

PRETREATMENT PERMIT

issued to

Covidien Limited Partnership  
195 McDermott Road  
North Haven, CT 06473

Location Address:  
195 McDermott Road  
North Haven, CT 06473

**Permit ID:** SP0002026

Issuance Date:  
Effective Date:  
**Expiration Date:**

**SECTION 1: GENERAL PROVISIONS**

- (A) This permit is issued in accordance with section 22a-430 of Chapter 446k, Connecticut General Statutes ("CGS"), and Regulations of Connecticut State Agencies ("RCSA") adopted thereunder, as amended, and a modified Memorandum of Agreement dated June 3, 1981, by the Administrator of the United States Environmental Protection Agency which authorizes the State of Connecticut to administer a Pretreatment Program pursuant to Title 40 of the Code of Federal Regulations Part 403 ("40 CFR Part 403").
- (B) Covidien Limited Partnership, ("Permittee"), shall comply with all conditions of this permit including the following sections of the RCSA which have been adopted pursuant to section 22a-430 of the CGS and are hereby incorporated into this permit. Your attention is especially drawn to the notification requirements of subsections (i)(2), (i)(3), (j)(1), (j)(6), (j)(8), (j)(9)(C), (j)(11)(C), (D), (E), and (F), (k)(3) and (4) and (l)(2) of section 22a-430-3.

Section 22a-430-3 General Conditions

- (a) Definitions
- (b) General
- (c) Inspection and Entry
- (d) Effect of a Permit
- (e) Duty
- (f) Proper Operation and Maintenance
- (g) Sludge Disposal
- (h) Duty to Mitigate
- (i) Facility Modifications; Notification
- (j) Monitoring, Records and Reporting Requirements
- (k) Bypass
- (l) Conditions Applicable to POTWs
- (m) Effluent Limitation Violations (Upsets)
- (n) Enforcement
- (o) Resource Conservation
- (p) Spill Prevention and Control
- (q) Instrumentation, Alarms, Flow Recorders
- (r) Equalization

Section 22a-430-4 Procedures and Criteria

- (a) Duty to Apply
- (b) Duty to Reapply
- (c) Application Requirements
- (d) Preliminary Review

- (e) Tentative Determination
- (f) Draft Permits, Fact Sheets
- (g) Public Notice, Notice of Hearing
- (h) Public Comments
- (i) Final Determination
- (j) Public Hearings
- (k) Submission of Plans and Specifications. Approval.
- (l) Establishing Effluent Limitations and Conditions
- (m) Case by Case Determinations
- (n) Permit issuance or renewal
- (o) Permit Transfer
- (p) Permit revocation, denial or modification
- (q) Variances
- (r) Secondary Treatment Requirements
- (s) Treatment Requirements for Metals and Cyanide
- (t) Discharges to POTWs - Prohibitions

- (C) Violations of any of the terms, conditions, or limitations contained in this permit may subject the Permittee to enforcement action, including but not limited to, penalties, injunctions and/or forfeitures pursuant to applicable sections of the CGS and RCSA. Specifically, civil penalties of up to twenty-five thousand dollars (\$25,000) may be assessed per violation per day.
- (D) Any false statement in any information submitted pursuant to this permit may be punishable as a criminal offense under section 22a-438 or 22a-131a of the CGS or in accordance with section 22a-6, under section 53a-157b of the CGS.
- (E) The authorization to discharge under this permit may not be transferred without prior written approval of the Commissioner of Energy and Environmental Protection ("the Commissioner"). To request such approval, the Permittee and proposed transferee shall register such proposed transfer with the Commissioner at least thirty (30) days prior to the transferee becoming legally responsible for creating or maintaining any discharge which is the subject of the permit transfer. Failure by the transferee to obtain the Commissioner's approval prior to commencing such discharge(s) may subject the transferee to enforcement action for discharging without a permit pursuant to applicable sections of the CGS and RCSA.
- (F) Nothing in this permit shall relieve the Permittee of other obligations under applicable federal, state and local law.
- (G) An annual fee shall be paid for each year this permit is in effect as set forth in section 22a-430-7 of the RCSA.

## SECTION 2: DEFINITIONS

- (A) The definitions of the terms used in this permit shall be the same as the definitions contained in section 22a-423 of the CGS and sections 22a-430-3(a) and 22a-430-6 of the RCSA.
- (B) In addition to the above, the following definitions shall apply to this permit:

"---" in the limits column on the monitoring table means a limit is not specified but a value must be reported on the Discharge Monitoring Report ("DMR").

"Annually" in the context of a sampling frequency, means the sample must be collected in the month of June.

"Average Monthly Limit" means the maximum allowable "Average Monthly Concentration" as defined in section 22a-430-3(a) of the RCSA when expressed as a concentration (e.g. mg/l); otherwise, it means "Average Monthly Discharge Limitation" as defined in section 22a-430-3(a) of the RCSA.

"Daily Concentration" means the concentration of a substance as measured in a daily composite sample, or the arithmetic average of all grab sample results defining a grab sample average.

"Daily Quantity" means the quantity of waste generated during an operating day.

"Instantaneous Limit" means the highest allowable concentration of a substance as measured by a grab sample, or the highest allowable measurement of a parameter as obtained through instantaneous monitoring.

"Maximum Daily Limit" means the maximum allowable "Daily Concentration" (defined above) when expressed as a concentration (e.g. mg/l); otherwise, it means the maximum allowable "Daily Quantity" as defined above unless it is expressed as a flow quantity. If expressed as a flow quantity it means "Maximum Daily Flow" as defined in section 22a-430-3(a) of the RCSA.

"NA" as a Monitoring Table abbreviation means "not applicable".

"NR" as a Monitoring Table abbreviation means "not required".

"Quarterly", in the context of a sampling frequency, means sampling is required in the months of March, June, September, and December.

"Range During Month" or "RDM", as a sample type, means the lowest and the highest values of all of the monitoring data for the reporting month.

"Range During Sampling" or "RDS", as a sample type, means the maximum and minimum of all values recorded as a result of analyzing each grab sample of; 1) a Composite Sample, or 2) a Grab Sample Average. For those permittees with continuous monitoring and recording pH meters, Range During Sampling shall mean the maximum and minimum readings recorded with the continuous monitoring device during the Composite or Grab Sample Average sample collection.

"Semi-Annually" in the context of a sampling frequency, means the sample must be collected in the months of June and December.

"ug/l" means micrograms per liter.

### **SECTION 3: COMMISSIONER'S FINAL DETERMINATION**

- (A) The Commissioner has made a final determination and found all wastewater discharged via DSNs 201-1 and 202-1 be treated to meet the applicable effluent limitations and periodic monitoring of wastewaters discharged via DSNs 203-1, 204-1, 205-1, and 206-1 to demonstrate that such the discharges will not cause pollution. The Commissioner's final determination is based on Application No. 201502864 for permit reissuance received on April 24, 2015 and the administrative record established in the processing of that application.
- (B) From the effective date of this permit, for a term not to exceed five years and until this permit expires or is modified or revoked, the Commissioner hereby authorizes the Permittee to discharge in accordance with the terms and conditions of Permit No. SP0002026, issued by the Commissioner to the Permittee on the issuance date, Application No. 201502864 received by the Department of Energy and Environmental Protection ("Department") on April 24, 2015, and all modifications and approvals issued by the Commissioner or the Commissioner's authorized agent for the discharge and/or activities authorized by, or associated with, Permit No. SP0002026, following the issuance date of this permit.
- (C) The Commissioner reserves the right to make appropriate revisions to the permit in order to establish any appropriate effluent limitations, schedules of compliance, or other provisions that may be authorized under the Federal Clean Water Act or the CGS or regulations adopted thereunder, as amended. The permit as modified or renewed under this paragraph may also contain any other requirements of the Federal Clean Water Act or CGS or regulations adopted thereunder which are then applicable.

### **SECTION 4: EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS**

- (A) The discharges shall not exceed and shall otherwise conform to the specific terms and conditions listed below. The discharges are restricted by, and shall be monitored in accordance with, the tables below.

**Table A**

Discharge Serial Number: 201-1						Monitoring Location: 1		
Wastewater Description: Process wastewater from Polymer Development and Braid Manufacturing								
Monitoring Location Description: After final pH adjustment tank								
Discharge is to: The Town of North Haven Water Pollution Control Facility								
PARAMETER	UNITS	FLOW/TIME BASED MONITORING				INSTANTANEOUS MONITORING		
		Average Monthly Limit	Maximum Daily Limit	Sample/Reporting Frequency <sup>2</sup>	Sample Type or Measurement to be Reported	Instantaneous Limit or Required Range	Sample/Reporting Frequency <sup>2</sup>	Sample Type or Measurement to be Reported
Acenaphthene*	µg/l	19	47	Semi-Annually	Daily Composite	70.	NR	Grab
Anthracene*	µg/l	19	47	Semi-Annually	Daily Composite	70.	NR	Grab
Benzene*	µg/l	57	134	NR	Grab Sample Average	201	Semi-Annually	Grab
Bis(2-ethylhexyl) phthalate	µg/l	95	258	Semi-Annually	Daily Composite	387	NR	Grab
Carbon Tetrachloride*	µg/l	142	380	NR	Grab Sample Average	570	Semi-Annually	Grab
Chlorobenzene*	µg/l	142	380	NR	Grab Sample Average	570	Semi-Annually	Grab
Chloroethane*	µg/l	110	295	NR	Grab Sample Average	442	Semi-Annually	Grab
Chloroform*	µg/l	111	325	NR	Grab Sample Average	487	Semi-Annually	Grab
Di-n-butyl phthalate*	µg/l	20	43	Semi-Annually	Daily Composite	64	NR	Grab
1,2-Dichlorobenzene*	µg/l	196	794	NR	Daily Composite	1,190	Semi-Annually	Grab
1,3-Dichlorobenzene*	µg/l	142	380	NR	Daily Composite	570	Semi-Annually	Grab
1,4-Dichlorobenzene*	µg/l	142	380	NR	Daily Composite	570	Semi-Annually	Grab
1,1-Dichloroethane*	µg/l	22	59	NR	Grab Sample Average	88	Semi-Annually	Grab
1,2-Dichloroethane*	µg/l	180	574	NR	Grab Sample Average	861	Semi-Annually	Grab
1,1-Dichloroethylene*	µg/l	22	60	NR	Grab Sample Average	90.	Semi-Annually	Grab
1,2-trans-Dichloroethylene*	µg/l	25	66	NR	Grab Sample Average	99	Semi-Annually	Grab
1,2-Dichloropropane*	µg/l	196	794	NR	Grab Sample Average	1,190	Semi-Annually	Grab
1,3-Dichloropropylene*	µg/l	196	794	NR	Grab Sample Average	1,190	Semi-Annually	Grab
Diethyl phthalate*	µg/l	46	113	Semi-Annually	Daily Composite	169	NR	Grab
Dimethyl phthalate*	µg/l	19	47	Semi-Annually	Daily Composite	70.	NR	Grab
4,6-Dinitro-o-cresol*	µg/l	78	277	Semi-Annually	Daily Composite	415	NR	Grab
Ethyl acetate	mg/l	NA	NA	NR	Grab Sample Average	----	Semi-Annually	Grab
Ethylbenzene*	µg/l	142	380	NR	Grab Sample Average	570	Semi-Annually	Grab
Flow, Day of Sampling	GPD	NA	80,000	Semi-Annually	Daily Flow	NA	NR	Grab
Flow, Maximum during a 24-hour period <sup>1</sup>	GPD	NA	80,000	Continuously / Monthly	Daily Flow	NA	NR	Grab
Flow Rate (Average Daily) <sup>1</sup>	GPD	40,000	NA	Continuously / Monthly	Daily Flow	NA	NR	Grab
Fluoranthene*	µg/l	22	54	Semi-Annually	Daily Composite	81	NR	Grab
Fluorene*	µg/l	19	47	Semi-Annually	Daily Composite	70.	NR	Grab
Formaldehyde	mg/l	NA	----	Semi-Annually	Daily Composite	NA	NR	Grab

Hexachlorobenzene*	µg/l	196	794	Semi-Annually	Daily Composite	1,190	NR	Grab
Hexachlorobutadiene*	µg/l	142	380	Semi-Annually	Daily Composite	570	NR	Grab
Hexachloroethane*	µg/l	196	794	Semi-Annually	Daily Composite	1,190	NR	Grab
Methyl Chloride*	µg/l	110	295	NR	Grab Sample Average	442	Semi-Annually	Grab
Methylene Chloride*	µg/l	36	170	NR	Grab Sample Average	250	Semi-Annually	Grab
Naphthalene*	µg/l	19	47	Semi-Annually	Daily Composite	70.	NR	Grab
Nitrobenzene*	µg/l	2,237	6,402	Semi-Annually	Daily Composite	9,603	NR	Grab
2-Nitrophenol*	µg/l	65	231	Semi-Annually	Daily Composite	346	NR	Grab
4-Nitrophenol*	µg/l	162	576	Semi-Annually	Daily Composite	864	NR	Grab
Oil Petroleum, Total Recoverable	mg/l	NA	NA	NR	Grab Sample Average	100	Semi-Annually	Grab
pH, Day of Sampling	S.U.	NA	NA	NR	NA	5.5-10.5	Semi-Annually	RDS
pH, Continuous	S.U.	NA	NA	NR	NA	5.5-10.5	Semi-Annually	RDM
Phenanthrene*	µg/l	19	47	Semi-Annually	Daily Composite	70.	NR	Grab
Pyrene*	µg/l	20	48	Semi-Annually	Daily Composite	72	NR	Grab
Suspended Solids, Total	mg/l	NA	----	Semi-Annually	Daily Composite	NA	NR	Grab
Tetrachloroethylene*	µg/l	52	164	NR	Grab Sample Average	246	Semi-Annually	Grab
Total Tin	mg/l	NA	----	Semi-Annually	Daily Composite	NA	NR	Grab
Toluene*	µg/l	28	74	NR	Grab Sample Average	110	Semi-Annually	Grab
Total Cyanide*	µg/l	420	1,200	NR	Grab Sample Average	1,800	Semi-Annually	Grab
Total Lead*	µg/l	320	690	Semi-Annually	Daily Composite	1,000	NR	Grab
Total Zinc*	µg/l	1,050	2,610	Semi-Annually	Daily Composite	3,910	NR	Grab
1,2,4-Trichlorobenzene*	µg/l	196	794	Semi-Annually	Daily Composite	1,190	NR	Grab
1,1,1-Trichloroethane*	µg/l	22	59	NR	Grab Sample Average	88	Semi-Annually	Grab
1,1,2-Trichloroethane*	µg/l	32	127	NR	Grab Sample Average	190.	Semi-Annually	Grab
Trichloroethylene*	µg/l	26	69	NR	Grab Sample Average	100	Semi-Annually	Grab
Vinyl Chloride*	µg/l	97	172	NR	Grab Sample Average	258	Semi-Annually	Grab

**Table Footnotes and Remarks:**

**Footnotes:**

<sup>1</sup> For this parameter the Permittee shall maintain at the facility a record of the Total Daily Flow for each day of discharge and shall report the Average Daily Flow and the Maximum Daily Flow for each month.

<sup>2</sup> The first entry in this column is the 'Sample Frequency'. If this entry is not followed by a 'Reporting Frequency' and the 'Sample Frequency' is more frequent than monthly then the 'Reporting Frequency' is monthly. If the 'Sample frequency' is specified as monthly, or less frequent, then the 'Reporting Frequency' is the same as the 'Sample Frequency'.

**Remarks:**

\*The Permittee is hereby authorized to forego sampling for these parameters in accordance with section 40 CFR 403.12(e)(2). Consistent with this section of the regulations, the Permittee shall include a statement on each Discharge Monitoring Report ("DMR"), using the language from Attachment A, certifying which of the noted parameters has had no increase in the levels due to the activities at the facility during the reporting period. Additionally, in the event that any of these chemical parameters are found to be present or are expected to be present based on changes that occur in the Permittee's operations, the Permittee shall notify the Department and must immediately comply with the monitoring requirements provided in the table above.

**Table B**

**Discharge Serial Number: 202-1** **Monitoring Location: 1**

**Wastewater Description: Process wastewater from Needle Manufacturing, and biosurgery barriers and sealants wastewater**

**Monitoring Location Description: After final pH adjustment tank, prior to discharge to the sanitary sewer**

**Discharge is to: The Town of North Haven Water Pollution Control Facility**

PARAMETER	UNITS	FLOW/TIME BASED MONITORING				INSTANTANEOUS MONITORING		
		Average Monthly Limit	Maximum Daily Limit	Sample/Reporting Frequency <sup>2</sup>	Sample Type or Measurement to be Reported	Instantaneous Limit or Required Range	Sample/Reporting Frequency <sup>2</sup>	Sample Type or Measurement to be Reported
Cadmium, Total*	mg/l	0.07	0.11	Semi-Annually	Daily Composite	0.16	NR	Grab
Chromium, Hexavalent	mg/l	0.1	0.2	Quarterly	Grab Sample Average	0.3	NR	Grab
Chromium, Total	mg/l	1.0	2.0	Monthly	Daily Composite	3.0	NR	Grab
Copper, Total	mg/l	1.0	2.0	Monthly	Daily Composite	3.0	NR	Grab
Cyanide, Total*	mg/l	0.65	1.2	Semi-Annually	Grab Sample Average	1.8	NR	Grab
Flow, Day of Sampling <sup>1</sup>	GPD	NA	6,000	Monthly	Daily Flow	NA	NR	NA
Flow, Maximum during a 24-hr period <sup>1</sup>	GPD	NA	6,000	Monthly	Daily Flow	NA	NR	NA
Flow Rate (Average Daily) <sup>1</sup>	GPD	----	NA	Monthly	Daily Flow	NA	NR	NA
Lead, Total*	mg/l	0.1	0.5	Monthly	Daily Composite	0.75	NR	Grab
Nickel, Total	mg/l	1.0	2.0	Monthly	Daily Composite	3.0	NR	Grab
pH, Day of Sampling	S.U.	NA	NA	NR	NA	5.5-10.5	Monthly	Grab
pH, Maximum	S.U.	NA	NA	NR	NA	10.5	Monthly	Grab
pH, Minimum	S.U.	NA	NA	NR	NA	5.5	Monthly	Grab
Silver, Total*	mg/l	0.1	0.43	Semi-Annually	Daily Composite	0.64	NR	Grab
Zinc, Total	mg/l	1.0	2.0	Monthly	Daily Composite	3.0	NR	Grab
Total Toxic Organics <sup>3</sup>	mg/l	NA	2.13	NR	Grab Sample Average	2.13	Monthly	Grab

**Table Footnotes and Remarks:**

**Footnotes:**

<sup>1</sup> For this parameter the Permittee shall maintain at the facility a record of the Total Daily Flow for each day of discharge and shall report the Average Daily Flow and the Maximum Daily Flow for each month.

<sup>2</sup> The first entry in this column is the ‘Sample Frequency’. If this entry is not followed by a ‘Reporting Frequency’ and the ‘Sample Frequency’ is more frequent than monthly then the ‘Reporting Frequency’ is monthly. If the ‘Sample frequency’ is specified as monthly, or less frequent, then the ‘Reporting Frequency’ is the same as the ‘Sample Frequency’.

<sup>3</sup>See Section 5(G) of this permit

**Remarks:**

\*Although (1) Cadmium, Total, (2) Cyanide, Total, (3) Lead, Total, (4) Silver, Total are regulated chemicals included in the federal wastewater discharge category associated with the category of this discharge (40 CFR 433), the Permittee is hereby authorized to forego sampling for these parameters in accordance with Section 40 CFR 430.12(e)(2) as the parameters have been identified as Non-Detect and Believed Absent within Application No. 201502864 and associated documents. Consistent with this section of the regulations, the Permittee shall include a statement on each Discharge Monitoring Report (“DMR”), using the language from Attachment A, certifying which of the four (4) specified parameters has had no increase in the levels due to the activities at the facility during the reporting period. In the event that any of the four (4) specified parameters are found to be present or expected to be present at levels higher than that of the background levels from the intake water, the Permittee shall notify the Department and must immediately comply with the monitoring requirements provided in the table above.

This discharge will not occur until the installation of the approved treatment system is complete as indicated in Application Nos. 201908568 and 201908569, approved on October 8, 2019.

**Table C**

<b>Discharge Serial Number: 203-1</b>					<b>Monitoring Location: 1</b>			
<b>Wastewater Description: Molding Polymer Clip Washing Wastewaters</b>								
<b>Monitoring Location Description: Directly from hose leading from spray rinse machine</b>								
<b>Discharge is to: The Town of North Haven Water Pollution Control Facility</b>								
PARAMETER	UNITS	FLOW/TIME BASED MONITORING				INSTANTANEOUS MONITORING		
		Average Monthly Limit	Maximum Daily Limit	Sample/Reporting Frequency <sup>1</sup>	Sample Type or Measurement to be Reported	Instantaneous Limit or Required Range	Sample/ Reporting Frequency <sup>1</sup>	Sample Type or Measurement to be Reported
Flow, Day of Sampling	GPD	NA	2,600	Annually	Daily Flow	NA	NR	NA
pH, Day of Sampling	S.U.	NA	NA	NR	NA	5.5-10.5	Annually	Grab
<b>Table Footnotes and Remarks:</b>								
<b>Footnotes:</b>								
<sup>1</sup> The first entry in this column is the 'Sample Frequency'. If this entry is not followed by a 'Reporting Frequency' and the 'Sample Frequency' is more frequent than monthly then the 'Reporting Frequency' is monthly. If the 'Sample frequency' is specified as monthly, or less frequent, then the 'Reporting Frequency' is the same as the 'Sample Frequency'.								

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**Table D**

<b>Discharge Serial Number: 204-1</b>					<b>Monitoring Location: 1</b>			
<b>Wastewater Description: Laboratory Wastewaters, Main Building</b>								
<b>Monitoring Location Description: Directly from Individual laboratory sinks</b>								
<b>Discharge is to: The Town of North Haven Water Pollution Control Facility</b>								
PARAMETER	UNITS	FLOW/TIME BASED MONITORING				INSTANTANEOUS MONITORING		
		Average Monthly Limit	Maximum Daily Limit	Sample/Reporting Frequency <sup>1</sup>	Sample Type or Measurement to be Reported	Instantaneous Limit or Required Range	Sample/ Reporting Frequency <sup>1</sup>	Sample Type or Measurement to be Reported
Copper, Total	mg/l	NA	2.0	Annually	Composite <sup>2</sup>	3.0	NR	NA
pH, Day of Sampling	S.U.	NA	NA	NR	NA	5.5-10.5	Annually	RDS <sup>3</sup>
Zinc, Total	mg/l	1.0	2.0	Annually	Composite <sup>2</sup>	3.0	NR	NA

**Table Footnotes and Remarks:**

**Footnotes:**

<sup>1</sup> The first entry in this column is the ‘Sample Frequency’. If this entry is not followed by a ‘Reporting Frequency’ and the ‘Sample Frequency’ is more frequent than monthly then the ‘Reporting Frequency’ is monthly. If the ‘Sample frequency’ is specified as monthly, or less frequent, then the ‘Reporting Frequency’ is the same as the ‘Sample Frequency’.

<sup>2</sup>The Permittee shall combine Grab Samples from two separate laboratory sinks to meet the annual sampling requirements contained in Table D.

<sup>3</sup>Range During Sampling means the range of pH from all grab samples used to create a composite sample.

**Remarks:**

Only secondary rinses are allowed to discharge via the drains. Concentrated solutions and first rinses shall not be disposed of through sinks, but hauled away by a waste hauler permitted under Section 22a-454(a) of the Connecticut General Statutes.



<b>Table E</b>	
<b>Discharge Serial Number: 205-1</b>	<b>Monitoring Location: 1</b>
<b>Wastewater Description: Laboratory Wastewaters, Office Building</b>	
<b>Monitoring Location Description: NA – Monitoring not required</b>	
<b>Discharge is to: The Town of North Haven Water Pollution Control Facility</b>	
Only secondary rinses are allowed to discharge via the drains. Concentrated solutions and first rinses shall not be disposed of through sinks, but hauled away by a waste hauler permitted under Section 22a-454(a) of the Connecticut General Statutes.	

<b>Table F</b>	
<b>Discharge Serial Number: 206-1</b>	<b>Monitoring Location: 1</b>
<b>Wastewater Description: Laboratory Wastewaters, Needles Manufacturing</b>	
<b>Monitoring Location Description: NA – Monitoring not required</b>	
<b>Discharge is to: The Town of North Haven Water Pollution Control Facility</b>	
Only secondary rinses are allowed to discharge via the drains. Concentrated solutions and first rinses shall not be disposed of through sinks, but hauled away by a waste hauler permitted under Section 22a-454(a) of the Connecticut General Statutes.	

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- (B) All samples shall be comprised of only those wastewaters described in this schedule. Therefore, samples shall be taken prior to combination with wastewaters of any other type and after all approved treatment units, if applicable. All samples taken shall be representative of the discharge during standard operating conditions.
- (C) In cases where limits and sample type are specified but sampling is not required, the limits specified shall apply to all samples which may be collected and analyzed by the Department personnel, the Permittee, or other parties.

**SECTION 5: SAMPLE COLLECTION, HANDLING AND ANALYTICAL TECHNIQUES AND REPORTING REQUIREMENTS**

- (A) Chemical analyses to determine compliance with effluent limits and conditions established in this permit shall be performed using the methods approved by the Environmental Protection Agency pursuant to 40 CFR 136 unless an alternative method has been approved in writing in accordance with 40 CFR 136.4 or as provided in section 22a-430-3(j)(7) of the RCSA. Chemicals which do not have methods of analysis defined in 40 CFR 136 shall be analyzed in accordance with methods specified in this permit.
- (B) All metals analyses identified in this permit shall refer to analyses for Total Recoverable Metal as defined in 40 CFR 136 unless otherwise specified.
- (C) The results of chemical analysis required above shall be entered on the DMR and reported to the Bureau of Materials Management and Compliance Assurance using NetDMR. Except for continuous monitoring, any monitoring required more frequently than monthly shall be reported on an attachment to the DMR, and any additional monitoring conducted in accordance with 40 CFR 136 or other methods approved by the Commissioner shall also be included on the DMR, or as an attachment, if necessary. The report shall also include a detailed explanation of any violations of the limitations specified. The DMR shall be received by the Bureau of Materials Management and Compliance Assurance by the last day of the month following the month in which samples are taken.
- (D) If this permit requires monitoring of a discharge on a calendar basis (e.g. monthly, quarterly, etc.) but a discharge has not occurred within the frequency of sampling specified in the permit, the Permittee must submit the DMR as scheduled, indicating "NO DISCHARGE". For those permittees whose required monitoring is discharge dependent (e.g. per batch), the minimum reporting frequency is monthly. Therefore, if there is no discharge during a calendar month for a batch discharge, a DMR must be submitted indicating such by the end of the following month.
- (E) DMR Reporting Requirements
  - 1. The Permittee may either submit monitoring data and other reports to the Department in hard copy form or electronically using NetDMR, a web-based tool that allows Permittees to electronically submit DMRs and other required reports through a secure internet connection.
    - a. Submittal of Reports Using NetDMR

Unless otherwise approved by the Commissioner, the Permittee and/or the Signatory Authority shall electronically submit DMRs and reports required under this permit to the Department using NetDMR, in satisfaction of the DMR submission requirement of Section 5(C) of this permit.

DMRs shall be submitted electronically no later than the thirtieth (30<sup>th</sup>) day of the month following the completed reporting period. All reports required under the permit, including any monitoring conducted more frequently than monthly or any additional monitoring conducted in accordance with 40 CFR 136, shall be submitted to the Department as an electronic attachment to the DMR in NetDMR. Once a Permittee begins submitting reports using NetDMR, it will no longer be required to submit hard copies of DMRs and associated attachments to the Department. The Permittee shall also electronically file any written report of non-compliance described in Section 6 of this permit as an attachment in NetDMR. NetDMR is accessed from: <http://www.epa.gov/netdmr>.

b. 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 and reports, the Commissioner may approve the submission of DMRs and other required reports 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 permit to begin filing DMRs and other reports 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 and reports 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 and requests for the NetDMR subscriber form should be sent to the following address or by email at [deep.netdmr@ct.gov](mailto:deep.netdmr@ct.gov):

**Attn: NetDMR Coordinator**  
**Connecticut Department of Energy and Environmental Protection**  
**79 Elm Street**  
**Hartford, CT 06106-5127**

c. Submittal of Hard Copy DMRs

If an opt-out request has been submitted to the Department and approved by the Commissioner, the results of chemical analysis required above shall be entered on the DMR, provided by this office, and reported to the Bureau of Materials Management and Compliance Assurance at the address below. Except for continuous monitoring, any monitoring required more frequently than monthly shall be reported on an attachment to the DMR, and any additional monitoring conducted in accordance with 40 CFR 136 or other methods approved by the Commissioner shall also be included on the DMR, or as an attachment, if necessary. The report shall also include a detailed explanation of any violations of the limitations specified. The DMR shall be received at the address below by the last day of the month following the month in which samples are taken.

Water Permitting and Enforcement Division (Attn: DMR Processing)  
Bureau of Materials Management and Compliance Assurance  
Connecticut Department of Energy and Environmental Protection  
79 Elm Street  
Hartford, CT 06106-5127

- (F) Copies of all DMRs shall be submitted concurrently to the local Water Pollution Control Authority(ies) (“WPCA”) involved in the treatment and collection of the permitted discharge.
- (G) For Total Toxic Organics (TTO) monitoring, in accordance with section 22a-430-4(1) of the RCSA and 40 CFR 433 (Metal Finishing), the Permittee may, in lieu of analyzing for TTO, include a statement on each DMR certifying compliance with its approved Solvent Management Plan. This certification statement shall be as follows:

*“Based on my inquiry of the person or persons responsible for managing compliance with the permit limitation for Total Toxic Organics (TTO), I certify that, to the best of my knowledge and belief, no dumping of concentrated toxic organics into the wastewaters has occurred since filing the last discharge monitoring report which required such certification. I further certify that this facility is implementing the solvent management plan approved by the Commissioner.”*

**SECTION 6: RECORDING AND REPORTING OF VIOLATIONS, ADDITIONAL TESTING REQUIREMENTS**

- (A) If any sample analysis indicates that an effluent limitation specified in Section 4 of this permit has been exceeded, a second sample of the effluent shall be collected and analyzed for the parameter(s) in question and the results reported to the Bureau of Materials Management and Compliance Assurance, Water Permitting and Enforcement Division within thirty (30) days of the date of the analytical laboratory report identifying the exceedance. If DMRs are submitted on a monthly basis, this requirement may be fulfilled by submitting the second sample results on the DMR for the month in which the second sample was collected.

- (B) The Permittee shall immediately notify the Bureau of Materials Management and Compliance Assurance, Water Permitting and Enforcement Division and the local WPCA of all discharges that could cause problems to the Publicly Owned Treatment Works ("POTW"), including but not limited to slug loadings of pollutants which may cause a violation of the POTW's NPDES permit, or which may inhibit or disrupt the POTW, its treatment processes or operations, or its sludge processes, use or disposal.
- (C) In addition to the notification requirements specified in Section 1(B) of this permit, if any sampling and analysis of the discharge performed by the Permittee indicates a violation of limits specified in Section 4 of this permit, the Permittee shall notify the Bureau of Materials Management and Compliance Assurance, Water Permitting and Enforcement Division within twenty-four (24) hours of becoming aware of the violation.

#### SECTION 7: COMPLIANCE SCHEDULE

- (A) On or before one hundred twenty (120) days after the effective date of this permit, the Permittee shall submit the following:
  - a. As-built plans, specifications, and operation and maintenance procedure(s) for the treatment system modifications installed in accordance with Wastewater Treatment System and Process Modification Application Nos. 201908568 and 201908569 which were approved by the Department on October 8, 2019.
  - b. Analytical data representative of the quality of the influent and effluent of the Hexavalent Chromium treatment system installed, operated, and maintained as specified by the as-built plans, specifications, and operation and maintenance procedure(s) submitted pursuant to Section 7(A)(a) above demonstrating the effectiveness of the installed system to reduce the concentration of hexavalent chromium in DSN 202-1. Such data shall be obtained from at least two (2) sampling events of both the influent and the effluent of such system. Each sampling event must utilize grab samples of both the influent and effluent of such system taken from a single batch and include: (1) analysis for hexavalent chromium in the influent to the sump prior to treatment for hexavalent chromium and (2) analysis for hexavalent chromium in the effluent of the ion exchange system after treatment for hexavalent chromium. All analyses for hexavalent chromium must be performed in accordance with the test methods specified in 40 CFR 136.
- (B) Dates. The date of submission to the Commissioner of any document required by this section of the permit shall be the date such document is received by the Commissioner. The date of any notice by the Commissioner under this permit, including but not limited to notice of approval or disapproval of any document or other action, shall be the date such notice is personally delivered or the date three (3) days after it is mailed by the Commissioner, whichever is earlier. Except as otherwise specified in this permit, the word "day" as used in this section of the permit means calendar day. Any document or action which is required by this section of the permit to be submitted, or performed, by a date which falls on, Saturday, Sunday, or a Connecticut or federal holiday, shall be submitted or performed on or before the next day which is not a Saturday, Sunday, or Connecticut or federal holiday.
- (C) Notification of noncompliance. In the event that the Permittee becomes aware that it did not or may not comply, or did not or may not comply on time, with any requirement of this section of the permit or of any document required hereunder, the Permittee shall immediately notify the Commissioner and shall take all reasonable steps to ensure that any noncompliance or delay is avoided or, if unavoidable, minimized to the greatest extent possible. In so notifying the Commissioner, the Permittee shall state in writing the reasons for the noncompliance or delay and propose, for the review and written approval of the Commissioner, dates by which compliance will be achieved, and the Permittee shall comply with any dates, which may be approved in writing by the Commissioner. Notification by the Permittee shall not excuse noncompliance or delay, and the Commissioner's approval of any compliance dates proposed shall not excuse noncompliance or delay unless specifically so stated by the Commissioner in writing.
- (E) Notice to Commissioner of changes. Within fifteen (15) days of the date the Permittee becomes aware of a change in any information submitted to the Commissioner under this section of the permit, or that any such information was inaccurate or misleading or that any relevant information was omitted, the permittee shall submit the correct or omitted information to the Commissioner.
- (F) Submission of documents. Any document, other than a discharge monitoring report, required to be submitted to the Commissioner under this section of the permit shall, unless otherwise specified in writing by the Commissioner, be directed to:

Laura Gaughran, Sanitary Engineer 1  
Department of Energy and Environmental Protection  
Bureau of Materials Management and Compliance Assurance  
Water Permitting and Enforcement Division  
79 Elm Street  
Hartford, CT 06106-5127

## SECTION 8: COMPLIANCE CONDITIONS

In accordance with 40 CFR 403.8(f)(2)(viii), the Commissioner may provide public notification, in a newspaper of general circulation in the area of the respective POTW, of permittees that at any time in the previous twelve (12) months were in significant noncompliance with the provisions of this permit. For the purposes of this provision, a permittee that is a Significant Industrial User is in significant noncompliance if its violation(s) meet(s) one or more of the following criteria:

- **Chronic violations:** Those in which sixty-six (66%) percent or more of all measurements taken for the same pollutant parameter during a six-month period exceed (by any magnitude) the Average Monthly, Maximum Daily, or Maximum Instantaneous Limit(s).
- **Technical Review Criteria violations:** Those in which thirty-three (33%) or more of all of the measurements taken for the same pollutant parameter during a six-month period equal or exceed the Average Monthly, Maximum Daily, or Maximum Instantaneous Limit(s) multiplied by 1.4 for BOD, TSS, fats, oil, and grease, or 1.2 for all other pollutants except pH.
- **Monitoring Reports:** Failure to provide, within forty-five (45) days after the due date, required reports such as DMRs.
- **Compliance Schedule:** Failure to meet within ninety (90) days after the schedule date, a compliance schedule milestone contained in or linked to a respective permit for starting construction, completing construction, or attaining final compliance.
- **Noncompliance Reporting:** Failure to accurately report noncompliance in accordance with provisions identified in Section 6 of this permit.
- **Discretionary:** Any other violation of an effluent limit that the Department determines has caused, alone or in combination with other discharges, a violation of the POTW's NPDES permit, inhibition or disruption of the POTW, its treatment processes or operations, or its sludge processes, use or disposal.
- **Imminent Endangerment:** Any discharge of a pollutant that has caused imminent endangerment to human health, welfare or to the environment, or has resulted in the Department's exercise of its emergency authority under 40 CFR 403.8(f)(1)(vi)(B) to halt or prevent such a discharge.
- **BMPs:** Any other violation or group of violations, which may include a violation of Best Management Practices, which the Department determines will adversely affect the operation or implementation of the pretreatment program.

This permit is hereby issued on

\_\_\_\_\_  
Yvonne Bolton  
Bureau Chief  
Bureau of Materials Management and Compliance Assurance

YB/LG

cc: The Town of North Haven Water Pollution Control Facility

## Attachment A

### Certification: Waiver of Monitoring

“Based on my inquiry of the person or persons directly responsible for managing compliance with the **Pretreatment Standards for New Sources 40 CFR 414.46 Organic Chemicals, Plastics, and Synthetic Fibers**, and with the **Pretreatment Standards for New Sources 40 CFR 433.17**, I certify that, to the best of my knowledge and belief, there has been no increase in the level of Acenaphthene, Anthracene, Benzene, Carbon Tetrachloride, Chlorobenzene, Chloroethane, Chloroform, Di-n-butyl phthalate, 1,2-Dichlorobenzene, 1,3-Dichlorobenzene, 1,4-Dichlorobenzene, 1,1-Dichloroethane, 1,2-Dichloroethane, 1,1-Dichloroethylene, 1,2-trans-Dichloroethylene, 1,2-Dichloropropane, 1,3-Dichloropropylene, Diethyl phthalate, Dimethyl phthalate, 4,6-Dinitro-o-cresol, Ethylbenzene, Fluoranthene, Fluorene, Hexachlorobenzene, Hexachlorobutadiene, Hexachloroethane, Methyl Chloride, Methylene Chloride, Naphthalene, Nitrobenzene, 2-Nitrophenol, 4-Nitrophenol, Phenanthrene, Pyrene, Tetrachloroethylene, Toluene, Total Cyanide, Total Lead, Total Zinc, 1,2,4-Trichlorobenzene, 1,1,1-Trichloroethane, 1,1,2-Trichloroethane, Trichloroethylene, and Vinyl Chloride in the wastewaters for DSN 201, and that there have been no increase in the level of (1) Cadmium, Total, (2) Cyanide, Total, (3) Lead, Total, and (4) Silver, Total in the wastewaters for DSN 202 due to the activities at the facility since filing of the last periodic report under 40 CFR 403.12(e)(2).”

Authorized Official: \_\_\_\_\_ Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_