

Response to Public Comments

Comprehensive General Permit for Discharges to Surface Water and Groundwater

On September 30, 2016, the Department of Energy and Environmental Protection (Department) published notice of its tentative decision to issue the Comprehensive General Permit for Discharges to Surface Water and Groundwater (Comprehensive General Permit). The notice was published in the Connecticut Post, the Hartford Courant, the New Haven Register, the New London Day, the Waterbury Republican American, and the Willimantic Chronicle. The notice, the draft Comprehensive General Permit and the Fact Sheet were concurrently posted on the Department's website.

The notice provided a thirty (30) day comment period for the public to comment on the draft Comprehensive General Permit.

The Department's responses to comments received during the comment period are provided below:

Connecticut Section of the American Water Works Association (CTAWWA)--October 27, 2016

CTAWWA submitted a Petition for Public Hearing on the draft Comprehensive General Permit on October 27, 2016. In an effort to resolve CTAWWA's areas of concern and avoid a public hearing, representatives of the Water Permitting and Enforcement Division (WPED) of the Bureau of Materials Management and Compliance Assurance met with representatives of CTAWWA between December, 2016 and September, 2017. As a result of those meetings, CTAWWA's concerns were satisfied through modifications to the Comprehensive General Permit. CTAWWA submitted a Withdrawal and Agreement document by email on October 25, 2017(attached).

A summary of the more significant modifications to the draft Comprehensive General Permit since the 9/30/2016 Public Notice as a result of meetings with CTAWWA include:

- Language at Section 3(a) that wastewater discharges to surface water with an instream waste concentration greater than 15% cannot seek authorization under the Comprehensive General Permit and must obtain an individual permit.

- Language at Section 4(a)(2)(B)(v) that any discharge from a potable water well rehabilitation that complies with Best Management Practices (found at Section 5(a)(3)(S)) is exempt from registration.
- Language at Section 4(c)(3) that lists the nine metals that residuals must be analyzed for.
- The addition of a definition in Appendix A for “residuals”.
- An option for water treatment facilities to seek a variance from the aluminum effluent limit for the <1% instream waste concentration up to a limit of 7.1 mg/l (Section 4(c)(3)(B)(vii) and Section 5(a)(3)(T)).
- Specific instructions for the monitoring of the discharge from the draining of potable water storage tanks and pipelines at Sections 5(a)(3)(O)(iv) & (v).
- Language at Section (5)(a)(3)(U) which allows that, for discharges to surface water from water treatment facilities that use groundwater as a source for potable water, the maximum concentration for total iron specified in Table 5.2 of Section 5(b) of the Comprehensive General Permit shall not apply until two years after the effective date of this general permit.
- Language at Section (5)(a)(3)(V) which allows that, for discharges to surface water from water treatment facilities that use groundwater as a source for potable water, the maximum concentration for total manganese specified in Table 5.3 of Section 5(b) of the Comprehensive general permit shall not apply. The language continues that “On and after two years after the effective date of this general permit, the maximum concentration for total manganese shall not exceed 3.0 milligrams per liter at any time.”
- Language which changes the threshold at which dechlorination must be used for potable water tank and pipeline draining to surface water, hydrostatic pressure testing discharges to surface water, and fire suppression system testing wastewater discharges to surface water from 0.05 mg/l to 1 mg/l. (Section 5(a)(3)(O)(iii), Section 5(a)(4)(E)(iii) and Section 5(a)(5)(A)(iii), respectively)
- Language at Section 5(c)(9)(D) that exempts a non-contact cooling water permittee from instream temperature monitoring if the permittee can demonstrate through engineering calculations that the discharge will not cause or contribute to a violation of the allowable receiving water body temperature change.
- Language at Section 5(h)(1) that excludes public water treatment facilities from reporting aluminum effluent violations if they have filed an Aluminum Effluent Compliance Plan as required by Section 5(a)(3)(R).

Connecticut Chapter of the Academy of Certified Hazardous Materials Managers (CTACHMM)—October 19, 2016

CTACHMM submitted a Petition for Public Hearing on the draft Comprehensive General Permit on October 19, 2016. In an effort to resolve CTACHMM’s areas of concern and avoid a public hearing, representatives of the Water Permitting and Enforcement Division (WPED) of the Bureau of Materials Management and Compliance Assurance met with representatives of CTACHMM between December, 2016 and August, 2017. As a result of those meetings, CTACHMM’s concerns were satisfied through modifications to the Comprehensive General

Permit. CTACHMM submitted an email withdrawing their petition for a public hearing on August 14, 2017(attached).

A summary of the modifications to the draft Comprehensive General Permit since the 9/30/2016 Public Notice as a result of meetings with CTACHMM include:

- Language at Section 5(h)(3) that allows Certified Hazardous Materials Managers, in addition to Professional Engineers, to prepare violation reports as required by that section.
- Language at Section 5(h)(4) that allows Certified Hazardous Materials Managers, in addition to Professional Engineers, to certify that a permittee's discharges comply with the Comprehensive General Permit following a previous violation.
- Language at Section 5(h)(4) that the certification mentioned in the previous bullet point "should not be construed as authorizing a Certified Hazardous Materials Manager to certify compliance in areas that should only be handled by a licensed Professional Engineer including but not limited to design or modification of engineered wastewater treatment systems."

Connecticut Society of Professional Engineers (CSPE)—October 21, 2016

CSPE submitted a letter concurring that the Qualified Professional required to certify a registrant's application under the Comprehensive GP "be restricted to a Professional Engineer registered in the state of Connecticut to practice engineering." CSPE also requested that DEEP omit the definitions of Qualified Professional and Qualified Professional Engineer and simply use the term Professional Engineer as defined in the comprehensive General Permit.

DEEP Response: DEEP believes that the definition of Qualified Professional in the Comprehensive General Permit ensures that only a Professional Engineer who has adequate experience in the planning and designing of engineered systems for the collection and treatment of sanitary, industrial, and commercial wastewaters will certify an application under the Comprehensive General Permit. No change was made to the Comprehensive General Permit regarding this comment.