



# Portland Water District

FROM SEBAGO LAKE TO CASCO BAY

March 8, 2019

Thomas Madden, Co-Owner  
Lone Pine Brewing Company  
48 Sanford Drive  
Gorham, ME 04038

Dear Mr. Madden,

Please find enclosed your Industrial Discharge Permit. The permit is valid from **March 8, 2019 to March 7, 2022** for the wastewater discharge at **Lone Pine Brewing Company**, located at 48 Sanford Drive in Gorham.

In preparing this permit we reviewed monitoring data collected over the past 6 months and also considered monitoring data from our treatment facility as well as federal and local discharge limitations. Based on this analysis, we considered whether or not Lone Pine Brewing requires permit-specific limits, conditions, monitoring or pretreatment requirements for any parameters in order to ensure compliance with the Clean Water Act. Lone Pine Brewing Company is responsible for meeting all of the conditions in this discharge permit. This cover letter summarizes some, but not all, of the important aspects of the permit. Please review the permit carefully in its entirety.

### Monthly Monitoring Requirement and Monthly Average Permit Limits for BOD and TSS:

BOD and TSS limits for industries discharging to the Westbrook-Gorham wastewater treatment facility in Westbrook are allocated to industries in pounds/day. Each industrial discharger is reviewed for historical concentration and loading values for these parameters to determine if monitoring or permit limits are necessary:

Monitoring Date	Flow‡ (GPD)	BOD (mg/L)	TSS (mg/L)	BOD (lbs/day)	TSS (lbs/day)
6/21 – 6/22/18	3719	2700	320	84	9.9
7/26 – 7/27/18	2894	--	700	--	17
8/15-8/16/18	3844	3200	--	103	--
8/16-8/17/18	2973	8600	1200	213	30
9/10-9/11/18	4366	2800	260	102	9.5
10/2-10/3/18*	4932	4310	1100	177	45
10/3-10/4/18*	4311	2520	556	91	20
10/4-10/5/18	4029	980	980	33	33
11/8-11/9/18	3825	1100	55	35	1.8
		Average: 3276 mg/L	Average: 646 mg/L	Average: 105 lbs/day	Average: 21 lbs/day

\*Control Authority Monitoring Events on 10/2-10/3/18 and 10/3-10/4/18.

‡Flow based on meter reads minus production estimates.



Based on the above discharge history, PWD has determined that Lone Pine Brewing is a medium strength BOD and TSS discharger. Lone Pine’s average BOD and TSS concentrations are above the de minimis values of 250 mg/L and 300 mg/L respectively, while the average BOD and TSS load are below the de minimis values of 375 lbs/day and 425 lbs/day, respectively. The beer brewing process introduces the potential for very high-strength BOD and TSS waste discharges. Because of this, Lone Pine is required to monitor monthly for BOD and TSS (and to report results in pounds/day), and to comply with monthly average permit limits.

Lone Pine Brewing must meet the following monthly average permit limits for BOD and TSS:

<b>Parameter</b>	<b>Monthly Average Permit Limit (lbs/day)</b>	<b>Monitoring Frequency</b>
BOD	500 lbs/day	Monthly
TSS	500 lbs/day	Monthly

These discharge limits are monthly average limits. All results in a calendar month will be averaged and compared to the limit to assess compliance. If monitoring done early in the month indicates a violation, Lone Pine may choose to conduct follow up sampling within the month to more accurately determine the average load. If the average of multiple samples is below the monthly average limits listed above, there is no violation despite the initial high value. For this reason, sampling early in the month is encouraged.

As a reminder, pounds of a pollutant are calculated using two factors – flow and concentration – and the following formula:

$$\text{Loading (lbs/day)} = \text{Flow (MGD)} \times \text{Concentration (mg/L)} \times 8.34$$

In a letter dated 12/28/18, Lone Pine Brewing outlined how the flow would be measured at the new brewery. In short, incoming water readings to the brewery will be used as a first step in the estimation of the sewer discharge. The incoming water reading is an over-estimate since not all incoming water is discharged to the sewer. Beer production volumes will be subtracted from the incoming water to arrive at the final discharge estimate.

### **Sampling Location**

Lone Pine’s sampling location is a manhole outside of the brewery located at 48 Sanford Drive in Gorham. The manhole is closest to the northwest corner of the brewery and is in the middle of Sanford Drive. Several upstream connections drain to this sampling point, making it impossible to completely isolate the wastewater coming from Lone Pine. Due to the multiple inputs to the sewer at this sampling point it is possible that discharge violations attributed to Lone Pine may actually be coming from another upstream user, although no other industrial users are known in the area. It is beyond the capacity of PWD to conclusively trace violations to a specific discharge point. Since Lone Pine is the only regulated industry in the area, all violations measured at the sampling point will be assumed to originate with them. Lone Pine may choose to install an individual sampling location to avoid the mixing of multiple wastewater streams in the current sampling location. This may also be required if additional industrial users begin discharging to the same manhole, but it is not a requirement of the current permit.

Lone Pine had one oil and grease discharge violation in the course of the 6-month baseline monitoring period. They have agreed to clean their sewer lateral to remove buildup that may be contributing to the occasional high results at this location. If this does not solve the problem then Lone Pine will have to prove that oil and grease violations are not originating at their location or install treatment to mitigate the discharge.

### **Certification Statements**

Your discharge permit requires all reports to include the following statement, signed by an authorized representative of your company:

*"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."*

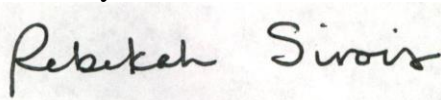
In addition, Lone Pine Brewing must certify all flow readings with the following statement:

*"I certify under penalty of law that the wastewater flow reported is consistent with the flow monitoring plan on file with PWD. The flow reflects industrial operating conditions during the entire course of the composite sample collection."*

Lone Pine Brewing Company is required to abide by the Portland Water District's Wastewater Rules covering sewer user regulations and requirements. You may view these rules by visiting the Portland Water District's website at [www.pwd.org](http://www.pwd.org).

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: Eric Dudley, Engineer, City of Westbrook  
Katherine Kelley, Wastewater Division Manager, City of Westbrook  
Paul Hunt, Environmental Manager, Portland Water District  
Chris Kelley, Environmental Scientist, Portland Water District



**City of Westbrook**  
**DEPARTMENT OF PLANNING, ENGINEERING**  
**& CODE ENFORCEMENT**

Eric S. Dudley, P.E.  
Director

2 York Street

Westbrook, Maine 04092

(207) 854-0638

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**INDUSTRIAL WASTEWATER DISCHARGE PERMIT**

**PERMIT TO DISCHARGE WASTES TO THE TREATMENT FACILITIES  
OF THE CITY OF WESTBROOK, MAINE.**

**Issued** March 8, 2019  
(Date)

**Expires** March 7, 2022  
(Date)

**Lone Pine Brewing Company** Is hereby granted a wastewater discharge permit from the City of Westbrook subject to the special and general conditions attached hereto and made part of applicable rules and regulations promulgated by the City Council or its representative, the City Engineer or his representative, the applicable provisions of Chapters 26 and 27 of the Code of Ordinances, City of Westbrook, and applicable federal and state laws. Furthermore, the applicant shall make timely payments of all sewer user charges and surcharges as stated in Chapter 27 of the Code of Ordinances, and any other charges or assessments associated herewith, as a condition of the permit. Failure to do so may result in revocation of the permit.

Industrial wastewater and Domestic wastewater  
**(Type of Effluent)**

From: Lone Pine Brewing Company, 48 Sanford Drive, Gorham  
**(Identify Source)**

To: The Sanford Drive sewer  
**(Sewer Location)**

Approved by: \_\_\_\_\_  
City of Westbrook

Date: \_\_\_\_\_

**Lone Pine Brewing Company  
Industrial Wastewater Discharge Permit**

**SPECIAL CONDITIONS**

**Effective March 8, 2019 – March 7, 2022**

**Lone Pine Brewing Company  
SPECIAL CONDITIONS**

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## SPECIAL CONDITIONS

### Discharge Limitations and Monitoring Requirements:

During the period beginning **March 8, 2019** and lasting through **March 7, 2022** the following discharges are authorized:

### **1. PERMITTEE CLASSIFICATION**

The permittee is a SIGNIFICANT industrial user as defined by the Portland Water District and must comply with the federal pretreatment standards found in 40 CFR part 403. The permittee shall not discharge any pollutant which exceeds the limits set forth by the applicable local pretreatment standard. All local limits apply to Lone Pine Brewing's discharge. Local limit standards are defined in the Portland Water District's Wastewater User Rules, Section 7.7, Schedule A. In addition, because Lone Pine's wastewater is treated at the Westbrook-Gorham Wastewater Treatment Facility, Lone Pine must also meet any discharge limits specified in the Westbrook City Ordinances.

Shown below are the local or permit limits for parameters Lone Pine Brewing is required to test for on a regular basis (see Special Conditions Sections 2 and 3). BOD and TSS permit limits are monthly average limits. All monitoring results from a calendar month will be averaged and compared to the permit limit to assess compliance.

<b>Discharge Limits</b>	<b>Daily Maximum</b>	<b>Monthly Average Limit</b>
BOD lbs/day	<b>N/A</b>	<b>500 lbs/day*</b>
TSS lbs/day	<b>N/A</b>	<b>500 lbs/day*</b>
Flow, GPD	Report Only	
pH S.U.	<p>&lt;5.0 prohibited</p> <p>&gt;12.5 prohibited (see EPA Hazardous Waste Rules 40 CFR 261.22)</p>	N/A
<p>Caustic Alkalinity mg/L</p> <p>Caustic Alkalinity analysis is required on grab samples with pH &gt; 10.3 S.U.</p>	1,000	N/A
<p>*Permit limits specific to Lone Pine Brewing Company. Please note: Permit limits are subject to change at any time due to changes in the pretreatment program. Notification of changes to permit limits will be provided at least 90 days prior to implementation.</p>		

## 2. MONTHLY SELF MONITORING REQUIREMENT

The permittee will provide the Portland Water District with results of the analysis of BOD, TSS, Flow, pH, and Caustic Alkalinity (as needed, see table below) on a wastewater discharge sample (see Special Conditions section 4 for sample location). The wastewater flow for the composite period must be reported with each sampling event to allow calculation of BOD and TSS load in pounds/day using the following formula:

$$\text{Pounds (lbs/day)} = \text{Concentration (mg/L)} * \text{Flow (MGD)} * 8.34$$

All analyses must be done by a laboratory certified in the State of Maine. A copy of the original lab report and all chain of custody paperwork must be submitted. The parameters must be analyzed according to the following schedule:

Parameter	Frequency of Monitoring	Sample Type
BOD, lbs/day	Monthly	24-Hour Composite
TSS, lbs/day	Monthly	24-Hour Composite
Flow (hcf or mgd)	Monthly	24-Hour Composite
pH S.U.*	Monthly	Grab
Caustic Alkalinity mg/L	Monthly	From pH Grab Sample
*pH less than 5.0 standard units is prohibited; any pH result over 10.3 standard units MUST be accompanied by a result for caustic (hydroxide) alkalinity from the same sample. pH above 12.5 standard units is prohibited (see EPA hazardous waste rules at 40 CFR 261.22)		

Composite samples may be collected over a time interval shorter than 24-hours but only if the permittee can certify that no process or cleaning activities occurred during the time period not covered by the composite sample. If process discharge does not occur around the clock, the composite sample may be collected over the course of a single daily process discharge. If the composite sample covers less than 24-hours, the permittee must include the following certification statement with the report:

*"I certify under penalty of law that process discharge does not occur around the clock and that the composite sample collected during this sampling event captured an entire day's worth of process discharge (including cleaning and sanitation activities if applicable). There was no discharge to the sewer system during the time period not covered by the composite sample other than domestic waste."*

The following certification statement must be submitted with all monitoring reports and correspondence (see General Conditions, #8f):

*"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."*

The following certification statement must be submitted with all flow monitoring results:

*"I certify under penalty of law that the wastewater flow reported is consistent with the flow monitoring plan on file with PWD. The flow reflects industrial operating conditions during the entire course of the composite sample collection."*

Certification statements must be signed by a responsible company official. The Portland Water District has a list of authorized signers for Lone Pine Brewing Company on file. Unsigned reports or those signed by an unauthorized representative will be rejected. See General Condition #8f and #9 for more information.

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

The permittee shall report monthly to the Portland Water District on the due dates specified below for each year covered by the permit. The permit term begins on March 8, 2019 and ends on March 7, 2022. The reporting schedule is as follows:

**Monthly Monitoring Report**

**Due by the 15<sup>th</sup> of  
the following month**

Note: If multiple monitoring events are conducted within a calendar month, all reports are due by the 15<sup>th</sup> of the following month.

Monthly reports shall include, at a minimum: a cover letter on company letterhead with authorized signature (see General Conditions #9), appropriate certification statements (see General Condition #8f and Special Condition #2), actual approved and complete laboratory analysis reports from all laboratories involved, and properly completed chain of custody documents.

Copies of actual laboratory analysis data sheets and all chain of custody information must be kept by the permittee for a minimum of 3 years. Through an initiative to reduce paper storage, PWD encourages the submission of electronic (digital) reports to the email address [pretreatment@pwd.org](mailto:pretreatment@pwd.org), provided an original document could be obtained as necessary.

All monitoring reports must conform to General Condition #8a-f and 9 of this permit.

## 4. SAMPLE LOCATION

Sampling of the wastewater discharge, unless otherwise specified, shall be performed at the external wastewater discharge manhole outside of the brewery facility located at 48 Sanford Drive in Gorham. The manhole is closest to the northwest corner of the building (where the lunchroom is located) and is in the middle of Sanford Drive.

Several upstream connections drain to this sampling point, making it impossible to completely isolate the wastewater coming from Lone Pine, although it appears that their discharge contributes the majority of the flow to the sewer when they are brewing beer. Due to the multiple inputs to the sewer at the sampling point it is possible that discharge violations attributed to Lone Pine may actually be coming from another upstream sewer user, although no other industrial users are known in the area. It is beyond the capacity of the control authority to conclusively trace violations to a specific discharge point. Since Lone Pine is the only regulated industry in the area, all violations measured at the sampling point will be assumed to originate with them. Lone Pine may choose to install an individual sampling location to avoid the mixing of multiple wastewater streams in the current sampling location. This may also be required by PWD if additional industrial users begin discharging to the same sewer manhole, but it is not a requirement of the current permit.

## 5. NOTIFICATION OF VIOLATIONS

If sampling performed by Lone Pine Brewing (or contracted laboratory) indicates a violation, Lone Pine must notify the PWD within 24 hours of becoming aware of the violation (see General Conditions #15). Lone Pine shall follow notification guidelines as described in General Condition #11. After 24-hour notification, PWD will issue a Notice of Violation. Lone Pine may be required to repeat the sampling and submit the results, and/or provide other response(s) as required by the deadline(s) established by PWD in the Notice of Violation.

Contact information for notification of violations is as follows: By phone at (207) 523-5202 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. Please follow up all voice messages with an email as well.

The PWD will also sample the facility discharge at least once per year. If sampling by the Portland Water District indicates a violation, the PWD shall notify the permittee. Resampling by the permittee may be required.

Any violations of this permit 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 request.

## **6. WASTEWATER PRETREATMENT FACILITY**

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

***Lone Pine Brewing Company operates a portable pH equalization tank. Low and high pH wastes are mixed in the tank and manually neutralized as necessary prior to discharge.***

B. If applicable, 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 Portland Water District.

C. If accurate flow measurements of discharge are required, the permittee shall install flow-measuring facilities of a design approved by 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.

***Wastewater flow measurements must be determined in a manner outlined in Lone Pine's Flow Measurement Proposal dated 12/27/18. The proposal is on file with the Portland Water District and is in effect until superseded by another approved proposal from Lone Pine Brewing. Per the December 2018 proposal, flow will be measured using incoming water to the brewery (primary water meter serial #B47968133). Lone Pine will then use brewing records to estimate daily production and subtract production volume from the measured water coming in to the brewery. This will give an estimate of the volume of water discharged to the sewer system.***

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**

Lone Pine Brewing Company shall be deemed to agree to all of the terms of this permit upon its acceptance of this permit. See General Conditions Section 22 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 Portland Water District, then an implementation schedule for compliance acceptable to the Portland Water District shall be developed.

GENERAL CONDITIONS – GORHAM AND WINDHAM  
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Updated 6/22/18

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## DEFINITIONS

Unless the context clearly indicates otherwise, the meaning of terms or abbreviations used in this Discharge Permit shall be as defined in Section 1.2 of the Portland Water District's Rules and Regulations for Use of the Wastewater System or as defined below.

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

1. Grab: An individual sample collected in a period of less than 15 minutes.
2. Composite: a combination of a series of aliquots taken on either a time or flow proportional basis 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. Continuous: Ongoing monitoring of the characteristic in question.
6. Caustic Alkalinity (Hydroxide Alkalinity): A measurement of a solutions buffering capacity.
7. BOD (Biochemical Oxygen Demand): The quantity of oxygen expressed in mg/L utilized in the biochemical oxidation of organic matter during incubation at 20 degrees Centigrade for a period of five days.
8. CFR: Code of Federal Regulations
9. TSS: Total Suspended Solids
10. mg/L: milligrams per liter
11. µg/L: micrograms per liter
12. SU: standard units
13. District: the Portland Water District
14. Accidental Release: The unintentional discharge to collection system.
15. Slug Discharge: The temporary release of non-routine wastewater to collection system.
16. Clean Water Act: Primary federal law for regulating discharges of pollutants to the waters of the United States.
17. Pretreatment: Treatment of wastewater by industrial or commercial facility prior to discharging to sewer collection system.

18. Permittee: Holder of permit
19. SIU (Significant Industrial User): Includes CIUs and industries that discharge 25,000 gallons per day or more of process wastewater to the Publicly Owned Treatment Works (excluding sanitary, noncontact-cooling and boiler-blowdown wastewater)
- contribute process wastewater to the POTW which makes up 5 % or more of the average dry-weather hydraulic capacity of the wastewater treatment plant
  - contribute process wastewater to the POTW which makes up 5 % or more of the organic capacity of the wastewater treatment plant
  - or are designated as such by the POTW because the industrial user has a reasonable potential for adversely affecting the wastewater treatment plant's operations and sewer system or for violating any pretreatment requirement.
20. CIU (Categorical Industrial User): include industries that meet the following:
- industrial activity performed at the facility is regulated by one or more of the federal regulations found in Title 40 Code of Federal Regulations (40 CFR) Parts 401 - 424 and 425 - 471
  - facility discharges process wastewater to a publicly owned treatment works
  - the categorical activity is assigned pretreatment limitations, reporting requirements, or both in the EPA Pretreatment Categories and Standards.
21. 40 CFR Part 403: Code of Federal Regulations - general pretreatment regulations
22. 40 CFR Part 136: Code of Federal Regulations – water quality planning and management

## GENERAL CONDITIONS

### 1. DUTY TO COMPLY

All discharges shall comply with the terms and conditions of this permit and the Portland Water District's Rules and Regulations for Use of the Wastewater System. The discharge of any pollutant more frequently than, or at a level in excess of that identified and authorized by this permit and District's Rules shall constitute a violation of the terms and conditions of this permit. Such a violation may result in the imposition of penalties as provided in the Sewer User Rules and/or Federal Clean Water Act (PL92-500 and its amendments).

Additionally, all permittees must comply with the Federal pretreatment standards found in Title 40 of the Code of Federal Regulations, Part 403. If the permittee is defined as a Categorical user, they must also comply with the applicable Federal Categorical pretreatment standards.

### 2. PERMIT MODIFICATION

This permit may be modified, suspended, or revoked in whole or in part during its term for cause including, but not limited to, the following:

- a. Violation of any terms or conditions of the permit;
- b. Obtaining a permit by misrepresentation or failure to disclose fully all relevant facts; and,
- c. A change in conditions at the facility or the existence of a condition which requires either a temporary or permanent change in the authorized discharge.

### 3. ACCESSIBILITY

The permittee shall allow at all times authorized representatives of the District upon the presentation of proper credentials:

- a. To have access to all points of user's facility and grounds;
- b. To have access to and copy any records required to be kept under the terms and conditions of this permit;
- c. To inspect any monitoring equipment or monitoring method required by this permit; or,
- d. To measure and/or sample any effluent so covered under the terms and conditions of this permit.



#### 4. PERMIT TRANSFER

Permits may not be reassigned or transferred to a new owner and/or operator whether by merger, sale of assets or otherwise, without prior written approval of the District with the following stipulations:

- a. The Industrial User must give at least forty-five (45) days advance notice to the District of the proposed transfer.
- b. The notice must include a written certification by the new owner which:
  - (1) States that the new owner has no immediate intent to change the facility's operations and processes
  - (2) Identifies the specific date on which the transfer is to occur
  - (3) Acknowledges full responsibility for complying with the existing permit and
  - (4) Describes the new User, and gives the same information about the User as prescribed in Section 4.2 of the District's Sewer User Rules.
- c. The forty-five (45) day time period for written notice described in Section A above may be waived by the District for good cause shown, as solely determined by the District, provided that all of the information in Section B above is submitted in such notice as far in advance of the anticipated transfer as possible but in no case less than 14 days.

#### 5. OTHER REGULATORY REQUIREMENTS

This permit does not absolve the permittee's responsibility for obtaining other required Federal, State or Municipal permits.

#### 6. RELIEF FROM PENALTIES

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

#### 7. MONITORING AND REPORTING SPECIFICATIONS

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

## 8. MONITORING/SAMPLING REPORTS

Monitoring and sampling if required, shall be conducted as follows:

- a. Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge.
- b. The sampling, preservation, handling and analytical methods used shall conform to the requirements of 40 CFR 136.
- c. The results of any monitoring requirements shall be reported at the frequencies stated in the Special Conditions section of this permit.
- d. Any reports or records of monitoring activities and results shall be included for all samples:

(1) The date, location and time of sampling;

(2) The dates and times analyses were performed;

(3) Who performed the sampling and analyses;

(4) The analytical technique/methods used, including sampling, handling and preservation technique, and;

(5) The results of all analyses.

- e. All contract laboratory reports submitted to the District shall include actual laboratory reports and appropriate chain of custody information documenting each person involved in the possession of the sample(s) from collection to analysis.
- f. All compliance monitoring reports shall be signed by a responsible company official. **(SEE GENERAL CONDITION # 9)**. The responsible company official must include and sign the following certification statement with each compliance monitoring report:

"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."

- g. All correspondence related to this permit shall be directed to:

Portland Water District  
Attn: Pretreatment Coordinator  
225 Douglass Street, P.O Box 3553  
Portland, ME 04104

Or via email at [pretreatment@pwd.org](mailto:pretreatment@pwd.org).

#### 9. SIGNATORY AUTHORIZATION

All reports shall be signed by:

- a. An owner, corporate manager, department manager, or their duly authorized representative, if such representative is responsible for the overall operation of the facility from which the discharge described in the reporting form originates. A written notice indicating a duly authorized representative must be made to the District.
- b. In the case of a partnership, by a general partner or duly authorized representative.
- c. In the case of a sole proprietorship, by the proprietor or duly authorized representative.
- d. In the case of a Municipal, State, or other public facility, by either a principal executive officer, ranking elected official, or duly authorized employee.

#### 10. RECORDS RETENTION

All records and information resulting from the monitoring activities required by this permit, including all records of analyses performed and calibration and maintenance of instrumentation and recordings from continuous monitoring and instrumentation shall be **retained for three (3) years**.

#### 11. NONCOMPLIANCE/DISCHARGE VIOLATION REQUIREMENTS

The permittee shall immediately notify the District if unable to comply with any of the conditions of this permit. **Oral notification is required within 24 hours** of the inability to comply. Within **five (5) days of such non-compliance and oral notification, the permittee shall** provide the District **in writing**, the following information:

- a. A description and cause of the discharge; and
- b. The period of non-compliance, including start and end dates and times. If the non-compliance is ongoing, the anticipated date and time it is expected to return to normal; and

- c. The steps being taken to reduce, eliminate and prevent recurrence of the non-complying discharge.

DISCHARGE LIMITS VIOLATION: If sampling performed indicates a violation of discharge limits, the permittee shall initiate oral and written notification as described in General condition 11, 11a and 11b. The permittee shall perform repeat sampling in sufficient quantity to meet the Technical Review Criteria and Chronic discharge limits within the rolling 60 day compliance period.

12. ELIMINATION/MODIFICATION OF DISCHARGE OR PROCEDURES

The permittee shall notify the District **in writing 45 days prior** to the permanent elimination of a discharge or any modifications in the waste collection, treatment and disposal facilities, changes in operational procedures, or other significant activities which alter the volume, nature or frequency of the discharge or otherwise concern the conditions of this permit.

13. UNSPECIFIED DISCHARGE

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

- a. They are not

- (1) 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 the District's Rules and Regulations for Use of the Wastewater System.

- (2) In violation of Federal standards or requirements.

- (3) Known to be hazardous or toxic by the permittee.

- b. The discharge of such materials shall not interfere with the operation of the wastewater collection system and/or treatment facilities of the Portland Water District or their ability to treat such materials to the extent covered by PWD's permit to discharge.

14. SLUG DISCHARGE PROHIBITION

Also prohibited are slug discharges, which is wastewater that includes any pollutant (including Biochemical Oxygen Demand) released in a discharge at a flow rate or concentration which will cause a violation of the specific discharge prohibitions in 40 CFR 403.5(b) to 403.12(f).

## 15. SPILL NOTIFICATION

The permittee shall notify the District immediately upon the occurrence of an accidental release of substances prohibited by the District's Rules and Regulations for Use of the Wastewater System or any slug discharges or spills that may enter the public sewer. **Oral notification must occur within 24 hours** of knowledge of the spill. The telephone number is 774-5961 or email notification to [pretreatment@pwd.org](mailto:pretreatment@pwd.org).

The notification shall include location of discharge, volume, and corrective actions 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.

**Within five days following an accidental release**, the permittee shall submit to the District a **detailed written report**. The report shall specify:

- a. Description and cause of the upset, slug discharge or accidental release and the impact on the permittee's compliance status. The description should also include location of discharge as well as the type, concentration and volume of waste.
- b. Duration of non-compliance, including exact dates and time of non-compliance and, if the non-compliance is continuing, the time by which non-compliance is reasonably expected to end.
- c. All steps taken or to be taken to reduce, eliminate, and/or prevent recurrence of such an upset, slug discharge, accidental release, or other conditions of non-compliance.

## 16. ENFORCEMENT/PENALTIES

Any person failing to comply with or violating any provision of this Permit or the District's Rules and Regulations for Use of the Wastewater System shall be notified by the District stating the nature of the failure or violation and providing the user a reasonable time to permanently cease or correct all such failures or violations. Any person who shall continue such failures or violation beyond such compliance period shall be guilty of an offense and shall be subject to the general penalty provisions contained herein. Industrial users who are in non-compliance with pretreatment standards and requirements shall be assessed a civil or criminal penalty in **at least the amount of \$1,000.00 a day for each violation**. The District, as the designated regional agency responsible for wastewater treatment, is hereby authorized also to seek such penalties. In addition, any person violating the provisions of this Permit shall be liable for any expense, loss, or damage incurred by reason of such non-compliance. The District may seek injunctive relief for the purpose of enforcing this Permit or its Sewer User Rules.

17. COST REIMBURSEMENT

The permittee shall reimburse the District 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 the maintenance of the sewer system, extra costs for operating or maintaining the treatment system, additional costs for disposal of sewage sludge and costs of additional wastewater monitoring and analyses, as long as these costs are attributed to the wastewater discharge from the permittee.

18. REAPPLICATION

If the permittee desires to continue to discharge after the expiration date of the discharge permit, it shall reapply at least **sixty (60) days** before the permit expires. An expired permit will continue to be effective and enforceable until the permit is reissued if the industrial user has submitted a complete permit application at least sixty (60) days prior to the expiration date of the industrial users existing permit or if the failure to reissue the permit prior to expiration of the previous permit is not due to any act or failure to act on the part of the industrial user.

19. SEVERABILITY

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.

20. REVISIONS

This permit and the District's Sewer User Rules are subject to revisions. All discharges shall comply with this permit and the District's Sewer User Rules in any form and with any revisions.

21. CONFIDENTIALITY

Records or information submitted to the District may be claimed to be confidential by the submitter. All such claims of confidentiality shall be handled in accordance with 40 CFR 403.14, in accordance with 40 CFR, Part 2, to the extent permitted by Maine law.

22. PERMIT APPEALS

Conditions of the permit may be appealed as provided in the District's Sewer User Rules Section 4.6.

23. WAIVER FROM MONITORING

The District may authorize an Industrial User subject to a categorical Pretreatment Standard to forego sampling of a pollutant regulated by a categorical Pretreatment

Standard if the Industrial User has demonstrated through sampling and other technical factors that the pollutant is neither present nor expected to be present in the Discharge, or is present only at background levels from intake water and without any increase in the pollutant due to activities of the Industrial User. See 40 CFR 403.12(e)(2) and the District's Sewer User Rules Section 5.2B for instructions on requesting a monitoring waiver.