Pollutants which will cause corrosive structural damage to the POTW, but in no case discharges with pH lower than 5.0 standard units or equal to or greater than 12.5 standard units;
- (3) Solid or viscous pollutants in amounts which will cause obstruction to the flow in the POTW resulting in Interference;
- (4) Any pollutant, including oxygen demanding pollutants (BOD, etc.) released in a Discharge at a flow rate and/or pollutant concentration which will cause Interference with the POTW.
- (5) Wastewater having a temperature greater than 140 degrees F (60 degrees C), or which will inhibit biological activity or cause damage in the Facility resulting in interference, but in no case wastewater which causes the temperature at the introduction into the treatment plant to exceed 40 degrees Centigrade (104 degrees Fahrenheit).
- (6) Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through;
- (7) Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems;
- (8) Any trucked or hauled pollutants, except at discharge points designated by the POTW.

Additional discharge prohibitions can be found in Section 2.2 of the Rules and Regulations for Use of the Sewer System.

**XIII. MONITORING AND REPORTING STATEMENT**

This permit shall be subject to such monitoring requirements as may be reasonably required by the City of Portland or its designee, including the installation, use, and maintenance of monitoring equipment or methods, including, when appropriate, biological monitoring methods. The permittee shall provide the City of Portland or its designee with periodic monitoring reports as required in the special conditions section of this permit.

**XIV. MONITORING/SAMPLING REQUIREMENTS**

- A. At each connection between the permittee's sewer system and the City's collection system, the permittee, if required by the City of Portland or its designee, shall install a flow meter(s), sampling station, or other device(s) that shall measure, sample and record the quantity/quality of wastewater flow from the industry at the times required by the monitoring schedule. All monitoring devices and sampling stations must be approved by the City of Portland or its designee. The permittee shall accept the estimates of quantities of wastewater flow as established by the City of Portland or its designee during all periods in which the meters fail to measure the wastewater flow correctly.
- B. The permittee shall calibrate and perform maintenance procedures on all monitoring and analytical instruments at regular intervals to ensure accuracy of measurement.
- C. The permittee shall provide the above records and shall demonstrate the accuracy of the monitoring devices upon request of the City of Portland or its designee.
- D. Monitoring and sampling shall be conducted as follows:
  - 1. Samples and measurements taken as required herein shall be representative of the typical volume and nature of the monitored discharge.
  - 2. The sampling, preservation, handling and analytical methods used shall conform to the requirements of 40 CFR 136.
  - 3. The results of the above monitoring requirements shall be reported at the frequencies stated in the Special Conditions section of this permit.
  - 4. Any reports or records of monitoring activities and results shall include for all samples:
    - (a) The date, exact place, method, and time of sampling and the names of the person or persons taking the samples;
    - (b) The dates analyses were performed;
    - (c) Who performed the analyses;
    - (d) The analytical techniques/methods used, including sampling, handling, and preservation techniques; and
    - (e) The results of such analyses.
  - 5. All correspondence regarding monitoring facilities should be directed to:

**Portland Water District  
c/o Pretreatment Program Supervisor  
PO Box 3553  
Portland, ME 04104  
(207) 774-5961**

**Or preferably by email at [pretreatment@pwd.org](mailto:pretreatment@pwd.org)**

- 6. Results of any effluent monitoring for any pollutant more frequently than required by this permit shall be submitted to the City of Portland or its designee.

7. Information and data provided to the City of Portland or its designee, unless otherwise specified, shall be available to the public without restriction.

**XV. PRETREATMENT FACILITIES OPERATION**

All pretreatment facilities shall be operated in a manner consistent with the City of Portland Sewer Use Ordinance, the Rules and Regulations for use of the Wastewater System and any applicable Federal, State, or local regulations and guidelines. The permittee shall at all times maintain in good working order and operate as efficiently as possible any facilities or systems of control installed or utilized to achieve compliance with the terms and conditions of this permit.

**XVI. SIGNATORY AUTHORIZATION**

A. All reports shall be signed:

1. By a responsible corporate officer, if the permittee submitting the reports is a corporation. For the purpose of this paragraph, a responsible corporate officer means
  - (i) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs a similar policy or decision-making function for the corporation, or
  - (ii) the manager of one or more manufacturing, production, or operation facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million (in second-quarter 1997 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
2. By a general partner or proprietor if the permittee submitting the reports is a partnership or sole proprietorship respectively.
3. By a duly authorized representative of the individual designated in paragraph 1 or 2 of this section if:
  - (i) The authorization is made in writing by the individual described in paragraph 1 or 2;
  - (ii) The authorization specifies either an individual or a position having responsibility for the overall operation of the facility from which the Industrial Discharge originates, such as the position of plant manager, operator of a well, or well field superintendent, or a position of equivalent responsibility, or having overall responsibility for environmental matters for the company; and
  - (iii) the written authorization is submitted to the City of Portland or its designee.
4. If an authorization under paragraph 3 of this section is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, or overall responsibility for environmental matters for the company, a new authorization satisfying the requirements of paragraph 3 of this section must be submitted to the City of Portland or its designee prior to or together with any reports to be signed by an authorized representative.

B. Approved signatory authorization forms must be on file with the City of Portland or its designee.

**XVII. RECORDS RETENTION**

All records and information resulting from any effluent monitoring activities, including all records of analyses performed, and calibration and maintenance of instrumentation and recordings from continuous monitoring and instrumentation shall be retained for a minimum of three (3) years.

XVIII. NONCOMPLIANCE REQUIREMENTS

*The permittee shall immediately notify the City of Portland Director of Public Works in care of the Compliance Coordinator, or its designee if they are unable to comply with any of the conditions of this permit. The telephone number for notification is 774-5961 and the email address is [pretreatment@pwd.org](mailto:pretreatment@pwd.org). Oral notification must be received within twenty-four (24) hours of knowledge of the violation. Within five (5) days of such noncompliance and oral notification, the permittee shall provide the City of Portland or its designee a detailed written report specifying (at a minimum) the following information:*

1. The nature of the violation;
2. When and how the permittee became aware of the violation and the cause of noncompliance;
3. Anticipated time the condition of noncompliance is expected to continue, or if such conditions have been corrected, the duration of the period of noncompliance;
4. Steps taken by the permittee to reduce and eliminate the noncomplying discharge; and
5. Steps to be taken by the permittee to prevent recurrence of the condition of noncompliance.

*Failure to make such notification may result in penalties; see Section XXII of this permit.*

XIX. UNSPECIFIED DISCHARGE

Other materials ordinarily produced or used in operation of this facility which have not been specifically identified may be discharged provided

1. They are not
  - (a) Designated as toxic or hazardous under the provisions of Sections 307 and 311 respectively of the Federal Water Pollution Act, Title 38, Section 420 Maine Revised Statutes, or other applicable State Laws; or as identified in Section 24-47 (a) of the City's Code of Ordinances and / or Section 2.2 of the City of Portland Rules and Regulations for Use of the Wastewater System.
  - (b) In violation of Federal standards or requirements.
  - (c) Known to be hazardous or toxic by the permittee.
2. The discharge of such materials shall not interfere with the operation of the treatment facilities of the City of Portland or their ability to treat such materials to the extent covered by the City's permit to discharge. (See Section XII for more detail.)

XX. SPILL NOTIFICATION

*The permittee shall immediately notify the City of Portland Director of Public Works in care of the Compliance Coordinator, or its designee upon the occurrence of an accidental discharge of substances prohibited by Section 24-47 (a) of the City's Code of Ordinances and/or Section 2.2 of the City of Portland Rules and Regulations for use of the Wastewater System or any slug discharges or spills that may enter the public sewer. The telephone number for notification is 774-5961 and the email address is [pretreatment@pwd.org](mailto:pretreatment@pwd.org). Notification must occur within twenty-four (24) hours of knowledge of the spill. The notification shall include the location of discharge, volume, and corrective action taken. The permittee's notification of accidental releases in accordance with this section does not relieve it of other reporting requirements that arise under local, State, or Federal Laws, or from liability for costs to the City associated with corrective actions.*

*Within five (5) days following an accidental discharge, the permittee shall submit to the City of Portland or its designee a detailed written report. The report shall specify:*

1. Description of the upset, slug load or accidental discharge, the cause thereof, and the impact on the permittee's compliance status. The description should also include location of discharge, type, concentration and volume of waste.

2. Duration of noncompliance, including exact dates and time of noncompliance and, if the noncompliance is continuing, the time by which compliance is reasonably expected to occur.
3. All steps taken or to be taken to reduce, eliminate, and/or prevent recurrence of such an upset, slug load, accidental discharge, or other conditions of noncompliance.

*Failure to make such notification may result in penalties; see Section XXII of this permit.*

**XXI. CONFIDENTIALITY**

Records or information submitted to the City of Portland may be claimed to be confidential by the submitter. All such claims of confidentiality shall be handled in accordance with 40 CFR 403.14, to the extent permitted by Maine law.

**XXII. PENALTIES FOR VIOLATION**

**A. From Section 24-56 of the City's Sewer Use Ordinance and/or Section 5.2 of the City of Portland Rules and Regulations for use of the Wastewater System**

"Any person failing to comply with or violating any provision of this article shall be served by the public works authority with written notice stating the nature of the failure or violation and providing a reasonable time limit for the satisfactory correction thereof. Such person shall, within the period of time stated in such notice, permanently cease or correct all such failures or violations. Any person who shall continue any failure or violation beyond the time limit required for compliance in any notice given pursuant to this section shall be guilty of an offense. Any person violating any of the provisions of this article shall be liable to the city and shall be assessed a civil penalty of a minimum of one thousand dollars (\$1,000.00) per day for each violation of industrial pretreatment standards and requirements, and in addition, shall be liable for any expense, loss or damage occasioned by the city by reason of such violation. The City may seek injunctive relief for the purposes of enforcing this article."

- B. In addition, violations of discharge limits, and/or reporting due dates as established in this permit may cause the permittee to be placed in significant non-compliance with the Portland Water District and City of Portland's Pretreatment Program.
- C. At least annually the City of Portland or its designee must provide public notification in the largest daily newspaper of all industrial discharge permittees who were classified as being in significant non-compliance during the previous twelve months. Publication costs to meet this requirement shall be reimbursed to the city as part of the permit issuance fee as provided in Section 24-50 of the City's Sewer Use Ordinance.

**XXIII. COST REIMBURSEMENT**

The permittee shall reimburse the Portland Water District, the City of Portland and their agents for expenditures incurred for the special handling, monitoring, treatment or disposal of the wastewater from their facility. This includes, but is not limited to, additional costs for maintaining the treatment plant, additional costs for disposal of sewage sludge and costs of additional wastewater monitoring and analyses as long as these costs are attributable to the wastewater discharge of the permittee.