STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION
79 Elm Street
Hartford, CT 06106-5127

NPDES PERMIT
issued to

FIS (Food Ingredients Specialities)
201 Housatonic Avenue
New Milford, CT 06776

Location Address:

FIS (Food Ingredients Specialities)
201 Housatonic Avenue
New Milford, CT 06776

Facility ID: 096-002 **Permit ID:** CT0000850 **Permit Expires:** March 15, 2004

Receiving Stream: Housatonic River

SECTION 1: GENERAL PROVISIONS

(A) This permit is reissued in accordance with section 22a-430 of Chapter 446k, Connecticut General Statutes ("CGS"), and Regulations of Connecticut State Agencies ("RCSA") adopted thereunder, as amended, and section 402(b) of the Clean Water Act, as amended, 33 USC 1251, et. seq., and pursuant to an approval dated September 26, 1973, by the Administrator of the United States Environmental Protection Agency for the State of Connecticut to administer an N.P.D.E.S. permit program.

(B) FIS (Food Ingredients Specialities) ("Permittee"), shall comply with all conditions of this permit including the following sections of the RCSA which have been adopted pursuant to section 22a-430 of the CGS and are hereby incorporated into this permit. Your attention is especially drawn to the notification requirements of subsection (i)(2), (i)(3), (j)(1), (j)(6), (j)(8), (j)(9)(C), (j)(10)(C), (j)(11)(C), (D), (E), and (F), (k)(3) and (4) and (l)(2) of section 22a-430-3.

Section 22a-430-3 General Conditions

(a)Definitions
(b)General
(c)Inspection and Entry
(d)Effect of a Permit
(e)Duty
(f)Proper Operation and Maintenance
(g)Sludge Disposal
(h)Duty to Mitigate

JUL. 2 0 1999
STATE PROGRAM UNIT

(i)Facility Modifications; Notification
(j)Monitoring, Records and Reporting Requirements
(k)Bypass
(l)Conditions Applicable to POTWs
(m)Effluent Limitation Violations (Upsets)
(n)Enforcement
(o)Resource Conservation
(p)Spill Prevention and Control
(q)Instrumentation, Alarms, Flow Recorders
(r)Equalization

Section 22a-430-4 Procedures and Criteria

(a)Duty to Apply
(b)Duty to Reapply
(c)Application Requirements
(d)Preliminary Review
(e)Tentative Determination
(f)Draft Permits, Fact Sheets
(g)Public Notice, Notice of Hearing
(h)Public Comments
(i)Final Determination
(j)Public Hearings
(k)Submission of Plans and Specifications. Approval.
(l)Establishing Effluent Limitations and Conditions
(m)Case by Case Determinations
(n)Permit issuance or renewal
(o)Permit Transfer
(p)Permit revocation, denial or modification
(q)Variances
(r)Secondary Treatment Requirements
(s)Treatment Requirements for Metals and Cyanide
(t)Discharges to POTWs - Prohibitions

(C) Violations of any of the terms, conditions, or limitations contained in this permit may subject the permittee to enforcement action including, but not limited to, seeking penalties, injunctions and/or forfeitures pursuant to applicable sections of the CGS and RCSA.

(D) Any false statement in any information submitted pursuant to this section of the permit may be punishable as a criminal offense under section 22a-438 or 22a-131a of the CGS or in accordance with section 22a-6, under section 53a-157 of the CGS.

(E) The authorization to discharge under this permit may not be transferred without prior written approval of the Commissioner. To request such approval, the permittee and proposed transferee shall register such proposed transfer with the Commissioner, at least 30 days prior to the transferee becoming legally responsible for creating or maintaining any discharge which is the subject of the permit transfer. Failure, by the transferee, to obtain the Commissioner's approval prior to commencing such discharge(s) may subject the transferee to enforcement action for discharging without a permit pursuant to applicable sections of the CGS and RCSA.

(F) No provision of this permit and no action or inaction by the Commissioner shall be construed to constitute an assurance by the Commissioner that the actions taken by the permittee pursuant to this permit will result in compliance or prevent or abate pollution.

(G) Nothing in this permit shall relieve the permittee of other obligations under applicable federal, state and local law.

(H) An annual fee shall be paid for each year this permit is in effect as set forth in section 22a-430-7 of the Regulations of Connecticut State Agencies.

SECTION 2: DEFINITIONS

(A) The definitions of the terms used in this permit shall be the same as the definitions contained in section 22a-423 of the CGS and section 22a-430-3(a) and 22a-430-6 of the RCSA, except for "No observable acute effect level (NOAEL)" which is redefined below.

(B) In addition to the above, the following definitions shall apply to this permit:

"Average Monthly Limit" This limitation when expressed as a concentration (e.g. mg/l), shall mean the maximum allowable "Average Monthly Concentration" as defined in section 22a-430-3(a) of the RCSA; otherwise, it shall mean "Average Monthly Discharge Limitation" as defined in section 22a-430-3(a) of the RCSA.

"Critical Test Concentration (CTC)" shall mean the specified effluent dilution at which the permittee is to conduct a single-concentration Aquatic Toxicity test.

"Daily Concentration" means the concentration of a substance as measured in a daily composite sample, or, the arithmetic average of all grab sample results defining a grab sample average.

"Daily Quantity" means the quantity of waste generated during an operating day.

"DC" means daily composite sample as defined in section 22a-430-3(a) of the RCSA.

"Geometric Mean" is the "n"th root of the product of "n" observations.

"Instream Waste Concentration (IWC)" shall mean the concentration of a discharge in the receiving water after mixing has occurred in the allocated zone of influence.

"Maximum Daily Limit" This limitation when expressed as a concentration (e.g. mg/l), shall mean the maximum allowable "Daily Concentration" (defined above); otherwise, it shall mean the maximum allowable "Daily Quantity" as defined above unless it is expressed as a flow quantity. If expressed as a flow quantity it shall mean "Maximum Daily Flow" as defined in section 22a-430-3(a) of the RCSA.

"No Observable Acute Effect Level (NOAEL)" shall mean any concentration equal to or less than the critical test concentration in a single concentration (pass/fail) toxicity test conducted pursuant to section 22a-430-3(j)(7)(A)(i) RCSA demonstrating greater than 50% survival of test organisms in 100% (undiluted) effluent and 90% or greater survival of test organisms at the CTC.

"N/A" means not applicable.

"N/R" means not required.

"Quarterly" in the context of a sampling frequency, shall mean sampling is required in the months of January, April, July, and October.

"Range During Composite" or "RDC", as a sample type on any parameter, means the maximum and minimum of all values recorded as a result of analyzing each grab sample of; 1) a Composite Sample, or, 2) a Grab Sample Average.

"Range During Month" or "RDM", as a sample type on any parameter, means the lowest and the highest values of all of the monitoring data for the reporting month.

"ug/l" means micrograms per liter.

SECTION 3: COMMISSIONER'S DECISION

(A) The Commissioner of Environmental Protection ("Commissioner"), has issued a final decision and found that the continuance of the existing system to treat the discharge will protect the waters of the state from pollution. The Commissioner's decision is based on application #199700904 for permit reissuance received on March 25, 1997 and addenda submitted on December 9, 1997, February 26, 1998, August 3, 1998 and September 30, 1998 and the administrative record established in the processing of that application.

(B) The Commissioner hereby authorizes the Permittee to discharge in accordance with the provisions of this permit, the above referenced application, and all approvals issued by the Commissioner or his authorized agent for the discharges and/or activities authorized by, or associated with, this permit.

(C) The Commissioner reserves the right to make appropriate revisions to the permit in order to establish any appropriate effluent limitations, schedules of compliance, or other provisions which may be authorized under the Federal Clean Water Act or the CGS or regulations adopted thereunder, as amended. The permit as modified or renewed under this paragraph may also contain any other requirements of the Federal Clean Water Act or CGS or regulations adopted thereunder which are then applicable.

SECTION 4: GENERAL EFFLUENT LIMITATIONS

(A) No discharge shall contain, or cause in the receiving stream, a visible oil sheen or floating solids; or, cause visible discoloration or foaming in the receiving stream.

(B) No discharge shall cause acute or chronic toxicity in the receiving waterbody beyond any zone of influence specifically allocated to that discharge in this permit.

(C) The temperature of any discharge shall not increase the temperature of the receiving stream above 85°F, or, in any case, raise the normal temperature of the receiving stream more than 4°F.

SECTION 5: SPECIFIC EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

(A) The discharge shall not exceed and shall otherwise conform to the specific terms and conditions listed below. The discharge is restricted by, and shall be monitored in accordance with, the table below:

TABLE A								
DISCHARGE SERIAL NUMBER: 001-1					MONITORING LOCATION: 1			
WASTEWATER DESCRIPTION: Treated Food Processing, R&D & Stormwater Wastewaters								
MONITORING LOCATION DESCRIPTION: From the effluent flume (see remark #4 below)								
PARAMETER	FLOW/TIME BASED MONITORING				INSTANTANEOUS MONITORING			Test from same sample & Sample loc.
	Average Monthly Limit	Maximum Daily Limit	Sample/ Reporting Freq.[6]	Sample type or measurem -ent to be reported	Maximum Concen- tration or req. range	Sample Report -ing Freq.[6]	Sample Type	
Biochemical Oxygen Demand,5-day (BOD)	60.0 mg/l	100.0 mg/l	Weekly	DC	150.0 mg/l	N/R	Grab	x
Fecal Coliform Bacteria[7], May 1 thru Sept. 30	N/A	N/A	N/R	N/A	200/100 ml	Weekly	Grab	*
Fecal Coliform Bacteria[8], May 1 thru Sept. 30	N/A	N/A	N/R	N/A	400/100 ml	Twice per Week	Grab	*
Fecal Streptococcus, May 1 thru Sept. 30	N/A	N/A	N/R	N/A	#/100 ml	Weekly	Grab	*
Flow , Total Day of Sample (gpd)	N/A	180,000	Weekly	daily flow	N/A	N/R	N/A	
Flow, Average & Maximum[1] (gpd)	N/A	180,000	continuo- us	see rema- arks below	N/A	N/R	N/A	
Hours of Discharge (hr.)	N/A	-----	Weekly	Total	N/A	N/R	N/A	
Nitrogen, Ammonia (total as N)[5] (mg/l)	---	10.0 mg/l	Weekly	DC	15.0 mg/l	N/R	Grab	x
Nitrogen, Nitrate (total as N) (mg/l)	---	---	Weekly	DC	N/A	N/R	N/A	x
Nitrogen, Nitrite (total as N) (mg/l)	---	---	Weekly	DC	N/A	N/R	N/A	x
Nitrogen, Total Kjeldahl (mg/l)	---	---	Weekly	DC	N/A	N/R	N/A	
Nitrogen, Total	---	135 lbs/day	Weekly	DC	N/A	N/R	N/A	
pH, Day of Sample	N/A	N/A	N/R	N/A	6 - 9.5 s.u.	Weekly	RDC	
pH, Continuous	N/A	N/A	N/R	N/A	6-9.5 s.u.	contin- uous/ Monthly	RDM	
Phosphorus, Total[2]	1.0 mg/l	1.5 mg/l	Weekly	DC	2.25 mg/l	N/R	Grab	
Solids,Total Suspended	60.0 mg/l	100.0 mg/l	Weekly	DC	150.0 mg/l	N/R	Grab	x
Total Residual Chlorine, May 1 thru Sept. 30	N/A	N/A	N/R	N/A	1.5 mg/l	Daily	Grab	*

Table A Remarks:

(1) (1) The permittee shall maintain at the facility a record of the total flow for each day of discharge and shall report the Average Daily Flow and the Maximum Daily Flow for each month.

(2) Phosphorus, total limitation above shall apply only from May 1 through September 30 of each year.

(3) (x) See Section 6(B)(c).

(4) (*) Sample shall be collected after the chlorination/dechlorination pit.

(5) Nitrogen ammonia limitation above shall apply only from June 1 through September 30 of each year.

(6) The first entry in this column is the "Sample Frequency". If this entry is not followed by a "Reporting Frequency" and the "Sample Frequency" is more frequent than monthly then the "Reporting Frequency" is Monthly. If the "Sample Frequency" is specified as monthly, or less frequent, then the "Reporting Frequency" is the same as "Sample Frequency".

(7) The geometric mean of the fecal coliform bacteria values for the effluent samples collected in a period of thirty (30) consecutive days during the period from May 1st through September 30th shall not exceed 200 per 100 milliliters.

(8) The geometric mean of the fecal coliform bacteria values for the effluent samples collected in a period of seven (7) consecutive days during the period from May 1st through September 30th shall not exceed 400 per 100 milliliters.

(9) Monitoring and limit for fecal coliform bacteria is applicable from May 1st through September 30th of each year. Monitoring only requirement for fecal streptococcus is applicable from May 1st through September 30th of each year.

TABLE B

DISCHARGE SERIAL NUMBER: 001-1	MONITORING LOCATION: T
WASTEWATER DESCRIPTION: Treated Food Processing, R&D & Stormwater Wastewaters	
TOXICITY TEST MONITORING LOCATION DESCRIPTION: Same as Table A (see remark #2 below)	
MAXIMUM DAILY FLOW: 180,000 gallons per day	
ALLOCATED ZONE OF INFLUENCE (ZOI): 403,902 gph	IN STREAM WASTE CONCENTRATION (IWC): 1.8%

PARAMETER	UNITS	Maximum Daily Limit	Sample Freq.	Sample type
Aquatic Toxicity, Invertebrate[1]	%	NOAEL = 100%	Quarterly	DC
Aquatic Toxicity, Vertebrate[1]	%	NOAEL = 100%	Quarterly	DC
BOD_5	mg/l	------	Quarterly	DC
Nitrogen, Ammonia	mg/l	------	Quarterly	DC
Nitrogen, Nitrate	mg/l	------	Quarterly	DC
Nitrogen, Nitrite	mg/l	------	Quarterly	DC
pH	s.u.	-------	Quarterly	DC
Solids, Total Suspended	mg/l	------	Quarterly	DC
Total Residual Chlorine	mg/l	-------	Quarterly	DC

Table B Remarks:

(1) (1) See section 6 (B)

(2) Sample collected for aquatic toxicity test shall be from the effluent flume however, during the chlorination/dechlorination season of each year from May1 through September 30, sample shall be collected after the chlorination/dechlorination pit.

(1) All samples shall be comprised of only those wastewaters described in this table. Samples shall be collected prior to combination with receiving waters or wastewaters of any other type, and after all approved treatment units, if applicable. All samples collected shall be representative of the discharge during standard operating conditions.

(2) In cases where limits and sample type are specified but sampling is not required by this permit, the limits specified shall apply to all samples which may be collected and analyzed by the Department of Environmental Protection personnel, the permittee, or other parties.

(3) The limits imposed on the discharges listed in this permit take effect on the issuance date of this permit, hence any sample taken after this date which, upon analysis, shows an exceedance of permit limits will be considered non-compliance.

The monitoring requirements begin on the date of issuance of this permit if the issuance date is on or before the 12th day of a month. For permits issued on or after the 13th day of a month, monitoring requirements begin the 1st day of the following month.

SECTION 6: SAMPLE COLLECTION, HANDLING and ANALYTICAL TECHNIQUES

(A) Chemical Analysis

(1) Chemical analyses to determine compliance with effluent limits and conditions established in this permit shall be performed using the methods approved pursuant to the Code of Federal Regulations, Part 136 of title 40 (40 CFR 136) unless an alternative method has been approved in writing pursuant to 40 CFR 136.4 or as provided in section 22a-430-3(j)(7) of the RCSA. Chemicals which do not have methods of analysis defined in 40 CFR 136 shall be analyzed in accordance with methods specified in this permit.

(2) All metals analyses identified in this permit shall refer to analyses for Total Recoverable Metal as defined in 40 CFR 136 unless otherwise specified.

(3) The value of each parameter for which monitoring is required under this permit shall be reported to the maximum level of accuracy and precision possible consistent with the requirements of this section of the permit.

(B) Aquatic Toxicity

(1) Samples for monitoring of Aquatic Toxicity shall be collected and handled as prescribed in "Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms" (EPA/600/4-90/027F).

(a) Composite samples shall be chilled as they are collected. Grab samples shall be chilled immediately following collection. Samples shall be held at 4 degrees Centigrade until Aquatic Toxicity testing is initiated.

(b) Effluent samples shall not be; dechlorinated, filtered, or, modified in any way, prior to testing for Aquatic Toxicity unless specifically approved in writing by the Commissioner for monitoring at this facility.

(c) Chemical analyses of the parameters identified in Section 5 Table A with the exception of any parameters that are required to be monitored on an annual basis, shall be

conducted on an aliquot of the same sample tested for Aquatic Toxicity.

(i) At a minimum, pH, specific conductance, total alkalinity, total hardness, and total residual chlorine shall be measured in the effluent sample and, during Aquatic Toxicity tests, in the highest concentration of test solution and in the dilution (control) water at the beginning of the test and at test termination. Dissolved oxygen, pH, and temperature shall be measured in the control and all test concentrations at the beginning of the test, daily thereafter, and at test termination.

(d) Tests for Aquatic Toxicity shall be initiated within 36 hours of sample collection.

(2) Monitoring for Aquatic Toxicity to determine compliance with the permit condition on Aquatic Toxicity (invertebrate) above shall be conducted for 48-hours utilizing neonatal Daphnia pulex (less than 24-hours old)

(3) Monitoring for Aquatic Toxicty to determine compliance with the permit condition on Aquatic Toxicity (vertebrate) above shall be conducted for 48-hours utilizing larval Pimephales promelas (1-14 days old with no more than 24-hours range in age).

(4) Tests for Aquatic Toxicity shall be conducted as prescribed for static non-renewal acute tests in "Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms" (EPA/600/4-90/027F), except as specified below.

(a) Pass/Fail (single concentration) tests shall be conducted at a specified critical Test Concentration (CTC) of 100% as prescribed in section 22a-430-3(j)(7)(A)(i) of the RCSA.

(b) Synthetic freshwater prepared with deionized water adjusted to a hardness of 50 mg/L (plus or minus 5 mg/L) as CaCO3 shall be used as dilution water in tests with freshwater organisms.

(c) Organisms shall not be fed during the tests.

(d) Copper nitrate shall be used as the reference toxicant.

(5) Compliance with the permit condition on Aquatic Toxicity shall b demonstrated when the results of a valid pass/fail Aquatic Toxicity test indicates there is 90% or greater survival in the effluent at the specified CTC at 100% (undiluted effluent).

SECTION 7: REPORTING REQUIREMENTS

(A) The results of chemical analyses and any aquatic toxicity test required above shall be entered on the Discharge Monitoring Report (DMR), provided by this office, and reported to the Bureau of Water Management (Attn: DMR Processing) at the following address. The DMR shall be received at this address by the last day of the month following the month in which samples are collected.

Bureau of Water Management (Attn: DMR Processing)
Connecticut Department of Environmental Protection
79 Elm Street
Hartford, CT 06106-5127

(B) Complete and accurate aquatic toxicity test data, including percent survival of test organisms in each replicate test chamber , LC50 values and 95% confidence intervals for definitive test protocols, and all supporting chemical/physical measurements performed in association with any aquatic toxicity test, including measured daily flow and hours of operation for the 30 consecutive operating days prior to sample collection if compliance with a limit on Aquatic Toxicity is based on toxicity limits based on actual flows described in Section 7, shall be entered on the Aquatic Toxicity Monitoring Report form (ATMR) and sent to the Bureau of Water Management at the following address:

Bureau of Water Management (Attn: Aquatic Toxicity)
Connecticut Department of Environmental Protection
79 Elm St.
Hartford, Ct 06106-5127

(C) If this permit requires monitoring of a discharge on a calendar basis (e.g. Monthly, quarterly, etc.), but a discharge has not occurred within the frequency of sampling specified in the permit, the Permittee must submit the DMR and ATMR, as scheduled, indicating "NO DISCHARGE". For those permittees whose required monitoring is discharge dependent (e.g. per batch), the minimum reporting frequency is monthly. Therefore, if there is no discharge during a calendar month for a batch discharge, a DMR must be submitted indicating such by the end of the following month.

SECTION 8: RECORDING AND REPORTING OF VIOLATIONS, ADDITIONAL TESTING REQUIREMENTS

(A) If any sample analysis indicates that an Aquatic Toxicity permit condition in Section 5 of this permit has been exceeded, or that the test was invalid, a second sample of the effluent shall be collected and tested for Aquatic Toxicity and associated chemical parameters, as described above in Section 5 and Section 6, and the results reported to the Commissioner within 30 days of the exceedance or invalid test. Results of all tests, whether valid or invalid, shall be reported.

(B) If any two consecutive test results or any three test results in a twelve month period indicates that an Aquatic Toxicity permit condition has been exceeded, the permittee shall immediately take all reasonable steps to eliminate toxicity wherever possible and shall submit a report for the review and approval of the Commissioner in accordance with section 22a-430-3(j)(10)(c) of the RCSA describing proposed steps to eliminate the toxic impact of the discharge on the receiving waterbody. Such a report shall include a proposed time schedule to accomplish toxicity reduction and the permittee shall comply with any schedule approved by the Commissioner.

(C) The permittee shall notify the Commissioner within 72 hours and in writing within thirty days of the discharge of any substance listed in the application but not listed in the permit if the concentration or quantity of that substance exceeds two times the level listed in the application.

This permit is hereby issued on the 15th day of March, 1999.

Arthur J. Rocque, Jr.
Commissioner

DATA TRACKING AND TECHNICAL FACT SHEET

PERMIT #:CT0000850 **COMPANY ID:** 096-002 **APPLICATION #:** 199700904

Drainage basin Code: 6000

DISCHARGER NAME AND ADDRESS DATA

Permittee: FIS (Food Ingredients Specialities) **Company PAMS ID:** 49467

Mailing Address:	**Location Address:**
Street: 201 Housatonic Avenue	**Street:** 201 Housatonic Avenue
City: New Milford **ST:** CT **Zip:** 06776	**City:** New Milford **St.** CT **Zip:** 06776
Contact Name: Richard Steinheber	**Contact Name:**

PERMIT DURATION

5YEAR x **10 YEAR** ____

DISCHARGE CATEGORIZATION

POINT(x) **NON-POINT**( ) **GIS** #3576

NPDES(x) **PRETREAT**( ) **GROUND WATER(UIC)**( ) **GROUND WATER (OTHER)**( )

NPDES MAJOR(MA) x **NPDES SIGNIFICANT** _

MINOR or PRETREAT SIU (SI) ____ **NPDES or PRETREATMENT MINOR (MI)**____

PRETREAT SIGNIFICANT INDUS USER(SIU)( ) **PRETREAT CATEGORICAL (CIU)**( )
Note: If it's a CIU then check off SIU
POLLUTION PREVENTION MANDATE( ) **ENVIRONMENTAL EQUITY ISSUE**( )

COMPLIANCE SCHEDULE YES___ **NO** X

POLLUTION PREVENTION() **TREATMENT REQUIREMENT()** **WATER CONSERVATION()**

WATER QUALITY REQUIREMENT() **REMEDIATION()** **OTHER()**

OWNERSHIP CODE

Private(x) **Federal()** **State()** **Municipal(town only)()** **Other public()**

PERMIT FEES

DISCHARGE CODE 101038z **REPRESENTING DSN** 001 **ANNUAL FEE** $5,450.00

DEP STAFF ENGINEER Charles Nezianya

PERMIT TYPE

New() **Reissuance(x)** **Modification()** **Subsection-e()**

NATURE OF BUSINESS GENERATING DISCHARGE

Food Processing, R&D & Stormwater wastewaters

PROCESS AND TREATMENT DESCRIPTION (by DSN)

Food Processing, R&D & Stormwater wastewaters Biological Treatment DSN 001

RESOURCES USED TO DRAFT PERMIT

x **Federal Effluent Limitation Guideline** 40CFR405 Subpart F Dairy Products Processing Point Source

__ **Performance Standards**

__ **Federal Development Document** _____ **name of category**

__ **Treatability Manual**

x **Department File Information**

x **Connecticut Water Quality Standards**

x **Anti-degradation Policy**

_ **Coastal Management Consistency Review Form**

_ **Other - Explain**

BASIS FOR LIMITATIONS, STANDARDS OR CONDITIONS

x **Best Available Technology (BAT)**

x **Best Professional Judgement (See Other Comments)**

x **Secondary Treatment**

x **Case by Case Determination (See Other Comments)**

x **In order to meet in-stream water quality (See General Comments**

x **Anti-degradation policy**

GENERAL COMMENTS

The need for inclusion of water quality based discharge limitations in this permit was evaluated consistent with Connecticut Water Quality Standards and criteria, pursuant to 40 CFR 122.44(d). Each parameter was evaluated for consistency with the available aquatic life criteria (acute and chronic) and human health (fish consumption only) criteria, considering the zone of influence allocated to the facility where appropriate. The statistical procedures outlined in the EPA Technical Support Document for Water Quality-based Toxics Control (EPA/505/2-90-001) were employed to calculate the need for such limits. Comparison of monitoring data and its inherent variability with the calculated water quality based limits indicates a low statistical probability of exceedance of such limits. Therefore, the following water quality based limits were included in the permit at this time for ammonia nitrogen and total residual chlorine.

OTHER COMMENTS

Previously, total coliform bacteria limit of 2,400 per 100 ml and pH limit of 6-9.5 s.u. were required in the permit issued on September 25, 1992. Also, monitoring was required for fecal coliform bacteria and fecal streptococcus.

Based on a telephone conversation between the DEP staff and Mike Crespan, Director, Town of New Milford Department of Health on September 14, 1998, Mr. Crespan indicated that total coliform bacteria is not used as an indicator for an acceptable bacteria count for recreational swimming. Additionally, he stated that enterococcus bacteria count is used and monitoring is not conducted in the Housatonic River since no swimming is allowed. Therefore, total coliform bacteria is eliminated from this permit. However, in order to be consistent with the DEP's Water Quality Standards requirements and other permitted biological treatment facilities discharges (POTW's) monitoring with geometric mean limits are provided for fecal coliform bacteria.

The maximum daily limit of 120 mg/l for ammonia nitrogen was required in the previous permit. This water quality based limit is revised to 10 mg/l. This revision is due to the Long Island Sound nitrogen reduction requirement. Additionally, this is consistent with the DEP's proposed Total Maximum Daily Load (TMDL) allocation for all POTW's in the state.