**Notice of Tentative Decision**

**Intent to Reissue the General Permit for the Discharge of**

**Stormwater and Dewatering Wastewaters from Construction Activities**

**TENTATIVE DECISION**

The Department of Energy and Environmental Protection (DEEP) hereby gives notice of a tentative decision to reissue *with modifications* the General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities (construction general permit).

The current construction general permit became effective on October 1, 2013. It has been reissued *without modifications* on October 1, 2018 and October 1, 2019, and will expire on September 30, 2020. By this public notice, the Department intends to reissue the construction general permit *with modifications* to become effective on October 1, 2020. The Department is seeking public comment on this notice of tentative decision to reissue the construction general permit *with modifications*.

**COMMISSIONER’S FINDINGS/REGULATORY CONDITIONS**

In accordance with applicable federal and state law, the Commissioner has made a tentative decision that reissuance of the construction general permit would not cause pollution of the waters of the state. The Department will require existing permittees authorized under the current construction general permit to reregister as part of this reissuance. Current permittees must continue to implement, maintain, and update all elements of their Stormwater Pollution Control Plan as specified in the current construction general permit to ensure that the discharge will not cause pollution.

**CONSTRUCTION GENERAL PERMIT**

The purpose of the construction general permit is to protect waters of the state from stormwater runoff and dewatering wastewaters discharging from construction activities. The DEEP first issued the construction general permit on October 1, 1992. The permit has been reissued with modifications since that initial issuance. The construction general permit contains requirements to develop and implement a Stormwater Pollution Control Plan (SWPCP). Permittees must implement, maintain and update their SWPCP, perform regular inspections and conduct stormwater monitoring. The SWPCP contains requirements for the permittee to describe and manage their construction activity, including implementing erosion and sediment control measures as well as other control measures to reduce or eliminate the potential for the discharge of stormwater runoff pollutants both during and after construction.

**COMMISSIONER’S AUTHORITY**

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

**PUBLIC COMMENT & INFORMATIONAL MEETING**

Prior to making a final decision to reissue the proposed general permit, the Commissioner shall consider written comments from interested persons that are received within 45 days of this public notice. In addition, **DEEP will hold a public informational meeting at DEEP Headquarters, 79 Elm Street, Hartford in the Gina McCarthy Auditorium on January 8, 2020** **at 1:30 pm** to discuss the proposed general permit. Written comments should be directed to: Christopher Stone, P.E., Water Permitting and Enforcement Division, Bureau of Materials Management and Compliance Assurance, Department of Energy and Environmental Protection, 79 Elm Street, Hartford, CT 06106‑5127 or may be submitted via electronic mail to: [chris.stone@ct.gov](mailto:chris.stone@ct.gov).

Interested persons may obtain a copy of this public notice and the general permit on the DEEP website at [www.ct.gov/deep/publicnotices](http://www.ct.gov/deep/publicnotices). The general permit is also available for inspection at the DEEP Bureau of Materials Management and Compliance Assurance, Water Permitting and Enforcement Division, 79 Elm Street, Hartford, CT from 8:30 – 4:30, Monday through Friday. Questions may be directed to Christopher Stone at 860-424-3850 or [chris.stone@ct.gov](mailto:chris.stone@ct.gov).

**PETITIONS FOR PUBLIC HEARING**

The Commissioner may hold a public hearing prior to issuing the proposed general permit if in the Commissioner's discretion the public interest will be best served thereby, and shall hold a hearing upon receipt of a petition signed by at least twenty-five persons. 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](mailto: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.

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Katherine S. Dykes

Commissioner

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](mailto:deep.accommodations@ct.gov).

Draft Permit and Fact Sheet: [www.ct.gov/deep/stormwater](http://www.ct.gov/deep/stormwater)