

**SPECIAL CONDITIONS****O. REOPENING OF PERMIT FOR MODIFICATION**

In accordance with 38 M.R.S. § 414-A(5) and upon evaluation of the test results from tests required in the Special Conditions of this permit, new site specific information, or any other pertinent test results or information obtained during the term of this permit, the Department may, at any time and with notice to the permittee, modify this permit to: (1) include effluent limits necessary to control specific pollutants or whole effluent toxicity where there is a reasonable potential that the effluent may cause water quality criteria to be exceeded (2) require additional monitoring if results on file are inconclusive; or (3) change monitoring requirements or limitations based on new information.

Without limiting the foregoing paragraph, this permit may be reopened to establish revised effluent limitations, require additional monitoring of the effluent or ambient receiving water or change monitoring requirements if the permittee fails to substantially complete construction of Phase II of the facility within 30 months of the completion of the three grow out tanks for Phase I.

**P. SEVERABILITY**

In the event that any provision or part thereof, of this permit is declared to be unlawful by a reviewing court, the remainder of the permit must remain in full force and effect, and must be construed and enforced in all aspects as if such unlawful provision, or part thereof, had been omitted, unless otherwise ordered by the court.