

Notice of Tentative Decision
Intent to Issue the *General Permit for the*
Discharge of Wastewaters from Significant Industrial Users

TENTATIVE DECISION

The Commissioner of the Department of Energy and Environmental Protection ("DEEP") hereby gives notice that a tentative decision has been reached to issue the ***General Permit for the Discharge of Wastewater from Significant Industrial Users***.

COMMISSIONER'S FINDINGS/REGULATORY CONDITIONS

In accordance with applicable federal and state law, the Commissioner has made a tentative decision that issuance of this general permit will not cause pollution of the waters of the state. The proposed general permit, if issued, will require registration for eligible registrants.

PROPOSED GENERAL PERMIT

The ***General Permit for the Discharge of Wastewater from Significant Industrial Users*** (SIU GP) incorporates the current requirements of the ***General Permit for the Discharge of Wastewaters from Categorical Industrial Users to a Publicly Owned Treatment Works (POTW)*** (Categorical general permit) with requirements from the ***General Permit for Miscellaneous Discharges of Sewer Compatible Wastewaters*** that will apply only to Significant Industrial Users.

A Significant Industrial User means:

- (1) (i) all Industrial Users subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR chapter I, subchapter N; and

(ii) any other Industrial User that: discharges a cumulative maximum of 25,000 gallons per day or more of process wastewater to the POTW (excluding sanitary, noncontact cooling and boiler blowdown wastewater); contributes a process wastestream which makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the POTW Treatment plant; or is designated as such by the commissioner on the basis that the Industrial User has a reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or requirement (in accordance with 40 CFR 403.8(f)(6)).
- (2) Upon a finding that an Industrial User meeting the criteria in paragraph (1)(ii) of this definition has no reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standards or requirement, the Commissioner may at any time, on its own initiative or in response to a petition received from an Industrial User or

POTW, and in accordance with 40 CFR 403.8(f)(6), determine that such Industrial User is not a Significant Industrial User.

The general permit requires all facilities seeking coverage to register and receive an Approval of Registration. The general permit also requires regular monitoring of discharges and submittal of monthly or quarterly Discharge Monitoring Reports to demonstrate compliance with applicable effluent limitations.

Please refer to the Fact Sheet associated with this notice for more detailed information on the Categorical General Permit.

COMMISSIONER'S AUTHORITY

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

INFORMATION REQUESTS/PUBLIC COMMENT

Interested persons may obtain a copy of this public notice, the proposed general permit and the general permit fact sheet on the DEEP website at <http://www.ct.gov/deep/publicnotices>.

The proposed general permit is also available for inspection at the DEEP Water Permitting and Enforcement Division (WPED), 2nd floor, 79 Elm Street, Hartford, CT from 8:30 – 4:30, Monday through Friday.

Questions may be directed to James Creighton at 860-424-3681 or james.creighton@ct.gov.

Before making a final decision on this proposed general permit, the Commissioner shall consider written comments from interested persons that are received within 30 days from the publication date of this notice. Written comments should be directed to James Creighton, WPED, DEEP, 79 Elm Street, Hartford, CT 06106-5127 or may be submitted via electronic mail to james.creighton@ct.gov.

INFORMATIONAL MEETING

The Department will hold a public informational meeting on the proposed Significant Industrial User General Permit on:

Wednesday, January 23, 2019

1:30 p.m. until 3:30 p.m.

CT Department of Energy and Environmental Protection

Gina McCarthy Auditorium, 5th Floor

79 Elm Street, Hartford, Connecticut 06106

PETITIONS FOR PUBLIC HEARING

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

Robert J. Klee
Commissioner

Date signed

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