June 30, 2020

Ian Dorsey and Neil Frederick, Co-Owners
Mast Landing Brewing
600 Saco Street
Westbrook, ME 04092

Dear Mr. Dorsey and Mr. Frederick,

Please find enclosed your Industrial Discharge Permit. The permit is valid from **July 1, 2020 to June 30, 2023** for the wastewater discharge at **Mast Landing Brewing**, located at 600 Saco Street in Westbrook.

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 Mast Landing Brewing requires permit-specific limits, conditions, monitoring or pretreatment requirements for any parameters in order to ensure compliance with the Clean Water Act. Mast Landing 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.

Shown below are parameters that Mast Landing Brewing must monitor for on a regular basis. Please see the Special Conditions Section of this permit for complete sampling and analysis details:

<table>
<thead>
<tr>
<th>Monitoring Parameter</th>
<th>Daily Maximum Limit</th>
<th>Monthly Average Limit</th>
<th>Testing Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Biochemical Oxygen Demand</strong></td>
<td>N/A</td>
<td>200 lbs/day</td>
<td></td>
</tr>
<tr>
<td><strong>Total Suspended Solids</strong></td>
<td>Report only in lbs/day</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Discharge Flow</strong></td>
<td>Report only in Gallons/Day</td>
<td></td>
<td>Monthly</td>
</tr>
<tr>
<td><strong>pH</strong></td>
<td>&lt;5.0 prohibited</td>
<td>&gt;12.5 prohibited</td>
<td>N/A</td>
</tr>
<tr>
<td>Standard Units, S.U.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Caustic Alkalinity</strong></td>
<td>1,000 mg/L</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Caustic Alkalinity analysis is required on grab samples with pH > 10.3 S.U.

**Monthly Monitoring Requirement and Monthly Average Permit Limits for BOD and TSS:**
Biochemical Oxygen Demand (BOD) and Total Suspended Solids (TSS) limits for industries discharging to the Westbrook-Gorham wastewater treatment facility in Westbrook are allocated to
industries in pounds/day. Historical monitoring data for each industry is reviewed for concentration and loading values for these parameters to assess whether or not monitoring and/or permit limits are necessary. Generally, the higher and more variable the historical values are, and the more they are in excess of the de minimis values, the more necessary monitoring and permit limits are.

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

Mast Landing must meet the following monthly average permit limit for BOD. TSS has no limit and is report only:

<table>
<thead>
<tr>
<th>Parameter</th>
<th>Monthly Average Permit Limit (lbs/day)</th>
<th>Monitoring Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>BOD</td>
<td>200 lbs/day</td>
<td>Monthly</td>
</tr>
<tr>
<td>TSS</td>
<td>No Limit – Report Only</td>
<td>Monthly</td>
</tr>
</tbody>
</table>

The BOD discharge limit is a monthly average limit. All results in a calendar month will be averaged and compared to the limit to assess compliance. If monitoring done early in a month indicates a violation, Mast Landing may choose to conduct follow up sampling within the month to more accurately determine the monthly average load. If the average of multiple samples is below the monthly average limit 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:
Pollutant Loading (lbs/day) = Flow (MGD) x Concentration (mg/L) x 8.34

In a letter dated 4/3/20 Mast Landing outlined how wastewater flow would be measured at the new brewery. In short, incoming water readings to the brewery are taken at the beginning and end of the sampling event as a first step in the estimation of the sewer discharge. Beer production volumes are then subtracted from the incoming water to arrive at the final discharge estimate.

**Zinc Monitoring Not Required**

PWD collected a wastewater sample at Mast Landing’s discharge point on 10/28-10/29/19. This sample was tested for all parameters with a local or ordinance limit. The result for zinc was unacceptably high. In response, PWD asked Mast Landing to conduct zinc monitoring on its monthly composite samples for the remainder of the 6-month interim monitoring period. All subsequent zinc results were below the local discharge limit (see table below). Mast Landing has demonstrated that zinc is not discharged in excess of the local limit, therefore zinc monitoring is not required.

<table>
<thead>
<tr>
<th>Date</th>
<th>Zinc Result (mg/L)</th>
</tr>
</thead>
<tbody>
<tr>
<td>10/29/19</td>
<td>1.54</td>
</tr>
<tr>
<td>11/19/19</td>
<td>0.136</td>
</tr>
<tr>
<td>12/17/19</td>
<td>0.137</td>
</tr>
<tr>
<td>1/8/20</td>
<td>0.149</td>
</tr>
<tr>
<td>2/10/20</td>
<td>0.187</td>
</tr>
<tr>
<td>3/2/20</td>
<td>0.126</td>
</tr>
</tbody>
</table>

Zinc Local Limit = 1.41 mg/L

**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, Mast Landing 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."

Mast Landing is required to abide by the City of Westbrook’s Code of Ordinances regarding sewer user rules and requirements. A copy of the ordinance may be viewed by visiting the City of Westbrook’s website at [www.westbrookmaine.com](http://www.westbrookmaine.com). The ordinance prohibits any user from introducing pollutant(s)
that may cause pass through or interference with the City or District wastewater treatment facilities. Wastewater discharge from the Mast Landing brewery facility that causes pass through or interference is not acceptable and will require immediate action to correct or eliminate.

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

Sincerely,

[Signature]
Industrial Pretreatment Program Supervisor
Portland Water District

Cc: Katherine Kelley, Wastewater Division Manager, City of Westbrook
    Paul Hunt, Environmental Manager, Portland Water District
    Susan Jasper, Environmental Scientist, Portland Water District
INDUSTRIAL WASTEWATER DISCHARGE PERMIT

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

Effective July 1, 2020
Expires June 30, 2023

_Mast Landing Brewing_ is hereby granted a wastewater discharge permit from the Portland Water District and the City of Westbrook subject to the 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 (if applicable) 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 Mast Landing Brewing, 600 Saco Street in Westbrook
(Identify Source)

To City of Westbrook Sewer in Saco Street
(Sewer Location)

Approved by: ________________________
City of Westbrook
Mast Landing Brewing
Industrial Wastewater Discharge Permit

SPECIAL CONDITIONS

Effective July 1, 2020 – June 30, 2023
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SPECIAL CONDITIONS

Discharge Limitations and Monitoring Requirements:
During the period beginning **July 1, 2020** and lasting through **June 30, 2023** the following discharges are authorized:

1. PERMITTEE CLASSIFICATION

The permittee is a SIGNIFICANT industrial user as defined by the Portland Water District and the City of Westbrook 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 Mast Landing’s discharge. Local limit standards are defined in the Portland Water District’s Rules and Regulations for Use of the Wastewater System (Section 7.7, Schedule A), as well as in the City of Westbrook’s Ordinances (Chapter 27, Schedule A).

Shown below are the local limits, permit limits and ordinance limits for parameters Mast Landing is required to test for on a regular basis (see Special Conditions Sections 2, 3 and 4). The BOD permit limit is a monthly average limit. All monitoring results from a calendar month will be averaged and compared to the permit limit to assess compliance. This applies to the BOD limit only.

<table>
<thead>
<tr>
<th>Monitoring Parameter</th>
<th>Daily Maximum Limit</th>
<th>Monthly Average Limit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Biochemical Oxygen Demand (BOD), lbs/day</td>
<td>N/A</td>
<td>200 lbs/day*</td>
</tr>
<tr>
<td>Total Suspended Solids (TSS), lbs/day</td>
<td>Report Only*</td>
<td></td>
</tr>
<tr>
<td>Discharge Flow, Gallons/Day (GPD)</td>
<td>Report Only</td>
<td></td>
</tr>
<tr>
<td>pH Standard Units, S.U.</td>
<td>&lt;5.0 prohibited</td>
<td></td>
</tr>
<tr>
<td></td>
<td>&gt;12.5 prohibited</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(see EPA Hazardous</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Waste Rules 40 CFR</td>
<td></td>
</tr>
<tr>
<td></td>
<td>261.22)</td>
<td></td>
</tr>
<tr>
<td>Caustic Alkalinity mg/L</td>
<td>1,000</td>
<td>N/A</td>
</tr>
</tbody>
</table>

*Permit limits specific to Mast Landing Brewing. 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.
2. **MONTHLY SELF MONITORING REQUIREMENT**

The permittee will provide the Portland Water District with results of the analysis of **BOD**, **TSS**, **Discharge Flow**, **pH**, and **Caustic Alkalinity** (as needed, see table below) on a monthly 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 pollutant loading in pounds/day using the following formula:

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

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:

<table>
<thead>
<tr>
<th>Parameter</th>
<th>Frequency of Monitoring</th>
<th>Sample Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>BOD, lbs/day</td>
<td>Monthly</td>
<td>24-Hour Composite</td>
</tr>
<tr>
<td>TSS, lbs/day</td>
<td>Monthly</td>
<td>24-Hour Composite</td>
</tr>
<tr>
<td>Discharge Flow (gpd)</td>
<td>Monthly</td>
<td>24-Hour Composite</td>
</tr>
<tr>
<td>pH S.U.*</td>
<td>Monthly</td>
<td>Grab</td>
</tr>
<tr>
<td>Caustic Alkalinity mg/L</td>
<td>Monthly</td>
<td>From pH Grab Sample</td>
</tr>
</tbody>
</table>

*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 Mast Landing Brewing 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 July 1, 2020 and ends on June 30, 2023. The reporting schedule is as follows:

<table>
<thead>
<tr>
<th>Monthly Monitoring Report</th>
<th>Due by the 15th of the following month</th>
</tr>
</thead>
</table>

Note: If multiple monitoring events are conducted within a calendar month, all reports are due by the 15th 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, 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 behind the brewery facility located at 600 Saco Street in Westbrook. The sampling manhole is located between the brewery and Spiller Drive, near the external grain silo.

5. NOTIFICATION OF VIOLATIONS

If sampling performed by Mast Landing (or contracted laboratory) indicates a violation, Mast Landing must notify the Portland Water District within 24 hours of becoming aware of the violation. The notification shall follow guidelines as described in General Condition #11 and #15. Following 24-hour notification, PWD will issue a Notice of Violation. Mast Landing 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) 774-5961 or by email at 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 Portland Water District 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 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 wastewater treatment and/or control facilities.

Mast Landing Brewing operates a portable pH equalization tank. Low and high pH wastes are mixed in the tank and manually neutralized as necessary prior to discharge. Mast Landing also side-streams grain and other solids for beneficial reuse.

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 Mast Landing’s Flow Measurement Proposal dated 4/3/20. The proposal is on file with the Portland Water District and is in effect until superseded by another approved proposal from Mast Landing. Per the April 2020 proposal, flow will be measured using incoming water to the brewery (primary water meter serial #S84986642). Mast Landing 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

Mast Landing Brewing 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.

No such schedule is required as of the date of this permit.
## GENERAL CONDITIONS

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<td>10</td>
</tr>
<tr>
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<td>10</td>
</tr>
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<td>10</td>
</tr>
<tr>
<td>22. PERMIT APPEALS</td>
<td>10</td>
</tr>
<tr>
<td>23. WAIVER FROM MONITORING</td>
<td>10</td>
</tr>
</tbody>
</table>
DEFINITIONS

Unless the context clearly indicates otherwise, the meaning of terms or abbreviations used in this Discharge Permit shall be as defined in Section 26 & 27 of the City’s Code of Ordinances 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 solution’s 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. **City**: the City of Westbrook

15. **Accidental Release**: The unintentional discharge to collection system.

16. **Slug Discharge**: The temporary release of non-routine wastewater to collection system.

17. **Clean Water Act**: Primary federal law for regulating discharges of pollutants to the waters of the United States.

18. **Pretreatment**: Treatment of wastewater by industrial or commercial facility prior to discharging to sewer collection system.

19. **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.


GENERAL CONDITIONS

1. DUTY TO COMPLY

All discharges shall comply with the terms and conditions of this permit and Chapters 26 and 27 of the City of Westbrook Code of Ordinances. The discharge of any pollutant more frequently than, or at a level in excess of, that identified and authorized by this permit and the Sewer Use Ordinance 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 City of Westbrook Sewer Use Ordinance 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 City and 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

   (4) Describes the new user, and gives the same information about the user as prescribed in the Westbrook Code of Ordinances 27-22.

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 non-compliance, whether or not such non-compliance 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 City, including the installation, use and maintenance of monitoring equipment or methods, including, when appropriate, biological monitoring methods. The permittee shall provide the City and 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 include for all samples:

(1) The date, place 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 techniques; 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
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. **NON-COMPLIANCE/DISCHARGE VIOLATIONS REQUIREMENTS**

The permittee shall immediately notify the City Engineer and the District if any of the conditions of this permit are out of compliance. **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 City Engineer and 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, 11b and 11c. The permittee shall perform repeat
sampling in sufficient quantity to meet the Technical Review Criteria discharge limits rolling 60 day compliance period.

12. **ELIMINATION/MODIFICATION OF DISCHARGE OR PROCEDURES**

The permittee shall notify the City and 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 and/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 in wastewater, 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 Chapters 26 and 27 of the Code of Ordinances of the City of Westbrook.

   (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 treatment facilities of the District or their ability to treat such materials to the extent covered by the District'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 Chapter 26 and 27 of the Westbrook Code of Ordinances 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.
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 of 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 Chapter 26 and 27 of the City of Westbrook Code of Ordinances shall be notified by the city engineer or his designee 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 City may seek injunctive relief for the purpose of enforcing this permit or Chapter 26 and 27 of the City of Westbrook Code of Ordinances.

17. **COST REIMBURSEMENT**

The permittee shall reimburse the District, the City 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 this permit, it shall reapply at least sixty (60) days before this 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 user’s existing permit or 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 Chapters 26 and 27 of the City of Westbrook Code of Ordinances are subject to revisions. All discharges shall comply with this permit and the City of Westbrook Code of Ordinances in any form and with any revisions.

21. **CONFIDENTIALITY**

Records or information submitted to the City or 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 City of Westbrook Code of Ordinances Chapter 27-26c and the District’s Rules and Regulations for Use of the Wastewater System 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 City’s Ordinance Sec. 27-34(b) for instructions on requesting a monitoring waiver.