



# FACT SHEET

## WPED's Top Compliance Issues and How to Fix Them

1. **Incomplete Applications.** Incomplete applications may cause delays in permit review and issuance. Common reasons why an application may be delayed for processing include:

- Missing signature
- Failure to pay application fee
- Other pending actions such as a Notice of Intent, Notice of Violation, or Request for Additional Information
- Missing or incomplete water quality and flow data, specifications, treatment design specifications, or drawings
- Missing or insufficient required supporting documents

Request a [pre-application meeting](#) to meet with program staff prior to applying in order to gain a better understanding of application requirements.

2. **Administrative Permit Non-Compliance.** Non-compliance with the specific permit conditions are common causes of violations, including:


- For Facility and Wastewater Treatment Systems, failure to submit Permit Modification or [3i request](#) for a change in treatment, flow, or system upgrades
- Failure to pay annual registration fee
- Failure to report a change in ownership

It's important to read the entire permit or registration carefully, including all the attachments that are included, and communicate with staff who are responsible for overseeing the permit or registration. Submit a [permit modification request](#) **prior** to making changes or modifications to permitted projects. Submit a [License Transfer form](#) when ownership changes.

3. **Failure to Meet Requirements During Inspections.** Most permits have record-keeping requirements, and accurate records must be kept on site and be readily available during an inspection. Records must be up to date, available for review, and should be communicated to facility staff. Refer to [WPED's General Guidance and Expectations for NPDES and Pretreatment Compliance Inspections](#) for information on what inspections typically entail and how to improve compliance.

4. **Monitoring and Data Reporting Violations.** The permittee needs to have training and knowledge of [Whole Effluent Toxicity \(WET\)](#) permit and reporting data requirements. Common data reporting issues include:

- Failure to identify invalid analytical results.
- Using/reporting invalid analytical data (data that has failed Quality Assurance/Quality Control (QA/QC) or QA/QC not performed in accordance with approved methods) on [Discharge Monitoring Reports \(DMRs\)](#).
- Failure to [report DMR data](#) correctly:
  - Incomplete or missing data.
  - Incorrect unit of measurement reported.
  - Incorrect calculation of average, max, or other reporting requirements.

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- Failure to provide data used in permit reporting calculations as DMR attachment.
    - Failure to identify minimum level of analytical measurements on DMR.
  - Failure to report WET data correctly (incorrect units, incorrect results).
  - Failure to submit Aquatic Toxicity Monitoring Reports as an attachment to the DMR.
5. **Failure to Notify Permit Exceedances or Noncompliance with Permit Conditions.** Failure to notify local officials, health departments, or Publicly Owned Treatment Works (POTW) of permit exceedances as required by permit. [Failure to notify DEEP](#) of a bypass, spill, monitoring equipment failures or malfunction, or [permit limit exceedance](#).
6. **Failure to Maintain Operation and Best Management Practices:** During site inspections, some of the most common issues with Best Management Practices observed include:
- Failure to maintain records, this may include but is not limited to laboratory reports, operation and maintenance plan, and calibration records.
  - Failure to calibrate monitoring equipment such as pH and ORP probes and flow devices.
  - Overgrown or unkempt discharge location, or a DSN or outfall overgrown with vegetation or filled with debris.
  - Permittee unable to identify discharge locations or correct sampling locations.
  - Failure to implement best management practices identified in Stormwater Plans, particularly with regard to outside storage practices.
  - Failure to install and maintain structural and non-structural stormwater control measures.
7. **Site and Emergency Plan Violations:** Failure to update Operations and Management Plans, Stormwater Management Plans, Stormwater Pollution Prevention Plans, or compliance related logs that are required by permit or registration.
8. **Failure to Follow-Up with Items of Non-Compliance Post-Inspection:** Permittees have a responsibility to [respond to and follow-up](#) on violations and/or items of noncompliance with permit conditions. This includes implementing sufficient root cause analysis and implementing sufficient corrective action to eliminate/prevent recurrence of violation without requiring additional requests for information or questions by the permitting authority.
- For sites with multiple permits, it is recommended permittees maintain a compliance calendar to make sure reporting and fee submittals are based on the schedule in each individual permit or registration.
9. **Failure to Respond to Notices of Violation (NOVs) or Notices of Non-Compliance.** Permittees must read violations carefully and respond within the specified timeframe. Permittees should contact the individual listed in Section C (8) of the issued NOV for clarification if they don't understand any of the requirements of a permit or other correspondence. Common reasons for non-compliance with a NOV include:
- Missing or incomplete data
  - Failure to respond to DEEP's request

- Failure to submit an adequate plan that addresses all violations
- Failure to submit the Compliance Statement

To ensure compliance with a NOV, permittees should address the cited violations within thirty (30) days of issuance of the NOV by describing the details associated with the root cause of the noncompliance, the corrective action(s) proposed and/or completed to ensure future compliance, a schedule to implement each corrective action not completed, and submit the Compliance Statement found on the last page of the NOV, and all other applicable supporting documents. All responses to a NOV should be on the Permittee's letterhead, including the date submitted, and must have either a wet or digital signature.

**Contact information for general inquiries by program:**

- Water Permitting and Enforcement Division (WPED) General: [DEEP.WaterPermittingEnforcement@ct.gov](mailto:DEEP.WaterPermittingEnforcement@ct.gov)
- Underground Injection Control: [DEEP.uicpermitting@ct.gov](mailto:DEEP.uicpermitting@ct.gov)
- Stormwater: [DEEP.StormwaterStaff@ct.gov](mailto:DEEP.StormwaterStaff@ct.gov)
- Pretreatment: [DEEP.Pretreatment@ct.gov](mailto:DEEP.Pretreatment@ct.gov)
- Industrial Wastewater (NPDES): [DEEP.IndustrialNPDESCompliance@ct.gov](mailto:DEEP.IndustrialNPDESCompliance@ct.gov)
- Industrial Wastewater WET (NPDES): [DEEP.IndustrialWETReports@ct.gov](mailto:DEEP.IndustrialWETReports@ct.gov)
- Concentrated Animal Feed Operations (NPDES): [CAFO.Coordinator@ct.gov](mailto:CAFO.Coordinator@ct.gov)
- For assistance on NetDMR reporting: [DEEP.NetDMR@ct.gov](mailto:DEEP.NetDMR@ct.gov)

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*This fact sheet is intended for informational purposes only based on the information available as of the date of its publication and does not represent a formal jurisdictional determination by which DEEP or any other permitting authority referenced will be bound. The information contained in this fact sheet does not represent a comprehensive list of all permit requirements potentially applicable, which in most cases can only be determined on a site-specific basis. It is intended only to provide information on permits that may be required. Refer to the most current statutes, regulations, and public acts for specific language pertaining to each permit. It is your responsibility to comply with all applicable laws. Contact DEEP ([DEEP.CONCIERGE@ct.gov](mailto:DEEP.CONCIERGE@ct.gov)) with questions regarding a specific site or project.*

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