

Instructions for completing the License Application Form for an Aquifer Protection Area Registration or Renewal

Use these instructions to complete the Water Planning and Management Division (WPMD) [License Application for an Aquifer Protection Area Registration or Renewal](#) (DEEP-WPMD-APAR-100). These instructions are not a substitute for the requirements of any relevant statutes or regulations. You should review all applicable laws prior to completing the registration form. Remember, it is your responsibility to comply with all applicable laws.

A completed registration form must be submitted for each separate facility (or non-contiguous property).

Introduction

The Aquifer Protection Area Program was established to protect large public water supply wells from contamination through land use controls. In accordance with the Aquifer Protection Area Land Use Regulations, sections 22a-354i-1 to 22a-354i-10, inclusive, of the Regulations of Connecticut State Agencies (RCSA), new activities using significant quantities of hazardous materials are prohibited from locating within Aquifer Protection Areas, while existing facilities are required to register their use. Registration allows the facility to continue to operate at that site, including changing or expanding operations on the site.

Basic best management practices for handling and storage of hazardous materials are required. The facility must develop and implement a materials management plan, which is maintained at the facility and submitted to the Department of Energy and Environmental Protection (DEEP), upon request. Guidance for developing a materials management plan is available from DEEP.

Any questions that you may have regarding the Aquifer Protection Area Program should be directed to 860-418-5967 or via e-mail at deep.aquiferprotection@ct.gov. Program information is available on the web at www.ct.gov/deep/aquiferprotection.

Who May Register a Regulated Activity in an Aquifer Protection Area?

Any person engaged in a *regulated activity*, as defined in RCSA section 22a-354i-1 (see Appendix A of these instructions), which:

- 1) was active on, or
- 2) has been active within the past five (5) years of, or
- 3) held a municipal building permit before, or
- 4) for any municipality owned site undergoing remedial action pursuant to 40 CFR 271, any person who engages in a regulated activity within the ten (10) year period commencing on the date an applicable aquifer protection area was designated shall register the regulated activity.

Do I Register with the DEEP or the Municipal Aquifer Protection Agency?

You must register with the DEEP if the regulated activity is to be conducted at a facility that:

- 1) holds one or more of the following individual permits: National Pollutant Discharge Elimination System (NPDES), State Pollutant Discharge Elimination System (SPDES), Federal Resource Conservation and Recovery Act (RCRA) or Treatment, Storage and Disposal Facility (TSDF);
- 2) is a public service company;
- 3) is a large-quantity hazardous waste generator; or
- 4) is a state agency, as specified in section 22a-354p(g) of the Connecticut General Statutes (CGS).

To register with the DEEP for *WPMD License Application Form* for an *Aquifer Protection Area Registration or Renewal* (DEEP-WPMD-APAR-100), see the “How to Apply” section below.

All other regulated activities shall register with the municipal aquifer protection agency in the town in which the facility is located on forms obtained from the municipal aquifer protection agency. If a facility is located in more than one municipality, the facility must register with each municipality.

The Commissioner may exempt a regulated activity from registering if it is determined that such activity does not and will not pose a threat to any public supply well due to the nature of the activity and hazardous materials used. Any questions that you may have regarding exemptions should be directed to the Aquifer Protection Area Program at 860-418-5967 or via e-mail at deep.aquiferprotection@ct.gov.

Time Frame for Registration or Renewal

If the regulated activity is specified in CGS section 22a-354p(g), the person engaged in such activity shall submit a registration to the DEEP not later than one hundred eighty (180) days after municipal adoption of regulations pursuant to CGS section 22a-354p; or the designation of the aquifer protection area pursuant to RCSA section 22a-354i-2, whichever occurs later, unless otherwise authorized in writing by the Commissioner.

A complete registration will expire five (5) years from the date of receipt of a registration. A letter notifying of permit expiration will be sent 280 days before the permit expires.

Any person proposing to continue a previously registered regulated activity must apply for renewal of the existing registration by submitting a sufficient registration at least one hundred eighty (180) days prior to the expiration date of the existing registration.

If a registration renewal is not submitted prior to the expiration date of the existing registration, then the existing registration is deemed to have expired.

If you are applying for a *modification* of an active, valid registration, you may be required to submit certain parts of, or an entire, registration. For further information concerning modifications, please contact the Aquifer Protection Area Program at 860-418-5967.

If there are any changes or corrections to your company/facility or individual mailing or billing address or contact information, please complete and submit the [Request to Change Company/Individual Name Form](#) to the address indicated on the form. If there is a change in name of the entity holding a DEEP

license or a change in ownership, contact the Office of Innovative Partnerships and Planning at 860-424-3003. For any other changes you must contact the specific program from which you hold a current DEEP license.

Any person proposing to transfer a DEEP permit must submit a completed [*License Transfer Form*](#) transfer fee to DEEP. The *License Transfer Form* may be used for changes in owners and operators of the licensed activity; if other changes are proposed to the facility, the site, and/or to facility operations, the proposed transferee must also request a permit modification. For further information concerning license transfers, please contact Office of Innovative Partnerships and Planning at DEEP.OPPD@ct.gov.

Fee Information

A registration fee of \$625.00 must be submitted for each registration you are seeking. Each separate facility (or non-contiguous property) requires a separate registration application and fee. The registration will not be processed without a fee. The registration fee for a municipality shall be \$312.50. There is no fee for modifications.

The fee shall be non-refundable and shall be paid by check or money order to the “Department of Energy and Environmental Protection” or pay through the online E-payment portal; *after the application is received and entered, pay instructions will be emailed to the Primary/Billing Contact listed.*

State Agencies should submit the Aquifer Protection Area Registration or Renewal application without the registration fee and check the box “State Transfer Invoice” to indicate the fee will be paid by Inter-Agency Transfer of Funds.

A registration shall not be deemed complete, and no activity will be authorized by this registration unless the registration fee has been paid in full.

How to Apply

Your application must include all of the following items:

- *WPMD License Application Form for an Aquifer Protection Area Registration or Renewal* (DEEP-WPMD-APAR-100)
- Attachment A: Proof of Notification in the form of a certified mail receipt or email receipt
- Attachment B: Facility Boundary Maps (submitted as Figures B1, B2, and B3)
- Attachment C: Materials Management Plan
- Attachment D: Stormwater Management Plan
- Attachment E: Other Information, including additional signatures for Registrant Certification
- Attachment F: Applicant Compliance Information Form
- The required fee (check or money order payable to “Department of Energy and Environmental Protection” or pay online)

You must submit the above materials together as a complete package to:

1. Mail a copy of the completed *WPMD License Application Form for an Aquifer Protection Area Registration or Renewal (DEEP-WPMD-APAR-100)* and fee payment, to:

CENTRAL PERMIT PROCESSING UNIT
CONNECTICUT DEPARTMENT OF ENERGY & ENVIRONMENTAL PROTECTION
79 ELM STREET
HARTFORD, CT 06106-5127

2. Upon receipt of the *WPMD License Application Form for an Aquifer Protection Area Registration or Renewal* and fee, the Central Permit Processing Unit (CPPU) will e-mail a confirmation receipt letter to you containing the DEEP assigned application number.
3. Upon receipt of the email from CPPU, electronically submit the full application package with the remaining required sections to DEEP.AquiferProtection@ct.gov

If you are not capable of submitting the application electronically or if you have other questions or concerns regarding application submittals, please contact the Aquifer Protection Area Program staff at 860-418-5967 or via email at DEEP.AquiferProtection@ct.gov.

When submitting your application, label your supporting documents as directed on your application form and always include, on each document, the applicant's name as indicated on the application form. When additional space is necessary to answer a question stated in the application, please insert additional sheets by the appropriate question. Label each sheet with the applicant's name as indicated on the application form, along with the corresponding part number and question number indicated on the application form. You should retain a copy of all documents for your files.

Part I: Registration Type

Indicate if you are applying for a new registration, a renewal of an existing registration, or a modification of an existing registration. For renewals or modifications, indicate the existing Aquifer Protection Registration or Permit number.

Part II: Fee Information

The fee shall be non-refundable and shall be paid by check or money order to the "Department of Energy and Environmental Protection" or through the E-Payment portal. Check the box if paying online through the E-Payment portal; *after the application is received and entered, pay instructions will be emailed to the Primary/Billing Contact listed.*

State Agencies should submit the Aquifer Protection Area Registration or Renewal application without the registration fee and check the box "State Transfer Invoice" to indicate the fee will be paid by Inter-Agency Transfer of Funds.

Part III: Notifications

The registrant shall simultaneously file a copy of this *WPMD License Application Form for an Aquifer Protection Area Registration or Renewal (DEEP-WPMD-APAR-100)* to **all three** of the following: the municipal aquifer protection agency, the Commissioner of Public Health and the affected water

company, in accordance with the Regulations of Connecticut State Agencies (RCSA) section 22a-354i-7(b)(1).

Send a copy of the completed registration form to the following:

- Municipal Aquifer Protection Agency in the town in which the facility is located. (For municipal contacts and mailing addresses refer to the [Connecticut Aquifer Protection Agency Directory](#).)
- Commissioner of Public Health at DPH.SourceProtection@ct.gov.
- Affected water company. (For contacts and mailing addresses refer to [Water Company Contact List](#).)

Part IV: Registrant Information

When completing this part, please use the following standards:

- Name - Provide the full, legal company/firm name. If identifying an entity registered with the Secretary of the State, fill in the name exactly as it is shown on such registration. Please note, for those entities registered with the Secretary of State, the registered name will be the name used by DEEP. This information can be accessed at [Business Records Search](#). If identifying an individual, provide the legal name (include suffix) in the following format: First Name; Middle Initial; Last Name; Suffix (Jr, Sr., II, III, etc.). If the requestor is a governmental body, identify the city or town of such body followed by the relevant department, board or division.
- Phone - Unless otherwise indicated, the phone number provided should be the number where the corresponding individual can be contacted during daytime business hours.
- Contact Person - Provide the name of the specific individual within the company who DEEP may contact.
- E-Mail – Requestors must provide an accurate email address when completing their request form. The email address may be used for future correspondence from the DEEP to your business.
- Billing Contact – If the requestor is not the billing contact, complete this section.
- Primary Contact - If you have authorized a consultant, engineer, attorney or other individual to act for you during the processing of this request, complete this section. DEEP will direct copies of all correspondence and inquiries to this primary contact. Please be aware that for legal reasons there will be circumstances when DEEP will notify the requestor instead of the primary contact.
- Attorney - It is not required that a requestor be represented by an attorney or any other agent. If you do have an attorney, complete this section.
- Facility Operator - If the requestor is not the operator of the affected property, complete this section.
- Facility Owner - If the requestor is not the owner of the affected facility or equipment, complete this section.

- Site/Property Owner - If the requestor is not the owner of the affected property, complete this section.
- Engineers or Consultants - List any engineers or other consultants employed or retained to assist in preparing the request or to design, construct or operate the proposed activity. Be sure to identify the service that is being provided by each.

Part V: Pre-Application Meeting

If a pre-application meeting was held for the subject activity, provide the DEEP contact staff name and the meeting date. Also check the appropriate box indicating whether multiple permits or a single permit were required for the subject activity.

Part VI: Site/Facility Information

1. The site/facility name should be the name by which the site/facility is commonly known and/or uniquely identified. The “facility” (as defined in RCSA section 22a-354i-1) means property where a regulated activity is conducted by any person, including without limitation any buildings located on the property that are owned or leased by that person; and includes contiguous land owned, leased, or for which there is an option to purchase by that person. The information provided as the location address should be the address of the property at which the regulated activity takes place.
 2. A vacant or inactive site may be registered if the site is eligible in accordance with RCSA section 22a-354i-7. Note that if you are registering a *vacant site* or an *inactive site* where no regulated activity is currently taking place, you must complete the entire form, including the certification in Part VII: Best Management Practices of this form, stating that all best management practices are being met at the site.
 3. The Aquifer Protection Area in which the site/facility resides should be named. The name may be found on the DEEP’s web page www.ct.gov/deep/aquiferprotection using the Aquifer Protection Area Interactive Map.
 4. The name of the affected water company should be named. The name of the water company may be found on the DEEP’s web page www.ct.gov/deep/aquiferprotection using the Aquifer Protection Area Interactive Map.
 5. Briefly describe the type of business conducted at the regulated site/facility. For example, a tool and manufacturing facility, or an asphalt plant.
 6. Provide a history of the site/facility’s DEEP licenses. Indicate the number and date of issuance of any previous state permits issued by DEEP and the names to whom they were issued.
 7. Identify any regulated activities conducted at the facility. For a full description of each regulated activity see [RCSA section 22a-354i-1\(34\)](#) or Appendix A of these instructions. Check the box(es) of ***all*** regulated activities conducted at the facility.
- Note that only regulated activities conducted at facilities as specified in CGS section 22a-354p(g) need to register with the DEEP.

- Note that the descriptions of regulated activities listed in the registration form are simplified. The full descriptions, which include some exceptions, are provided in RCSA section 22a-354i-1(34), reproduced in this document as Appendix A. These regulated activities are further modified by exceptions listed in RCSA section 22a-354i-5(c), also included in Appendix A of these instructions, which exempts residential activities, volumes of hazardous materials below given thresholds, agricultural activities, as well as several other minor categories.

Part VII: Best Management Practices

Registrants must certify that the regulated activities at the facility are in compliance with Best Management Practices (BMPs) specified in RCSA section 22a-354i-9(a) in order to complete the registration form. Such BMPs are attached as Appendix B of these instructions. Most facilities will already be in compliance with the very basic BMPs in RCSA section 22a-354i-9(a)(1)-(4). The registrant *and* the operator, if different from the registrant, must sign the certification.

The registrant must check the box by each of the five BMPs as verification that the facility is in compliance with all of the BMPs, even if not applicable to the site. The Registrant may indicate on the form that the BMP is not applicable, however, the box must still be checked. For example, a facility does not have any underground storage tanks on site. The box is checked and next to this the registrant writes “N/A” for not applicable.

If you are registering a *vacant site* where currently no regulated activity is taking place, you must certify that applicable best management practices are being met at the site by checking all the boxes, signing and dating the form.

Note: A registration will be considered incomplete unless the required signatures are provided. Note that electronic signatures are acceptable.

Part VIII: Supporting Documents

Check the appropriate box by each attachment as verification that all attachments have been submitted. Label all attachments as referenced in the registration form and these instructions and be sure to include the name of the registrant and site address as indicated on the registration form.

The following attachments are required for all registrations:

Attachment A: Certified Mail Receipts

Submit, as Attachment A, copies of certified mail receipts or other proof demonstrating that a copy of the Aquifer Protection Area Registration was sent as required by RCSA Section 22a-354i-7(b)(2) to:

1. The Municipal Aquifer Protection Agency;
2. Commissioner of Public Health; and
3. Affected water company.

Attachment B: A Facility Boundary Maps

Submit, as Attachment B, facility boundary maps indicating the exact location of the facility using street address or other appropriate method of location. The following maps shall be submitted to meet this criterion 1) a map showing the property boundaries of the facility on a 1:24,000 scale on United States Geological Survey (USGS) topographic quadrangle base, 2) a map showing property boundaries of the

facility on a 1:6,000 scale on USGS topographic quadrangle base, and 3) a parcel map showing the parcel ID and clearly defined parcel boundaries of the facility.

See Figure B1, Figure B2, and Figure B3 at the end of these instructions for examples of how the maps should be submitted. Note that the quadrangle name should be noted on the copy of the USGS maps submitted. DEEP will use these maps to enter your facility location into its Geographic Information System (GIS).

It is important that you accurately locate the facility on this map. An inaccurate description of the facility location may delay the processing of your registration. In accordance with RCSA section 22a-354i-1, “facility” is defined as property where a regulated activity is being conducted by any person, including without limitation any buildings located on the property that are owned or leased by that person; and includes contiguous land owned, leased, or for which there is an option to purchase by that person.

Important note: This map is a critical piece of the registration. Facilities that have registrations for existing regulated activities are allowed to continue to operate, expand and change with minimal restrictions, as well as apply for permits to add new regulated activities within this boundary. New regulated activities are prohibited at unregistered facilities in Aquifer Protection Areas.

Attachment C: Materials Management Plan

Submit, as Attachment C, a Materials Management Plan. A copy of the Materials Management Plan must be maintained on-site. A Materials Management Plan shall be developed and implemented in accordance with RCSA section 22a-354i-9(a)(5). Refer to the [Model Form for Developing a Materials Management Plan for Regulated Activities in Aquifer Protection Areas](#) for guidance.

Attachment D: Stormwater Management Plan and Aquifer Protection Supplement

Submit, as Attachment D, a Stormwater Management Plan which includes an Aquifer Protection Supplement required by RCSA section 22a-354i-8(c). A copy of the Stormwater Management Plan must be maintained on-site. A Stormwater Management Plan shall be implemented to assure that stormwater-runoff generated by the subject regulated activity is managed in a manner so as to prevent pollution of ground water and shall comply with all of the Stormwater Management Plan requirements of the General Permit for the Discharge of Storm Water Associated with a Commercial Activity. Refer to the [Instructions for Developing a Stormwater Management Plan for Regulated Activities in Aquifer Protection Areas](#) and the [Aquifer Protection Stormwater Management Plan Supplement Form](#) for guidance.

Attachments E: Other Information, including additional signatures for Registrant Certification

Submit, as Attachment E, other information, including additional signatures for Registrant Certification.

Attachment F: Applicant Compliance Information Form

Section 22a-6m of the Connecticut General Statutes provides for DEEP review of an applicant's record of compliance with the environmental laws of Connecticut, any other state and the federal government. Under the law, DEEP may consider the applicant's environmental compliance record, as well as the record of the applicant's principals and any parent companies or subsidiaries, when reviewing a permit application. All permit applications for activities not previously permitted by DEEP must include a completed [Applicant Compliance Information Form](#) (DEEP-APP-002) as Attachment F.

Part IX: Registrant Certification

After the registration has been completed it must be reviewed and signed by both the registrant *and* the individual(s) who actually prepared the registration. By their signature they certify that, to the best of their knowledge and belief, the information contained in the application, including all attachments, is true, accurate and complete.

The certification of the registration package shall be signed as follows:

1. For an individual(s) or sole proprietorship: by the individual(s) or proprietor, respectively;
2. For a corporation: by a principal executive officer of at least the level of vice president;
3. For a limited liability company (LLC): a manager, if management of the LLC is vested in a manager(s) in accordance with the company's "Articles of Organization", or a member of the LLC if no authority is vested in a manager(s);
4. For a partnership: by a general partner;
5. For a municipal, state, or federal agency or department: by either a principal executive officer, a ranking elected official, or by other representatives of such applicant authorized by law.
6. A registration will be considered incomplete unless all required signatures are provided.

Please submit the completed Registration Form and Fee to:

CENTRAL PERMIT PROCESSING UNIT
DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION
79 ELM STREET
HARTFORD, CT 06106-5127

Please also submit an electronic copy of this completed registration and all supporting documents to:

DEEP.AquiferProtection@ct.gov.

Affirmative Action, Equal Employment Opportunity and Americans with Disabilities

The Connecticut Department of Energy and Environmental Protection is an Affirmative Action/Equal Opportunity Employer that is committed to complying with the requirements of the Americans with Disabilities Act. Please contact DEEP Office of Diversity and Equity at (860) 418-5910 or by email @ deep.accommodations@ct.gov if you are requesting a communication aid or service, have limited proficiency in English, need some other type of accommodation, or if you wish to file an ADA or Title VI discrimination complaint. In order to facilitate efforts to provide an accommodation, please request all accommodations as soon as possible following notice of any agency hearing, meeting, program or event.

Figure B1

**Aquifer Protection Area
Facility Boundary Map**

USGS Quadrangle Map: Putnam
Map Scale: 1:24,000 (1"=2,000')

— APA Boundary — Facility Boundary

1. Facility Boundary clearly shows at scale 1:24,000.

2. Facility Boundary where site boundary is too small to show on map at scale 1:24,000. Please attach a detailed map at a scale which clearly shows facility boundary. See Figure B for example.

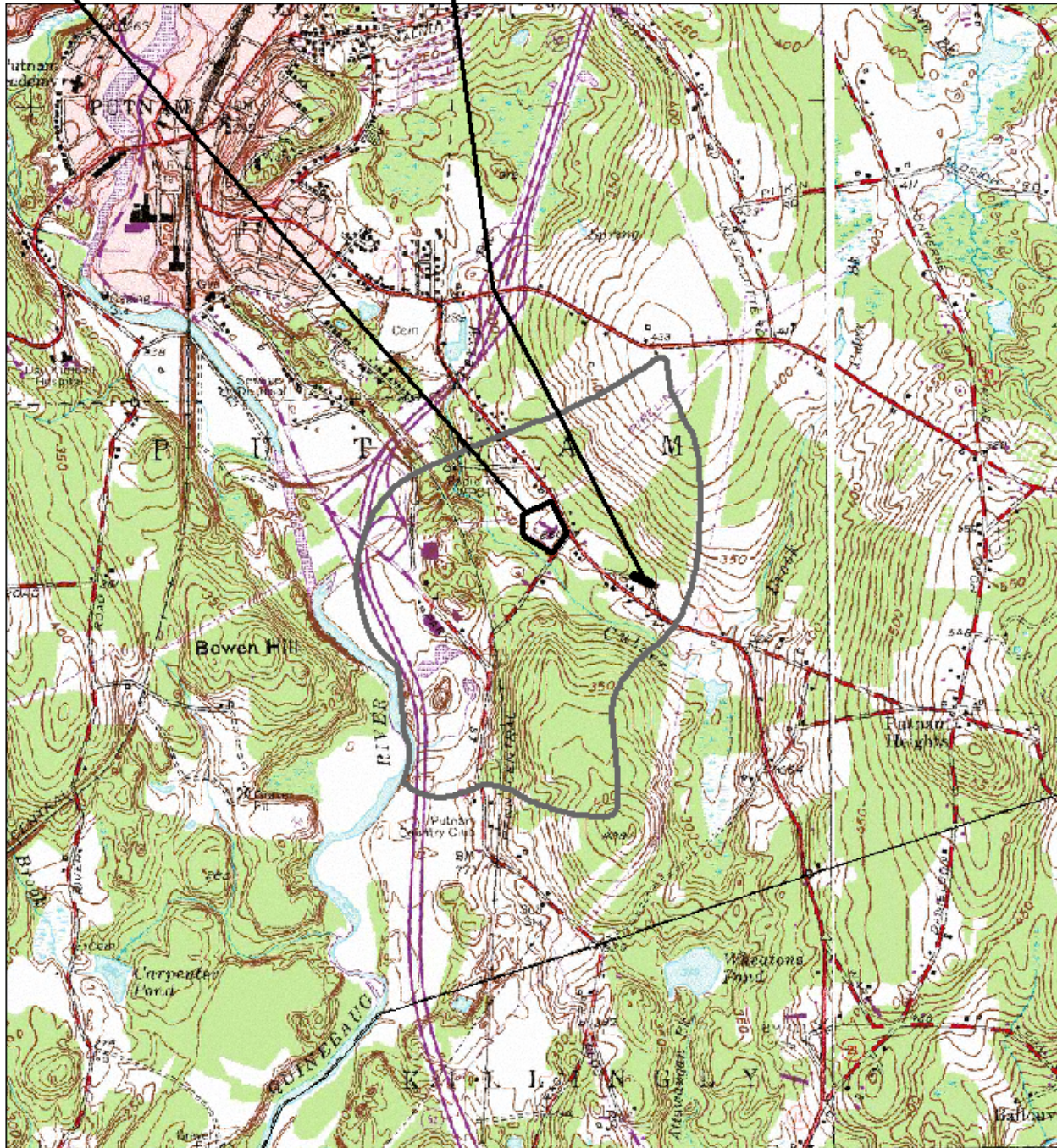


Figure B2: Aquifer Protection Area Detailed Facility Boundary Map

Example of a detailed map at a scale which clearly shows facility boundary where site boundary is too small to show on map at scale 1: 24,000. In this example the scale chosen to show detail is 1: 6,000.

USGS Quadrangle Map: Putnam

Map Scale: 1:6,000 (1" = 500')

— APA Boundary
— Facility Boundary

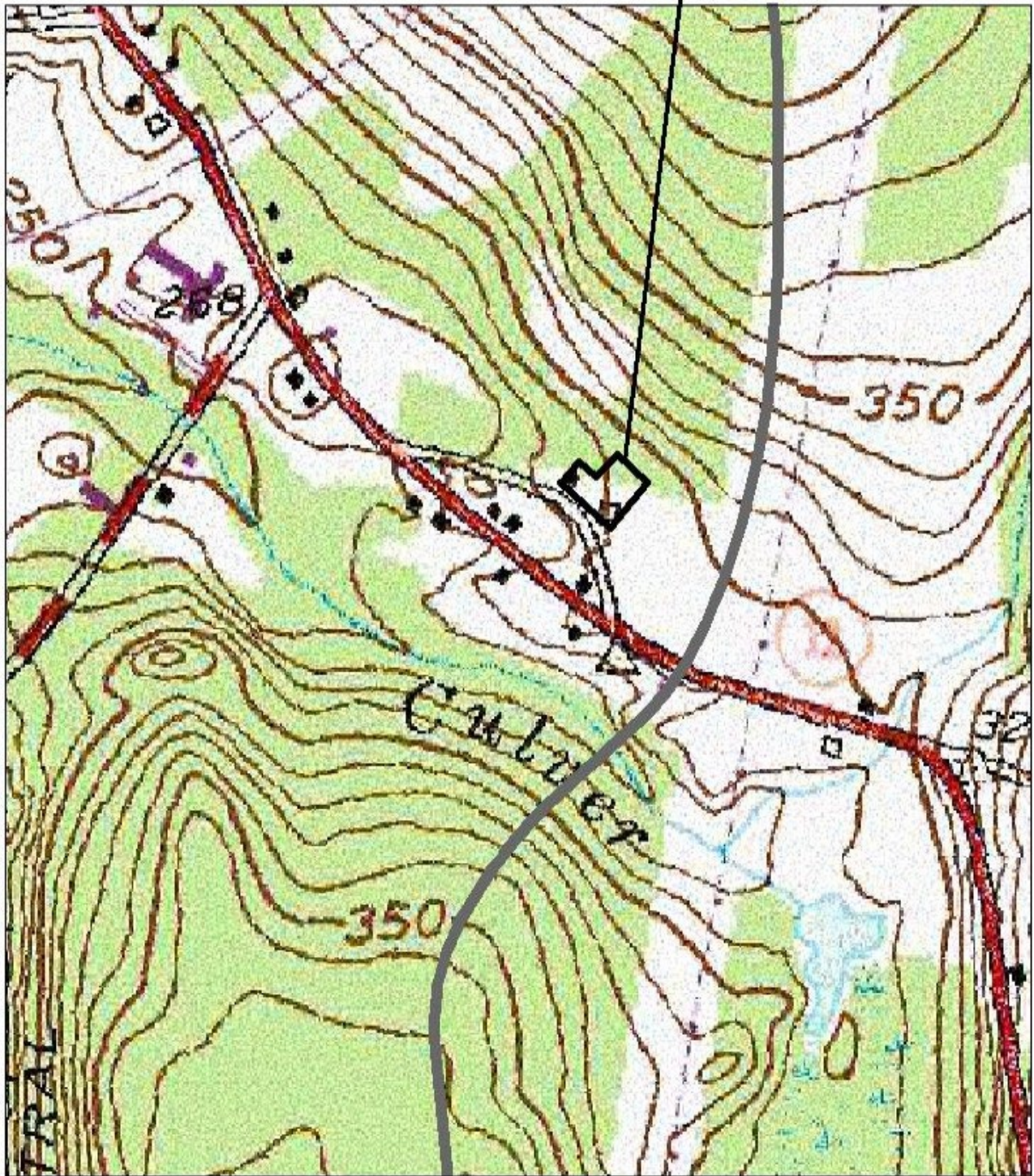
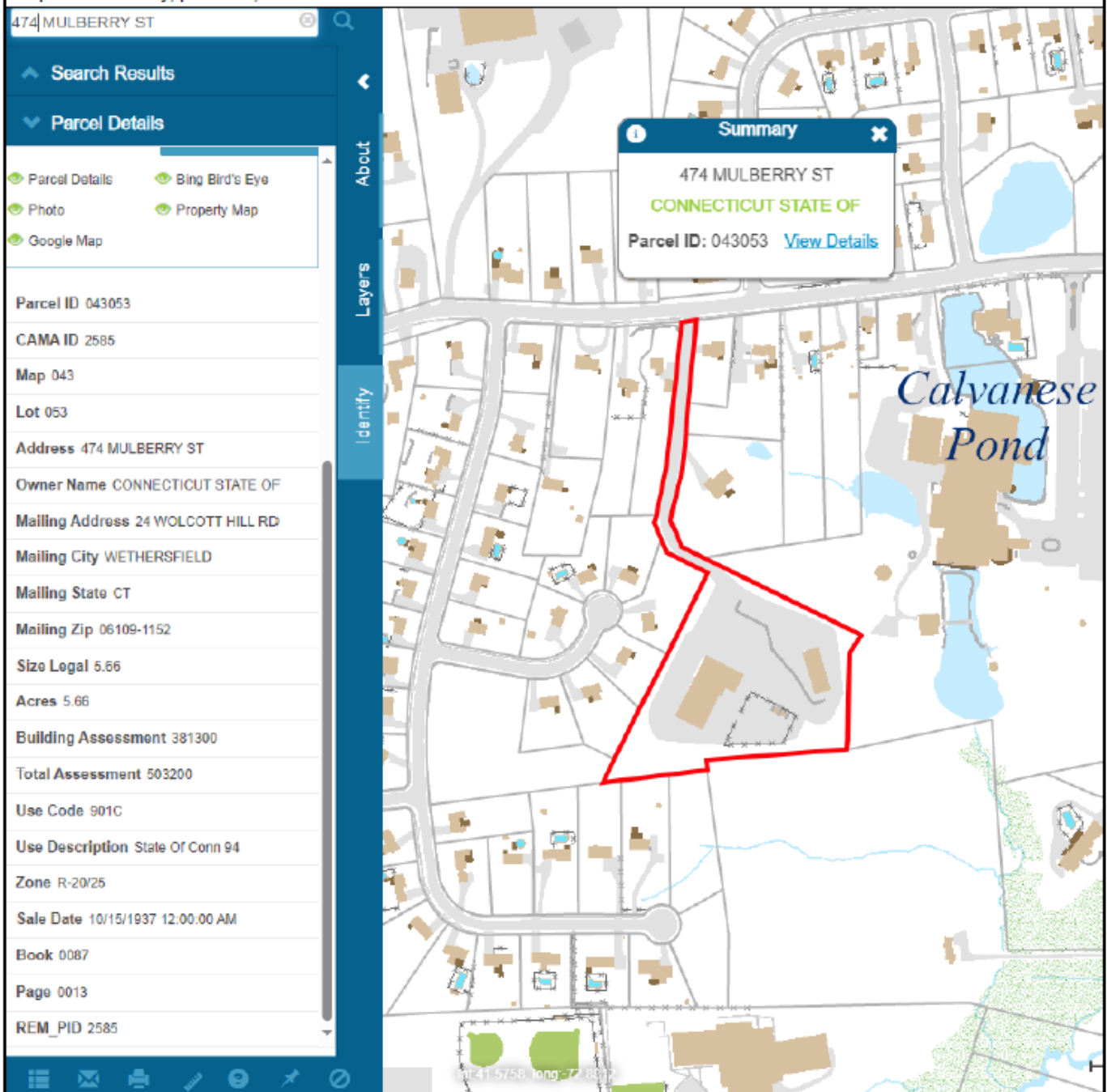


Figure B3: Aquifer Protection Area Town Assessor Map

Example of a town assessor map showing a clear outline of the parcel boundary, parcel ID, and address

Town of Southington GIS



Appendix A: Regulations of Connecticut State Agencies Section 22a-354i-1(34)

Definition of a regulated activity

- (34) "Regulated activity" means any of the following activities, which are located or conducted, wholly or partially, in an aquifer protection area, except as provided for in sections 22a-354i-5(c) and 22a-354i-6 of the Regulations of Connecticut State Agencies:
- (A) underground storage or transmission of oil or petroleum, to the extent such activity is not pre-empted by federal law, or hazardous material, except for (i) an underground storage tank that contains number two (2) fuel oil and is located more than five hundred (500) feet from a public supply well subject to regulation under section 22a-354c or section 22a-354z of the Connecticut General Statutes, or (ii) underground electrical facilities such as transformers, breakers, or cables containing oil for cooling or insulation purposes which are owned and operated by a public service company,
 - (B) oil or petroleum dispensing for the purpose of retail, wholesale or fleet use,
 - (C) on-site storage of hazardous materials for the purpose of wholesale sale,
 - (D) repair or maintenance of vehicles or internal combustion engines of vehicles, involving the use, storage or disposal of hazardous materials, including solvents, lubricants, paints, brake fluids, transmission fluids or the generation of hazardous wastes,
 - (E) salvage operations of metal or vehicle parts,
 - (F) wastewater discharges to ground water other than domestic sewage and stormwater, except for discharges from the following that have received a permit issued by the Commissioner pursuant to section 22a-430 of the Connecticut General Statutes: (i) a pump and treat system for ground water remediation, (ii) a potable water treatment system, (iii) heat pump system, (iv) non-contact cooling water system, or (v) swimming pools,
 - (G) car or truck washing, unless all waste waters from such activity are lawfully disposed of through a connection to a publicly owned treatment works,
 - (H) production or refining of chemicals, including without limitation hazardous materials or asphalt,
 - (I) clothes or cloth cleaning service which involves the use, storage or disposal of hazardous materials including without limitation dry-cleaning solvents,
 - (J) industrial laundry service which involves the cleaning of clothes or cloth contaminated by hazardous material, unless all waste waters from such activity are lawfully disposed of through a connection to a publicly owned treatment works,
 - (K) generation of electrical power by means of fossil fuels, except for (i) generation of electrical power by an emergency engine as defined by section 22a-174-22(a)(3) of the Regulations of Connecticut State Agencies, or (ii) generation of electrical power by means of natural gas or propane,
 - (L) production of electronic boards, electrical components, or other electrical equipment involving the use, storage or disposal of any hazardous material or involving metal plating, degreasing of parts or equipment, or etching operations,
 - (M) embalming or crematory services which involve the use, storage or disposal of hazardous material, unless all waste waters from such activity are lawfully disposed of through a connection to a publicly owned treatment works,
 - (N) furniture stripping operations which involve the use, storage or disposal of hazardous materials,

- (O) furniture finishing operations which involve the use, storage or disposal of hazardous materials, unless all waste waters from such activity are lawfully disposed of through a connection to a publicly owned treatment works,
- (P) storage, treatment or disposal of hazardous waste subject to a permit under sections 22a- 449(c)-100 to 22a-449(c)-110, inclusive, of the Regulations of Connecticut State Agencies,
- (Q) biological or chemical testing, analysis or research which involves the use, storage or disposal of hazardous material, unless all waste waters from such activity are lawfully disposed of through a connection to a publicly owned treatment works, and provided that on-site testing of a public supply well by a public water utility is not a regulated activity,
- (R) pest control services which involve storage, mixing or loading of pesticides or other hazardous materials,
- (S) photographic finishing which involves the use, storage or disposal of hazardous materials, unless all waste water from such activity are lawfully disposed of through a connection to a publicly owned treatment works,
- (T) production or fabrication of metal products which involves the use, storage or disposal of hazardous materials including (i) metal cleaning or degreasing with industrial solvents, (ii) metal plating, or (iii) metal etching,
- (U) printing, plate making, lithography, photoengraving, or gravure, which involves the use, storage or disposal of hazardous materials,
- (V) accumulation or storage of waste oil, anti- freeze or spent lead-acid batteries which are subject to a general permit issued under sections 22a-208(i) and 22a-454(e)(1) of the Connecticut General Statutes,
- (W) production of rubber, resin cements, elastomers or plastic, which involves the use, storage or disposal of hazardous materials,
- (X) storage of de-icing chemicals, unless such storage takes place within a weather-tight water- proof structure for the purpose of retail sale or for the purpose of de-icing parking areas or access roads to parking areas,
- (Y) accumulation, storage, handling, recycling, disposal, reduction, processing, burning, transfer or composting of solid waste which is subject to a permit issued by the Commissioner pursuant to sections 22a-207b, 22a-208a, and 22a-208c of the Connecticut General Statutes, except for a potable water treatment sludge disposal area,
- (Z) dying, coating or printing of textiles, or tanning or finishing of leather, which activity involves the use, storage or disposal of hazardous materials,
- (AA) production of wood veneer, plywood, reconstituted wood or pressure-treated wood, which involves the use, storage or disposal of hazardous material, W) production of rubber, resin cements, elastomers or plastic, which involves the use, storage or disposal of hazardous materials,
- (BB) pulp production processes that involve bleaching.

Appendix A (continued): [Regulations of Connecticut State Agencies Section 22a-354i-5\(c\)](#)

(c) The following are **not** regulated activities:

- (1) Any activity conducted at a residence without compensation;
- (2) any activity involving the use or storage of no more than two and one-half (2.5) gallons of each type of hazardous material on-site at any one time, provided the total of all hazardous materials on-site does not exceed fifty-five (55) gallons at any one time;
- (3) any agricultural activity regulated pursuant to section 22a-354m(d) of the Connecticut General Statutes;
- (4) any activity provided all the following conditions are satisfied:
 - (A) such activity takes place solely within an enclosed building in an area with an impermeable floor,
 - (B) such activity involves no more than 10% of the floor area in the building where the activity takes place,
 - (C) any hazardous material used in connection with such activity is stored in such building at all times,
 - (D) all waste waters generated by such activity are lawfully disposed through a connection to publicly owned treatment works, and
 - (E) such activity does not involve (i) repair or maintenance of internal combustion engines, including without limitation, vehicles, or equipment associated with such vehicles, (ii) underground storage of any hazardous material, or (iii) above ground storage of more than one hundred and ten (110) gallons of hazardous materials;
- (5) any activity solely involving the use of lubricating oil provided all the following conditions are satisfied:
 - (A) such activity does not involve cleaning of metals with chlorinated solvents at the facility,
 - (B) such activity takes place solely within an enclosed building in an area with an impermeable floor,
 - (C) any hazardous material used in connection with such activity is stored in such building at all times, and
 - (D) such activity does not involve (i) repair or maintenance of internal combustion engines, including without limitation, vehicles, or equipment associated with such vehicles, (ii) underground storage of any hazardous material, or (iii) above ground storage of more than 110 gallons of such lubricating oil and associated hazardous waste; and
- (6) any activity involving the dispensing of oil or petroleum from an above-ground storage tank or tanks with an aggregate volume of 2000 gallons or less provided all the following conditions are satisfied:
 - (A) such dispensing activity takes place solely on a paved surface which is covered by a roof,
 - (B) the above-ground storage tank (or tanks) is a double-walled tank with overfill alarms, and
 - (C) all associated piping is either above ground or has secondary containment.

Appendix B: Regulations of Connecticut State Agencies Section 22a-354i-9(a)

Best Management Practices (BMPs) for Regulated Activities

(a) Every regulated activity shall be conducted in accordance with the following:

- (1) Hazardous materials may be stored above ground within an aquifer protection area only in accordance with the following conditions:
 - (A) hazardous material shall be stored in a building or under a roof that minimizes storm water entry to the hazardous material storage area, except that a roof is not required for a bulk storage facility as defined in section 22a-354i-1(6) of the Regulations of Connecticut State Agencies,
 - (B) floors within a building or under a roof where hazardous material may be stored shall be constructed or treated to protect the surface of the floor from deterioration due to spillage of any such material,
 - (C) a structure which may be used for storage or transfer of hazardous material shall be protected from storm water run-on, and ground water intrusion,
 - (D) hazardous material shall be stored within an impermeable containment area which is capable of containing at least the volume of the largest container of such hazardous material present in such area, or 10% of the total volume of all such containers in such area, whichever is larger, without overflow of released hazardous material from the containment area,
 - (E) hazardous material shall not be stored with other hazardous materials that are incompatible and may create a hazard of fire, explosion or generation of toxic substances,
 - (F) hazardous material shall be stored only in a container that has been certified by a state or federal agency or the American Society of Testing Materials as suitable for the transport or storage of such material,
 - (G) hazardous material shall be stored only in an area that is secured against unauthorized entry by the public, and
 - (H) the requirements of this subdivision are intended to supplement, and not to supersede, any other applicable requirements of federal, state, or local law, including applicable requirements of the Resource Conservation and Recovery Act of 1976, as amended;
- (2) no person shall increase the number of underground storage tanks used to store hazardous materials;
- (3) an underground storage tank used to store hazardous materials shall not be replaced with a larger tank unless (A) there is no more than a 25% increase in volume of the larger replacement tank, and (B) the larger replacement tank is a double-walled tank with co-axial piping, both meeting new installation component standards pursuant to 22a-449(d)-1(e) and 22a-449(d)-102 of the Regulations of Connecticut State Agencies, and with interstitial monitoring;
- (4) no person shall use, maintain or install floor drains, dry wells or other infiltration devices or appurtenances which allow the release of waste waters to the ground, unless such release is permitted by the Commissioner in accordance with sections 22a-430 or 22a-430b of the Connecticut General Statutes; and
- (5) a materials management plan shall be developed and implemented in accordance with the following:
 - (A) A materials management plan shall contain, at a minimum, the following information with respect to the subject regulated activity:
 - (i) A pollution prevention assessment consisting of a detailed evaluation of alternatives to the use of hazardous materials or processes and practices that would reduce or eliminate the use of hazardous materials, and implementation of such alternatives where possible and feasible,
 - (ii) a description of any operations or practices which may pose a threat of pollution to the aquifer, which shall include the following:
 - (a) a process flow diagram identifying where hazardous materials are stored, disposed and used, and where hazardous wastes are generated and subsequently stored and disposed,
 - (b) an inventory of all hazardous materials which are likely to be or will be manufactured, produced, stored, utilized or otherwise handled, and

- (c) a description of waste, including waste waters generated, and a description of how such wastes are handled, stored and disposed,
 - (iii) the name, street address, mailing address, title and telephone number of the individual(s) responsible for implementing the materials management plan and the individual(s) who should be contacted in an emergency,
 - (iv) a record-keeping system to account for the types, quantities, and disposition of hazardous materials which are manufactured, produced, utilized, stored, or otherwise handled or which are discharged or emitted; such record-keeping system shall be maintained at the subject facility and shall be made available thereat for inspection during normal business hours by the Commissioner and the municipal aquifer protection agency, and
 - (v) an emergency response plan for responding to a release of hazardous materials. Such plan shall describe how each such release could result in pollution to the underlying aquifer and shall set forth the methods used or to be used to prevent and abate any such a release;
 - (B) when a materials management plan is required under either section 22a-354i-7(d) or 22a-354i-8(c), such materials management plan shall be completed and certified by a professional engineer or a certified hazardous materials manager, or, if the facility where the regulated activity is conducted has received and maintained an ISO 14001 environmental management system certification, then the registrant may complete and certify the materials management plan; and
 - (C) the materials management plan shall be maintained at the subject facility and shall be made available thereat for inspection during normal business hours by the Commissioner and the municipal aquifer protection agency.
- (b) The development and implementation of a storm water management plan required for regulated activities in accordance with sections 8(c) and 9(d) of the APA Regulations, shall be as follows: A storm water management plan shall assure that storm water run-off generated by the subject regulated activity is (i) managed in a manner so as to prevent pollution of ground water, and (ii) shall comply with all of the requirements for the General Permit of the Discharge of Storm Water Associated with a Commercial Activity issued pursuant to section 22a-430b of the Connecticut General Statutes.