National Pollution Discharge Elimination System Factsheet

SECTION 1 FACILITY SUMMARY

APPLICANT	FirstLight CT Housatonic LLC
PERMIT NO.	CT0030809
APPLICATION NO.	202201108
DATE APPLICATION RECEIVED	February 3, 2022
LOCATION ADDRESS	Falls Village Station 35 Water Street, Falls Village, CT, 06031
FACILITY CONTACT	Daniel Timlake Office Phone: 860-350-3617 Email: daniel.timlake@firstlightpower.com
MAILING ADDRESS	143 West Street, Suite E New Milford, CT 06776
DMR CONTACT	Daniel Timlake Office Phone: 860-350-3617 Email: daniel.timlake@firstlightpower.com
SECRETARY OF STATE BUSINESS ID	1304727
PERMIT TERM	5 Years
PERMIT CATEGORY	Minor NPDES
SIC & NAICS CODE(S)	4911, 221111
APPLICABLE EFFLUENT GUIDELINES	N/A
PERMIT TYPE	New Issuance
OWNERSHIP	Private
RECEIVING WATER	Discharge to the Housatonic River
WATERBODY SEGMENT ID'S	CT6000-00_06
WATERBODY CLASSIFICATION	B
DISCHARGE LOCATIONS	DSN 101 (Lat 41.957342 Long -73.369444)
COMPLIANCE ACTIONS	Permit Required under Consent Order Number: WC5435
DEEP STAFF ENGINEER	Patrick Bieger Patrick.bieger@ct.gov

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1.1 PERMIT FEES

Application Fee:

Filing Fee	Invoice No.: DEP384414	Amount: $1,300	Date Paid: February 4, 2022
Processing Fee	Invoice No.: N/A	Amount: $0	Date Paid: N/A

Annual Fee:

	WASTEWATER CATEGORY (per RCSA sec. 22a-430-7)	FLOW CATEGORY (gallons per day ("gpd"))	DSN (per Application)	ANNUAL FEE (per RCSA sec. 22a-430-7 and CGS sec. 22a-6f)
	Floor Drain Wastewater	21,600	DSN 101B, 104B, 110-114	$0
	Non-Contact Cooling Water	69,939	101A, 102, 103, 104A, 105-109	$775
TOTAL				**$775**

1.2 OTHER PERMITS

Comprehensive General Permit for Discharges to Surface Water and Groundwater ("Comprehensive General Permit") No.: CTCSW0029

This permit covers the non-contact cooling water discharges from the facility and the Permittee will no longer be authorized under the Comprehensive General Permit.

1.3 APPLICATION SUBMITTAL INFORMATION

On February 3, 2022, the Department of Energy and Environmental Protection ("DEEP") received an application (Application 202201108) from FirstLight CT Housatonic LLC. ("Permittee", "Applicant") for a facility in Falls Village for the issuance of a NPDES permit consistent with the requirements of Section 22a-6g of the Connecticut General Statutes ("CGS"). The Applicant caused a Notice of Permit Application to be published in the Connecticut Post on January 14, 2022. On February 1, 2023, the application was determined to be timely and administratively sufficient.

The Permittee seeks authorization for the following in Application 202201108:

DSN IN APPLICATION	DSN IN PERMIT	PROPOSED MAXIMUM DAILY FLOW (gpd)	PROPOSED WASTESTREAMS	TREATMENT TYPE	DISCHARGE TO
101A	**101**	4,795	Unit No. 1 Thrust Bearing Non-Contact Cooling Water	NA	Housatonic River
101B	**101**	2,880	Unit No. 1 Packing Leakage	NA	Housatonic River
102	**101**	4,795	Unit No. 1 Upstream Generator Bearing Non-Contact Cooling Water	NA	Housatonic River
103	**101**	4,795	Unit No. 1 Downstream Generator Bearing Non-Contact Cooling Water	NA NA	Housatonic River
104A	**101**	3,177	Unit No. 2 Thrust Bearing Non-Contact Cooling Water	NA	Housatonic River
104B	**101**	2,880	Unit No. 2 Packing Leakage	NA	Housatonic River
105	**101**	3,177	Unit No. 2 Upstream Generator Bearing Non-Contact Cooling Water	NA	Housatonic River
106	**101**	3,177	Unit No. 2 Downstream Generator Bearing Non-Contact Cooling Water	NA	Housatonic River
107	**101**	15,341	Unit No. 3 Thrust Bearing Non-Contact Cooling Water	NA	Housatonic River
108	**101**	15,341	Unit No. 3 Upstream Generator Bearing Non-Contact Cooling Water	NA	Housatonic River
109	**101**	15,341	Unit No. 3 Downstream Generator Bearing Non-Contact Cooling Water	NA	Housatonic River
110	**101**	2,880	Unit No. 3 Packing Leakage	NA	Housatonic River
111	**101**	4,320	Unit No. 1 Headcover Leakage	NA	Housatonic River
112	**101**	4,320	Unit No. 2 Headcover Leakage	NA	Housatonic River
113	**101**	4,320	Unit No. 3 Headcover Leakage	NA	Housatonic River

1.4 COMPLIANCE HISTORY

The applicant is required to obtain a permit for this facility under Consent Order Number: WC5435.

1.5 DESCRIPTION OF INDUSTRIAL PROCESS

FirstLight CT Housatonic LLC is a business that performs hydroelectric generation. This wastewater is discharged to the Housatonic River by way of DSN No. 101 under this proposed permit. All wastestreams convene at the same location under the facility and discharge through DSN 101 via the tailrace to the Housatonic River.

1.6 FACILITY DESCRIPTION

The facility is a Federal Energy Regulatory Commission ("FERC") licensed hydroelectric generation plant in the Town of Falls Village. The facility is a run-of-river-station, meaning it operates based on the water level and flow of its intake stream (Housatonic River). The facility has three turbines and started operations in 1914.

Wastewater includes non-contact cooling water and turbine leakage created during turbine operation. Non-contact cooling water flows from the intake through three parallel loops on each turbine: at the generator bearing before the turbine, at the generator bearing after the turbine, and at the thrust bearing. The leakage comes from the small amount of water that escapes the turbine from the turbine packing. The source of all wastewater is the Housatonic River.

The facility can discharge a total of 91,539 gpd of leakage and non-contact cooling water. The average discharge volume is highly variable due to the river conditions required for the turbines to operate. Wastewater comingles with the turbine flow-through water (a maximum of 1,098,738,432 gpd combined) below the building in the turbine tailrace. The tailrace discharges below the facility and flows into the Housatonic River. The turbine flow-through water is not covered under this permit because it is considered a diversion and not a process wastewater discharge.

1.7 FACILITY CHANGES

This is a new permit, hence there were no requested changes to the facility for this permit issuance. The only historic changes made at the facility have been to modernize the turbines during the 100 years of operation.

1.8 TREATMENT SYSTEM DESCRIPTION

The discharge consists of turbine leakage and non-contact cooling water both made solely of river water. There is no treatment system at the facility.

1.9 GENERAL ISSUES RELATED TO THE APPLICATION

1.9.1 Federally Recognized Indian Land

As provided in the permit application, the site is not located on federally-recognized Indian land.

1.9.2 Coastal Area/Coastal Boundary

The activity is not located within a coastal boundary as defined in CGS 22a-94(b).

1.9.3 Endangered Species

A National Diversity Data Base (NDDB) request was made during the application process. It was found that DEEP did not anticipate any negative impacts to State-listed species resulting from the discharges.

1.9.4 Aquifer Protection Areas

As provided in the permit application, the site is not located within a protected area identified on a Level A or B map.

1.9.5 Conservation or Preservation Restriction

As provided in the permit application, the property is not subject to a conservation or preservation restriction.

1.9.6 Public Water Supply Watershed

As provided in the permit application, the site not located within a public water supply watershed.

SECTION 2 RECEIVING WATER BODY INFORMATION

The water classification of section 6000-00_06 of the Housatonic River is B. Class B waters are designated for: habitat for fish and other aquatic life and wildlife; recreation; and industrial and agricultural water supply. This segment of the Housatonic River is subject to *A Total Maximum Daily Load Analysis to Achieve Water Quality Standards for Dissolved Oxygen in Long Island Sound,* December 2000 (Tmdl.pdf (longislandsoundstudy.net)) and the CT Statewide Bacteria TMDL (CT Statewide Bacteria TMDL).

A review of Attachment O in the permit application revealed fecal coliform is not believed to be present, hence it is not a pollutant of concern and monitoring requirements for fecal coliform are not included in this permit. The facility does not add any substances to the wastewater and the discharge is characteristically similar to the intake water of the facility. Based on a review of the information provided in the application, the facility is not adding any additional pollutants to the receiving stream and the discharge would not impact the dissolved oxygen levels in Long Island Sound.

SECTION 3 PERMIT CONDITIONS AND EFFLUENT LIMITATIONS

3.1 EFFLUENT GUIDELINES

No categories found under 40 CFR Chapter 1 Subchapter N match the description of wastewaters discharged by DSNs 101-104. 40 CFR § 423 Steam Electric Power Generating Point Source Category was reviewed for applicability as the facility is a hydroelectric power plant. Under the Applicability Section in 423.10, this category applies to electricity resulting primarily from fossil-

type fuels or nuclear fuel. The facility uses water turbines to generate electricity and would not fall under this category, hence there is no federal applicable effluent limit guideline.

3.2 POLLUTANTS OF CONCERN

The following pollutants are included as monitoring pollutants in the permit for the reasons noted below:

POLLUTANT	REASON FOR INCLUSION			
	POLLUTANT WITH AN APPLICABLE TECHNOLOGY-BASED LIMIT	POLLUTANT WITH A WASTE LOAD ALLOCATION FROM A TMDL	POLLUTANT IDENTIFIED AS PRESENT IN THE EFFLUENT THROUGH SAMPLING	POLLUTANT OTHERWISE EXPECTED TO BE PRESENT IN THE EFFLUENT
pH			x	
Oil and grease			x	

3.3 BASIS FOR LIMITS

Technology and water-quality based requirements are considered when developing permit limits. Technology-based limits represent the minimum level of control imposed under the Clean Water Act ("CWA"). Industry-specific technology-based limits are set forth in 40 CFR 405 – 471 (EPA's Effluent Limitation Guidelines) and in RCSA section 22a-430-4(s)(2). Water quality-based limits are designed to protect water quality and are determined using the procedures set for in EPA's *Technical Support Document for Water Quality-Based Toxics Control*, 1991 ("TSD"). When both technology and water quality-based limits apply to a particular pollutant, the more stringent limit would apply. In addition, water quality-based limits are required when any pollutant or pollutant parameter (conventional, non-conventional, toxic, and whole effluent toxicity) is or may be discharged at a level that causes, has reasonable potential to cause, or contributes to an excursion above any water quality criteria. Numeric water quality criteria are found in RCSA section 22a-429-9 of the *Connecticut Water Quality Standards*.

3.4 MIXING ZONE

A mixing zone has not been allocated in this permit.

3.5 RESONABLE POTENTIAL ANALYSIS

Pursuant to CWA § 301(b)(1)(C) and 40 CFR § 122.44(d)(1), NPDES permits must contain any requirements in addition to technology-based effluent limits ("TBELs") that are necessary to achieve water quality standards established under § 303 of the CWA. *See also* 33 U.S.C. § 1311(b)(1)(C). In addition, limitations "must control any pollutant or pollutant parameter (conventional, non-conventional, or toxic) which the permitting authority determines are or may be discharged at a level which will cause, have the reasonable potential to cause, or contribute to

an excursion above any water quality standard, including State narrative criteria for water quality." 40 CFR § 122.44(d)(1)(i).

To determine if the discharge causes, or has the reasonable potential to cause, or contribute to an excursion above any water quality standards, EPA considers: 1) existing controls on point and non-point sources of pollution; 2) the variability of the pollutant or pollutant parameter in the effluent; 3) the sensitivity of the species to toxicity testing (when evaluating whole effluent toxicity); and 4) where appropriate, the dilution of the effluent by the receiving water. *See* 40 CFR § 122.44(d)(1)(ii).

If the permitting authority determines that the discharge of a pollutant will cause, has the reasonable potential to cause, or contribute to an excursion above water quality standards, the permit must contain water quality-based effluent limits ("WQBELs") or require additional monitoring if there is insufficient data to develop a WQBEL, for that pollutant. *See* 40 CFR § 122.44(d)(1)(i).

Zinc, copper, and nitrate are present in the Housatonic River upstream of the facility and as a result also present in the discharge. A reasonable potential analysis was not conducted on these pollutants because the facility does not add these chemicals to its processes or wastewater and the only source of these pollutants is the river water used as the facility's intake water.

The facility does discharge non-contact cooling water; therefore, a reasonable potential analysis was conducted for temperature. See the Thermal Evaluation in Section 3.5 of this Fact Sheet.

Based on the reasonable potential analysis, monitoring for oil and grease and effluent limits for pH have been included in the permit to further characterize the discharges.

3.6 RECEIVING WATERBODY AMBIENT CONDITIONS

The 7Q10 is 6.41 cfs. The 7Q10 was found by using Cervione's regression equation:

$7Q10 = 0.67A_{sd} + 0.01A_{till}$, where A_{sd} and A_{till} are the drainage areas of stratified drift and till covered bedrock.

Using USGS's StreamStats, the Stratified drift was 11% and the drainage area at the location of the discharge is 634 square miles.

3.7 THERMAL EVALUATION

Section 22a-426-9(a)(1) of the CTWQS states there shall be no changes from natural conditions that would impair any existing or designated uses assigned to Class B waters and, in no case exceed 85 degrees Fahrenheit (deg. F.), or in any case raise the temperature of surface water more than 4 deg. F. A RPA was conducted using 25% of the 7Q10 flow of the Housatonic River as authorized in the CTWQS. It was determined that there was no reasonable potential to exceed these limits with the designated zone of influence ("ZOI").

A review of Housatonic River temperature data from United State Geological Survey ("USGS") from June 2022 to October 2022, showed the highest and lowest temperature to be 40 deg. F. and 78.6 deg. F. (http://waterdata.usgs.gov/ct/nwis/).

The maximum recorded volume of non-contact cooling water discharged from this facility is 69,939 gpd. The highest recorded temperature of non-contact cooling water reported by the facility is 79 deg. F.

The critical 7Q10 river flow is 6.41 cubic feet per second (cfs) or 4,142,891 gpd. This critical flow is conservative for this analysis because the facility would not be able to discharge the maximum non-contact cooling water flow of 69,939 gpd while the river was running at critical flows due to operating limitations of the turbines.

25% of the 7Q10 flow (1,035,723 gpd) is designated as the zone of influence for this analysis to evaluate compliance with the CTWQS. This approach is consistent with the CTWQS ZOI guidance for evaluating thermal discharges.

The following mixing equation is used to determine if the maximum discharge temperatures have the potential to exceed CTWQS.

Mixing equation

$$QT = Q_1T_1 + Q_2T_2$$

Where Q is the summation of the ZOI and effluent flow rate, ($Q = Q_1+Q_2$)
T is the new river temperature after discharge
Q_1 is the ZOI
T_1 is the temperature of the receiving stream prior to discharge
Q_2 is the effluent flowrate
T_2 is the effluent temperature

	Q1	T1	Q2	T2	Q	T	Delta T
Winter	69,939	79	1,035,722	40.00	1,105,662	42.47	2.47
Summer	69,939	79	1,035,723	64.75	1,105,662	65.66	1.1

The results above show that after complete mixing of the discharge in the designated ZOI, the predicted temperature increase would be 2.47 deg. F. in the winter and 1.1 deg. F. in the summer. The calculated difference in temperature is consistent with CTWQS Section 22a-426-9(a)(1), which states that the discharge must not raise the temperature of the receiving stream more than 4 deg. F. Therefore, the facility does not have a reasonable potential to exceed the CTWQS for temperature.

3.8 WHOLE EFFLUENT TOXICITY

The Permittee shall comply with effluent standards or prohibitions established by CWA § 307(a) and RCSA Section 22a-430-4(l) and may not discharge toxic pollutants in concentrations or combinations that are harmful to humans, animals, or aquatic life.

If toxicity is suspected in the effluent, DEEP may require the Permittee to perform acute or chronic whole effluent toxicity testing. Toxicity is not expected in the effluent due to the characteristics of the discharged waters.

The wastewater is comprised mainly of turbine leakage and non-contact cooling water. The source of the water is the Housatonic River upstream of the discharge. No chemicals or other substances are added to the water while in the turbine or when used for cooling. Therefore, the water discharged from the turbines and the non-contact cooling water are characteristically similar to the Housatonic River.

3.9 WATER QUALITY BASED EFFLUENT LIMITATIONS

The CWA and federal regulations require that effluent limitations based on water quality considerations be established for point source discharges when such limitations are necessary to meet state or federal water quality standards that are applicable to the designated receiving water. This is necessary when less stringent TBELs would interfere with the attainment or maintenance of water quality criteria in the receiving water. *See* CWA § 301(b)(1)(C) and 40 CFR §§ 122.44(d)(1),122.44(d)(5), 125.84(e) and 125.94(i).

Based on the Reasonable Potential Analysis, WQBELs are not necessary for these discharges.

3.10 TECHNOLOGY BASED EFFLUENT LIMITATIONS

Technology-based treatment requirements, or TBELs, represent the minimum level of control that must be imposed under CWA §§ 301(b) and 402 to meet best practicable control technology currently available (BPT) for conventional pollutants and some metals, best conventional control technology (BCT) for conventional pollutants, and best available technology economically achievable (BAT) for toxic and non-conventional pollutants. *See* 40 CFR § 125 Subpart A and RCSA Section 22a-430-4(l)(4)(A).

Subpart A of 40 CFR §125 establishes criteria and standards for the imposition of technology-based treatment requirements in permits under § 301(b) of the CWA, including the application of EPA promulgated Effluent Limitation Guidelines (ELGs) and case-by-case determinations of effluent limitations under CWA § 402(a)(1). EPA promulgates New Source Performance Standards (NSPS) under CWA § 306 and 40 CFR § 401.12. *See also* 40 CFR §§ 122.2 (definition of "new source") and 122.29.

In the absence of published technology-based effluent guidelines, the permit writer is authorized under CWA § 402(a)(1)(B) and RCSA section 22a-430-4(m) to establish effluent limitations on a case-by-case basis using best professional judgment (BPJ).

There are no federal TBELs for hydroelectric generation wastewaters.

3.11 COMPARISON OF LIMITS

After preparing and evaluating applicable TBELs and WQBELs, the most stringent limits are applied in the permit. Pollutants of concern that only require monitoring without limits are not included in the below table.

PARAMETER	UNITS	LIMITS	
		WATER QUALITY BASED EFLLUENT LIMITS	
		AVERAGE MONTHLY LIMIT OR pH Minimum	MAXIMUM DAILY LIMIT OR pH Maximum
pH	S.U.	6.5	8.0

3.12 SAMPLING FREQUENCY, TYPE, AND REPORTING

Sample Type	Sample Frequency	Parameter	Reason
Grab Sample 40 CFR § 403.12(g)(3)	Semi-Annually	Oil and Grease, Total	RCSA Section 22a-430-4(l)(4)(A) and 22a-430-4(m) Source: River Water
		pH	RCSA Section 22a-430-4(l)(4)(A) and 22a-430-4(m) Source: River Water

3.13 OTHER PERMIT CONDITIONS

For DSN 101, only 1 turbine is required to be sampled at a given time. All waste streams under this permit are characteristically similar to each other; therefore, a sample of a turbine's package leakage and thrust bearing non-contact cooling water is considered representative of the other waste streams and overall discharge. The DMR will have the total flow of the facility along with the breakdown of flows from each turbine and each wastewater source as a note in the DMR.

3.14 COMPLIANCE SCHEDULE

Does the Permit contain a compliance schedule? ☐ Yes ☑ No

3.15 ANTIDEGRADATION

Implementation of the Antidegradation Policy follows a tiered approach pursuant to the federal regulations (40 CFR 131.12) and consistent with the Connecticut Antidegradation Policy included in the Connecticut Water Quality Standards (Section 22a-426-8(b-f) of the Regulations of Connecticut State Agencies). Tier 1 Antidegradation review applies to all existing permitted discharge activities to all waters of the state. Tiers 1 and 2 Antidegradation reviews apply to new or increased discharges to high quality waters and wetlands, while Tiers 1 and 3 Antidegradation reviews apply to new or increased discharges to outstanding national resource waters.

The non-contact cooling water discharges are existing discharges previously permitted under Comprehensive General Permit No. CTCSW0029. The Permittee does not propose an increase in volume or concentration of constituents to high quality waters or wetlands. Therefore, only the Tier 1 Antidegradation Evaluation and Implementation Review was conducted to ensure that existing and designated uses of surface waters and the water quality necessary for their protection are maintained and preserved, consistent with Connecticut Water Quality Standards, RCSA Sec.22a-426-8(a)(1). This review involved:

- An evaluation of narrative and numeric water quality standards, criteria and associated policies,
- The discharge activity both independently and in the context of other dischargers in the affected waterbodies, and
- Consideration of any impairment listed pursuant to Section 303d of the federal Clean Water Act or any TMDL established for the waterbody.

The facility and its discharges have existed since 1914 with minor modifications to the turbines and the facility to modernize the equipment. The source water for the facility is the Housatonic River above the dam and the facility does not add chemicals, nor alter the water prior to it flowing through the turbines to generate electricity. DEEP has determined that the discharges will not have a negative impact on the water quality entering the Housatonic River below the facility.

DEEP has determined that the discharges and activities are consistent with the maintenance, restoration, and protection of existing and designated uses assigned to the receiving water body by considering all relevant available data.

3.16 ANTI-BACKSLIDING

This is the first individual permit for the facility and its wastewater discharges; hence an anti-backsliding evaluation cannot be performed.

3.17 CATEGORICAL DISCHARGE CONDITIONS

There are no applicable federal or state categorical discharge regulations for these discharges.

3.18 COOLING WATER INTAKE STRUCTURE §316(b)

§ 316(b) of the Federal Water Pollution Control Act, U.S.C. § 1326(b) states that "any standard established pursuant to § 301 or 306 of this Act and applicable to a point source shall require that the location, design, construction, and capacity of cooling water intake structures (CWIS) reflect the best technology available (BTA) for minimizing adverse environmental impact".

The federal regulations establish requirements under § 316(b) of the CWA for existing power generating facilities and existing manufacturing and industrial facilities with a cooling water intake structure having a design intake flow greater than 2 million gallons per day (MGD) of water from waters of the United States and use at least 25 percent of the water they withdraw exclusively for cooling purposes. 40 CFR § 125.92 defines "Cooling water intake structure" as "the total physical structure and any associated constructed waterways used to withdraw cooling water from waters of the United States. The cooling water intake structure extends from the point at which water is first withdrawn from waters of the United States up to and including the intake pumps."

40 CFR § 125.90(b), states "Cooling water intake structures not subject to requirements under §§ 125.94 through 125.99 or subparts I or N of this part must meet requirements under § 316(b) of the CWA established by the Director on a case-by-case, best professional judgment (BPJ) basis."

The August 15, 2014, 316(b) final rule applies to existing facilities that withdraw more than 2 MGD of water and uses at least 25% of the actual intake flow exclusively for cooling purposes. In July 2022, EPA published guidance to the Region and State in the Memorandum "Transmittal of the Revised Framework for Best Professional Judgment for Cooling Water intake Structures at Hydroelectric Facilities." This document maintains EPA's interpretation that the 2014 rule's substantive provisions were not intended to apply to hydroelectric facilities and that instead CWIS at hydroelectric facilities are subject to site-specific requirements set on a BPJ basis pursuant to 40 CFR § 125.90(b). The memorandum continues to give 4 factors to consider in developing BTA on a BPJ basis and are provided below.

1. Volume of cooling water used relative to other power generation facilities and relative to total water use at the facility:

The amount of cooling water used at the facility is comparable to the other hydroelectric facilities in Connecticut. The maximum water that could run through the facility is 1,098,738,432 gallons per day and the maximum flow of non-contact cooling water is 69,939 gallons per day. The percentage of cooling water used at the facility during maximum flow is 0.000064%.

2. Cooling water withdrawn relative to waterbody flow:

The application states the percentage of cooling water utilized would be approximately 0.0009% of the river's flow.

3. Location of the intake structure:

The intake structure is located within the facility's penstock.

4. Technologies at the facility:

The facility's penstock includes trash racks to limit the flow of organisms and debris through the penstock. The non-contact cooling water also goes through screens that are cleaned on a monthly basis. The trash racks at the head gates have 6" openings. The penstock racks have approximately 4" openings. The racks are raked when a target differential pressure is reached. Additionally, the non-contact cooling water is gravity fed from the penstock. The flow and pressure would be negligible compared to the flow and pressure through the penstock itself.

Based on this information, DEEP's best professional judgement concludes that this facility meets BTA pursuant to 40 CFR § 125.90(b).

3.19 VARIANCES AND WAIVERS

The facility did not request a variance or a waiver.

3.20 E-REPORTING

The Permittee is required to electronically submit documents in accordance with 40 CFR § 127.

SECTION 4 PUBLIC PARTICIPATION PROCEDURES

4.1 INFORMATION REQUESTS

The application has been assigned the following numbers by the Department of Energy and Environmental Protection. Please use these numbers when corresponding with this office regarding this application.

APPLICATION NO. 202201108 PERMIT ID NO. CT0030809

Interested persons may obtain copies of the application from Daniel Timlake, FirstLight Housatonic LLC, 35 Waters Street, Falls Village, CT 06031, (860-350-3617) or Daniel.timlake@firstlightpower.com.

The application is available for inspection by contacting Patrick Bieger at Patrick.bieger@ct.gov, at the Department of Energy and Environmental Protection, Bureau of Materials Management and Compliance Assurance, 79 Elm Street, Hartford, CT 06106-5127 from 8:30 - 4 :30, Monday through Friday.

Any interested person may request in writing that his or her name be put on a mailing list to receive notice of intent to issue any permit to discharge to the surface waters of the state. Such request may be for the entire state or any geographic area of the state and shall clearly state in writing the name and mailing address of the interested person and the area for which notices are requested.

4.2 PUBLIC COMMENT

Prior to making a final decision to approve or deny any application, the Commissioner shall consider written comments on the application from interested persons that are received within 30 days of this public notice. Written comments should be directed to Patrick Bieger, Bureau of Materials Management and Compliance Assurance, Department of Energy and Environmental Protection, 79 Elm Street, Hartford, CT 06106-5127 or Patrick.bieger@ct.gov. The Commissioner may hold a public hearing prior to approving or denying an application 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. Notice of any public hearing shall be published at least 30 days prior to the hearing.

Petitions for a hearing should include the application number 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 application 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, 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. For additional information go to www.ct.gov/deep/adjudications.

The Connecticut Department of Energy and Environmental Protection is an Affirmative Action/Equal Opportunity Employer that is committed to complying with the requirements of the Americans with Disabilities Act (ADA). If you are seeking a communication aid or service, have limited proficiency in English, wish to file an ADA or Title VI discrimination complaint, or require some other accommodation, including equipment to facilitate virtual participation, please contact the DEEP Office of Diversity and Equity at 860-418-5910 or by email at deep.accommodations@ct.gov. Any person needing an accommodation for hearing impairment may call the State of Connecticut relay number - 711. In order to facilitate efforts to provide accommodation, please request all accommodations as soon as possible following notice of any agency hearing, meeting, program, or event.