

**DRAFT 7/16/2021**

# **General Permit to Discharge from Subsurface Disposal Systems**

Issuance Date: TBD

Effective Date: TBD

Expiration Date: [Ten years from Permit Issuance]

# General Permit to Discharge from Subsurface Disposal Systems

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# General Permit to Discharge from Subsurface Disposal Systems

## Section 1. Authority

This General Permit is issued under the authority of section 22a-430b of the Connecticut General Statutes.

## Section 2. Definitions

Terms used in this General Permit shall have the same definitions as contained in section 22a-423 of the Connecticut General Statutes and section 22a-430-3(a) of the Regulations of Connecticut State Agencies. As used in this General Permit, the following definitions shall apply:

*“Accessory Structure”* means a permanent non-habitable structure which is not served by a water supply and is used incidental to residential or nonresidential buildings. Accessory structures include, but are not limited to, attached and detached garages, covered entranceways, screened and enclosed three-season (non-winterized) porches/sunrooms, open decks, tool and lawn equipment storage sheds, gazebos, and barns, etc. Small (<200 square feet), portable structures such as sheds without permanent support foundations are not accessory structures.

*“Alternative Sewage Treatment System”* means alternative sewage treatment system as defined by section 7-245(2) of the Connecticut General Statutes

*“Approval of Registration”* means an approval of registration issued under Section 4 of this General Permit.

*“Authorized Activity”* means any eligible activity authorized by this General Permit.

*“Bedroom”* means those areas within a residential building that have the potential to be utilized as a sleeping area on a consistent basis. A room is deemed a bedroom if it meets all of the following standards: be a habitable or planned habitable space per Building Code requirements; planned habitable spaces would include those areas which contain the appropriate roughed-in mechanicals, such as, heating ducts, hot water lines, or plumbing waste lines, etc., but are not currently finished to meet Building Code requirements for habitable space; provide privacy to the occupants (large minimum 5 feet width openings or archways can be utilized to eliminate room privacy); full bathroom facilities (containing either a bathtub or shower) are conveniently located to the bedroom served (convenience in this case means on the same floor as the bedroom or directly accessed from a stairway) and entry is from a common area, not through a room already deemed a bedroom. Small rooms with a floor area less than the minimum square footage allowed under the Building Code are considered bedrooms if the room has been used as a bedroom.

*“Building Addition”* means any structural modification or alteration that results in an increase in habitable floor area of the building served, including, but not limited to, the modification of attic, basement or garage space into habitable space or the addition of dormers.

*“Building Conversion”* means the act of winterizing a seasonal use building or portion thereof into year-round use by providing one or more of the following: a positive heating supply to the converted area; a potable water supply which is protected from freezing; or energy conservation in the form of insulation to protect from heat loss.

*“Building Served”* means the physical structure that contains the habitable interior portion of the building connected to the System. The building served includes any portion of the habitable structure permanently attached to the structure including but not limited to basements and 4-season (i.e., winterized) porches and sunrooms. The building served does not include attached accessory structures.

*“Change in Use”* means any structural, mechanical or physical change to a building which allows the occupancy to increase; or any change in the activities within a building to expand or alter such building or the use thereof such that, when the building is fully utilized, the design flow or required effective leaching area of the System will increase. A "change in use" also includes any internal change to a building which, while not increasing the square footage of habitable space, changes the configuration in such a way that there is an increase in design flow of the System.

*“Commissioner”* means Commissioner as defined by section 22a-2(a) of the Connecticut General Statutes.

*“Community Sewerage System”* means any System utilized for subsurface disposal serving two or more residences in separate structures that is not connected to a municipal sewerage system.

*“Construction”* means any of the following activities: building addition, teardown/ rebuild, or any structural development on a site (e.g. accessory structure), subsequent to issuance date of this general permit.

*“Day”* means the calendar day; if any date specified in the general permit falls on a Saturday, Sunday, or legal holiday, such deadline shall be the next business day thereafter.

*“Department”* means the Department of Energy and Environmental Protection.

*“Design Flow”* means the flow on which, in the Commissioner’s judgment, the design of a particular System or part thereof is based, in order to allow compliance with chapter 446k and section 22a-430 of the Connecticut General Statutes and this General Permit.

*“Domestic Sewage”* means sewage that consists of water and human excretions or other waterborne wastes incidental to the occupancy of a residential building or a non-residential building but not including manufacturing process water, cooling water, wastewater from water softening equipment, commercial laundry wastewater, blowdown from heating or cooling equipment, water from cellar or floor drains or surface water from roofs, paved surfaces or yard drains.

*“Effective Leaching Area”* means a measure, in square feet, of the relative size of a leaching system or product that takes into account the amount of infiltrative area and type of infiltrative interface.

*“Existing Site”* means any Site that was in existence on or before May 9, 2012 with: (1) discharges of Domestic Sewage through one or more Systems with cumulative design flows greater than seven thousand five hundred (7,500) gallons per day, or (2) discharges of Domestic Sewage through a Community Sewerage System.

*“Existing System”* means any System in existence on or before May 9, 2012.

*“Expansion”* means any modification to an Existing System, installation of a New System, Repair, Change in Use, a Building Conversion, or any other modification to such System associated with an increase in Design Flow or increase in required Effective Leaching Area.

*“Failed System”* means any System that allows wastewater to discharge or flow from it into the interior of any building served or into any storm drain, stream, water body, gutter, street, roadway or public place, or if wastewater discharges from such System to the surface or subsurface of any property and creates a nuisance or condition detrimental to health and the environment as determined by the Commissioner, the local Director of Health or as designated by the Public Health Code.

*“Grease Trap/Interceptor”* means any device or equipment designed to separate fats, oils and grease from wastewater while allowing such wastewater to flow through.

*“Individual Permit”* means a permit issued to a named permittee under section 22a-430 of the Connecticut General Statutes.

*“Large Capacity Cesspool”* means any underground structure with an open bottom or perforated sides, not preceded by a septic tank, utilized for Domestic Sewage disposal from residential multiple-dwelling or community developments, or non-residential developments with the capacity to serve twenty (20) or more people per day.

*“Leaching System”* means a structure, excavation or other facility designed to allow effluent from a septic tank to percolate into the underlying soil without overflow and to mix with the groundwater.

*“Malfunctioning System”* means any System that exhibits a condition or conditions which in the judgment of the Commissioner, can reasonably be expected to result in a Failed System or otherwise create or maintain a source of pollution to the waters of the state. Examples of Malfunctioning System include but are not limited to backflow from the Leaching System into septic tank, wastewater overflowing the outlet baffle, back-up into the building sewer or riser, or evidence that the System is not performing as designed.

*“Municipality”* means a city, town or borough of the state.

*“New Site”* means any Site that was in existence after May 9, 2012 with: (1) discharges of Domestic Sewage through one or more Systems with cumulative design flows greater than 7,500 gallons per day or (2) discharges of Domestic Sewage through a Community Sewerage System.

*“New System”* means any System installed after May 9, 2012.

*“Permittee”* means any person or municipality to whom or which the Commissioner has issued an approval of registration under this General Permit.

*“Person”* means person as defined by section 22a-423 of the Connecticut General Statutes.

*“Proposed System”* means any New System proposed to be installed at the time of Registration.

*“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 which discharges to the waters of the state and which is owned by a Municipality or the State.

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

*“Registrant”* means any Person or Municipality or a duly authorized agent who files a registration pursuant to Section 4 of this General Permit.

*“Registration”* means a registration filed using a form acceptable to the Commissioner pursuant to Section 4 of this General Permit.

*“Repair”* means the restoration or replacement of a Failed System or Malfunctioning System or any component thereof.

*“Residential Building”* means any house, apartment, trailer or mobile home or other structure occupied by individuals permanently or temporarily as a dwelling place.

*“Sewerage System”* means any device, equipment, appurtenance, facility and method for collecting, transporting, receiving, treating, disposing of or discharging sewage, including, but not limited to, decentralized systems within a decentralized wastewater management district when such district is established by municipal ordinance pursuant to section 7-247 of the Connecticut General Statutes.

*“Saturated Zone”* means the soil zone in which all easily drained voids between soil particles are temporarily or permanently filled with water.

*“Seasonal High Water Table”* means the highest elevation of the saturated zone that occurs at the site, as determined by: (1) soil redoximorphic features, where such features are present; and (2) actual measurements of groundwater elevation.

*“Site”* means a lot as defined by section 22a-430-1 of Regulation of Connecticut State Agencies, and non-contiguous land or water owned by the same Person or Municipality and connected by a right-of-way which such person controls or for which an easement has been granted and to which the public does not have access rights.

*“Site Investigation”* means the gathering of information at a site, including but not limited

to, deep test hole soil descriptions, groundwater depth, restrictive layer depth, redoximorphic features and permeability samples or all time and measurement readings of percolation test(s).

“*Subsurface Sewage Disposal System*” or “*SSDS*” means any sewerage system for onsite treatment and disposal of domestic sewage, consisting of a building sewer, a septic tank followed by a leaching system, any necessary pumps or siphons, and any groundwater control system on which the operation of the leaching system is dependent.

“*System*” means any Subsurface Sewage Disposal System or any other system utilized for the subsurface treatment and disposal of Domestic Sewage, but does not include a Large Capacity Cesspool or an Alternative Sewage Treatment System.

“*System Modification*” means any Repair or Expansion of a System or any component thereof.

“*Technical Standards*” means those standards established by the Commissioner of Public Health entitled “Technical Standards for Subsurface Sewage Disposal Systems” prepared pursuant to section 19-13-B103d (b) of the Regulations of Connecticut State Agencies, as may be amended.

“*Wastewater Management Plan*” or “*WMP*” means an evaluation of a Site including, but not limited to, a comprehensive inventory and evaluation of all Systems and recommendations and a schedule for short-term and long-term strategies, objectives and actions to be implemented for the proper management of Domestic Sewage at such Site.

### **Section 3. Authorization Under This General Permit**

#### **(a) Eligible Activities**

- (1) This General Permit authorizes discharges of Domestic Sewage through one or more Systems at an Existing Site or New Site to groundwater or to a holding tank, provided the requirements of Section 3 of this General Permit are satisfied and such activity is conducted in accordance with the conditions listed in Section 5 of this General Permit.
- (2) The use of an Alternative Sewage Treatment System or any other discharge of water, substance or material into the waters of the state **is not authorized** by this General Permit, and any person who or municipality which initiates, creates, originates or maintains such a discharge shall apply for and obtain authorization under section 22a-430 of the Connecticut General Statutes prior to the occurrence of such discharge.
- (3) The use of Large Capacity Cesspools **is prohibited** in accordance with Title 40 of the Code of Federal Regulations (CFR) Sections 144.85 and 144.88.

#### **(b) Requirements for Authorization**

This General Permit authorizes the activities listed in Section 3(a)(1) of this General Permit provided:

**(1) Registration**

- (A) For any Site, unless otherwise specified in Sections 3(b)(1)(B) or 3(b)(1)(C) of this General Permit, a complete and sufficient Registration with respect to such activity has been filed with the Commissioner and the Commissioner has issued an Approval of Registration with respect to such activity.
- (B) For Sites with an Authorized Activity or Sites otherwise deemed authorized pursuant to Section 3(b)(1)(C) of this General Permit, where *only* Construction as defined in this General Permit is being proposed and such Construction is not associated with a System Modification or a Proposed System and will not impact the area available for Repair, no Registration is required for authorization under this General Permit. However, compliance with all other applicable local, state and federal requirements must be maintained.
- (C) For any Site for which an Approval of Registration was issued or which was previously authorized by the Commissioner to discharge under the *General Permit to Discharge from Subsurface Sewage Disposal Systems Serving Existing Facilities* issued on May 9, 2012, and where there is no System Modification or Proposed System that was installed at such Site after the date of such authorization by the Commissioner, a complete and sufficient Registration with respect to such activity has been filed with the Commissioner on or before May 9, 2022.

**(2) Coastal Area Management and Permitting**

Such activity 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, inclusive.

**(3) Endangered and Threatened Species**

Such activity 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 or adverse modification of habitat designated as essential to such species.

**(4) Aquifer Protection**

Such activity, 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.

**(5) Conservation and Preservation Restrictions**

Such activity, if located on or may affect property subject to a conservation or



preservation restriction, pursuant to section 47-42d of the Connecticut General Statutes, 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 shall have been provided to the commissioner.

**(6) Sources of Drinking Water**

Such activity shall not affect an underground source of drinking water or a watercourse, or any tributary thereto, which is or contributes to a source of drinking water supply unless the discharge is necessary, and to the maximum extent practical does not impair public health or the environment.

**(7) Connecticut Water Quality Standards**

Such activity resulting in a discharge to groundwater shall comply with the Connecticut Water Quality Standards.

**(c) Geographic Area**

This General Permit applies throughout the State of Connecticut.

**(d) Effective Date and Expiration Date of this General Permit**

This General Permit is effective on the date it is issued by the Commissioner and expires ten (10) years from such date of issuance.

**(e) Effective Date of Authorization**

(1) For any Person or Municipality required to submit a Registration *and* obtain Approval of Registration from the Commissioner, pursuant to Section 3(b)(1)(A) of this General Permit, the effective date of authorization of this General Permit is the date the Commissioner issues a written Approval of Registration.

(2) For any Person or Municipality not required to submit a Registration, or is otherwise not required to submit a Registration *and* obtain Approval of Registration from the Commissioner, pursuant to Section 3(b)(1)(B) or Section 3(b)(1)(C) of this General Permit, the effective date of authorization under this General Permit is the same as the effective date of the General Permit.

**(f) Transition to and from an Individual Permit**

No Person or Municipality shall operate or conduct an activity authorized by both an individual permit and this General Permit. The requirements for transitioning authorization are as follows:

(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) ***Transition from Authorization under this General Permit to an Individual Permit.*** If an activity or operation 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.
- (3) ***Transition from Individual Permit Application to General Permit Registration.*** If an application for an individual permit has been submitted to the Department for an activity that meets the requirements of authorization under this General Permit, the Commissioner may, with the Permittee's written consent, utilize the individual permit application as the Registration for this General Permit.

#### **Section 4. Registration Requirements**

(a) ***Who Must File a Registration***

Any Registrant seeking coverage for an eligible activity under the authority of this General Permit shall file with the Commissioner:

- (1) A complete and sufficient Registration which meets the requirements of Section 4 of this General Permit; and
- (2) The applicable fee.

(b) ***Scope of Registration***

A Registrant shall submit one Registration form for each Site for which the Registrant seeks authorization under this General Permit.

(c) ***Contents of Registration***

- (1) Fees

Fees for Municipalities shall be fifty percent (50%) of the fees stated herein.

- (A) A Registration Fee of two-hundred and fifty dollars (\$250.00) shall be submitted with the Registration for a Site in one of the following categories:

- (i) an Existing Site that generates a Design Flow equal to or less than seven thousand five hundred (7,500) gallons per day from all

Systems where there exists at least one Community Sewerage System;

- (ii) any Site for which a Registration is submitted pursuant to Section 3(b)(1)(C) of this General Permit;
  - (iii) any Site for which a modification of a Registration is submitted for a System Modification;
- (B) A Registration Fee of three thousand dollars (\$3,000.00) shall be submitted with the Registration for a Site in one of the following categories:
- (i) any Existing Site that generates a Design Flow greater than 7,500 gallons per day from all Systems;
  - (ii) any New Site which does not include a System Modification or a Proposed System with an increase in Design Flow;
- (C) A Registration Fee of six thousand dollars (\$6,000.00) shall be submitted with the Registration for any New Site which includes a System Modification or a Proposed System with an increase in Design Flow.

A Registration shall not be deemed complete and sufficient and no activity shall be authorized by this General Permit unless the registration fee has been paid in full to the **Department of Energy and Environmental Protection**. The registration fee is non-refundable.

(2) Registration Form

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

- (A) Legal name, address, and telephone number of the Registrant. If the Registrant is an entity transacting business in Connecticut and is required to register with the Connecticut Secretary of the State, provide the exact name as registered with the Connecticut Secretary of the State.
- (B) Legal name, address, and telephone number of the owner of the Site on which the subject activity is to take place.
- (C) Legal name, address, and telephone number of the Registrant's attorney or other representative, if applicable.
- (D) Legal name, address, and telephone number of any consultant(s) or engineer(s) retained by the Registrant to prepare the Registration or to design or construct the System(s).
- (E) Location address of the Site with respect to which the Registration is submitted.

- (F) A detailed description of the subject activity.
- (G) An 8 1/2" by 11" copy of the relevant portion or a full-sized original of a United States Geological Survey (USGS) quadrangle map, with a scale of 1:24,000, showing the exact location of the Site and the area within a one mile radius of the Site, unless previously submitted. Identify the quadrangle name and number on such copy.(H) For a Site previously registered and authorized to discharge under the **General Permit to Discharge from Subsurface Sewage Disposal Systems Serving Existing Facilities**, issued on May 9, 2012, a copy of the Approval of Registration and a copy of the approved WMP.
- (I) The signature of the Registrant and of the individual or individuals responsible for actually preparing the Registration, each of whom shall certify in writing as follows:

"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 the individuals responsible for obtaining the information, the submitted information is true, accurate and complete, and on accurate forms as prescribed by the commissioner without alteration of the text, to the best of my knowledge and belief.

I also certify that a copy of the Registration, including supporting documents, has been provided to the local health department and the State Department of Public Health and for Community Sewerage Systems, to the local water pollution control authority.

I also certify that, other than what is being proposed through this Registration and addressed through the development of the WMP, there are no known or apparent Failed System or Malfunctioning Systems on the Site.

I understand that a false statement in the submitted information may be punishable as a criminal offense, pursuant to section 53a-157b of the Connecticut General Statutes, and in accordance with any other applicable statute."

"I certify that I have read the **General Permit to Discharge from Subsurface Disposal Systems** issued by the Commissioner of the Connecticut Department of Energy and Environmental Protection; and that the discharge from all Systems which are the subject of this Registration are eligible for authorization under such permit; that all applicable requirements of such permit are being met or on an assigned schedule to be met; and that all functioning and effective Systems and associated operational and maintenance measures are in place or will be in place to assure that all such requirements are met so long as the discharges which are the subject of this Registration continue."

### (3) Required Supporting Documents

#### (A) Technical Plan

For each System Modification or Proposed System, a Technical Plan shall be completed and submitted for the Commissioner's review and written approval. Prior to preparation of such plan, the Registrant shall contact the Department and the Local Director of Health to schedule a Site Investigation to be observed by the Department and Local Health Department staff. The Permittee shall perform all work in the Technical Plan as approved by the Commissioner in writing.

##### (i) **Technical Plan Submittal Requirements**

- (I) A Technical Plan prepared in accordance with Section 4(c)(3)(A)(ii) of this General Permit shall be submitted with the Registration under this General Permit.
- (II) The Registrant shall submit a copy of the Technical Plan to the Local Health Department.

##### (ii) **Technical Plan Requirements**

The Technical Plan shall be prepared by a Professional Engineer licensed to practice in the State of Connecticut. The Technical Plan shall be prepared in accordance with sound engineering practices and shall be consistent with the existing approved WMP, or if there is no approved WMP, a proposed WMP that in Commissioner's judgment adequately addresses and incorporates the requirements of Section 4(c)(3)(B)(iii) of this General Permit. The original signature and seal of the Professional Engineer shall be on each copy of the Technical Plan; a blueprint of seal and signature will not be accepted. The Technical Plan shall include the mailing address of the Professional Engineer and the date of preparation and all revision dates.

The Technical Plan shall include the following certification signed and sealed by the Professional Engineer who prepared the Technical Plan:

"I certify that, based on reasonable investigation, including my inquiry of the individuals responsible for obtaining the information, the submitted information is true, accurate and complete, and in my professional judgment, proper operation and maintenance of the System installed to treat the wastewater which is the subject of this Registration will ensure that the discharge of such wastewater meets all conditions in the **General Permit to Discharge from Subsurface Disposal Systems**. This certification is based in part on my review of the Technical Plan, past and current uses of the Site at which such wastewater is generated and detailed and reliable information about the Systems located on the subject Site, and the operation and maintenance of such Systems. I understand that any false statement

in this certification may be punishable as a criminal offence under Section 53a-157b of the Connecticut General Statutes and under any other applicable law.”

The Technical Plan shall be drawn to scale; 1" = 20' or 30' for residential lots; 1" = 40' or 50' for large projects such as schools, shopping centers.

At a minimum, the Technical Plan shall include the following items:

- (I) A North arrow, clearly noted as true, magnetic or assumed shall be shown on all plans;
- (II) "Key" or location maps shall be inserted on large residential, industrial or commercial properties with proper scale addressing building and System areas;
- (III) A stable bench mark shall be established and clearly identified on the Technical Plan. If the bench mark is disturbed prior to or during construction, the Professional Engineer shall set another one for construction purposes;
- (IV) Lot size with dimensions of property lines;
- (V) A legend to identify various indicators of stone walls, test pits, wells, hay bales, etc.;
- (VI) Existing and proposed contours in and around building(s) and Leaching System(s), including 25-50' downgrade, fill extensions, cuts, and all other topographic alterations;
- (VII) Site Investigation Information

The Technical Plan shall contain all information gathered during the Site Investigation. Test pit locations, including percolation test holes, boring locations, monitoring wells, ledge rock outcrops and wet surface areas, old bury holes and filled-in foundations shall be identified on such plan.

(VIII) System Design

Systems shall meet the minimum requirements set forth in Section 5(a)(2) of this General Permit.

The Technical Plan shall include all Systems and clearly distinguish between Existing Systems, New Systems, and Proposed Systems.

The Technical Plan shall include the basis of wastewater Design Flows. Example: light manufacturing, 30 employees @ 25 GPD = 750 GPD; residential @ 150 gpd/bedroom.

A written description of the Leaching System(s) for each Existing System, New System and Proposed System, including the respective Effective Leaching Area for each System, shall be provided. Example: 3 rows of leaching trench, 75' long, 3.0' wide = 675 sq.ft.

The Technical Plan shall clearly show all building sewer lines to septic tanks, septic tank locations, pump chamber locations, effluent distribution piping, distribution boxes, Leaching System layout with dimensions on center, invert elevations at foundation wall, inlets and outlets of all septic tanks, distribution boxes and leaching structures, including bottom elevations of such structures, dimensions, Leaching System lengths, distances from tank to building, System to building, System to walls, embankments, drains, and all other relevant separating distances and setbacks.

The Technical Plan shall show building footing drain discharges, and water service line to the Building Served.

Within a two hundred (200) foot radius of each Proposed System, the Technical Plan shall show all storm drains, drainage swales, public water lines, and streams, brooks, swamps, ponds and other watercourses. The Technical Plan shall also show, within that same two hundred (200) foot radius, well locations with protective radius, Systems, location of buried oil tanks, other potential sources of pollution (if none exist, note on plan), and existing structures with identified use.

For Systems with Design Flows greater than or equal to two thousand (2,000) gallons per day and for each Proposed System, the Technical Plan shall include a phosphorus sorption analysis.

(IX) Cross section

The Technical Plan shall include representative cross sections of each Proposed System including but not limited to all Leaching Systems, elevations of systems, fill, ledge, curtain drains, and ground water elevations.

(X) Specifications

The Technical Plan shall include detailed specifications of each Proposed System including but not limited to the Leaching System, curtain drain and specifications for materials to be used such as fill, force main piping, collection piping, septic tanks and grease traps, pump

chamber showing manhole, float controls and discharge volume, pump model and manufacturer, H-20 wheel loading for pits or galleries under pavement, curtain drain backfill, and manhole frames and covers.

(B) Wastewater Management Plan (WMP)

Unless otherwise approved in writing by the Commissioner, a WMP shall be developed for each Site authorized by this General Permit. The Registrant or Permittee shall, prior to preparing such WMP, contact the Department and the local Director of Health to schedule a Site Investigation to be observed by Department and local Health Department staff. The Permittee shall comply with all requirements of the approved WMP.

(i) *WMP Submittal Requirements*

- (I) For Registration of an Existing Site that *does not include* a System Modification or a Proposed System, a WMP shall be submitted within two (2) years of the date of Approval of Registration under this General Permit.
- (II) For Registration of an Existing Site that includes a System Modification or a Proposed System not associated with a Design Flow increase, a WMP shall be submitted within one (1) year of the date of Approval of Registration under this General Permit, if such WMP has not previously been submitted and approved.
- (III) For Registration of an Existing Site that includes a System Modification, or a Proposed System with a Design Flow increase, a WMP shall be submitted with the Registration.
- (IV) For Registration of a New Site, a WMP shall be submitted with the Registration.
- (V) The Permittee shall amend and submit the WMP whenever:  
(1) there is a change at the Site that has an effect on the potential to cause pollution of the waters of the state; (2) the actions required by the WMP fail to ensure or adequately protect against pollution of the waters of the state; or (3) the Commissioner requests modification of the WMP.
- (VI) The Permittee shall submit a copy of the WMP to the local health department.

(ii) For an Existing Site, a written approval in lieu of a WMP approval by the Commissioner under this subsection may only be granted provided the Permittee meets the following terms and conditions. Such written approval may contain additional requirements as deemed necessary by the Commissioner to ensure compliance and protect against pollution of the waters of the state.

- (I) The Site is exclusively owned by a nonprofit conservation foundation;
- (II) The Site owner retains sufficient legally binding authority to manage property uses generating discharges at the Site



as a means to promote conservation and prevent pollution, and the Site owner discloses such authority (e.g., by-laws, contracts, lease agreements) and any changes to such authority to the Commissioner;

- (III) There is no change in Design Flow that increases the cumulative discharge volume at the Site or the discharge volume to any System;
- (IV) In the event of a Failed System or Malfunctioning System, and Repair of such System cannot be accomplished in accordance with Section 5 of this General Permit, then the Permittee shall exercise its management authority and cease the discharge; and
- (V) Use of an Alternative Sewage Treatment System or Large Capacity Cesspool is prohibited.

In no event shall failure to complete or update a WMP in accordance with this General Permit relieve a Permittee of responsibility to implement actions required to protect the waters of the state, complete any actions that would have been required by such WMP, and to comply with all conditions of this General Permit.

(iii) ***Wastewater Management Plan Contents***

The Permittee shall prepare, implement and maintain a WMP for the Site which shall consist of all records, schedules, narrative, mapping, data gathering, testing results, instructions or other materials in accordance with the provisions of this General Permit.

The WMP shall be prepared by a Professional Engineer licensed to practice in the State of Connecticut. The WMP shall be prepared in accordance with sound engineering practices. The original signature and seal of the Professional Engineer shall be on the WMP and on each copy of the plan; a blueprint of seal and signature will not be accepted. Any drawings included with the WMP, shall follow the Technical Plan requirements in Section 4(c)(3)(A) of this General Permit.

The WMP shall include the following certification signed and sealed by the Professional Engineer who prepared the WMP:

“I certify that, based on reasonable investigation, including my inquiry of the individuals responsible for obtaining the information, the submitted information is true, accurate and complete, and in my professional judgment, proper operation and maintenance of each System installed to treat the wastewater which is the subject of this Registration will ensure that the discharge of such wastewater is consistent with the ***General Permit to Discharge from Subsurface Disposal Systems*** and this WMP. This certification is based on my review of the WMP, past and current uses of the Site at which such wastewater is generated and all known information about System(s)

located on the subject Site. I understand that any false statement in this certification may be punishable as a criminal offence under section 53a-157b of the Connecticut General Statutes and under any other applicable law.”

The WMP shall contain the following:

(I) Description of the Site

A general brief description of the Site including: the Site location, property size, property ownership, a location map, a narrative of the proposed activity or activities resulting in the preparation of the WMP, and a summary of recommendations.

(II) Inventory of Current Site Conditions

- A narrative description of the current Site conditions including, but not limited to: community history and uses, wastewater sources and flows, System maintenance practices and history, state and/or local permitting and enforcement history, results of Site Investigation, identification of common interest and limited common interest areas, known soil conditions, groundwater depth and direction, and bedrock conditions.
- Mapping of the current Site conditions including, but not limited to, boundaries, wetlands and watercourses, topography, structures, roads, System locations, test pits, wells and utilities.

(III) Analysis of Current Conditions and Future Needs

- The WMP shall include a comparison of the condition of all Existing Systems and New Systems to the minimum technical requirements outlined in Section 5(a) of this General Permit to identify Site limitations and all necessary Repairs. If an Existing Site has no Expansions proposed or planned, such comparison may be limited to an inventory and description of all Existing Systems and New Systems and whether there are any System Malfunctions or System Failures.
- The WMP shall include a Site-wide nitrogen dilution analysis to demonstrate compliance with Connecticut Water Quality Standards.
- The WMP shall include a summary of future wastewater needs such as anticipated System Modifications which will result in an increase in Design Flow.

(IV) Comprehensive Wastewater Management Strategy

The WMP shall, at a minimum, include a summary of the ability of the Existing Systems and New Systems to handle current and any planned future discharges, any necessary groundwater monitoring plan as may be required by the Commissioner and an implementation plan and schedule including all inspection, monitoring and maintenance requirements in accordance with Section 5(a) of this General Permit. For any proposed or planned System Modifications, such WMP shall also include a conceptual design and a cost benefit analysis of any proposed alternatives to such System Modification.

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Discharges eligible for coverage by this General Permit shall be required to meet the Registration and fee requirements described in Table 4-1 below:

Table 4-1. Registration, Plan Submittal and Fee Requirements for Eligible Discharges

TYPE OF REGISTRATION	PROPOSED ACTIVITY	SUBMIT TECHNICAL PLAN [Section 4(c)(3)(A)]	SUBMIT WASTEWATER MANAGEMENT PLAN (WMP) [Section 4(c)(3)(B)]	FEE [Section 4(c)(1)]
Existing Sites with Community Systems $\leq$ 7,500gpd from all Systems	All	Required with Registration that includes a System Modification or Proposed System	Required within 2 years of Approval of Initial Registration if no System Modification or Proposed System	\$250
Existing Sites $>$ 7,500 gpd from all Systems	No System Modification or Proposed System	Not Required	Required within 1 year of Approval of Initial Registration for System Modification or Proposed System with no Design Flow increase	
Registration of a previously authorized Site pursuant to Section 3(b)(1)(C)			Required with Registration for System Modification or Proposed System with Design Flow increase	
Modification of a Registration for any Site	No Proposed System	Required with Registration that includes a System Modification	Required with Registration for System Modification or Proposed System with Design Flow increase	
Modification of a Registration for any Site	Proposed System	Required with Registration	Required within 1 year of Approval of Initial Registration for System Modification or Proposed System with no Design Flow increase	\$3,000
Existing Sites $>$ 7,500 gpd from all Systems	System Modification or Proposed System		Required with Registration if System Modification or Proposed System with Design Flow increase	
Registration of a New Site	No System Modification or Proposed System	Not Required	Required with Registration	
Registration of a New Site	System Modification or Proposed System	Required with Registration	Required with Registration	\$6,000

**(d) *Where to File a Registration***

A 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

A copy of the completed Registration, included supporting documents shall also be submitted to:

- (1) Local health department;
- (2) The water pollution control authority (only for discharges from Community Sewerage Systems);
- (3) If the subject activity or zone of influence is within any part of an aquifer protection area as defined in section 22a-354h of the Connecticut General Statutes, a public drinking water supply watershed or a public drinking water supply well separating distance to a system for disposal of sewage as defined in section 19-13-B51d (or the most current update of the Public Health Code) of the Regulation of Connecticut State Agencies, or if the subject activity is on land owned by a public water system as defined in section 19-13-B102(a)(65) of the Regulation of Connecticut State Agencies or on land on which a public water supply is located, an electronic copy of all documents filed with the department be shall be sent to the Department of Public Health--Drinking Water Section at:

[dph.sourceprotection@ct.gov](mailto:dph.sourceprotection@ct.gov)

**(e) *Additional Information***

The Commissioner may require a Registrant or Permittee to submit additional information that the Commissioner reasonably deems necessary to evaluate the consistency of the subject activity with the requirements for authorization under this General Permit. Such information may include, but is not limited to, a signed letter from the appropriate Water Pollution Control Authority or responsible municipal authority that such authority is satisfied that the proposed method of management of a Community Sewerage System complies with the provisions of CGS Section 7-246f as amended.

**(f) *Action by Commissioner***

- (1) The Commissioner may reject without prejudice a Registration if it is determined that it does not satisfy the requirements of Section 4(c) of this General Permit or more than thirty (30) days have elapsed since the Commissioner requested that the Registrant submit additional information or the required fee and the Registrant has not submitted such information or fee. Any Registration refiled after such a rejection shall be accompanied by the fee specified in Section 4(c)(1) of this General Permit.
- (2) The Commissioner may deny a Registration if it is found that the subject

activity is inconsistent with the requirements for authorization under Section 3 of this General Permit, or for any other reason provided by law.

- (3) Denial of a Registration under this subsection shall constitute notice to the Registrant that the subject activity may not lawfully be conducted or maintained without the issuance of an individual permit.
- (4) The Commissioner may approve a Registration with reasonable conditions. If the Commissioner approves a Registration with conditions, the Permittee shall be bound by such conditions as if they were a part of this General Permit.
- (5) Rejection, denial, or approval of a Registration shall be in writing.

## **Section 5. Conditions of This General Permit**

The Permittee shall at all times continue to meet the requirements for authorization set forth in Section 3 of this General Permit. In addition, the Permittee shall assure that activities authorized by this General Permit are conducted in accordance with the following conditions.

### **(a) *Operating Conditions***

#### **(1) Required Plans**

- (A) The Permittee shall at all times comply with the Technical Plan and any WMP as approved by the Commissioner in writing.
  - (i) The Technical Plan shall be written in accordance with Section 4(c)(3)(A) of this General Permit.
  - (ii) The WMP shall be written in accordance with Section 4(c)(3)(B) of this General Permit.

In addition:

- (I) If there is not an approved WMP in place the Permittee shall comply with the required schedule to prepare a WMP for approval.
- (II) An approval of the WMP shall be filed in the local land records and shall be included in the public offering statement, condominium instruments, and rules and regulations adopted pursuant thereto.

#### **(2) Minimum Requirements for Subsurface Sewage Disposal Systems**

Prior to designing a Proposed System a Site Investigation shall be performed at the location of the proposed Leaching System to determine that the Site has sufficient hydraulic capacity, including an appropriate hydraulic reserve capacity, to transmit the wastewater for a sufficient distance to achieve renovation of the wastewater before it reaches the closest point of concern.

All Systems included in a Technical Plan, WMP, or otherwise authorized by this General Permit shall meet the following requirements, unless otherwise approved by the Commissioner in writing.

(A) Design Flow

The Registrant shall demonstrate to the Commissioner's satisfaction that the Proposed System is designed based on conservative wastewater Design Flow and wastewater characteristics considering the proposed use of the building. Example: light manufacturing: 30 employees @ 25 GPD = 750 GPD; residential @ 150 gpd/bedroom.

(B) Site conditions

Nitrogen concentrations shall comply with Connecticut Water Quality Standards as demonstrated through a nitrogen dilution analysis as part of WMP implementation.

(C) Separating Distances

(i) For an Existing Site with Systems serving single residences or Systems with Design Flows less than two thousand (<2,000) gallons per day:

(I) Minimum vertical separating distance between the bottom of the Leaching Systems and the seasonal high water table shall be a minimum of eighteen (18) inches or twenty-four (24) inches for areas of special concern defined by Connecticut Public Health Code ("CTPHC") Technical Standards.

(II) Minimum horizontal separating distances shall meet the distances set in the Connecticut Public Health Code ("CTPHC") Technical Standards Table Number 1.

(ii) For an Existing Site with discharges to System(s) with Design Flows greater than or equal to two thousand ( $\geq 2,000$ ) gallons per day, or for a New Site:

(I) For an Existing Site without any Expansion, the minimum vertical separating distance between the bottom of the Leaching System and the mounded seasonal high water table shall be twenty-four (24) inches determined by a hydraulic analysis required under the Technical Plan.

(II) For a New Site or an Expansion at an Existing Site, the minimum vertical separating distance between the bottom of the Leaching System and the mounded seasonal high water table shall be thirty-six (36) inches as determined by a hydraulic analysis required

under the Technical Plan.

(III) Minimum horizontal separating distance shall meet:

- (1) The distances set forth in the Connecticut Public Health Code (“CTPHC”) Technical Standards Table Number 1; and
- (2) The distance required to provide twenty-one (21) days of time-of-travel to any sensitive receptor as determined by calculating the groundwater velocity. If a sensitive receptor is a public drinking water supply well, the minimum horizontal separating distance shall not be less than the separating distance to a System for the disposal of sewage as defined in RCSA Section 19-13-B51d, or the most current update of the Public Health Code. For sensitive receptors such as: the outer limit of the cone of depression of a public drinking water supply well, a surface water body used as a source of public drinking water supply, a private drinking water supply well or an impoundment used for aquaculture, the minimum horizontal separating distance required to provide fifty-six (56) days of time-of-travel to such sensitive receptor as determined by calculating the groundwater velocity must be provided.

(D) Leaching System Sizing

(i) For an Existing Site with Systems serving single residences and Systems with Design Flows less than two thousand (<2,000) gallons per day, the Leaching System size shall meet the required Effective Leaching Area required by CTPHC Section VIII of the Technical Standards.

(ii) For an Existing Site with System(s) with Design Flows equal to or greater than two thousand (2,000) gallons per day, or for a New Site:

(I) The Leaching System shall provide minimum Effective Leaching Area as determined in accordance with the following:

$$ELA/l_f = [1.5 \times \text{inside clear (unmasked) bottom area of leaching unit}] + [1.0 \times \text{effective stone-masked bottom area}] + [1.0 \times \text{effective height of stone masked sidewall areas of leaching units, not to exceed one (1) foot}]$$

Where stone-masked ELA,  $sf/l_f$  = contact area of stone placed beneath or on sides of leaching unit

(II) The Leaching System shall be designed using an acceptable Long Term Acceptance Rate (“LTAR”) based on the following equation:



$$\text{LTAR} = 5K - [1.2 / (\log_{10} K)]$$

The maximum acceptable LTAR shall not exceed 0.8 gallons per day per square foot of Effective Leaching Area.

- (III) For New Sites or Expansions at an Existing Site, the Leaching System shall also be sized using an adjusted LTAR, for the suitable wastewater strength, as follows:

$$\text{LTAR Adjustment Factor} = [250 / (\text{BOD}_5 + \text{TSS})]^{1/3}$$

The maximum acceptable LTAR shall not exceed 0.8 gallons per day per square foot of Effective Leaching Area.

- (IV) The soil shall have the capacity to treat phosphorus as demonstrated by a six (6) month absorption capacity and by a phosphorus sorption analysis required under the Technical Plan.
- (E) The System shall be installed by a subsurface sewage disposal system installer licensed under the provisions of Chapter 393a, section 20-341(f) of the Connecticut General Statutes.

**(3) Minimum Inspection, Monitoring and Maintenance Requirements**

The Permittee shall operate and maintain all Systems in accordance with any approved plans and specifications and, unless otherwise approved in the WMP, in accordance with the minimum requirements outlined herein. In the event of Failed System or Malfunctioning System, the Permittee shall undertake immediate action to prevent, mitigate and correct such condition.

**(A) Septic Tanks and Grease Traps**

- (i) Septic tanks serving single residential dwellings shall be pumped at least once every five (5) years, or more frequently if needed.
- (ii) Septic tanks serving multiple residential dwellings or non-residential buildings shall be pumped annually.
- (iii) Grease traps shall be pumped quarterly.
- (iv) All baffles and effluent filters shall be inspected during pump-out and filters cleaned as necessary.

**(B) Pump Stations**

- (i) Pump stations shall have audible and visual alarms, shall be inspected annually, and shall be pumped as necessary.

**(C) Leaching Systems**

- (i) Leaching Systems shall be inspected quarterly for evidence of ponding or surfacing of effluent.
- (ii) Leaching field areas shall be maintained appropriately, including but

not limited to mowing grass a minimum of three (3) times between May and November, brush clearing if necessary, and prohibition of the planting or growth of trees over the Leaching Systems.

(D) Groundwater Monitoring

- (i) If required under an approved Technical Plan or WMP, groundwater monitoring wells shall be sampled for the parameters in Table 5-1 of this General Permit. Monitoring requirements shall be included in the Public Offering Statement, Condominium Bylaws, and the rules and regulations adopted thereto.
- (ii) Chemical analyses to determine compliance with effluent limits and conditions established in the Approval of Registration shall employ methods approved by the Environmental Protection Agency pursuant to 40 CFR 136 unless an alternative method has been approved by the Commissioner in writing in accordance with 40 CFR 136.4.

**Table 5-1 Groundwater Monitoring Requirements**

PARAMETER	UNITS	MINIMUM FREQUENCY OF SAMPLING	SAMPLE TYPE
Coliform, Fecal	col/100ml	Quarterly	Grab
Groundwater Depth	Ft, in	Quarterly	Instantaneous
Nitrogen, Ammonia	mg/l	Quarterly	Grab
Nitrogen, Nitrate	mg/l	Quarterly	Grab
Nitrogen, Nitrite	mg/l	Quarterly	Grab
Nitrogen, Total Kjeldahl	mg/l	Quarterly	Grab
Nitrogen, Total	mg/l	Quarterly	Grab
pH	S.U.	Quarterly	Instantaneous
Phosphorus, Total Dissolved	mg/l	Quarterly	Grab

- (E) The use of any sewage system additive as defined in CGS section 22a-460(g) is prohibited unless such additive complies with CGS section 22a-461. The Commissioner in no way certifies the safety or effectiveness of any sewage system additive. The Permittee shall include in the public offering statement, condominium instruments, rules and regulations adopted pursuant thereto, and any management agreement for the facility, the requirement that no sewage system additive shall be used in the subject treatment system unless such additive complies with CGS section 22a-461.
- (F) Oils, greases, industrial or commercial wastes, toxic chemicals, or other substances that will adversely affect the operation of the System, or, which may pollute ground or surface water, shall not be discharged to the System. The Permittee shall include in the public offering statement, condominium instruments, rules and regulations adopted pursuant thereto, and any management agreement for the facility, the requirement that no oils, greases, industrial or commercial wastes, toxic chemicals, or other liquids that will adversely affect the operation of the System or that may pollute ground or surface water shall be discharged to the System.

- (G) The pH of the discharge shall not be less than 6.0 nor greater than 9.0 Standard Units at any time and shall be monitored as required by the approved WMP.

**(4) Discharge of Domestic Sewage to Holding Tanks**

Any permittee who is authorized to discharge wastewater from a System under this General Permit, and cannot meet the minimum requirements set forth in Section 5(a)(2) of this General Permit for the discharge of such wastewater may, in order to address a Failed System or Malfunctioning System, install and operate a holding tank to store such wastewater, provided the Permittee complies with the following requirements:

- (A) Holding Tank Design Requirements:
  - (i) Holding tanks shall be constructed of either fiberglass, reinforced plastic or concrete. Such tank shall be verified to have been tested and certified to be watertight.
  - (ii) Holding tanks shall have sufficient liquid storage capacity to hold the total volume of Domestic Sewage expected to be discharged from the building served over the period of one (1) week.
  - (iii) Each holding tank shall be equipped with a high level alarm system clearly audible in the normal working range of responding personnel. Such alarm system shall indicate when the volume of wastewater in such holding tank has reached fifty percent (50%) of its holding capacity.
- (B) The conveyance of such wastewater from such holding tank to a POTW shall be by means of a properly licensed subsurface sewage disposal system cleaner or subsurface sewage disposal system installer.
- (C) The property owner shall enter into a written contract with a licensed subsurface disposal system cleaner or subsurface sewage disposal system installer for the regular pumping of the holding tank. Such contract shall be furnished to the local health department and the Department upon request.
- (D) The Permittee shall neither propose nor perform any flow generating construction or Change in Use for a building served by a holding tank.
- (E) The Permittee shall ensure that discharges authorized by this General Permit are in conformance with the sewer use ordinance of the municipality receiving the discharge, and that all required local permits and approvals have been obtained for the discharges authorized by this General Permit.

(b) **Reporting and Record Keeping Requirements**

(1) The results of chemical analyses required by Section 5(a)(3)(E) of this General Permit, and by the approval of registration or WMP, shall be entered on a Discharge Monitoring Report (“DMR”) and submitted electronically using NetDMR.

a. Submittal of NetDMR Subscriber Agreement

Upon issuance of this General Permit, the Registrant and/or the Person authorized to sign the Permittee’s DMR’s (“Signatory Authority”) as described in RCSA Section 22a-430-3(b)(2) shall initiate the NetDMR subscription process for electronic submission. Information on NetDMR is available on the Department’s website at [www.ct.gov/deep/netdmr](http://www.ct.gov/deep/netdmr). The Registrant shall include a signed and notarized copy of the **Connecticut DEEP NetDMR Subscriber Agreement** with the Registration.

b. Submittal of DMRs Using NetDMR

DMRs shall be reported to the Department no later than the 30<sup>th</sup> day of the month following each month in which a sample is taken. The DMR shall also include a detailed explanation of each violation of an effluent limitation, corrective actions performed, and a schedule for the completion of any corrective actions remaining.

Once a Permittee begins submitting reports using NetDMR, they will no longer be required to submit hard copies of DMRs to the Department. NetDMR is accessed from: <http://www.epa.gov/netdmr>.

c. Submittal of NetDMR Opt-Out Requests

If the Permittee is able to demonstrate a reasonable basis, such as technical or administrative infeasibility, that precludes the use of NetDMR for electronically submitting DMRs, the Commissioner may approve the submission of DMRs in hard copy form (“opt-out request”). Opt-out requests must be submitted in writing to the Department for written approval on or before fifteen (15) days prior to the date the Permittee would be required under this General Permit to begin filing DMRs using NetDMR. This demonstration shall be valid for twelve (12) months from the date of the Department’s approval and shall thereupon expire. At such time, DMRs shall be submitted electronically to the Department using NetDMR unless the Permittee submits a renewed Opt-Out Request and such request is approved by the Department.

All opt-out requests shall be sent to the following address:

Attn: NetDMR Coordinator  
Connecticut Department of Energy and Environmental Protection  
Water Permitting and Enforcement Division  
79 Elm St  
Hartford, CT 06106-5127

- (2) The results of treatment facilities monitoring and maintenance required by Section 5(a)(3) of this General Permit, and all other inspection, monitoring and maintenance required by the Approval of Registration or WMP, shall be maintained as a written record at the Site for five (5) years. The Permittee shall provide a copy of such records, upon request from Department's staff, within thirty (30) days of the request.
- (3) Except as otherwise specified in writing by the Commissioner, each analytical result of a wastewater sample taken and all data generated by any other monitoring conducted under this General Permit shall be retained at the Site for at least five (5) years from the date such result or data was generated or received by the Permittee, whichever is later. The Commissioner may specify a longer retention period as he reasonably deems necessary upon written notice to the Permittee stating the reasons for such longer period. If during the retention period required by this subdivision the Commissioner, under chapter 446k of the Connecticut General Statutes, issues an order or commences a civil action against the Permittee, such retention period shall be extended as necessary until such order or action is finally disposed of.

**(c) *Recording and Reporting Violations***

- (1) If an analytical result of a wastewater sample taken or data generated by any other monitoring conducted under this General Permit indicates that a violation or other condition of this General Permit has occurred, the Permittee shall immediately take all appropriate actions to abate such violation and prevent its recurrence. Within forty-eight (48) hours of its occurrence, a written notification shall be submitted to the Commissioner. Upon completing such notification, the Permittee shall retain it for a period of at least three (3) years at the Site.
- (2) Written notifications required by this General Permit shall be in letter form identifying the Permittee name, site name, site location, street address, town, and date of Approval of Registration, date(s) of sampling and analysis, monitoring location, monitored constituents, and analytical and other monitoring results triggering notification, a summary of any response action taken or planned, and the name and telephone number of a person the Department may contact for further information.
- (3) The Permittee shall also submit a copy of any notification required under this subsection to the local health department and the local WPCA.

**(d) *Regulations of Connecticut State Agencies Incorporated into this General Permit***

The Permittee shall comply with all laws applicable to the subject discharge, including but not limited to the following Regulations of Connecticut State Agencies which are hereby incorporated into this General Permit, as if fully set forth herein:

- (1) Section 22a-430-3:
  - Subsection (b) - General-subparagraph (1)(D) and subdivisions (2), (3), (4) and (5)
  - Subsection (c) - Inspection and Entry
  - Subsection (d) - Effect of a Permit - subdivisions (1) and (4)

- 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 - subdivisions (1) and (4)
- Subsection (j) - Monitoring, Records and Reporting Requirements - subdivisions (1), (6), (7), (8), (9) and (11) (except subparagraphs (9)(A)(2), and (9)(C))
- 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

(2) Section 22a-430-4:

- Subsection (p) - Revocation, Denial, Modification
- Subsection (q) - Variances
- Subsection (t) - Prohibitions

## **Section 6. General Conditions**

**(a) *Reliance on Registration***

When evaluating a Registration, the Commissioner relies on information provided by the Registrant. If such information proves to be false or incomplete, the authorization issued under this General Permit may be suspended or revoked in accordance with law, and the Commissioner may take any other legal action provided by law.

**(b) *Duty to Correct and Report Violations***

Upon learning of a violation of a condition of this General Permit, a Permittee shall immediately take all reasonable action to determine the cause of such violation, correct such violation and mitigate its results, prevent further such violation, and report in writing such violation and such corrective action to the Commissioner within five (5) days of the Permittee's learning of such violation. Such report shall be certified in accordance with Section 6(d) of this General Permit.

**(c) *Duty to Provide Information***

If the Commissioner requests any information pertinent to the Authorized Activity or to determine compliance with this General Permit, or with the Permittee's approval of registration, the Permittee shall provide such information in writing within thirty (30) days of such request. Such information shall be certified in accordance with Section 6(d) of this General Permit.

**(d) *Certification of Documents***

Any document, including but not limited to any notice, which is submitted to the Commissioner under this General Permit shall be signed by, as applicable, the

Registrant or the Permittee in accordance with section 22a-430-3(b)(2) of the Regulations of Connecticut State Agencies, and by the individual or individuals responsible for actually preparing such document, each of whom shall certify in writing as follows:

“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, pursuant to section 53a-157b of the Connecticut General Statutes, and in accordance with any other applicable statute.”

**(e) *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. The word “day” as used in this General Permit means the calendar day; if any date specified in the General Permit falls on a Saturday, Sunday, or legal holiday, such deadline shall be the next business day thereafter.

**(f) *False Statements***

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

**(g) *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 6(d) of this General Permit. The provisions of this subsection shall apply both while a request for approval of registration is pending and after the Commissioner has approved such request.

**(h) *Transfer of Authorization***

An Approval of Registration under this General Permit is transferable only in accordance with the provisions of section 22a-60 of the Connecticut General Statutes.

**(i) *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.

**(j) *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.

## **Section 7. Commissioner's Powers**

### **(a) *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 Regulations of Connecticut State Agencies. Nothing herein shall be construed to affect any remedy available to the Commissioner by law.

### **(b) *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.

### **(c) *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 and the subject Approval of Registration. Nothing herein shall affect the Commissioner's power to revoke a Permittee's authorization under this General Permit at any time.

Issued Date: \_\_\_\_\_

**DRAFT 7/16/2021**

\_\_\_\_\_  
Betsey Wingfield  
Deputy Commissioner