

General Permit for the Discharge of Dewatering and Remediation Wastewaters

Permit No.: CTDR00000

Draft

This General Permit for the Discharge of Dewatering and Remediation Wastewaters is issued 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 (“CWA”), 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 a NPDES permit program. Persons 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.

This permit becomes effective on [To be determined date]. This permit and the authorization to discharge shall expire on [To be determined].

Issued: [To be determined]

Emma Cimino
Deputy Commissioner

General Permit for the Discharge of Dewatering and Remediation Wastewaters

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General Permit for the Discharge of Dewatering and Remediation Wastewaters to Surface Waters

1. Authority

This general permit is issued under the authority of section 22a-430b of the Connecticut General Statutes (“General Statutes”).

2. Authorization Under This General Permit

2.1. Eligible Activities:

Provided the requirements of Section 2.2. of this general permit are satisfied, this general permit authorizes the discharge of:

2.1.1. Dewatering Wastewater

The discharge of dewatering wastewaters, as defined by this permit, that are known or suspected to contain pollutants of concern to surface water or to a POTW.

2.1.2. Remediation Wastewater

The discharge of remediation wastewaters, as defined by this permit that are known or suspected to contain pollutants of concern to a surface water or to a POTW.

The discharge of any water, substance, or material into the waters of the state other than those specified in this section is not authorized by this general permit, and any person who or municipality which initiates, creates, originates, or maintains such a discharge must apply for and obtain authorization under section 22a-430 of the General Statutes prior to the occurrence of such discharge.

2.2. Requirements for Authorization

This general permit authorizes the discharge from each of the activities listed in Section 2.1. of this general permit provided:

2.2.1. Wastewater Disposal Option

For any discharge of dewatering or remediation wastewaters authorized by this general permit located at a site served by a POTW’s sanitary sewer, the discharge shall be directed to the POTW’s sanitary sewer, unless the POTW’s sanitary sewer is not available in the area. A discharge to a surface water shall only occur when the POTW’s sanitary sewer is not available in the area. The Department encourages entities that initiate and maintain a discharge of dewatering or remediation wastewaters to make best efforts to connect to the POTW’s sanitary sewer and limit discharges to surface waters where adverse environmental impacts may occur.

The permittee is responsible for retaining appropriate documentation for the chosen disposal option utilized at the facility. Failure to connect to an available POTW, if

available, may result in the revocation of permit coverage under this general permit. Wastewater disposal options resulting in a discharge to a surface water shall be the final resort, as the other disposal options were evaluated and determined by a qualified professional to be technically infeasible. Should a connection to the POTW become available, the disposal option must be updated, and the discharge of dewatering or remediation wastewaters must be connected to POTW within two (2) years of the POTW connection becoming available.

2.2.2. Approval of Registration

For all activities that are required to file a complete registration with the Commissioner under Section 3.1.2 of this general permit, an Approval of Registration issued by the Commissioner has been obtained.

2.2.3. Coastal Area Management and Permitting

Such discharge is consistent with all applicable goals and policies in section 22a-92 of the General Statutes, and will not cause adverse impacts to coastal resources as defined in section 22a-93 of the General Statutes or if such activity is located, wholly or in part, waterward of the coastal jurisdiction line in tidal, coastal or navigable waters of the State or in tidal wetlands, the activity is authorized pursuant to sections 22a-359 through 22a-363f, inclusive, or 22a-28 through 22a-35 of the General Statutes, inclusive.

2.2.4. Endangered and Threatened Species

Such discharge does not threaten the continued existence of any species listed pursuant to section 26-306 of the General Statutes and will not result in the destruction of adverse modification of habitat designated as essential to such species.

2.2.5. Aquifer Protection

Such discharge, if located within an aquifer protection area as mapped under section 22a-354b of the General Statutes, complies with regulations adopted pursuant to section 22a-354i of the General Statutes.

2.2.6. Conservation and Preservation Restrictions

Such discharge, if located within a conservation or preservation restriction area, complies with section 47-42d of the General Statutes, by providing the following documentation to the Commissioner: proof of written notice to the holder of such restriction of the proposed activity's registration pursuant to this general permit or a letter from the holder of such restriction verifying that the proposed activity is in compliance with the terms of the restriction.

2.2.7. Wild and Scenic Rivers Act

Such discharge must be consistent with the Wild and Scenic Rivers Act (16 U.S.C. 1271-1287) for those river components and tributaries which have been designated as Wild and Scenic by the United States Congress. Further, such activity must not have a direct and adverse effect on the values for which such river designation was established.

2.2.8. **Antidegradation Standards**

Such discharge is consistent with the Antidegradation Standards of section 22a-426 of the RCSA.

2.2.9. **Discharges to Impaired Surface Waters**

A discharge is not authorized to an impaired waterbody that is listed in the most recent Connecticut Integrated Water Quality Report pursuant to Clean Water Act section 303(d) and 305(b) unless the permittee provides to the Commissioner the following documentation demonstrating that the discharge is not expected to cause or contribute to an exceedance of the water quality standard(s) that caused the impairment:

- 2.2.9.1. For discharges of pollutants which cause or contribute to the impairment of a water body segment without an established Total Maximum Daily Load (TMDL), the permittee must provide data and other technical information to the Commissioner sufficient to demonstrate that the discharge of the pollutant identified as an indicator of the impairment will meet in-stream water quality standards and criteria at the point of discharge to the waterbody.
- 2.2.9.2. For discharges to waterbody segments impaired for Aquatic Life Uses, discharges shall not contain concentrations of any pollutants with a Water Quality Criteria (WQC) identified in Table 3 of section 22a-426-9 of the RCSA in concentrations greater than the more restrictive of the chronic aquatic life criteria or applicable human health criteria.
- 2.2.9.3. For discharges to waters with an established TMDL, the Commissioner must determine if there are sufficient allocations in the TMDL to allow the discharge. The Commissioner may authorize the discharge with additional permit conditions or compliance schedules designed to meet the requirements of the TMDL or allocation.,

2.2.10. **Other State and Local Authorization(s)**

Such activity obtains all other state and/or local authorization(s) required for such a discharge.

2.2.11. **Coastal Waters**

Such discharge does not physically disturb any tidal wetland or reduce the salinity of any tidal, navigable, or coastal water by more than five percent.

2.2.12. **Discharge to a POTW**

Any local authorization(s) required for such a discharge or associated activities have been obtained, including written approval from the POTW authority, if applicable.

2.3. Geographic Area

This general permit applies throughout the State of Connecticut.

2.4. Effective Date and Expiration Date of this General Permit

This general permit is effective on the first day of the month following the issuance date and expires 5 (five) years after the issuance date. The general permit may be administratively continued in effect until the Department has reissued the permit.

2.5. Effective Date of Authorization

2.5.1. Short-Term Underground Storage Tank (UST) Discharges

For short-term discharges, as defined by this general permit and occurring as a result of petroleum Underground Storage Tank replacement, the date of authorization is the day the discharge is initiated.

2.5.2. Emergency Discharges

For emergency discharges, as defined by this general permit, the date of authorization is the day the discharge is initiated. Emergency discharges lasting more than 30 days must file a registration with the Commissioner.

2.5.3. Registration with Approval:

Discharges for which an Approval of Registration is required under Section 2.2.1. of this general permit are authorized on the date the Commissioner issues an Approval of Registration (or Notice of Coverage) based on the information provided in the application.

2.5.4. Existing Discharges

Discharges of dewatering or remediation wastewaters authorized under the *General Permit for the Discharge of Groundwater Remediation Wastewater*, issued on February 17, 2023, maintain permit coverage for a period of time and are authorized to discharge on the effective date of this general permit in accordance with Section 3.1.3 registration requirements.

2.6. Transition to and from an Individual Permit

No person shall operate or conduct an activity resulting in a discharge authorized by both an individual permit and this general permit. The requirements for transitioning authorization are as follows:

2.6.1. Transition from an Individual Permit to Authorization under this General Permit.

If an activity meets the requirements of authorization of this general permit and such operation or activity is presently authorized by an individual permit, the permittee may seek a modification to the permit to exclude such operation or activity from the individual permit or if the operation or activity is the sole operation or activity authorized by such permit, the permittee shall surrender its permit in writing to the Commissioner. In either event, such permittee's individual permit shall continue to apply and remain in effect until

authorization of such operation or activity under this general permit takes effect.

2.6.2. Transition from Authorization under this General Permit to an Individual Permit.

If an activity or operation that is authorized under this general permit and the Commissioner subsequently issues an individual permit for the same activity, then on the date any such individual permit is issued by the Commissioner, the authorization issued under this general permit shall automatically expire.

2.6.3. Transition from this General Permit to the SIU/MIU General Permit

Activities to a POTW authorized under this General Permit that become eligible to obtain coverage under the General Permit for Discharges from Miscellaneous Industrial Users (“MIU”) or the General Permit for the Discharge of Wastewaters from Significant Industrial Users (SIU”) must register and obtain permit coverage under the MIU or SIU within 60 days of eligibility.

DEEP will deny any registration for authorization under this General Permit for an activity that is also eligible under either the MIU or SIU general permits. Such activities must register and obtain permit coverage under the MIU or SIU.

3. Registration Requirements

3.1. Who Must File a Registration

3.1.1. No Registration Required

A registration is not required for discharges occurring as a result of emergency discharges and short-term petroleum UST replacement lasting thirty (30) consecutive days or less. Emergency discharges lasting more than 30 days must file a registration with the Commissioner.

3.1.2. Registration Required

Any person or municipality seeking to discharge under the authority of this general permit shall file a complete registration with the Commissioner, except as noted in Section 3.1.1.

3.1.3. Existing Discharges

Facilities with existing permit coverage authorized under the *General Permit for the Discharge of Groundwater Remediation Wastewater*, issued on February 17, 2023, are eligible for continued permit coverage under the general permit on an interim basis, provided a complete registration is filed with the Commissioner on or before 60 calendar days from the effective date of this general permit. Authorization to discharge under this general permit shall be terminated 61 days after the effective date of the general permit if the permittee fails to submit a complete registration for the existing discharges in accordance with the requirements of this general permit.

3.2. Scope of Registration

A permittee shall submit one registration form for all eligible discharges taking place at a single site for which the permittee seeks authorization under this general permit. Discharges taking place at more than one site may not be consolidated on one registration form.

3.3. Fees

- 3.3.1. Except as provided in Sections 3.3.2. of this general permit, a registration fee of \$1,250 for any person and \$625 for any municipality shall be submitted with a registration form.
- 3.3.2. Discharges from a building used solely as a single-family residence shall be exempt from the fees required under Section 3.3.1. of this general permit.
- 3.3.3. A registration shall not be deemed complete, and the subject discharge shall not be authorized by this general permit unless the registration fee has been paid in full.
- 3.3.4. The registration fee shall be paid to the Department of Energy and Environmental Protection.
- 3.3.5. The registration fee is non-refundable.
- 3.3.6. A registration fee of \$500 for any person and \$250 for any municipality shall be submitted with a modified registration form.

3.4. Contents of Registration

A registration shall be filed on forms prescribed and provided by the Commissioner and shall include, but not be limited to, the following:

3.4.1. Permittee information

- 3.4.1.1. Legal name, address, telephone number, and email address of the registrant. If the permittee is an entity transacting business in Connecticut and is required to register with the Connecticut Secretary of the State, the exact name as registered with the Connecticut Secretary of the State shall be provided.
- 3.4.1.2. Legal name, address, telephone number, and email address of the owner of the property on which the subject activity and discharge(s) are to take place.
- 3.4.1.3. Legal name, address, telephone number, and email address of the registrant's attorney or other representative, if applicable.
- 3.4.1.4. Legal name, address, telephone number, and email address of any consultant(s) or engineer(s) retained by the permittee to prepare the registration or to design or construct the subject activity.

3.4.2. Site information

- 3.4.2.1. Name and address of the site for which the registration is submitted and location of outfalls.

- 3.4.2.2. The name and water quality classification of the surface water or POTW receiving the discharge.
- 3.4.2.3. A statement whether or not the subject discharge will take place within the coastal boundary, on Indian lands, in essential habitat of an endangered or threatened species, or in an aquifer protection area as defined in section 22a-354h of the General Statutes.
- 3.4.2.4. A statement whether the subject discharge will take place within ¼-mile of any public or private drinking water well.
- 3.4.2.5. A statement whether or not the subject discharge will take place at a site on the National Priority List, under CERCLA, that has been used for the disposal of hazardous materials or is subject to the reporting requirements of sections 22a-6u or 22a-134 of the General Statutes.
- 3.4.2.6. A detailed description of any erosion and sediment controls and energy dissipation structures to be used in connection with the subject remedial measures.

3.4.3. **Discharge Specific Information**

For each discharge, include:

- 3.4.3.1. The maximum daily flow, average monthly flow, and number of hours per calendar day of the subject discharge.
- 3.4.3.2. A detailed written description of the discharge location, including the longitude and latitude of the effluent pipe outfall.
- 3.4.3.3. The estimated dates or range of dates for the discharge.
- 3.4.3.4. A detailed description of the subject activity generating the discharge.
- 3.4.3.5. A detailed description of any wastewater treatment equipment used to achieve compliance with the effluent limits and conditions of this general permit. The description must identify flow monitoring equipment or techniques and devices used for recording total daily flow(s). Provide a list any chemical additives and their concentration(s). Include a statement indicating whether any such activities on the site will employ air stripping.
- 3.4.3.6. Wastewater quality analysis. An initial screening analysis shall be conducted prior to registering for authorization under this general permit. Screening analysis results shall be submitted on forms provided by the Commissioner with the registration form. Screening analysis required by this general permit shall conform to the following:
 - 3.4.3.6.1. Samples shall consist of grab samples of the raw untreated wastewater.
 - 3.4.3.6.2. Samples shall be representative of the waste stream(s), sampled and

analyzed in accordance with Section 4.8 to determine the concentration or level therein of the following parameters:

- total volatile organic compounds (VOC)
- Total petroleum hydrocarbons (TPH)
- total barium
- total boron
- total cadmium
- total cobalt
- total copper
- total lead
- total iron
- total magnesium
- total mercury
- total thallium
- total tin
- total vanadium
- total zinc
- pH
- ammonia
- total nitrogen
- nitrate
- nitrite
- total kjeldahl nitrogen
- total phosphorus
- orthophosphate
- temperature
- total settleable solids
- total suspended solids
- total dissolved solids

3.4.3.6.3. If raw untreated wastewater is reasonably expected to be impacted by petroleum compounds other than gasoline, samples of untreated wastewater shall also be analyzed for Polynuclear Aromatic Hydrocarbons (PAHs).

3.4.3.6.4. If raw untreated wastewater is reasonably expected to be impacted by gasoline, the samples of untreated wastewater shall be analyzed for gasoline oxygenates, including TBA, MTBE, TAME, and related compounds known to be added to the gasoline released. Analysis shall be by EPA Method 624, or other methodology approved pursuant to 40 CFR 136.

3.4.3.6.5. If any pollutant listed in Appendix B, Tables II, III, IV, or V of section 22a-430-4 of the RCSA; Appendix D of section 22a-430-4 of the RCSA; or any other pollutant that could cause or result in pollution, is reasonably known to have been handled, stored, released, or disposed of at or adjacent to the site where the subject

wastewater originates, the subject wastewater shall also be analyzed to determine the concentration of such pollutant.

- 3.4.3.6.6. If any pollutant identified as an emerging contaminant, as defined in this permit is reasonably known to be present, to have been handled, stored, released, or disposed of at the site where the subject wastewater originates, the subject wastewater shall also be analyzed to determine the concentration of such emerging contaminant(s) using an approved 40 CFR 136 method or a method specified by DEEP.
- 3.4.3.6.7. If any pollutant may be toxic, hazardous, or detrimental to any use of the watercourse designated pursuant to Connecticut's Water Quality Standards into which such wastewater is or will be discharged, or having the potential to bioaccumulate, bioconcentrate, or adversely affect aquatic life.
- 3.4.3.6.8. If the authorized discharge is the result of an emergency response, unexpected release, or underground storage tank release, the initial screening analysis shall be submitted within 30 days of start of the discharge.
- 3.4.3.6.9. The Commissioner may require the applicant in writing to sample parameters of concern.

3.4.4. **Certifications**

- 3.4.4.1. **Qualified Professional:** The registration must include a written certification which, at a minimum, complies with the following requirements:
 - 3.4.4.1.1. such certification was signed by a Qualified Professional as defined in this general permit.
 - 3.4.4.1.2. such certification is not the subject of an audit as described under section 22a-430b of the General Statutes.
 - 3.4.4.1.3. the Qualified Professional signing the certification has, at a minimum, completely and thoroughly reviewed this general permit and the following regarding the discharges to be authorized under this general permit: (i) all registration information provided in accordance with Section 3.4. of this general permit, (ii) the facility, based on a site inspection, (iii) compliance records, (iv) all wastewater collection, treatment systems, and monitoring equipment, including any plans and specifications, operating records, and any Department approvals required for such systems.
 - 3.4.4.1.4. the Qualified Professional signing the certification has made an affirmative determination that any proposed treatment or Best Management Practices are adequate to assure that the activity to be authorized under this general permit will comply with the terms and

conditions of such general permit. That all wastewater collection, treatment systems, and monitoring equipment: (i) have been designed and installed to control pollution to the maximum extent achievable using measures that are technologically available and economically practicable, (ii) will function properly as designed based on visual inspection, compliance, and operating records, and (iii) are adequate to ensure compliance with the terms and conditions of this general permit.

3.4.4.1.5. such Qualified Professional certifies, provided it is true and accurate, to the following statement:

"I hereby certify that I am a Qualified Professional as defined in the General Permit for the Discharge of Groundwater Remediation Wastewater. I am making this certification in connection with a registration under such general permit, submitted to the Commissioner by [INSERT NAME OF REGISTRANT] for an activity located at [INSERT ADDRESS OF PROJECT OR ACTIVITY]. I have personally examined and am familiar with the information that provides the basis for this certification, including but not limited to all information described in Section 3.4.4.1. of such general permit, and I certify, based on reasonable investigation, including my inquiry of those individuals responsible for obtaining such information, that the information upon which this certification is based is true, accurate and complete to the best of my knowledge and belief. I further certify that I have made the affirmative determination required in accordance with Section 3.4.4.1.2. of this general permit and that my signing this certification constitutes conclusive evidence of my having made such affirmative determination. I understand that this certification may be subject to an audit by the Commissioner in accordance with section 22a-430b of the General Statutes, and I agree to cooperate with the Commissioner should such an audit be required, including, but not limited to providing information as may be requested in writing by the Commissioner in connection with any such audit. I also understand that knowingly making any false statement in this certification may be punishable as a criminal offense, including the possibility of fine and imprisonment, under section 53a-157b of the General Statutes and any other applicable law."

3.4.4.2. Permittee and Registration Preparer: The permittee and any other individual or individuals responsible for preparing the registration submits to the Commissioner a written certification which, at a minimum, complies with the following requirements:

3.4.4.2.1. the permittee and any other individual or individuals responsible for preparing the registration and signing the certification has completely and thoroughly reviewed, at a minimum, this general permit and the following regarding the activities to be covered under such general permit: (i) all registration information provided in

accordance with Section 3.4 of this general permit, (ii) the facility, based on a visual site inspection, (iii) compliance records, (iv) all wastewater collection and treatment systems and monitoring equipment, including any plans and specifications, operating records and any DEEP approvals regarding such wastewater collection and treatment systems and monitoring equipment;

3.4.4.2.2. the permittee has, based on the review described in Section 3.4.4 of this general permit, made an affirmative determination to: (i) comply with the terms and conditions of this general permit; (ii) maintain compliance with all plans and documents prepared pursuant to this general permit, and (iii) properly operate and maintain all wastewater collection and treatment systems and monitoring equipment in compliance with the terms and conditions of this general permit to protect the waters of the state from pollution;

3.4.4.2.3. such permittee certifies to the following statement:

"I hereby certify that I am making this certification in connection with a registration under such general permit, submitted to the Commissioner by [INSERT NAME OF REGISTRANT] for an activity located at [INSERT ADDRESS OF PROJECT OR ACTIVITY] and that such activity is eligible for authorization under such permit. I certify that the registration filed pursuant to this general permit is on complete and accurate forms as prescribed by the Commissioner without alteration of their text. I certify that I have personally examined and am familiar with the information that provides the basis for this certification, including but not limited to all information described in Section 3.4.4.2. of such general permit, and based on reasonable investigation, including my inquiry of those individuals responsible for obtaining such information, that the information upon which this certification is based is true, accurate and complete to the best of my knowledge and belief. I further certify that I have made the affirmative determination required in accordance with Section 3.4.4.2. of this general permit and that my signing this certification constitutes conclusive evidence of my having made such affirmative determination.

I certify that our facility does not use products or chemicals that may result in a discharge of mercury.

I understand that the registration filed in connection with such general permit may be denied, revoked or suspended for engaging in professional misconduct, including but not limited to the submission of false or misleading information, or making a false or inaccurate certification. I understand that the certification made pursuant to Section 3.4.4.1. of this general permit may be subject to an audit by the Commissioner in accordance with section 22a-430b of the General Statutes, and that I will be required to provide

additional information as may be requested in writing by the Commissioner in connection with such audit, and the registration filed in connection with such general permit may be denied, revoked or suspended as a result of such audit. As part of such audit, I understand the Commissioner may require that any information prepared in accordance with this general permit be independently certified by a Professional Engineer in accordance with this general permit and that such independent certification shall be at the registrant's expense. I understand that the reasonable cost of any such audit that reveals that a false certification was submitted to the Commissioner may be charged to the permittee for this general permit for which such certification was made. I also understand that knowingly making any false statement in the submitted information and in this certification may be punishable as a criminal offense, including the possibility of fine and imprisonment, under section 53a-157b of the General Statutes and any other applicable law.”

3.4.4.2.4. any other individual or individuals responsible for preparing the registration certifies to the following statement:

“I hereby certify that I am making this certification in connection with a registration under such general permit, submitted to the Commissioner by [INSERT NAME OF REGISTRANT] for an activity located at [INSERT ADDRESS OF PROJECT OR ACTIVITY] and that such activity is eligible for authorization under such permit. I certify that the registration filed pursuant to this general permit is on complete and accurate forms as prescribed by the Commissioner without alteration of their text. I certify that I have personally examined and am familiar with the information that provides the basis for this certification, including but not limited to all information described in Section 3.4.4.2. of this general permit, and I certify, based on reasonable investigation, including my inquiry of those individuals responsible for obtaining such information, that the information upon which this certification is based is true, accurate and complete to the best of my knowledge and belief. I understand that the registration filed in connection with such general permit may be denied, revoked, or suspended for engaging in professional misconduct, including but not limited to the submission of false or misleading information, or making a false or inaccurate certification. I understand that knowingly making any false statement in the submitted information and in this certification may be punishable as a criminal offense, including the possibility of fine and imprisonment, under section 53a-157b of the General Statutes and any other applicable law.”

3.4.4.3. If such discharge is directed to surface waters with a Water Quality Classification designated as Class AA or any tributary thereof, or an Aquifer Protection Area, a copy of the registration has been filed with the appropriate water utility and the Department of Public Health, Drinking Water Section via email at DPH.SourceProtection@ct.gov, and such discharge has been approved in writing

by the Department of Public Health, Drinking Water Section.

3.4.5. Supporting Documents

- 3.4.5.1. A plan of the site ("site plan") showing its boundaries, the location of the subject wastewater that will be generated, the location of existing and planned recovery, soil venting, and drinking water wells thereon; the location from which the subject discharge leaves the site; the location(s) from which the subject discharge enters the surface water; the location of all monitoring wells and other places where chemical, physical, or biological monitoring does or will take place; the existing or planned treatment system for the subject wastewater; and the location, if any, of all tidal wetlands and of all inland wetlands and watercourses.
- 3.4.5.2. Discharges to a surface water identified to an impaired waters listed in the most recent Connecticut Integrated Water Quality Report pursuant to Clean Water Act section 303(d) and 305(b) must provide to the Commissioner the documentation required under section 2.2.8 of this general permit.
- 3.4.5.3. Line diagram of all wastewater treatment system(s) that clearly identifies i) intake source; ii) all treatment units, iii) all points of chemical addition to any treatment units, and iv) sample and flow meter locations.
- 3.4.5.4. A completed Connecticut DEEP NetDMR Subscriber Agreement.

3.5. Additional Information

The Commissioner may require an applicant or permittee to submit additional information, which the Commissioner reasonably deems necessary to evaluate the consistency of the subject activity with the requirements for authorization under this general permit.

3.6. Where to File a Registration

A complete registration shall be filed with the Commissioner at the following address:

Central Permit Processing Unit
Department of Energy and Environmental Protection
79 Elm Street
Hartford, CT 06106-5127

3.7. Action by Commissioner

3.7.1. Application & Permit Rejection, Denial, or Revocation

- 3.7.1.1. The Commissioner may reject, deny or revoke permit coverage without prejudice if it is determined more than seven (7) calendar days have elapsed since the Commissioner requested the permittee submit additional information to determine eligibility for permit coverage or authorization to discharge under this general permit.

- 3.7.1.2. The Commissioner may reject, deny or terminate permit coverage if it is found that the subject activity or subsequent discharges are inconsistent with the requirements for authorization under Section 2 of this general permit, or for any other reason provided by law.
- 3.7.1.3. Denial of permit coverage under this subsection shall constitute notice to the permittee that the subject activity or subsequent discharge may not lawfully be conducted or maintained without the issuance of an individual permit in accordance with section 22a-430 of RCSA.
- 3.7.1.4. Rejection, denial or termination of an authorization of coverage shall be in writing from the Commissioner.

3.7.2. **Approval with Conditions**

The Commissioner may approve a registration with reasonable permit conditions. If the Commissioner approves a registration with conditions, the permittee shall be bound by such conditions as if they are part of this general permit.

3.8. **Modifications**

3.8.1. **Discharge or activity modification:**

The permittee shall notify the Commissioner with the submittal of a Modified Registration, at least thirty (30) calendar days prior to any expansion, alteration, or modification that may result in (1) a change to the nature of the activity generating the discharge (2) the introduction of a new source of dewatering or remediation water; (3) the introduction of a new pollutant that was not present in the discharge at the time of registration; (4) an increase in the maximum daily flow, or (5) a relocation of the discharge to a different receiving waterbody. Discharges or activities associated with such modifications may not be discharged without prior written approval from the Commissioner in the form of a Modified Approval of Registration.

A Modified Registration must, at a minimum, contain:

3.8.1.1 The information required in section 3.4.1. of this general permit.

3.8.1.2 A description of the proposed modification(s) and how it is expected to affect the authorized discharge(s). Provide a timeline for implementation and expected completion of the proposed changes.

3.8.1.3 For existing activities that required a qualified professional certification as part of their original registration pursuant to Section 3.4.4.1. of this general permit, a new certification signed by a qualified professional must be submitted. The new certification must confirm that the wastewater treatment system is still adequate to consistently meet the permit limits and conditions, as applicable.

3.8.2 **Treatment system modification:**

This general permit authorizes the permittee to expand or alter the existing wastewater collection or treatment system to meet the permit limits and conditions. The approval does

not relieve the industrial user of the obligation to meet any other permit condition or effluent limit contained within the general permit. The permittee shall notify the Commissioner at least 30 days prior to expanding or significantly altering its wastewater collection or treatment system, or its method of operation. Treatment system modifications do not require further DEEP approval, unless determined by the Commissioner. Information provided in the modified registration shall be emailed to DEEP at DEEP.IndustrialWastewaterGeneralPermits@ct.gov, clearly detail all modifications made, and include the following information:

- 3.8.2.1 A detailed explanation of any changes made to or proposed for the existing wastewater collection or treatment system or its method of operation. Explain the need for implementing each change and the anticipated effects of those changes that will have on the authorized discharge(s).
- 3.8.2.2 For any material substitutions or additional new treatment chemical(s), identify all new substances that include, or may break down into, pollutants listed in Appendix B or D of section 22a-430-4 of the RCSA that can be expected to be present in the authorized discharge(s) as a result of the modification.
- 3.8.2.3 An updated treatment system line diagram.
- 3.8.2.4 For discharges that required a qualified professional certification be submitted as part of the original registration per Section 3.4.4.1. of this general permit, a new certification signed by a qualified professional must be submitted. The new certification must confirm the modified wastewater treatment system is adequate to consistently meet the permit limits and conditions, as applicable.

3.9. Termination of Discharge

For discharges that require the submittal of a registration form, a Notice of Termination form shall be submitted to the Commissioner on a prescribed form within 14 days of the cessation of the discharge. Discharges lasting 30 days or less must submit all monitoring data with the Notice of Termination. Notices of Termination shall be Email to: DEEP.WaterPermittingEnforcement@ct.gov. Failure to submit the Notice of Termination may result in an enforcement action.

4. Conditions of This General Permit

The permittee shall at all times continue to meet the requirements for authorization set forth in Section 2 of this general permit. In addition, a permittee shall assure that activities authorized by this general permit are conducted in accordance with the following conditions:

4.1. Effluent Limitations, Permit Conditions, and Prohibitions Applicable to All Discharges

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

- 4.1.2. No discharge shall cause acute or chronic toxicity in the receiving water.
- 4.1.3. The 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 beyond any zone of influence allocated to that discharge in this general permit.
- 4.1.4. There shall be no discharge of polychlorinated biphenyl (PCB) compounds or mercury beyond permit limits.
- 4.1.5. The following discharges are expressly prohibited under this general permit.
 - 4.1.5.1. The discharge of any sludge and/or bottom deposits from any storage tank or basin.
 - 4.1.5.2. Wastewater from washout of concrete.
 - 4.1.5.3. Wastewater from washout and/or cleanout of stucco, paint, form release oils, curing compounds, and other construction materials.
 - 4.1.5.4. Fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance, except as authorized under this general permit.
 - 4.1.5.5. Soaps, solvents, or detergents used in vehicle and equipment washing or external building washdown.
 - 4.1.5.6. Toxic or hazardous substances from a spill or other release, except as authorized under this general permit.
 - 4.1.5.7. Radioactive material as defined by section 22a-148 of the CGS.
- 4.1.6. Dilution is expressly prohibited as a form of treatment.
- 4.1.7. No discharge may for any reason cause or threaten, either singly or in combination with other discharges:
 - Interference with or adverse effect upon the operation of the POTW.
 - Interference with or adverse effect upon the POTW's sludge handling, use or disposal, including but not limited to noncompliance with section 405 CWA, the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, the Marine Protection Act or any local or state laws, regulations or ordinances.
 - The POTW to exceed its influent design loading parameters.
 - The POTW to violate its permit, including but not limited to exceeding its permit limits.
 - A worsening of any condition which is causing the POTW to exceed its influent design loading parameters or violate its permit.
 - Pass through any substance into the receiving waters which then causes or threatens pollution.
- 4.1.8. No discharge to a POTW may contain:
 - Any substance which causes or threatens a fire or explosion hazard in the POTW.

- Any substance which causes or threatens corrosive structural damage to the POTW. In no case shall a substance with a pH less than 5.0 be discharged unless the POTW is specifically designed to accommodate such a discharge.
- Solid or viscous wastes in amounts which cause or threaten obstruction to flow in the sewers.
- Heat in such amounts that the temperature of the POTW influent exceeds 104°F, unless the POTW is designed to accommodate such heat.
-

4.1.9 For sites within the influence of naturally saline waters, where such waters are known or presumed to compose all or part of the groundwaters to be pumped, and the discharge is to be directed to such naturally saline water, the limitation for naturally occurring saline water ions shall be 1.5 times the naturally occurring concentration for such ions provided:

- Groundwater on-site is not known or presumed to be contaminated by such ions as the result of activities that have or are currently occurring at the site,
- Background concentrations for such ions have been verified by monitoring of the surface water beyond any area influenced by the subject site,
- The ion does not cause or contribute to a violation of the toxicity requirements of this general permit, and
- Monitoring for such ions is conducted in the surface water at least once per year with analysis being submitted with the reporting required pursuant to this general permit.

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4.2. Numeric Effluent Limits and Permit Conditions

4.2.1. Wastewater discharges to surface water under the authority of this general permit shall not exceed and shall otherwise conform to the specific terms and conditions listed in Tables A and B below:

Table A: Effluent Limits for Surface Water Discharges			
Parameter	Units	Instantaneous Effluent Limit or Range	Minimum Level²
Aquatic Toxicity, Daphnia, Pulex ¹	%	90	Not applicable
Aquatic Toxicity, Pimephales promelas ¹	%	90	Not applicable
Aquatic Toxicity, Mysidopsis bahia ¹	%	90	Not applicable
Aquatic Toxicity, Menidia beryllina ¹	%	90	Not applicable
Ammonia	ug/l	1.5	Not applicable
Base Neutral and Acid Extractables (BNA)	ug/l	10.0	Not applicable
Chlorinated Herbicides	ug/l	ND	Not applicable
Mercury	ug/l	0.0002	0.2
MTBE	ug/l	70.0	5.0
Organochlorine Pesticides	ug/l	ND	Not applicable
PCBs ⁴	ug/l	0.1	1.0
pH ³	ug/l	6.0-8.5	Not applicable
Phenols	ug/l	5.0	Not applicable
Phthalate Esters	ug/l	100	Not applicable
Polynuclear Aromatic Hydrocarbons (PAHs)	ug/l	5.0	10.0
Total Petroleum Hydrocarbons	mg/l	5.0	Not applicable
Total Suspended Solids (TSS)	mg/l	30.0	Not applicable
Total Volatile Organics (VOCs)	ug/l	10.0	Not applicable
Footnotes:			
¹ The results of the Toxicity Tests are submitted in % survival of in an undiluted sample of the effluent.			
² For additional information on the Minimum Level refer to Section 4.8 of this general permit.			
³ The pH of the discharge shall not be less than 6.0 or more than 8.5 S.U.			
⁴ No individual sample for PCB shall exceed 0.000017 ug/l.			
Remarks:			
1. Samples taken for the purpose of determining compliance with the effluent limitations and monitoring requirements listed in this general permit shall be grab samples.			
2. The effluent limits for all metals are total recoverable metals unless otherwise indicated.			
3. See Section 4.7 for monitoring frequency.			
4. See Section 4.10 for reporting frequency.			

Table B: Site Specific Effluent Limits for Surface Water Discharges

Parameter	Units	Instantaneous Effluent Limit or Range			Minimum Level ¹
		IWC 0 to 10	IWC >10 to 25	IWC >25 to 100	
Arsenic	ug/l	0.1	0.1	0.1	5.0
Barium	ug/l	1801	720	180	Not applicable
Beryllium	ug/l	2.6	1.6	0.4	1.0
Boron	ug/l	7,779	3,111	778	Not applicable
Cadmium, total	ug/l	10	0.4	0.1	0.5
Chlorine, total residual	ug/l	90.1	36	9.0	20.0
Chromium	ug/l	342	137	34.4	5.0
Chromium, Hexavalent	ug/l	79.4	32	0.8	10.0
Cobalt	ug/l	197	78.6	19.7	Not applicable
Copper, total	ug/l	48	19.2	4.8	5.0
Cyanide, total	ug/l	43	17	4.3	10.0
Lead, total	ug/l	9.8	3.9	1.0	5.0
Manganese	ug/l	319	128	31.9	Not applicable
Nickel, total	ug/l	235	94.7	23.7	5.0
Selenium, total	ug/l	40	16.4	4.1	5.0
Silver	ug/l	5.0	ND	ND	2.0
Thallium	ug/l	14.6	5.8	2.9	Not applicable
Tin	ug/l	1474	589	147	Not applicable
Vanadium	ug/l	360	144	36.0	Not applicable
Zinc, total	ug/l	322	130	32.4	10.0

Footnotes:

¹ Refer to Section 4.8 of this general permit.

Remarks:

1. Samples taken for the purpose of determining compliance with the effluent limitations and monitoring requirements listed in this general permit shall be grab samples.
2. The effluent limits for all metals are total recoverable metals unless otherwise indicated.
3. See Section 4.7 for monitoring frequency.
4. See Section 4.10 for reporting frequency.

4.2.2. Wastewater discharges to a POTW under the authority of this general permit shall not exceed and shall otherwise conform to the specific terms and conditions listed in Table C below:

Table C: Effluent Limits for POTW Discharges

Parameter	Units	Instantaneous Effluent Limit or Range	Minimum Level ¹
Arsenic	mg/l	0.1	5.0 ug/l
Barium	mg/l	5.0	
Base Neutral and Acid Extractables (BNA)	mg/l	2.0	Not applicable
Beryllium	mg/l	2.0	1.0 ug/l
Boron	mg/l	2.0	Not applicable
Cadmium, total	mg/l	0.1	0.5 ug/l
Chlorinated Volatile Organics	mg/l	1.0	Not applicable
Chromium, total	mg/l	1.0	5.0 ug/l
Chromium, Hexavalent	mg/l	0.1	10.0 ug/l
Cobalt	mg/l	2.0	
Copper, total	mg/l	1.0	5.0 ug/l
Cyanide, total	mg/l	0.6	10.0 ug/l
Cyanide, amenable	mg/l	0.1	Not applicable
Lead, total	mg/l	0.1	5.0 ug/l
Herbicide	ug/l	ND	Not applicable
Magnesium	mg/l	50	Not applicable
Mercury	mg/l	0.0002	0.2 ug/l
MTBE	mg/l	1.0	5.0 ug/l
Nickel, total	mg/l	1.0	5.0 ug/l
Organochlorine Pesticides	mg/l	ND	Not applicable
PCBs ¹	ug/l	1.0	1.0 ug/l
pH ²	S.U.	5.0 to 10.0	Not applicable
Phenols	mg/l	1.0	Not applicable
Phthalate Esters	mg/l	2.0	Not applicable
Polynuclear Aromatic Hydrocarbons (PAHs)	mg/l	2.0	10.0 ug/l
Selenium, total	mg/l	1.0	5.0 ug/l
Silver	mg/l	0.5	2.0 ug/l
Thallium	mg/l	2.0	0.2 ug/l
Tin	mg/l	4.0	Not applicable
Total Petroleum Hydrocarbons	mg/l	100	Not applicable
Total Suspended Solids (TSS)	mg/l	600	Not applicable
Total Volatile Organics (VOCs)	mg/l	5.0	Not applicable
Vanadium	mg/l	2.0	Not applicable
Zinc, total	mg/l	2.0	10.0 ug/l

Footnotes:

¹ Refer to Section 4.8. of this general permit.

² The pH of the discharge shall not be less than 6.0 or more than 10.0 S.U.

³ No individual PCB shall exceed 0.000017 ug/l.

Remarks:

1. Samples taken for the purpose of determining compliance with the effluent limitations and monitoring requirements listed in this general permit shall be grab samples.
2. The effluent limits for all metals are for total recoverable metals unless otherwise indicated.
3. See Section 4.7 for monitoring frequency.
4. See Section 4.10 for reporting frequency.

4.2.3. **Flow**

The daily flow shall not exceed the maximum daily and average monthly flows specified in the general permit registration submitted by the permittee.

4.2.4. **Discharges to Waters on the Connecticut Integrated Water Quality Report**

Discharges to waters listed in the most recent Connecticut Integrated Water Quality Report of waters listed pursuant to Clean Water Act section 303(d) and 305(b) must comply with the requirements listed in section 2.2.9 of this general permit.

The Commissioner may require additional control measures or permit conditions for discharges to impaired waterbody segments or other sensitive areas.

4.2.5. **Additional Permit Conditions or Effluent Limitations**

The Commissioner may develop effluent limits for parameters that do not have a numeric or narrative limit in this general permit on a case-by-case basis if the Commissioner determines it necessary to protect the waters of the state from pollution.

4.3. Pollutant Monitoring

4.3.1. All discharges shall be monitored, and values reported, for the following parameters:

- Maximum daily flow (gpd),
- Monthly average flow (gpd),
- pH (S.U.),
- Total settleable solids, (mg/l),
- Total suspended solids (mg/l),
- Total dissolved solids (mg/l), and
- Turbidity (NTU).

4.3.2. Discharges as a result of petroleum UST replacement, oil or an oily sheen is visible in the water to be discharged, or the source of the contamination being remediated is petroleum oil shall also be monitor for the following parameters:

- All parameters identified in Section 4.3.1 above,
- Lead (mg/l),
- Total Petroleum Hydrocarbons (mg/l),
- PAHs (mg/l),
- Volatile Organic Compounds (total) (mg/l), and
- All additional pollutants of concern that are known or suspected present or required by the Commissioner.

4.3.3. Emergency discharges shall monitor for the following parameters:

- All parameters identified in Section 4.3.1 above, and
- All additional pollutants of concern that are known or suspected present as a result of the discharge and required by the Commissioner.

- 4.3.4. For all other discharges, the permittee shall monitor the discharge for the following:
- All parameters identified in Section 4.3.1 above,
 - All pollutants identified in the screening analysis conducted pursuant to Section 3.4.3.5. of this permit or any other analysis of the untreated water at a concentration exceeding a limit contained in Section 4.2. of this general permit,
 - All pollutants of concern that are known or suspected present in the untreated wastewater or groundwater, and
 - Parameters listed in the Approval of Registration.

4.4. Sampling

- 4.4.1. Samples taken for the purpose of determining compliance with the effluent limitations and monitoring requirements listed in this general permit shall be grab samples.
- 4.4.2. All samples, except those required to characterize the untreated wastewater, shall be representative of the discharge, collected after all treatment, prior to mixing with any other waters, and before discharged to waters of the state.
- 4.4.3. Individual samples shall be collected from each discrete permitted DSN.

4.5. Flow Monitoring & Record Keeping

The permittee shall maintain at the facility or make available with 24 hours of request a record of the total daily flow for each day of discharge and shall report the average daily flow and the maximum daily flow for each month in accordance with the general permit.

All discharges shall have flow monitoring equipment installed or implement techniques and devices capable of recording total daily flow. Appropriate flow measurement equipment and methods consistent with accepted scientific and engineering practices shall be selected and used to ensure the accuracy and reliability of measurements of the discharge(s). The equipment shall be installed, calibrated, and maintained in accordance with the manufacturer's requirements to ensure the accuracy of the measurement is consistent with the accepted capability of that type of device.

4.6. Startup Procedures

- 4.6.1. A sample of each discharge must be collected for analytical analysis in accordance with Section 4.3 to determine compliance with permit limits upon commencement of the discharge. For discharges lasting longer than a week (7 calendar days), a second sample from each discharge must be collected and analyzed to determine compliance with permit limits during the second week of discharge.
- 4.6.2. For dewatering wastewater discharges, startup procedures must be performed each time the discharge is restarted after being discontinued for greater than thirty (30) days for any reason.
- 4.6.3. For remediation wastewater discharges, other than intermittent discharges of remediation wastewater, startup procedures must be performed each time the discharge is restarted after being discontinued for greater than twenty-four (24) hours for any reason.

- 4.6.4. Intermittent discharges of remediation wastewater, as defined by this general permit are not required to perform the startup procedures with each restart.

4.7. Monitoring Frequency

After completion of the startup procedures, monitoring and analysis to verify compliance with the effluent limitations of this general permit shall be performed according to the following schedule:

Table D	
Maximum Daily Flow	Effluent Monitoring Frequency
< 5,000 gallons per day	Quarterly
≥ 5,000 gallons per day	Monthly

If there is no discharge during a calendar month, then a sample must be collected the next month a discharge occurs.

4.8. Sample Analysis

All samples shall be collected, handled, and analyzed in accordance with the methods approved under 40 CFR 136, unless another method is required under 40 CFR subchapter N or unless an alternative method has been approved in writing pursuant to 40 CFR 136.5 or as provided in section 22a-430-3(j)(7). To determine compliance with limits and conditions established in this permit, monitoring must be performed using sufficiently sensitive methods approved pursuant to 40 CFR 136 for the analysis of pollutants having approved methods under that part, unless a method is required under 40 CFR subchapter N or unless an alternative method has been approved. Chemicals which do not have methods of analysis defined in 40 CFR 136 shall be analyzed in accordance with methods specified by the Commissioner.

- 4.8.1. All metals analyses identified in this permit shall use analyses for total recoverable metals as defined in 40 CFR 136 unless otherwise specified.
- 4.8.2. Analysis for mercury shall be performed using EPA Method 1631E.
- 4.8.3. Analysis for per- and polyfluoroalkyl substances (PFAS) shall be performed using EPA Method 1633.
- 4.8.4. The Minimum Levels specified in Tables A, B, and C represent the concentrations at which quantification must be achieved and verified during the chemical analyses for the parameters identified in Section 4.2., of this general permit. Analyses for these parameters must include check standards within ten percent of the specified Minimum Level or calibration points equal to or less than the specified Minimum Level.
- 4.8.5. 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.
- 4.8.6. Effluent analyses for which quantification was verified during the analysis at or below the minimum levels specified in this section and which indicate that a parameter was not

detected shall be reported as "less than non-detect" where 'non-detect' is the numerical value equivalent to the analytical method detection limit for that analysis. If the Permittee is required to submit its DMRs through the NetDMR system, the Permittee shall report the non-detect value consistent with the reporting requirements for NetDMR.

- 4.8.7. Results of effluent analyses which indicate that a parameter was not present at a concentration greater than or equal to the Minimum Level specified for that analysis shall be considered equivalent to zero (0.0) for purposes of determining compliance with effluent limitations or conditions specified in this permit.
- 4.8.8. It is a violation of this permit for a Permittee or his/her designated agent, to manipulate test samples in any manner, to delay sample shipment, or to terminate or to cause to terminate a toxicity test. Once initiated, all toxicity tests must be completed.

4.9. Whole Effluent Toxicity (WET) Limits

- 4.9.1. Discharges to a surface water lasting more than 30 calendar days must conduct quarterly WET testing.
- 4.9.2. Acute aquatic toxicity monitoring shall be performed using the NOAEL protocol specified in section 22a-430-3(j)(7)(A) of the RCSA and as prescribed in the reference document *Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms* (EPA-821-R-02-012), or the most current version, with any exceptions or clarifications noted below.

4.9.3. Sample Collection and Handling

- 4.9.3.1. All samples collected to determine compliance with aquatic toxicity limits in this general permit shall be grab samples.
- 4.9.3.2. Grab samples shall be chilled immediately following sample collection. Samples shall be held at 0 - 6 °C until aquatic toxicity testing is initiated.
- 4.9.3.3. Samples used for aquatic toxicity analysis shall not be dechlorinated, filtered, or modified in any way prior to testing, except for samples which require salinity adjustment. For salinities between 5 ppt and 15 ppt, the salinity of the effluent may be adjusted to 15 ppt using artificial sea salts.

4.9.4. Analytical Testing

- 4.9.4.1. Toxicity tests shall be initiated within 24 hours of sample collection.
- 4.9.4.2. Toxicity tests shall be 48 hours in duration.
- 4.9.4.3. Copper, lead, iron, manganese, zinc, total residual chlorine, pH, temperature, salinity, hardness, alkalinity, total suspended solids, total dissolved solids, turbidity, specific conductance, and appearance shall be measured in the undiluted effluent sample and in the dilution (control) water at the beginning of the test and at test termination. If total residual chlorine is not detected at test initiation, it does

not need to be measured at test termination.

- 4.9.4.4. For salinity less than 5 ppt toxicity tests shall employ neonatal (less than 24-hours old) *Daphnia pulex* and juvenile (1-14 days old, with no greater than a 24-hour range in age) *Pimephales promelas* as test organisms.
- 4.9.4.5. For salinity greater than or equal to 5 ppt toxicity tests shall utilize neonatal (1-5 days old with no more than 24-hours range in age) *Mysidopsis bahia* and juvenile (9-14 days old, with no greater than a 24-hour range in age) *Menidia beryllina* as test organisms.
- 4.9.4.6. Synthetic freshwater prepared with deionized water adjusted to a hardness of 50 mg/L (± 5 mg/L) as CaCO_3 shall be used as dilution water.
- 4.9.4.7. All effluent concentrations and the control(s) used in the test shall have the same salinity. If the effluent requires salinity adjustment to a standard salinity, this shall be accomplished by adding a minimum amount of commercial sea salts as described in EPA-821-R-02-012.
- 4.9.4.8. Organisms shall not be fed during the tests, except for *Mysidopsis bahia*. *Mysidopsis bahia* may be fed.
- 4.9.4.9. Copper nitrate shall be used as the reference toxicant for freshwater organisms and sodium lauryl sulfate, or sodium dodecyl sulfate shall be used as the reference toxicant for saltwater organisms.
- 4.9.4.10. Dissolved oxygen, pH, and temperature shall be measured in the control and in all test concentrations at the beginning of the test, daily thereafter, and at test termination.
- 4.9.5. Compliance with aquatic toxicity limits shall be demonstrated when the results of a valid pass/fail aquatic toxicity test indicates there is 90% or greater survival in the undiluted effluent.
- 4.9.6. Should either of the below conditions occur, another sample of the discharge must be collected and analyzed for aquatic toxicity within 30 days of the previous test.
 - 4.9.6.1. The survival of the test organisms was less than 90% in the average of the test chambers containing undiluted effluent. Note if survival of the test organisms was less than 90% in the average of the test chambers containing undiluted effluent, the result is interpreted as a permit limit exceeded.
 - 4.9.6.2. The survival of test organisms was less than 90% in each replicate control test chamber or test conditions were not achieved as specified in section 22a-430-3(j)(7)(A) of the RCSA, such as maintenance of appropriate environmental controls. Note: if the survival of test organisms was less than 90% in each replicate control test chamber or test conditions were not achieved as specified in section 22a-430-3(j)(7)(A) of the RCSA, the toxicity test is interpreted as an invalid test.
- 4.9.7. If any two consecutive test results or any three test results in a twelve-month period indicate

that an aquatic toxicity limit has been exceeded, the Permittee shall immediately take all reasonable steps to eliminate toxicity wherever possible and submit a Toxicity Reduction Evaluation, for the review, and if necessary written approval of the Commissioner, which describes in detail the steps taken or shall be taken to eliminate the toxic impacts of the discharge on the receiving water. The report shall also include a proposed schedule for implementation. Such report shall be submitted within 30 days of the last exceedance. The Permittee shall implement all actions in accordance with the approved report and schedule.

4.10. Reporting and Record Keeping

4.10.1. Record Keeping

- 4.10.1.1. The permittee shall retain copies of all application documents, laboratory analysis and reports required by the permit for a period of at least five (5) years from the date of the report or application. Records required by this general permit shall be retained on-site, or at the permittee's principal place of business in Connecticut, as required by section 22a-430-3(j).
- 4.10.1.2. Permittees must provide copies of all monitoring data upon the Commissioner's request within two (2) business days of the request.
- 4.10.1.3. The Commissioner may extend this period as he or she deems necessary upon written notice to the permittee, and this period is automatically extended for as long as a permittee is under an active order from the Commissioner under Chapter 446K of the Connecticut General Statutes or if the permittee is in litigation for any violation of any permit or order issued by the Commissioner under Chapter 446K of the Connecticut General Statutes.

4.10.2. Reporting

- 4.10.2.1. For activities that require an Approval of Registration, beginning the first of the month following 30 days of discharge, the results of chemical analyses of discharges lasting more than a month and any aquatic toxicity test required by this permit will be submitted electronically using NetDMR as prescribed below in section 4.10.2.6 of this general permit. Monitoring required more frequently than monthly will be reported as an attachment to the DMR, and any additional monitoring conducted in accordance with 40 CFR 136, or another method required for an industry-specific waste stream under 40 CFR subchapter N or O, or other methods approved by the Commissioner, will also be included on the DMR, or as an attachment, if necessary, and the results of such monitoring will be included in the calculation and reporting of the data submitted in the DMR.
- 4.10.2.2. All aquatic toxicity analytical reports must be included as an attachment to the DMR.
- 4.10.2.3. If permit noncompliance occurred in the monitoring period, the report required in Section 6.2 of this general permit detailing the violation of the any limitation or permit condition must be included as an attachment to the DMR.
- 4.10.2.4. Note: The Department is currently updating its methodology for receiving the

following information and this language maybe modified in the final permit.

Complete and accurate aquatic toxicity test data, including percent survival of test organisms in each replicate test chamber, 95% confidence intervals for definitive test protocols, and all supporting chemical/physical measurements performed in association with any aquatic toxicity test, shall be entered on the prescribed Aquatic Toxicity Monitoring Report form (ATMR) and electronically submitted to the Bureau of Water Protection and Land Reuse at the following electronic address: To Be Determined in the Final Permit. The ATMR shall be received at this address by the last day of the month following the month in which samples are collected.

4.10.2.5. If the general permit requires monitoring of a discharge on a calendar basis (e.g. monthly, quarterly, etc.), but a discharge has not occurred within the required frequency of sampling specified in the general permit, the permittee must submit the DMR using the appropriate NODI code and ATMR indicating "NO DISCHARGE" as required by the general permit.

4.10.2.6. NetDMR Reporting Requirements

4.10.2.6.1. The Permittee shall report electronically using NetDMR, a web-based tool that allows permittees to electronically submit Discharge Monitoring Reports (DMRs) and other required reports through a secure internet portal. All reports required under the permit, including any additional monitoring conducted in accordance with 40 CFR 136, shall be submitted to the Department as an attachment to the DMR in NetDMR.

4.10.2.6.2. Submittal of Reports Using NetDMR

The permittee shall electronically submit DMRs and reports required under this permit to the DEEP using NetDMR in satisfaction of the DMR submission requirement of Section 4 of this permit. DMRs shall be submitted electronically to the Department no later than the last day of the month following the reporting period. The permittee shall also electronically submit any written report of noncompliance described in Section 6 of this general permit as an attachment to the DMR in NetDMR. NetDMR is accessed at <https://npdes-ereporting.epa.gov/net-netdmr>.

4.11. Water Treatment System Operation and Maintenance

4.11.1. The permittee must maintain any treatment necessary to meet the general permit effluent limits and conditions contained in the general permit and Approval of Registration at all times.

4.11.2. The permittee shall treat the discharge for any pollutant identified as present in the untreated wastewater at a concentration exceeding the limits of this general permit or the limitations specified in an Approval of Registration.

4.11.3. The wastewater treatment system must be maintained at all times as described in the

registration.

- 4.11.3.1. Treatment systems shall be inspected and maintained at regularly scheduled intervals as determined by manufacturer specifications, site specific conditions and best professional judgment. The permittee shall conduct routine inspections of all equipment associated with the discharges authorized by this general permit. Inspections shall be conducted as necessary, but no less than monthly, to ensure proper operation of all equipment.
- 4.11.3.2. A written log shall be maintained on-site or at the permittee's principal place of business in Connecticut, as required by section 22a-430-3(j) documenting the date of inspection, inspector's name, verification of operation of critical equipment, and a summary of any work or change in equipment associated with the discharges authorized by this general permit.
- 4.11.3.3. If the discharge is directed to a waterbody or tributary to any waterbody that contributes to a source of public drinking water, treatment shall at a minimum incorporate technologies certified by the NSF for the treatment of drinking water for the removal of the pollutants of concern, and be designed for the flows anticipated.
- 4.11.3.4. The discharge shall cease if the treatment system is not operating as necessary to maintain compliance with all effluent limitations.

4.11.4. **Erosion and Sediment Controls**

If authorized activities create a potential for pollution due to the erosion of soil; erosion and sediment control measures shall be installed and maintained in compliance with the standards set forth in the "2002 Connecticut Guidelines for Soil Erosion and Sediment Control" as revised, established pursuant to section 22a-328 of the General Statutes.

During the construction of any dewatering facility associated with the discharge, erosion and sediment control measures shall be installed and maintained to ensure that erosion of disturbed soils and discharge of eroded sediments to tidal wetlands, inland wetlands and watercourses are minimized or eliminated.

Erosion and sediment control measures shall be installed and maintained to ensure that discharge energies are sufficiently dissipated to prevent the erosion of soil or the discharge of eroded sediments to tidal wetlands, inland wetlands and watercourses.

5. Regulations of Connecticut State Agencies Incorporated into this General Permit

The 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.

5.1. Section 22a-430-3

Subsection (b) General

Subsection (c) Inspection and Entry

Subsection (d) Effect of a Permit

Subsection (e) Duty to Comply
Subsection (f) Proper Operation and Maintenance
Subsection (g) Sludge Disposal
Subsection (h) Duty to Mitigate
Subsection (i) Facility Modifications, Notification
Subsection (j) Monitoring, Records and Reporting Requirements
Subsection (k) Bypass
Subsection (m) Effluent Limitation Violations
Subsection (n) Enforcement
Subsection (o) Resource Conservation
Subsection (p) Spill Prevention and Control
Subsection (q) Instrumentation, Alarms, Flow Recorders
Subsection (r) Equalization

5.2. Section 22a-430-4

Subsection (a) Duty to Apply
Subsection (o) Permit or Application Transfer
Subsection (p) Revocation, Denial, Modification
Subsection (t) Discharges to POTWs - Prohibitions

6. Duty to Correct, Record, and Report Violations

6.1. Corrective Actions

Immediately upon learning of a violation of a condition of this general permit, the permittee shall immediately take all reasonable actions to determine the cause of the violation, correct the violation, mitigate the impact of the violation, and prevent its recurrence.

6.2. Reporting Violations

6.2.1. Noncompliance with Permit Terms or Conditions

The permittee shall, within two (2) hours of becoming aware of the circumstances, or at the start of the next business day; but no more than 24 hours from when he or she becomes aware of the circumstances outside normal business hours, notify the Commissioner of any actual or anticipated noncompliance with permit terms or conditions if (i) the noncompliance is greater than two times the permitted level except for violations of any limitation for a surface water discharge, in which case all violations shall be reported or (ii) the condition may endanger human health, the environment or the operation of a POTW, including sludge handling and disposal. Consult <https://portal.ct.gov/DEEP/Water-Regulating-and-Discharges/Industrial-Wastewater/Compliance-Assistance/Industrial-Wastewater-Discharge-Permit-Compliance-Information> for information regarding noncompliance notification timeframes, prescribed forms, and contact information.

Note: The Department has developed a web-based Noncompliance Notification platform to report instances of noncompliance.

6.2.2. Five (5) Day Follow Up Report

A five (5) day follow up noncompliance report shall be submitted and contain a description of the noncompliance and its cause, the period of noncompliance, including exact dates and times, and, if the noncompliance has not been corrected, the anticipated time it is expected to continue, and steps taken or planned to reduce, eliminate and prevent recurrence of the noncompliance. Notification of actual or anticipated noncompliance does not stay any permit term or condition.

Note: The Department has developed a web-based Noncompliance Notification platform to report instances of noncompliance and the five (5) day follow up report.

6.2.3. Additional Notification Requirements

The permittee shall notify the Director within seventy-two hours and in writing within thirty days when he or she knows or has reason to believe that the concentration in the discharge of any listed substance or any toxic substance has exceeded or will exceed the highest of the following levels:

6.2.3.1. One hundred micrograms per liter;

6.2.3.2. Two hundred micrograms per liter for acrolein and acrylonitrile, five hundred micrograms per liter for 2,4-dinitrophenol and for 2-methyl-4, 6-dinitrophenol; and one milligram per liter for antimony;

6.2.3.3. An alternative level specified by the Commissioner, provided such level shall not exceed the level which can be achieved by the permittee's treatment system; or

6.2.3.4. A level two times the level specified in the permit application.

6.2.4. For Discharges to a POTW

The Permittee shall immediately notify the Director and the local Water Pollution Control Authority of all discharges that could cause pass thru or interference to the POTW or its conveyance system, including but not limited to slug loadings of pollutants which may cause a violation of the POTW's discharge permit, or which may inhibit or disrupt the POTW, its treatment processes or operations, or its sludge processes, use or disposal, or may cause acute human health or safety concerns.

7. Standard Conditions

The following standard conditions have been included in this general permit for the convenience of the permittee and are generally duplicative of the incorporated regulations in section 5 of this general permit. If there are conflicting requirements, the stricter shall be applied.

7.1. Inspection and Entry

The Commissioner or his or her authorized representative may take any actions authorized by sections 22a-6 (5), 22a-425 or 22a-336 of the CGS as amended.

7.2. Submission of Documents

Any document, other than a DMR and reporting of violations, required to be submitted to the Commissioner under this section of the permit will, unless otherwise specified in writing by the Commissioner or through this general permit, be directed to:

DEEP.WaterPermittingEnforcement@ct.gov

With the subject line: ATTN: General Permit for the Discharge of Dewatering and Remediation Wastewaters Permit No. XXXXXXXXXX

7.3. Violations

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 General Statutes and RCSA.

7.4. Enforcement

The Commissioner may take any enforcement action provided by law, including but not limited to seeking injunctions, penalties and forfeitures as provided in sections 22a-6, 22a-7, 22a-430, 22a-432, 22a-435, 22a-438 and 22a-471 of the General Statutes as amended, for any violations or acts of noncompliance with chapter 446k of the General Statutes or any regulation, order, permit or approval issued there under.

7.5. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit.

7.6. No Assurance

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.

7.7. Relief

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

7.8. Duty to Provide Information

The Commissioner may require any permittee to provide within a reasonable time (30 days) any information which the Commissioner may request to determine whether cause exists for modifying or revoking the permit or to determine compliance with the permit, including but not limited to copies of records required to be kept by the permittee.

7.9. Duty to Comply

The permittee shall comply with all terms and conditions of the permit. Any permit noncompliance constitutes a violation of Chapter 446k of the Connecticut General Statutes. Permit noncompliance is grounds for enforcement action, permit revocation or modification, or denial of a permit renewal application.

The permittee shall comply with effluent limitations, standards or prohibitions established under section 307 (a) CWA which are adopted in subsection (l) of section 22a- 430-4 of the Regulations of Connecticut State Agencies for toxic substances upon adoption, even if the permit has not yet been modified to incorporate the requirement.

Except for any toxic effluent standards and prohibitions imposed under section 307 CWA, compliance with a permit during its term shall constitute compliance, for purposes of enforcement, with sections 301, 302, 306, 307, 318, 403 and 405 of the Clean Water Act.

The Commissioner may modify or revoke a permit during its term for cause as provided in section 22a-430-4 of the RCSA.

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit.

7.10. Duty to Mitigate

The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of the permit or any discharge which has a reasonable likelihood of adversely affecting human health or the environment.

7.11. Sludge Disposal

The permittee shall dispose of screenings, sludges, chemicals, and oils and any solid or liquid wastes resulting from the wastewater treatment processes at locations approved by the Commissioner for disposal of such materials, or by means of a waste hauler licensed under the provisions of the General Statutes.

7.12. Resource Conservation

All permittees shall implement and maintain practices and/or facilities which, to the maximum extent practicable, result in the minimum amount of wastewater discharged. Such results may be achieved by methods including but not limited to water conservation, resource recovery, waste recycling, wastewater reuse, and material or product substitution. Excessive use of water or the addition of water to dilute an effluent in order to meet any permit limitations or conditions is prohibited.

7.13. Spill Prevention and Control

The permittee shall maintain practices, procedures and facilities designed to prevent, minimize, and control spills, leaks or such other unplanned releases of all toxic or hazardous substances and any other substances as the Commissioner deems necessary to prevent pollution of the waters of the state. Such requirements shall, unless otherwise allowed by the Commissioner, apply to all facilities used for storing, handling transferring, loading, or unloading such substances, including manufacturing areas.

The requirements of this section do not apply to facility components or systems already covered by plans prepared or approved under the Resource Conservation and Recovery Act and the Spill Prevention, Control and Countermeasure program.

7.14. Duty to Reapply

The permit shall be effective for a fixed term not to exceed five years, unless the Commissioner administratively extends the permit in accordance with the General Statutes and RCSA.

7.15. Equalization

All treatment facilities shall be designed to prevent upsets, malfunctions or instances of noncompliance resulting from variations in wastewater strength or flow rate, and shall include, as the Commissioner deems necessary, equalization facilities separate from the treatment facilities.

7.16. Effect of an Upset

An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation. In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof.

A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

- An upset occurred and that the permittee can identify the cause(s) of the upset;
- The permitted facility was at the time being properly operated;
- The permittee submitted notice of the upset timely as required in Section 6.2 of this general permit; and
- The permittee complied with all remedial measures.

7.17. Bypass

The permittee shall not at any time bypass the collection system or treatment facilities or any part thereof unless such bypass is unanticipated, unavoidable, and necessary to prevent loss of life, personal injury or severe property damage, and there were no feasible alternatives to the bypass, including but not limited to the use of auxiliary or back-up treatment facilities, retention of untreated wastes, stopping the discharges, or maintenance during normal periods of equipment downtime; or the permittee receives prior written approval of the bypass from the Commissioner in order to perform essential maintenance, and the bypass does not cause effluent limitations to be exceeded.

7.17.1. In the event such a bypass is necessary, the permittee shall to the extent possible minimize or halt production and/or all discharges until the facility is restored or an alternative method

of treatment is provided.

- 7.17.2. In order to prevent a bypass, the permittee may schedule maintenance during periods when no discharge is occurring or employ any necessary means, including but not limited to duplicate units and systems or alternative collection and treatment or pretreatment schemes. Any such means shall insure that the effluent limitations specified in the permit are achieved; be approved by DEEP in writing prior to its use, which approval shall include an alternative schedule for monitoring if appropriate; and be discontinued upon completion of the performance of the essential maintenance.
- 7.17.3. The permittee shall provide notice to DEEP not less than twenty-four (24) hours prior to the use of any alternative scheme and monitor and record the quality and quantity of the discharge in accordance with permit terms and conditions or an approved alternative schedule. Such monitoring shall be submitted with the next monitoring report required by the permit and shall not be used to meet routine scheduled monitoring report requirements of the permit.
- 7.17.4. If any bypass occurs or may occur, the permittee shall, within two hours of becoming aware of such condition or need, notify DEEP during normal business hours ((860) 424-3021), and the department's Emergency Response Unit at all other times ((860) 424-3338 or (866) 337-7745) and submit within five days a written report including the cause of the problem, duration including dates and times and corrective action taken or planned to prevent other such occurrences.
- 7.17.5. In addition, if the permittee has reason to believe that any effluent limitation specified in the permit may be violated, the permittee shall immediately take steps to prevent or correct such violation, including but not limited to employing an alternative scheme of collection or treatment, and/or control the production of the wastewater and shall monitor and record the quality and quantity of the discharge in accordance with the permit terms and conditions or an approved alternative schedule. Such monitoring shall be submitted with the next monitoring report required by the permit and shall not be used to meet the routine monitoring requirements of the permit.

7.18. Proper Operation and Maintenance

The permittee shall at all times properly operate and maintain all facilities and systems and parts thereof for wastewater collection, storage, treatment and control which are installed or used by the permittee to achieve compliance with the terms and conditions of the permit. Proper operation and maintenance includes, but is not limited to, effective performance, adequate funding, and adequate operator staffing and training, including the employment of certified operators as may be required by the Commissioner pursuant to sections 22a-416-1 through 22a-416-10 of the RCSA, as amended, and adequate laboratory and process controls, including appropriate quality assurance procedures.

In accordance with sections 22a-416 through 22a-471 of the General Statutes as amended, the permittee is required to install and operate a back-up or auxiliary facilities or similar systems or the inventory of spare parts and appurtenances.

7.19. Instrumentation, Alarms, and Flow Records

Except for batch treatment systems unless required by the Commissioner, process wastewater treatment systems shall include instrumentation to automatically and continuously indicate, record and/or control those functions of the system and characteristics of the discharge which the Commissioner deems necessary to assure protection of the waters of the state.

7.20. Signatory Requirements

7.20.1. All permit applications and permit modification requests submitted to the Commissioner shall be signed as follows:

7.20.1.1. For a corporation: by a responsible corporate officer. For the purposes of this section, a responsible corporate officer means: a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy-or decision-making functions for the corporation, or the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding twenty-five million dollars (in second quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

7.20.1.2. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or

7.20.1.3. For a municipality, State, Federal, or other public agency; by either a principal executive officer or a ranking elected official. For purposes of this section, a principal executive officer of a federal agency includes the chief executive officer of the agency, or a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.

7.20.2. All reports required by permits, and other information submitted to the Commissioner shall be signed by a person described in Section 7.20.1 of this general permit or by a duly authorized representative of that person. A person is a duly authorized representative only if:

7.20.2.1. The authorization is made in writing by a person described in Section 7.20.1 of this general permit,

7.20.2.2. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of plant manager, operator of a well or well field, superintendent, position, or equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. A duly authorized representative may thus be either a named individual or any individual occupying a named position; and

7.20.2.3. The written authorization is submitted to the Commissioner.

7.20.3. If an authorization under this subsection is no longer accurate because a different individual or position has assumed the applicable responsibility, a new authorization satisfying the requirements of this section must be submitted to the Commissioner prior to or together with any reports or other information to be signed by an authorized representative.

7.20.4. Any person signing a document under this section shall make the following certification.

“I have personally examined and am familiar with the information submitted in this document and all attachments thereto, and I certify that, based on reasonable investigation, including my inquiry of those individuals responsible for obtaining the information, the submitted information is true, accurate and complete to the best of my knowledge and belief. I understand that a false statement made in the submitted information may be punishable as a criminal offense, in accordance with section 22a- 6 of the General Statutes, pursuant to section 53a-157b of the General Statutes, and in accordance with any other applicable statute.”

7.21. Date of Filing

For purposes of this general permit, the date of filing with the Commissioner of any document is the date such document is received by the Commissioner.

7.22. False Statements

Any false statement in any information submitted pursuant to this general permit may be punishable as a criminal offense, in accordance with section 22a-6 of the General Statutes, pursuant to section 53a-157b of the General Statutes, and in accordance with any other applicable statute.

7.23. Correction of Inaccuracies

Within fifteen (15) days after the date a permittee becomes aware of a change in any of the information submitted pursuant to this general permit, becomes aware that any such information is inaccurate or misleading, or that any relevant information has been omitted, such permittee shall correct the inaccurate or misleading information or supply the omitted information in writing to the Commissioner. Such information shall be certified in accordance with Section 7.20.4 of this general permit.

7.24. Transfer of Authorization

Any authorization under this general permit shall be transferable.

7.25. Other Applicable Law

Nothing in this general permit shall relieve the permittee of the obligation to comply with any other applicable federal, state, and local law, including but not limited to the obligation to obtain any other authorizations required by such law.

7.26. Other Rights

This general permit is subject to and does not derogate any present or future rights or powers of

the State of Connecticut and conveys no rights in real or personal property nor any exclusive privileges and is subject to all public and private rights and to any federal, state, and local laws pertinent to the property or activity affected by such general permit. In conducting any activity authorized hereunder, the permittee may not cause pollution, impairment, or destruction of the air, water, or other natural resources of this state. The issuance of this general permit shall not create any presumption that this general permit should or will be renewed.

8. Commissioner's Powers

8.1. Abatement of Violations

The Commissioner may take any action provided by law to abate a violation of this general permit, including the commencement of proceedings to collect penalties for such violation. The Commissioner may, by summary proceedings or otherwise and for any reason provided by law, including violation of this general permit, revoke a permittee's authorization hereunder in accordance with sections 22a-3a-2 through 22a-3a-6, inclusive, of the RCSA. Nothing herein shall be construed to affect any remedy available to the Commissioner by law.

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 General Statutes 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 the General Statutes or regulations adopted thereunder which are then applicable.

8.2. General Permit Revocation, Suspension, or Modification

The Commissioner may, for any reason provided by law, by summary proceedings or otherwise, revoke or suspend this general permit or modify it to establish any appropriate conditions, schedules of compliance, or other provisions which may be necessary to protect human health or the environment.

8.3. Permit Actions

The Commissioner may modify or revoke a permit during its term for cause as provided in subsection (p) of section 22a-430-4 of the RCSA.

Notification of facility modifications does not stay any permit term or condition.

8.4. Filing of an Individual Permit Application

If the Commissioner notifies a permittee in writing that such permittee must obtain an individual permit to continue lawfully conducting the activity authorized by this general permit, the permittee may continue conducting such activity only if the permittee files an application for an individual permit within sixty (60) days of receiving the Commissioner's notice. While such application is pending before the Commissioner, the permittee shall comply with the terms and conditions of this general permit. Nothing herein shall affect the Commissioner's power to revoke a permittee's authorization under this general permit at any time.

9. Definitions

As used in this general permit:

“7Q10 flow (seven-day, ten-year low flow)” means the lowest seven consecutive day mean stream flow with a recurrence interval of ten years.

“Approval of Registration” or “AoR” means an approval issued under Section 3 of this general permit.

“Aquifer protection area” means aquifer protection area as defined by section 22a-354h of the General Statutes.

"Authorized activity" means any activity authorized by this general permit.

“Best Management Practice” or “BMP” means a practice, procedure, structure, or facility designed to prevent or minimize environmental damage or to maintain or enhance environmental quality. BMPs include without limitation, facilities to reduce pollutants in wastewater and practices or structures to minimize the generation of waste, to control runoff, drainage, spillage, or leaks of contaminated material, to protect sources of drinking water and drinking water wells, and to protect stream flows and aquatic life.

“CERCLA” means Comprehensive Environmental Response, Compensation, and Liability Act.

“Certified Hazardous Materials Manager” or “CHMM” means a person who has gained recognition as a certified hazardous materials manager in accordance with the requirements developed and administered by the Institute of Hazardous Materials Management.

“CFR” means the Code of Federal Regulations.

“CGS” means Connecticut General Statutes.

“Clean Water” means water which in the judgment of the Commissioner is of a quality substantially similar to that occurring naturally in the receiving stream under consideration. Clean water may include minor cooling waters, residential swimming pool water, and stormwater.

“Coastal boundary” means coastal boundary as defined by section 22a-94 of the General Statutes.

"Commissioner" means Commissioner as defined by section 22a-2(b) of the General Statutes.

“Day” means the calendar day.

"DEEP" means the Department of Energy and Environmental Protection.

“Dewatering wastewater” means wastewater generated from activities such as, pumping accumulated stormwater or groundwater from an excavation, pumping water from a cofferdam, wastewater generated by removing/replacing an underground storage tank, or pumping surface water that has been diverted onto a construction site.

“Director” shall mean the Director of the Water Permitting and Enforcement Division.

“DMR” means Discharge Monitoring Report.

“DSN” means discharge serial number designating each discreet discharge consisting solely of wastewater authorized by this general permit.

“Effluent” means the wastewater authorized to be discharged by this general permit after treatment and prior to mixing with liquid from any other source.

“Effluent limitation” means an effluent limitation established in this general permit, including limitations specified Section 5.1. of this general permit.

“Emergency discharge” means a discharge resulting from an emergency response, unexpected release, or underground storage tank release, that occurs to avoid imminent endangerment to human health, public safety, property, or the environment. After thirty (30) days, the discharge is no longer considered an emergency.

“Emerging contaminants” means a chemical or material characterized by a perceived, potential, or real threat to human health or the environment or by a lack of published health standards. A contaminant also may be "emerging" because of the discovery of a new source or a new pathway to humans.

“Endangered or threatened species” means endangered or threatened species as defined by section 26-304 of the General Statutes.

“EPA” means the United States Environmental Protection Agency.

“General Statutes” means the Connecticut General Statutes or CGS.

“gpd” means gallons per day.

“Grab Sample ” means an individual sample collected and analyzed in less than fifteen (15) minutes.

“Impaired Waters ” means those surface waters of the state designated by the Commissioner as impaired pursuant to Section 303(d) of the federal Clean Water Act and as identified in the most recent State of Connecticut Integrated Water Quality Report within categories 4 or 5, including any subdivisions of these categories.

"Individual permit" means a permit issued to a named permittee under section 22a-430 of the General Statutes.

“Influent” means the groundwater to be discharged prior to any treatment except for the implementation of BMPs at pump intakes for the control of solids.

“Inland wetlands” means wetlands as defined by section 22a-38 of the General Statutes.

“Intermittent discharges of remediation wastewater” means a discharge that are generated at scheduled intervals related to activities such as groundwater monitoring, site investigation, groundwater pump tests, or related activities. Discharges that temporarily cease due to treatment system shutdown, lack of available groundwater or other unscheduled reasons, are not intermittent as defined by this general permit.

“Licensed Environmental Professional” or “LEP” means an environmental professional licensed pursuant to the requirements of section 22a-133v of the General Statutes.

“mg/l” means milligrams per liter.

“Minimum Level” or “ML” represent the concentrations at which quantification must be achieved and verified during the chemical analyses for the parameters identified in Section 4. Analyses for these parameters must include check standards within ten percent of the specified Minimum Level or calibration points equal to or less than the specified Minimum Level.

“Monthly” means calendar month.

"Municipality" means a city, town, or borough of the state.

“ND” or “non-detect” refers to a sample result where the concentration of a parameter is determined to be less than the detection level of the analytical method.

“NOAEL” or “no observable acute effect level of greater than or equal to 100%” means that a sample of non-diluted effluent analyzed by a toxicity test conducted pursuant to section 22a-430-3(j)(7)(A) of the RCSA, demonstrates 90% or greater survival for each test organism.

“Oxygenates” means fuel additives (alcohols and ethers) that contain oxygen which can boost gasoline’s octane quality, enhance combustion, and reduce exhaust emissions.

"Permittee" means a person or municipality which has filed authorized to discharge under this general permit.

"Person" means person as defined by section 22a-2(c) of the General Statutes.

"POTW authority” means the chairperson or responsible official of the Water Pollution Control Authority which owns or operates a Publicly Owned Treatment Works.

“Professional engineer” or “P.E.” means a professional engineer licensed by the Connecticut Department of Consumer Protection.

“Publicly owned treatment works” or "POTW" means a system used for the collection, treatment and/or disposal of sewage from more than one lot, as defined in section 22a-430-1 of the Regulations of Connecticut State Agencies, and which discharges to the waters of the state and which is owned by a municipality, a regional water authority, or the state.

“Qualified professional” means a P.E., LEP, or CHMM who has, for a minimum of eight years, engaged in the design, installation, operation, and maintenance of systems for the collection and treatment of sanitary, industrial, commercial, or remediation wastewaters including, but not limited to, a minimum of four years in responsible charge of design, installation, operation, and maintenance of such systems.

“Quarterly” means a calendar quarter. The first quarter is from January 1st to March 30th, the second quarter is from April 1st to June 30th, the third quarter is from July 1st to September 30th, and the fourth quarter is from October 1st to December 31st.

“RCSA” means the Regulations of Connecticut State agencies.

“Recovery well” means a well-used to collect and pump contaminated groundwater.

"Registrant" or “Applicant” means a person who, or municipality which, files a registration pursuant to Section 4 of this general permit.

"Registration" or “Application” means a registration form filed with the Commissioner pursuant to Section 4 of this general permit.

“Remediation wastewater” means wastewater generated during remediation activities in connection with investigating pollution or remediating polluted groundwater, sediment, or soil.

“Screening analysis” means an analysis performed to satisfy the registration requirements of Section 4 of this permit for the evaluation of groundwater prior to treatment for the removal of pollutants.

“Short-term Discharge” refers to discharges lasting no more than 30 consecutive days, which are then terminated and will not be re-started.

"Site" means geographically contiguous land or water on which an authorized activity takes place or on which an activity for which authorization is sought under this general permit is proposed to take place. Non-contiguous land or water owned by the same person and connected by a right-of-way which such person controls and to which the public does not have access shall be deemed the same site.

“S.U.” means standard units.

“Sufficiently sensitive” means using a sufficiently sensitive analytical method as defined in 40 CFR §122.44(i)(1)(iv).

“Surface water(s)” means the waters of Long Island Sound, its harbors, embayments, tidal wetlands and creeks; rivers and streams, brooks, waterways, lakes, ponds, marshes, swamps, bogs, federal jurisdictional wetlands, and other natural or artificial, public or private, vernal or intermittent bodies of water, excluding groundwater.

“Tidal wetland” means wetland as defined by section 22a-29 of the General Statutes.

“Total petroleum hydrocarbons analysis” means analysis conducted in accordance with 40 CFR 136 to determine the concentration of gross oil or hydrocarbon in a substance or material.

“Total Volatile Organics” (“VOCs”) means the combined sum of volatile and semi-volatile organic compounds.

“Toxic” means having the ability to adversely affect the survival, growth, or reproduction of organisms or humans through either direct contact or consumption.

“Toxicity reduction evaluation” or “TRE” means an evaluation intended to determine those actions necessary to achieve compliance with the Whole Effluent Toxicity limits specified in Section 4.9.7. of this general permit.

"Treatment Facility" means a system or any part thereof, the purpose of which is to improve the chemical, physical or biological quality of a waste or wastewater discharge.

“μg/l” means micrograms per liter.

“Volatile organic compound” or “VOC” means volatile organic compound as defined in 40 CFR 51.100(s).

"Watercourse" means watercourse as defined in section 22a-38 of the General Statutes, including those waters designated as Coastal Waters as defined by section 22a-93 of the General Statutes.

“WET” means Whole Effluent Toxicity.

“WPCA” means Water Pollution Control Authority.

"WPCF" means Water Pollution Control Facility.

Draft



Connecticut
Department of Energy &
Environmental Protection

General Permit for the Discharge of Dewatering and Remediation Wastewaters

Fact Sheet

This fact sheet sets forth the significant factual, legal, and policy considerations examined during preparation of this draft master general permit. This action has been prepared in accordance with the Connecticut State Statutes and its implementing regulations, the Regulations of Connecticut State Agencies. Issuance of a general permit serves to simplify and streamline the National Pollutant Discharge Elimination System (“NPDES”) and state groundwater permitting process by authorizing multiply similar activities under one permit in lieu of each facility having to obtain an individual permit. This general permit provides permit conditions and limitations to protect waters of the State from pollution.

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1 General Permit History & Authority

In 1965 the Connecticut Clean Water Task Force was commissioned to investigate the condition of rivers and harbors in Connecticut. The Connecticut Clean Water Task Force developed an action program called Clean Water for Connecticut in 1966. On May 1, 1967, Connecticut's Clean Water Bill was signed into law, inaugurating the state's modern water pollution control program. The Connecticut Water Quality Standards were then approved by the federal government in 1970. A year later the Department of Environmental Protection was created, and Congress began drafting the federal legislation for the first national Clean Water Act using Connecticut's Clean Water Act as a guide.

Congress passed the Federal Water Pollution Control Act of 1972 ("Clean Water Act" or "CWA") on October 18, 1972, 33 U.S.C. 1251 et seq., with the objective to "restore and maintain the chemical, physical, and biological integrity of the Nation's waters." section 101(a), 33 U.S.C. 1251(a). To help achieve this objective, the CWA provides that "the discharge of any pollutant by any person shall be unlawful" except in compliance with other provisions of the statute, CWA section 301(a), 33 U.S.C. 1311(a).

Pursuant to the CWA and Title 22a 430 of the Connecticut General Statutes, any person who initiates or creates a discharge of pollutants to the waters of the state must first obtain a permit authorizing the discharge. The Connecticut Department of Energy and Environmental Protection ("DEEP") is a delegated authority to implement the federal National Pollutant Discharge Elimination System ("NPDES") Program. In accordance with this delegation, DEEP has been provided the authority to promulgate regulations and issue permits in accordance with the Connecticut General Statutes ("CGS") and Regulations of Connecticut State Agencies ("RCSA").

DEEP is authorized to administer a Pretreatment Program pursuant to 40 Code of Federal Regulations ("CFR") Part 403 in accordance with section 22a-430 of Chapter 446k of the CGS and Regulations of Connecticut State Agencies ("RCSA") adopted thereunder, as amended, and a modified Memorandum of Agreement (MOA) dated June 3, 1981, by the Administrator of the United States Environmental Protection Agency.

DEEP issued the first general permit for remedial discharges to POTWs on July 29, 1996, the *General Permit for the Discharge of Groundwater Remediation Wastewater to a Sanitary Sewer* ("1996 permit"). The *General Permit for the Discharge of Groundwater Remediation Wastewater to a Surface Water* was first issued on February 9, 2005 ("2005 permit"). These general permits were later combined into the *General Permit for the Discharge of Groundwater Remediation Wastewater*, issued February 21, 2018 ("2018 permit").

The *General Permit for the Discharge of Groundwater Remediation Wastewater*, issued February 17, 2023, is being reissued as the *General Permit for the Discharge of Dewatering and Remediation Wastewaters* ("the general permit"). In addition to discharges to Class B waters, discharges to Class AA, Class A and Class SA waters, are authorized if the discharges meet the criteria in the regulations and if there are no alternative discharge options other than a discharge to surface water.

2 Authorization Under This General Permit

Activities eligible for authorized under this general permit are restricted to the discharge of dewatering and remediation wastewaters to surface waters and publicly owned treatment works ("POTWs") that meet the requirements and conditions contained in the permit. Dewatering discharges include wastewaters generated from activities such as, pumping accumulated stormwater or groundwater from an excavation, pumping water from a cofferdam, wastewater generated by removing/replacing an underground storage tank, or pumping surface water that has been diverted onto a construction site. Remediation discharges include

wastewaters generated during remediation activities in connection with the investigation of pollution or the result of remediating polluted groundwater, sediment, or soil.

The general permit also contains two subcategories for discharges lasting no more than thirty (30) days. These subcategories are referred to as “short-term” discharges in the general permit and are applicable to (1) wastewaters from the replacement of petroleum underground storage tanks (“UST”); and (2) emergency discharges.

Emergency discharges include wastewater resulting from an emergency response, unexpected release, or underground storage tank release, that occurs to avoid imminent endangerment to human health, public safety, property, or the environment. If the emergency discharge is expected to or exceed 30 days, the permittee must obtain the applicable permit coverage. After 30 days the discharge is no longer considered an emergency.

3 Tiered Disposal Options

The Department encourages those that initiate and maintain a discharge of dewatering or remediation wastewaters to make best efforts to connect to a POTW and limit discharges to surface waters where adverse environmental impacts may occur. For any discharge located at a site served by POTW sanitary sewer, the discharge shall be directed to a sanitary sewer, unless a qualified professional has determined it to be impracticable.

The permittee is responsible for retaining appropriate documentation for the chosen disposal option utilized at the facility for as long as the activity is authorized under the general permit. Failure to connect to an available POTW may result in the termination of permit coverage under this general permit. Wastewater disposal options resulting in a discharge to a surface water shall be the last and final resort. The Department expects the permittee to evaluate all disposal options under the guidance of a qualified professional and retain documentation of such evaluation.

Should the sanitary sewer become available (meaning the area of service has expanded), the disposal option must be updated, and the discharge of wastewater must be connected to POTW within two (2) years of the sanitary sewer becoming available, unless a qualified professional has determined it to be impracticable. The permittee shall retain records of such connection in accordance with the record keeping requirements of the general permit.

4 Registration and Permit Authorization

Facilities with existing permit coverage as of March 1, 2025, under the *General Permit for the Discharge of Groundwater Remediation Wastewater*, issued February 17, 2023, are eligible for continued permit coverage under the general permit on an interim basis provided a complete registration is filed with the Commissioner on or before 60 days from the effective date of this general permit. Authorization to discharge under this general permit shall be terminated 61 days after the effective date of the permit if the permittee fails to register their existing discharges in accordance with the requirements of this general permit.

4.1 Short-Term Discharges

Registration is not required for short-term discharges occurring as a result of petroleum UST replacement and emergency discharges lasting no more than 30 consecutive days. Authorization under this general permit is granted the day such discharges are initiated. Emergency discharges lasting more than 30 days must file a registration with the Commissioner.

4.2 Non Short-Term Discharges

All other activities seeking to discharge under the authority of this general permit shall file a complete registration with the Commissioner. Facilities required to register must obtain an Approval of Registration (or Notice of Coverage) prior to initiating the discharge. The discharge is authorized under this general permit on the date the Commissioner issues the Approval of Registration based on the information provided by the application and administrative record.

4.3 Registration Requirements

All applications or registrations shall be filed with DEEP on forms prescribed and provided by the Commissioner. Contents of the registration are contained in Section 3 of the general permit. All fees must be paid before DEEP will process the application.

4.4 Registration Modification

If a permittee with an existing authorization under this general permit seeks to modify the approved activity, a modified registration form must be submitted to DEEP prior to the modification occurring and, if approvable the permittee must obtain a Modified Approval of Registration from DEEP prior to any expansion, alteration, or modification that may result in (1) a change to the nature of the activity generating the discharge (2) the introduction of a new source of dewatering or remediation water; (3) the introduction of a new pollutant that was not present in a discharge at the time of registration; (4) an increase in the maximum daily flow, or (5) a relocation of the discharge to a different receiving water. Contents of a modified application are described in Section 3 of the general permit.

Treatment system modifications do not require DEEP approval, contingent on the permittee's compliance with the general permit. The permittee must notify the Commissioner at least 30 days prior to altering its wastewater collection or treatment system, or its method of operation as described in Section 3 of the general permit.

5 General Permit Conditions, Prohibitions, and Limits

5.1 Permit Conditions and Prohibitions

The general permit contains the following conditions and prohibitions:

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

5.1.2 No discharge shall cause acute or chronic toxicity in the receiving water body.

5.1.3 The 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 beyond any zone of influence allocated to that discharge in this general permit.

5.1.4 There shall be no discharge of polychlorinated biphenyl ("PCBs") compounds or mercury beyond permit limits.

5.1.5 The general permit expressly prohibits:

- The discharge of any sludge and/or bottom deposits from any storage tank or basin.
- Wastewater from washout of concrete.
- Wastewater from washout and/or cleanout of stucco, paint, form release oils, curing

- compounds, and other construction materials.
- Fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance, except as authorized under this general permit.
 - Soaps, solvents, or detergents used in vehicle and equipment washing or external building washdown.
 - Toxic or hazardous substances from a spill or other release, except as authorized under this general permit.
 - Radioactive material as defined by section 22a-148 of the CGS.

5.1.6 Dilution is expressly prohibited as a form of treatment.

5.1.7 The general permit also references the prohibitions listed in 22a 430-4(t) of the RCSA for discharges to a POTW. No discharge may for any reason cause or threaten, either singly or in combination with other discharges:

- Interference with or adverse effect upon the operation of the POTW.
- Interference with or adverse effect upon the POTW's sludge handling, use or disposal, including but not limited to noncompliance with section 405 CWA, the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, the Marine Protection Act or any local or state laws, regulations or ordinances.
- The POTW to exceed its influent design loading parameters.
- The POTW to violate its permit, including but not limited to exceeding its permit limits.
- A worsening of any condition which is causing the POTW to exceed its influent design loading parameters or violate its permit.
- Pass through any substance into the receiving waters which then causes or threatens pollution.

No discharge to a POTW may contain:

- Any substance which causes or threatens a fire or explosion hazard in the POTW.
- Any substance which causes or threatens corrosive structural damage to the POTW. In no case shall a substance with a pH less than 5.0 be discharged unless the POTW is specifically designed to accommodate such a discharge.
- Solid or viscous wastes in amounts which cause or threaten obstruction to flow in the sewers.
- Heat in such amounts that the temperature of the POTW influent exceeds 104°F, unless the POTW is designed to accommodate such heat.

5.2 Discharges to Surface Waters - Permit Conditions and Effluent Limits

Discharges to a surface water under the authority of this general permit shall not exceed and shall otherwise conform to the specific terms and conditions listed in Section 4, Table A: Effluent Limits for Surface Water Discharges, and Table B: Site Specific Effluent Limits for Surface Water Discharges, of the general permit.

5.2.1 Table A: Effluent Limits for Surface Water Discharges

Table A contains numeric water quality and technology based effluent limits for discharges to a surface water.

The 2005 *General Permit for the Discharge of Groundwater Remediation Wastewater to a Surface Water* identified pollutants of the concern. The 2018 permit expanded on this list and

added protective limits.

For the renewal of this general permit, DEEP performed a technical analysis of the data from the Discharge Monitoring Reports (“DMRs”) submitted since 2018. DEEP’s evaluation found 94% of the permittees met a Whole Effluent Toxicity limit of No Observable Effect Limit in undiluted samples of the discharges. Based on this information, DEEP determined that most of the numeric effluent limits continue to be protective of the waters of the state and therefore the most stringent values are carried forward from the previous permits. Below is a summary of parameters included in this general permit and any changes made to permit limits from the previous iterations of the permit.

5.2.1.1 Parameters from the 2005 Permit

Whole effluent toxicity, ammonia, base neutral and acid extractables (“bna”), mercury, chlorinated herbicides, MTBE, organochlorine pesticides, PCBs, pH, phenols, phthalate esters, polynuclear aromatic hydrocarbons (“PAHs”), total petroleum hydrocarbons and volatile organics (“VOCs”).

5.2.1.2 Parameters from the in 2018 Permit

- Chlorinated herbicide limits were lowered in 2018
- Effluent limit for mercury was reduced to non-detect.
- Effluent limit for organochlorine pesticides was reduced to non-detect.
- Effluent limit for total suspended solids was added based on the values in 22a-430-4(s).

5.2.1.3 Parameters modified in this General Permit

- Based on the results of data analysis, the limits for total VOCs were reduced to 10.0 ug/l, regardless of the receiving waterbody classification. The 2005 permit included limits based on the waterbody classification, 10 ug/l for Class A and 50 ug/l for Class B. The data analysis indicated the median value for total VOCs was 3.26 ug/l; and this is likely due to the similar types of wastewater treatment technologies employed for similar activities. Based on this evaluation, DEEP is including a technology based effluent limit, based on best professional judgement and demonstrated performance of 10.0 ug/l for all discharges, regardless of water body classification. Registrants will still be sampling for individual VOCs.
- Effluent limits for chlorinated herbicides were reduced to nondetect.

5.2.1.4 Whole Effluent Toxicity (WET) Limits

This general permit requires all discharges meet a WET limit of No Observable Effect Limit (“NOEL”) in an undiluted sample of the discharge. The NOEL requires 90% of the test population survive in a 48-hour test period.

5.2.2 Table B: Site Specific Effluent Limits for Surface Water Discharges

The permit includes permit limits and conditions to meet all applicable narrative and numeric water quality standards, criteria and associated policies contained in Section 22a-426 of the RCSA, Connecticut Water Quality Standards. Numeric water quality based effluent limitations (WQBEL) were calculated for all parameters with an instream water quality criteria. Each parameter was evaluated for consistency with the available aquatic life criteria (acute and chronic) and human health (fish consumption only) criteria, considering the instream waste concentrations (“IWC”). These parameters and limits are included in Table

B of the general permit.

WQBEL calculations were performed using the following assumptions: (1) a CV value of 0.6, (2) Fresh water, (3) a Class AA, A, B receiving stream, for acute/chronic aquatic criteria, (4) a Class AA, A receiving stream for human health criteria, and (4) four samples per month.

Since the 2005 permit, WQBEL calculations have been performed assuming an IWC of either one percent (1%) or ten percent (10%). However, a review of the registrations submitted for the general permit since 2018 found that discharges had a flow exceeding ten percent (10%) of the receiving stream's 7Q10. Therefore, given that this is a general permit that authorizes discharges to surface waters of various flows, DEEP was required to develop limits using bracketed and variable IWCs to provide necessary flexibility and protection required to meet instream water quality standards. WQBELs were developed assuming IWCs of 10%, 25% and 100%. The limits in the general permit are instantaneous maximums based on the calculated average monthly WQBELs.

WQBELs were developed for: arsenic, barium, beryllium, boron, cadmium, total residual chlorine, chromium (total and hexavalent), cobalt, copper, cyanide, lead, magnesium, nickel, selenium, silver, thallium, tin, vanadium, and zinc.

WQBELs for barium, boron, cobalt, magnesium, thallium, tin, and vanadium were introduced in this general permit. Based on a review of the parameters in the permit, the limit for amendable cyanide was removed as the parameter is captured and part of the total cyanide parameter.

5.3 Discharges to Publicly Owned Treatment Works (POTW) – Permit Limits and Effluent Limits

Discharges to a POTW under the authority of this general permit shall not exceed and shall otherwise conform to the specific terms and conditions listed in Section 4.2.2., Table C: Effluent Limits for POTW Discharges, of the general permit. Limits for discharges to a POTW have not changed significantly since the *General Permit for the Discharge of Groundwater Remediation Wastewater to a Sanitary Sewer* issued on July 29, 1996. The 2018 permit refined a number of these permit limits and DEEP determined that most of the numeric effluent limits continue to be protective of the waters of the state and were therefore carried forward from the previous permits. Below is a summary of parameters and any changes made to permit limits.

5.3.1 Parameters from the 1996 Permit

Arsenic, base neutral and acid extractables (BNA), beryllium, boron, cobalt, cyanide, lead, herbicides, magnesium, MTBE, pesticides, PCBs, pH, phenols, phthalate esters, selenium, thallium, total petroleum hydrocarbons, total volatile organics (VOCs), and vanadium

4.3.2 22a-430-(s) of the RCSA

The following parameters were in the 1996 general permit with limits based on 22a-430-(s) of the RCSA: barium, cadmium, chromium, hexavalent chromium, copper, amendable cyanide, nickel, silver, tin, and zinc. Except for barium, the limits are the average monthly limits listed in 22a-430-(s) of the RCSA. For barium, the instantaneous maximum was applied.

5.3.3 Parameters in 2018 Permit

- Effluent limit for chlorinated volatile organics was added in the 2018 permit.
- Effluent limit for mercury was reduced from 0.005 mg/l in 1996 to non-detect in 2018.
- The limit for polynuclear aromatic hydrocarbons (PAHs) was increased from 0.5 mg/l in the 1996 permit to 2.0 mg/l in the 2018 permit.
- Though the limit for PCBs has not changed since 1996, the limit that no singular PCB may exceed 0.000017 ug/l was added in 2018.

5.3.4 Parameters in the 2025 permit

- A limit for total suspended solids (“TSS”) was added to this general permit. The limit was introduced to reduce the amount of solids sent to POTWs. The limit is identical to the TSS limit in Table 5B-1 of the *General Permit for the Discharge of Wastewaters from Significant Industrial Users*, issued October 30, 2020.
- Effluent limits chlorinated herbicides and pesticides were reduced to nondetect.

5.4 Additional Parameters and Effluent Limits

DEEP may develop limits for parameters that do not have a limit in this general permit on a case-by-case basis if the Commissioner determines it necessary in order to protect the waters of the state.

5.5 Impaired Waters

Discharges to a waterbody listed in the most recent Connecticut Integrated Water Quality Report of waters listed pursuant to Clean Water Act section 303(d) and 305(b) must comply with the requirements listed in Section 2.2.8 of this general permit. Discharges to an impaired water must provide documentation demonstrating that the discharge will not cause or contribute to an exceedance of a water quality standard. The Commissioner may require additional control measures for discharges to impaired waterbody segments or other sensitive areas.

For discharges to waters with an established TMDL, the Commissioner will determine if there are sufficient remaining allocations in the TMDL to allow the discharge and the Commissioner may authorize the discharge with additional permit conditions or compliance schedules designed to meet the requirements of the TMDL or load allocation.

6 Monitoring

The general permit requires all discharges be monitored to assure the wastewater treatment system is properly operating and to ensure compliance with effluent limits to protect waters of the state from pollution. UST discharges must be monitored for the parameters listed in Section 4.3.2. of the general permit and emergency discharges must be monitored for the parameters listed in Section 4.3.3. All other discharge must monitor the parameters in accordance with their Approval of Registration (or Notice of Coverage).

6.1 Startup Procedures

Each discharge must be monitored the day it is initiated. Discharges lasting more than a week must be sampled at least once during the second week of discharge. If the discharge ceases for any reason, the startup procedures must be repeated in accordance with the general permit requirements.

6.2 Ongoing Monitoring

After startup, monitoring to verify compliance with the effluent limitations of this general permit shall be performed according to the following: Quarterly for discharges less than 5,000 gallons per day (“gpd”) and monthly for discharges equal to or greater than 5,000 gpd.

6.3 Sample Analyses

Sample analyses shall be performed in accordance with Section 4.8 of the general permit. All sample analysis required under this general permit shall be conducted by a laboratory certified in accordance with the certification requirements specified in section 19-29a of the General Statutes. All samples shall be analyzed using sufficiently sensitive test methods pursuant to 40 CFR 136 unless an alternative method has been approved in writing by the Commissioner 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 by the Commissioner.

6.4 Whole Effluent Toxicity

Discharges lasting longer than 30 consecutive calendar days, that receive an Approval of Registration must monitor quarterly for compliance with whole effluent toxicity (“WET”) limits. Quarterly WET testing shall be performed in accordance with Section 4.9 of the general permit. Acute aquatic toxicity monitoring shall be performed using the NOAEL protocol specified in section 22a-430-3(j)(7)(A) of the RCSA and as prescribed in the reference document *Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms* (EPA-821-R-02-012), or the most current version, with any exceptions or clarifications noted in Section 4.9 of the general permit.

7 Reporting

The results of chemical analyses for discharges lasting longer than 30 days and any aquatic toxicity test required by this permit will be submitted electronically using NetDMR as prescribed in the general permit.

Discharges lasting less than 30 days must submit the results of all chemical analysis and from the startup procedures with their Notice of Termination.

8 Water Treatment System Operation and Maintenance

The permittee must maintain any treatment necessary to meet the permit effluent limits and conditions contained in the general permit and their Approval of Registration at all times. The permittee shall treat the discharge for any pollutant identified as present in the untreated wastewater at a concentration exceeding the limits of the general permit or the limitations specified in an Approval of Registration issued pursuant to Section 2 of the general permit.

9 Erosion and Sediment Controls

Erosion and sediment control measures shall be installed and maintained as required in compliance with the standards set forth in the “2002 Connecticut Guidelines for Soil Erosion and Sediment Control” as revised, established pursuant to section 22a-328 of the CGS.

10 Duty to Correct and Report Violations

10.1 Corrective Actions

A Permittee is required upon learning of a violation of any condition of the general permit to immediately take all reasonable actions to determine the cause of the violation, correct the violation, mitigate the impact of the violation, and prevent its recurrence.

10.2 Two (2) hour notification

In accordance with 22a-430-3(j)(11)(D) the permittee shall, within two (2) hours of becoming aware of the circumstances, or at the start of the next business day; but no more than 24 hours from when he or she becomes aware of the circumstances outside normal business hours, notify the Commissioner of any actual or anticipated noncompliance with permit terms or conditions if (i) the noncompliance is greater than two times the permitted level except for violations of any limitation for a surface water discharge, in which case all violations shall be reported or (ii) the condition may endanger human health, the environment or the operation of a POTW, including sludge handling and disposal

10.3 Five Day Follow Up Report

The Permittee must submit a report within five (5) days of the noncompliance that contains:

- a description of the noncompliance and its cause;
- the period of noncompliance, including exact dates and times;
- if the noncompliance has not been corrected, the anticipated time it is expected to continue; and
- steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.

Notification of actual or anticipated noncompliance does not stay any permit term or condition. DEEP has developed an online Noncompliance Reporting web-based platform accessible on our website at:

<https://portal.ct.gov/DEEP/Water-Regulating-and-Discharges/Stormwater/Stormwater-Management>

10.4 Additional Notification Requirements

In accordance with 22a-430-3(j)(11)(E), the permittee shall notify the Director within seventy-two hours and in writing within 30 days when he or she knows or has reason to believe that the concentration in the discharge of any listed substance or any toxic substance has exceeded or will exceed the highest of the following levels:

- One hundred micrograms per liter;
- Two hundred micrograms per liter for acrolein and acrylonitrile, five hundred micrograms per liter for 2,4-dinitrophenol and for 2-methyl-4, 6-dinitrophenol; and one milligram per liter for antimony;
- An alternative level specified by the Commissioner, provided such level shall not exceed the level which can be achieved by the permittee's treatment system; and
- A level two times the level specified in the permit application.

10.5 For discharges to a POTW

The Permittee shall immediately notify the Bureau of Materials Management and Compliance Assurance, Water Permitting and Enforcement Division and the local WPCA of all discharges that could cause concerns to the POTW, including but not limited to slug loadings of pollutants which may cause a violation of the POTW's NPDES permit, or which may inhibit or disrupt the POTW, its treatment processes or operations, or its sludge processes, use or disposal.

11 State Regulations of Connecticut State Agencies

The permittee shall comply with sections 22a-430-3 and 22a-430-4 of the Regulations of Connecticut State Agencies which are hereby incorporated into this general permit, as is fully set forth herein.

12 Federal Standard Conditions

The federal and state standard conditions in 40 CFR 122.41-Conditions applicable to all permits, are hereby incorporated into this general permit, as is fully set forth herein.

13 Antidegradation

Activities permitted by this general permit must be consistent with the Antidegradation Standards of section 22a-426 of the RCSA.

15 Public Participation

DEEP held two (2) stakeholder meetings soliciting public feedback during the technical review and drafting of the general permit as part of the reissuance process.

The first meeting was held on March 28, 2023. At this meeting DEEP sought comments on the existing permit and suggestions to improve the permitting process.

The second meeting was held April 23, 2024. At this meeting DEEP sought comments on the pre-draft general permit, which had been shared with the public prior to the meeting.

16 Public Notice of Intent

The Commissioner shall consider written comments on the general permit from interested persons that are received within 30 days of the public notice of the Commissioner's tentative determination to issue the general permit. Written comments should be directed to Stephen Edwards, Bureau of Materials Management and Compliance Assurance, Department of Energy and Environmental Protection, 79 Elm Street, Hartford, CT 06106-5127, or steve.edwards@ct.gov. The Commissioner may hold a public hearing prior to approving or denying an application if, in the Commissioner's discretion, the public interest will be best served thereby, and shall hold a hearing upon receipt of a petition signed by at least twenty-five persons. Notice of any public hearing shall be published at least 30 days prior to the hearing.

Petitions for a hearing should include the application number noted above and identify a contact person to receive notifications. Petitions may also identify a person who is authorized to engage in discussions regarding the application and, if resolution is reached, withdraw the petition. Original signed petitions may be scanned and sent electronically to deep.adjudications@ct.gov or may be mailed or delivered to DEEP Office of Adjudications, 79 Elm Street, 3rd floor, Hartford, 06106-5127. All petitions must be received within the comment period noted above.

If submitted electronically, original signed petitions must also be mailed or delivered to the address above within ten days of electronic submittal. If a hearing is held, timely notice of such hearing will be published in a newspaper of general circulation. For additional information go to www.ct.gov/deep/adjudications.



Notice of Tentative Determination Intent to Reissue the General Permit for the Discharge of Dewatering and Remediation Wastewaters

1.0 Tentative Determination

The Commissioner of the Department of Energy and Environmental Protection (“DEEP”) hereby gives notice of a tentative determination to reissue and administer the General Permit for the Discharge of Dewatering and Remediation Wastewaters (“the General Permit” or “general permit”) under the authority of sections 22a-430 and 22a-430b of the Connecticut General Statutes (“CGS”).

2.0 Commissioner’s Findings

The current General Permit was issued on March 1, 2023, and expires on March 1, 2025. The purpose of the general permit is to protect the waters of the state from discharges of dewatering and remediation wastewaters to surface waters and publicly owned treatment works (“POTWs”).

In accordance with applicable federal and state law, the Commissioner has made a tentative determination that discharges authorized under the General Permit will not cause pollution to the waters of the state. The proposed General Permit, if reissued as drafted, contains effluent limits, discharge monitoring requirements, best management practices, and permit conditions established in accordance with Section 22a-430 of the Regulations of Connecticut State Agencies necessary to protect the waters of the state.

3.0 General Permit Regulatory Conditions

The general permit authorizes the discharge of dewatering and remediation wastewaters to surface waters of the state of Connecticut and POTWs. Any discharge of water, substance, or material into the waters of the state other than the ones specified in the general permit are not authorized by this general permit.

3.1 Registration

The general permit as drafted does not require a registration for emergency discharges lasting no more than thirty (30) consecutive days or short-term discharges occurring as a result of petroleum Underground Storage Tank (“UST”) replacements. All other new and existing discharges seeking authority under the of this general permit are required to file a complete registration for the Commissioner’s written approval prior to initiating the discharge. For existing permittees, interim permit coverage under the general permit will be maintained for 60 days after the issuance date of the general permit to allow time for existing permittees to submit a complete renewal registration and obtain coverage under the reissued permit.

3.2 Effluent Limitations & Best Management Practices

The general permit establishes numeric parameter limitations and permit conditions. Limits are based on water quality standards and technology-based limitations using best professional judgement. General and sector specific BMPs are identified and referenced. Permit conditions and limits are included to ensure the authorized discharges will be protective of the waters of the state.

4.0 Proposed Changes

- The general permit will no longer authorize discharges to the ground waters of the state.
- Short-term discharges occurring as a result of petroleum UST replacement or emergency discharges lasting thirty (30) consecutive days or are not required to submit a registration for permit coverage.
- All discharges lasting longer than 30 days are required to submit electronic Discharge Monitoring Reports through

NetDMR and conduct whole effluent toxicity monitoring.

- The general permit incorporates DEEP's new online noncompliance reporting tools.

5.0 Commissioner's Authority

The Commissioner is authorized to issue this general permit pursuant to sections 22a-430 and 22a-430b of the CGS and sections 22a-430-3 and 4 of the Regulations of Connecticut State Agencies (RCSA). The Commissioner is authorized to approve or deny any registration under this general permit pursuant to CGS section 22a-430b.

6.0 Public Comment

Interested persons may obtain a copy of this public notice, the draft General Permit and fact sheet on the DEEP website at www.ct.gov/deep/publicnotices. The general permit materials are also available for inspection at the DEEP Bureau of Materials Management and Compliance Assurance, Water Permitting and Enforcement Division, 79 Elm Street, Hartford, CT from 8:30am – 4:30pm, Monday through Friday. Questions may be directed to Stephen Edwards at steve.edwards@ct.gov.

Prior to making a final decision to reissue the proposed general permit, the Commissioner shall consider written comments from interested persons that are received within 30 days of this public notice. Written comments should be directed to: Stephen Edwards, Water Permitting and Enforcement Division, Bureau of Materials Management and Compliance Assurance, Department of Energy and Environmental Protection, 79 Elm Street, Hartford, CT 06106-5127 or may be submitted via electronic mail to: steve.edwards@ct.gov. Electronic mail is recommended.

6.0 Petitions for Public Hearing

The Commissioner may conduct a public hearing if the Commissioner determines that the public interest will be best served thereby or shall hold a hearing upon receipt of a petition signed by at least twenty- five persons. Petitions should include the name of the general permit noted above and also identify a contact person to receive notifications. Petitions may also identify a person who is authorized to engage in discussions regarding the proposed general permit and, if resolution is reached, withdraw the petition. Original signed petitions may be scanned and sent electronically to deep.adjudications@ct.gov or may be mailed or delivered to: DEEP Office of Adjudications, 79 Elm Street, 3rd floor, Hartford, CT 06106- 5127. All petitions must be received within the comment period noted above. If submitted electronically, original signed petitions must also be mailed or delivered to the address above within ten days of electronic submittal. If a hearing is held, timely notice of such hearing will be published in a newspaper of general circulation.



Emma Cimino
Deputy Commissioner

Date: July 28, 2024

The Connecticut Department of Energy and Environmental Protection is an Affirmative Action and Equal Opportunity Employer that is committed to complying with the Americans with Disabilities Act. To request an accommodation contact us at 860-418-5910 or deep.accommodations@ct.gov.

Draft Permit and Fact Sheet: www.ct.gov/deep