

## Underground Injection Control Permit

**Issued to:**

34 Wildwood Ave Opco, LLC  
34 Wildwood Avenue  
Madison, CT 06443

**Site Name:** Autumn Lake Health Care at Madison

**Site Address:** 34 Wildwood Avenue  
Madison, CT 06443

**Watershed:** Neck River

**Permit No.:** UI0000273

**Issuance Date:**

**Effective Date:** same as issuance date

**Expiration Date:** 10 years from Issuance Date

### **1.0 GENERAL PROVISIONS**

- 1.1 This permit is issued in accordance with section 1421 of the Federal Safe Drinking Water Act 42 USC 300h et. seq., section 22a-430 of Chapter 446k, Connecticut General Statutes (“CGS”), and Regulations of Connecticut State Agencies (“RCSA”) adopted thereunder, as amended.
- 1.2 34 Wildwood Ave Opco, LLC (“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 subsection (i)(2), (i)(3), (j)(1), (j)(6), (j)(8), (j)(9)(C), (j)(11)(C), (D) 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 to Comply
- (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) Effluent Limitation Violations (Upsets)
- (m) Enforcement
- (n) Resource Conservation
- (o) Spill Prevention and Control
- (p) Instrumentation, Alarms, Flow Recorders
- (q) 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
- (r) Treatment Requirements for Metals and Cyanide

## **2.0 COMMISSIONER'S DECISION**

- 2.1** The Commissioner has made a final determination and found that the system installed for the treatment of the discharge will protect the waters of the state from pollution. The Commissioner's decision is based on Application No. 201806832 for permit issuance, received on May 4, 2018, and the administrative record established in the processing of that application.
- 2.2** From the effective date of this permit, for a term not to exceed ten (10) years and until this permit expires or is modified or revoked, the Commissioner hereby authorizes the Permittee to discharge a maximum daily flow of eighteen thousand (18,000) gallons per day of treated domestic sewage to waters of the state in accordance with the terms and conditions of this permit, the above referenced application, and all modifications and approvals issued by the Commissioner or the Commissioner's authorized agent for the discharges and/or activities authorized by, or associated with, this permit following the issuance date of this permit.
- 2.3** 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 Safe Drinking Water Act or the Connecticut General Statutes or regulations adopted thereunder, as amended. The permit as modified or renewed under this paragraph may also contain any other requirements of the Federal Safe Drinking Water Act or Connecticut General Statutes or regulations adopted thereunder, which are then applicable.

- 2.4** The Permittee shall assure that ground water affected by the subject discharge shall conform to the Connecticut Water Quality Standards.
- 2.5** The Permittee shall develop, retain, and implement an Operations and Maintenance Plan in accordance with section 22a-430 of the RCSA. The Plan shall be retained on site and made immediately (within 48 hours) available upon request.
- 2.6** The use of any sewage system additive as defined in section 22a-460(g) of the CGS is prohibited unless such additive complies with section 22a-461 of the CGS. The Commissioner in no way certifies the safety or effectiveness of any sewage system additive.
- 2.7** Oils, greases, industrial or commercial wastes, toxic chemicals, or other substances that will adversely affect the operation of the subsurface sewage treatment and disposal system, or which may pollute ground or surface water, shall not be discharged to the subsurface sewage treatment and disposal system.
- 2.8** The Permittee shall operate and maintain all processes as installed in accordance with the approved plans and specifications and as outlined in the associated operation and maintenance manual. This includes but is not limited to all recycle pumping systems, aeration equipment, mixing equipment, anoxic reactors, chemical feed systems, or any other process equipment necessary for the optimal removal of pollutants. The Permittee shall neither bypass nor fail to operate any of the approved equipment or processes without the written approval of the Commissioner.
- 2.9** The Permittee shall comply with Section 22a-416-1 through Section 22a-416-10 of the RCSA concerning operator certification. Unless a different classification of certified operator is required under a separate written approval issued by the Commissioner, the Permittee shall ensure that the wastewater treatment facility is operated by a person with a valid and effective certification in the State of Connecticut, at a minimum, as a facility Class II operator pursuant to Section 22a-416(d) of the CGS and the regulations adopted thereunder. The Permittee shall ensure that the wastewater treatment facility is operated by such an operator with such qualifications throughout the entire life of the wastewater treatment facility.

### **3.0 EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS**

- 3.1** The Permittee's discharge shall not exceed and shall otherwise conform to the specific terms and conditions listed in this permit. The discharge is restricted by and shall be monitored in accordance with Tables A through C, which are incorporated into this permit as Attachment 1.
- 3.2** The Permittee's discharge is restricted by and shall monitor the ground water in accordance with Table D, which is incorporated into Attachment 1 of this permit.

- 3.3** The Permittee shall maintain at the facility a record of the total flow for each day of discharge and shall attach to the Discharge Monitoring Report ("DMR") the total flow and number of hours of discharge for the day of sample collection and the average daily flow for each sampling month.
- 3.4** All samples shall be comprised of only those wastewaters described in Attachment 1 of this permit. Samples shall be taken prior to combining 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.
- 3.5** 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 Permittee, or other parties.
- 3.6** The Permittee shall monitor, inspect, and maintain the treatment facilities in accordance with Table E, which is incorporated into Attachment 2 of this permit. The results of all inspections and maintenance requirements shall be kept on-site and made immediately available to DEEP upon request.
- 3.7** The monitoring and sampling required within this permit is the minimum for reporting purposes only. More frequent monitoring and sampling of the treatment system may be required to properly operate the facility as required by the Operation and Maintenance Plan.

## **4.0 SAMPLE COLLECTION AND HANDLING, ANALYTICAL TECHNIQUES, AND REPORTING REQUIREMENTS**

- 4.1** 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 or prescribed by the Commissioner.
- 4.2** If any sample analysis indicates that an effluent limitation specified in Section 3 of this permit has been exceeded, in addition to the notification requirements, a second sample of the effluent shall be collected and analyzed for the parameter(s) in question and the results shall be reported to the Commissioner within thirty (30) days of the exceedance and submitted as an attachment with the next DMR. Resampling for a permit violation is in addition to routine required sampling.
- 4.3** 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 monitoring period specified in the permit, the Permittee must submit the DMR, 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.

- 4.4** The Permittee shall report the results of chemical analysis and treatment facilities monitoring required on the DMR in accordance with this permit. Except for continuous monitoring, any monitoring required more frequently than monthly shall be reported on an attachment to the DMR.
- 4.5** The DMR shall be submitted by the last day of the following month in which the samples are taken.
- 4.6** The Permittee shall report electronically using NetDMR, a web-based tool that allows Permittees to electronically submit DMRs and other required reports through a secure internet connection. 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 DEEP as an electronic attachment to the DMR in NetDMR.
  - 4.6.1** Information on NetDMR is available on DEEP's website at [www.ct.gov/deep/netdmr](http://www.ct.gov/deep/netdmr).
  - 4.6.2** NetDMR can be accessed at the following online website address, as amended: <https://netdmr.epa.gov/netdmr/public/home.htm>

## **5.0 COMPLIANCE SCHEDULE**

- 5.1** On or before thirty (30) days after issuance of this permit, the Permittee shall record a copy thereof on the land records in the Town of Madison. On or before thirty (30) days after such recording, the Permittee shall submit written verification to the Commissioner that this permit has been recorded on the land records in the Town of Madison.
- 5.2** On or before six (6) months after the issuance date of this permit, the Permittee shall investigate and submit a comprehensive written report of the existing alternative sewage treatment system and the leaching field to ensure compliance with all terms and conditions of the permit. Such report shall also include: 1) the installation of monitoring ports in the leaching field, and 2) the removal of trees in the proximity of the leaching structures and identification of potential damage from roots infiltration. The comprehensive report shall include a schedule for the implementation of each recommendation. The results of the evaluation shall be submitted for the Commissioner review in a form of a comprehensive written report detailing the results of the investigation. The system evaluation and the report preparation shall be performed by a professional engineer licensed to practice in the state of Connecticut

with the appropriate education, experience and training that is relevant to the work required.

- 5.2.1** On or before twelve (12) months after the submittal of the written report required in Section 5.2, the Permittee shall submit documentation verifying that all improvements and recommendations from such report have been implemented.
- 5.3** Starting two (2) years after the issuance date of this permit and at a two (2) year frequency thereafter, the Permittee shall submit the results of a Permit Compliance Audit (“Audit”) to the Commissioner. Such Audits shall be performed within sixty (60) days prior to the submittal date. The compliance Audits shall be performed by a professional engineer licensed to practice in the state of Connecticut with the appropriate education, experience and training that is relevant to the work required.
  - 5.3.1** Each Audit shall evaluate compliance with all permit terms and conditions for the preceding two-year period. The evaluation shall review all pertinent records and documents as necessary, including DMRs, laboratory reports, operations and maintenance plans, performance logs/records, equipment specifications, maintenance schedules, engineering drawings, and spare parts inventory.
  - 5.3.2** Each Audit report shall include a description of all records and documents used in the evaluation, a summary of compliance with permit terms and conditions, and detailed descriptions of all remedial actions taken or proposed to address each violation or deficiency discovered.
  - 5.3.3** The 4<sup>th</sup> (fourth) Audit report shall also include detailed findings from a physical inspection of each on-site sewage treatment and disposal system and an evaluation of the performance and operation of each such system. In the event of a system malfunction or failure, the Permittee shall prepare and submit a remedial plan identifying action proposed and/or implemented to correct the malfunction or failure for the Commissioner’s review and written approval.
  - 5.3.4** A copy of each Audit report shall be submitted to the Madison Health Department.
  - 5.3.5** 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.

**5.4** Within fourteen (14) 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.

## **6.0 RECORD KEEPING**

**6.1** Records required by this permit shall be retained on-site, or at the Permittee's principal place of business in Connecticut, as required by section 22a-430-3(j)(9)(B) of the RCSA.

**6.2** The Permittee shall retain records and all reports required by the permit for a period of at least ten (10) years after the expiration date of the permit.

**6.3** The Commissioner may extend this period as he or she deems necessary upon written notice to the Permittee, and this period is automatically extended for as long as a Permittee is under an active order from the Commissioner under Chapter 446K of the CGS or if the Permittee is in litigation for any violation of any permit or order issued by the Commissioner under Chapter 446K of the CGS.

**6.4** All records shall be made available to the Commissioner immediately (within 24 hours) upon request.

## **7.0 NONCOMPLIANCE WITH PERMIT TERMS OR CONDITIONS**

**7.1** In accordance with Section 22a-430-3(j)(8), 22a-430-3(j)(11)(D), 22a-430-3(k)(4), and 22a-430-3(i)(3) of the RCSA, the Permittee shall notify the Commissioner of the following actual or anticipated noncompliance with the terms or conditions of this permit within two hours of becoming aware of the circumstances. All other actual or anticipated violations of the permit shall be reported to the Commissioner within twenty-four (24) hours of becoming aware of the circumstances:

**7.1.1** A noncompliance that is greater than two times an effluent limitation;

**7.1.2** A noncompliance of any minimum or maximum daily limitation or excursion beyond a minimum or maximum daily range;

- 7.1.3** Any condition that may endanger human health or the environment, including but not limited to noncompliance with WET limitations;
- 7.1.4** Any condition that may endanger the operation of a POTW, including sludge handling and disposal;
- 7.1.5** A failure or malfunction of monitoring equipment used to comply with the monitoring requirements of this permit;
- 7.1.6** Any actual or potential bypass of the Permittee's collection system or treatment facilities; or
- 7.1.7** Expansions or significant alterations of any wastewater collection, treatment facility, or its method of operation for the purpose of correcting or avoiding a permit violation.

**7.2** Notifications shall be submitted via the Commissioner's online Noncompliance Notification Form:  
<https://portal.ct.gov/deep/water-regulating-and-discharges/industrial-wastewater/compliance-assistance/notification-requirements..>

**7.3** Within five days of any notification of noncompliance in accordance with Sections 9(A)(a) through 9(A)(f) of this permit, the Permittee shall submit a follow-up report within five (5) days of the noncompliance using the Commissioner's online Noncompliance Follow-up Report Form:  
<https://portal.ct.gov/deep/water-regulating-and-discharges/industrial-wastewater/compliance-assistance/notification-requirements..>

The follow-up report shall contain, at a minimum, the following information: (i) A description of the noncompliance and its cause; (ii) the period of noncompliance, including exact dates and times; (iii) if the noncompliance has not been corrected, the anticipated time it is expected to continue; and (iv) steps taken or planned to correct the noncompliance and reduce, eliminate and prevent recurrence of the noncompliance.

**7.4** Within thirty (30) days of any notification of facility modifications reported in accordance with Section 9(A)(g) of this permit, the Permittee shall submit a written follow-up report by submitting a "Facility and Wastewater Treatment System Modification Request for Determination" for the review and approval of the Commissioner. The report shall fully describe the changes made to the facility and reasons therefor.

**7.5** Notification of an actual or anticipated noncompliance or facility modification does not stay any term or condition of this permit.

**7.6** In accordance with Section 22a-430-3(j)(11)(D) of the RSCA, the Permittee shall notify the Commissioner within seventy two (72) hours and in writing within thirty (30) days when he or she knows or has reason to believe that the concentration in the

discharge of any substance listed in the application, or any toxic substance as listed in Appendix B or D of RSCA Section 22a-430-4, has exceeded or will exceed the highest of the following levels: (1) One hundred micrograms per liter; (2) Two hundred micrograms per liter for acrolein and acrylonitrile, five hundred micrograms per liter for 2,4-dinitrophenol and for 2-methyl-4, 6-dinitrophenol; and one milligram per liter for antimony; (3) An alternative level specified by the commissioner, provided such level shall not exceed the level which can be achieved by the Permittee's treatment system; or (4) A level two times the level specified in the Permittee's application.

72 hour initial notifications shall be submitted via the Commissioner's online Noncompliance Notification Form. Thirty (30) day follow-up reports shall be submitted via the Commissioner's online Noncompliance Follow-up Report Form. The Forms are available at the Commissioner's website, here:

<https://portal.ct.gov/DEEP/water-regulating-and-discharges/industrial-wastewater/compliance-assistance/notification-requirements>

## **8.0 STANDARD CONDITIONS**

### **8.1 Annual Fee**

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.

### **8.2 Inspection and Entry**

The Commissioner or his or her authorized representative may take any actions authorized by sections 22a-6 (5), 22a-425 or 22a-336 of the CGS as amended.

### **8.3 Submission of Documents**

Any document required to be submitted to the Commissioner under this section of the permit will, unless otherwise specified in this permit or in writing by the Commissioner, be directed to:

[DEEP.UICPermitting@ct.gov](mailto:DEEP.UICPermitting@ct.gov)

With the subject line: "ATTN: UIC Permit No. UI0000273"

### **8.4 Violations**

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, seeking penalties, injunctions and/or forfeitures pursuant to applicable sections of the CGS and RCSA.

### **8.5 Enforcement**

The Commissioner may take any enforcement action provided by law, including but not limited to seeking injunctions, penalties and forfeitures as provided in sections

22a-6, 22a-7, 22a-430, 22a-432, 22a-435, 22a-438 and 22a-471 of the CGS as amended, for any violations or acts of noncompliance with chapter 446k of the CGS or any regulation, order, permit or approval issued thereunder.

**8.6 Need to Halt or Reduce Activity Not a Defense**

It shall not be a defense for a Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit.

**8.7 No Assurance**

No provision of this permit and no action or inaction by the Commissioner shall be construed to constitute an assurance by the Commissioner that the actions taken by the Permittee pursuant to this permit will result in compliance or prevent or abate pollution.

**8.8 Relief**

Nothing in this permit shall relieve the Permittee of other obligations under applicable federal, state and local law.

**8.9 Duty to Provide Information**

The Commissioner may require any Permittee to provide within a reasonable time (thirty (30) days) any information which the Commissioner may request to determine whether cause exists for modifying or revoking the permit or to determine compliance with the permit, including but not limited to copies of records required to be kept by the Permittee.

**8.10 Duty to Comply**

The Permittee shall comply with all terms and conditions of the permit. Any permit noncompliance constitutes a violation of Chapter 446k of the CGS. Permit noncompliance is grounds for enforcement action, permit revocation or modification, or denial of a permit renewal application.

It shall not be a defense for a Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit.

**8.11 Duty to Mitigate**

The Permittee shall take all reasonable steps to minimize or prevent any discharge in violation of the permit or any discharge which has a reasonable likelihood of adversely affecting human health or the environment.

**8.12 Sludge Disposal**

The Permittee shall dispose of screenings, sludges, chemicals and oils and any solid or liquid wastes resulting from the wastewater treatment processes at locations

approved by the Commissioner for disposal of such materials, or by means of a waste hauler licensed under the provisions of the CGS.

**8.13 Resource Conservation**

All Permittees shall implement and maintain practices and/or facilities which, to the maximum extent practicable, result in the minimum amount of wastewater discharged. Such results may be achieved by methods including but not limited to water conservation, resource recovery, waste recycling, wastewater reuse, and material or product substitution. Excessive use of water or the addition of water to dilute an effluent in order to meet any permit limitations or conditions is prohibited.

**8.14 Spill Prevention and Control**

The Permittee shall maintain practices, procedures and facilities designed to prevent, minimize and control spills, leaks or such other unplanned releases of all toxic or hazardous substances and any other substances as the Commissioner deems necessary to prevent pollution of the waters of the state. Such requirements shall, unless otherwise allowed by the Commissioner, apply to all facilities used for storing, handling transferring, loading or unloading such substances, including manufacturing areas.

The requirements of this section do not apply to facility components or systems already covered by plans prepared or approved under the Resource Conservation and Recovery Act and the Spill Prevention, Control and Countermeasure program.

**8.15 Duty to Reapply**

The permit will be effective for a fixed term not to exceed ten years and the Permittee shall reapply for permit coverage one hundred eighty (180) days prior to the expiration date of the permit.

**8.16 Equalization**

All treatment facilities shall be designed to prevent upsets, malfunctions or instances of noncompliance resulting from variations in wastewater strength or flow rate, and shall include, as the Commissioner deems necessary, equalization facilities separate from the treatment facilities.

**8.17 Bypass**

The Permittee shall not at any time bypass the collection system or treatment facilities or any part thereof unless such bypass is unanticipated, unavoidable, and necessary to prevent loss of life, personal injury or severe property damage, and there were no feasible alternatives to the bypass, including but not limited to the use of auxiliary or back- up treatment facilities, retention of untreated wastes, stopping the discharges, or maintenance during normal periods of equipment downtime; or the Permittee receives prior written approval of the bypass from the Commissioner in order to perform essential maintenance, and the bypass does not cause effluent limitations to be exceeded.

In the event such a bypass is necessary, the Permittee shall to the extent possible minimize or halt production and/or all discharges until the facility is restored or an alternative method of treatment is provided.

In order to prevent a bypass, the Permittee may schedule maintenance during periods when no discharge is occurring or employ any necessary means, including but not limited to duplicate units and systems or alternative collection and treatment or pretreatment schemes. Any such means shall insure that the effluent limitations specified in the permit are achieved; be approved by the director in writing prior to its use, which approval shall include an alternative schedule for monitoring if appropriate; and be discontinued upon completion of the performance of the essential maintenance.

The Permittee shall provide notice to the director not less than twenty-four (24) hours prior to the use of any alternative scheme and monitor and record the quality and quantity of the discharge in accordance with permit terms and conditions or an approved alternative schedule. Such monitoring shall be submitted with the next monitoring report required by the permit and shall not be used to meet routine scheduled monitoring report requirements of the permit.

If any bypass occurs or may occur, the Permittee shall, within two (2) hours of becoming aware of such condition or need, notify the director during normal business hours (860-566-3245), and DEEP's Emergency Response Unit at all other times (860-566-3338) and submit within five (5) days a written report including the cause of the problem, duration including dates and times and corrective action taken or planned to prevent other such occurrences.

In addition, if the Permittee has reason to believe that any effluent limitation specified in the permit may be violated, the Permittee shall immediately take steps to prevent or correct such violation, including but not limited to employing an alternative scheme of collection or treatment, and/or control the production of the wastewater and shall monitor and record the quality and quantity of the discharge in accordance with the permit terms and conditions or an approved alternative schedule. Such monitoring shall be submitted with the next monitoring report required by the permit and shall not be used to meet the routine monitoring requirements of the permit.

#### **8.18 Proper Operation and Maintenance**

The Permittee shall at all times properly operate and maintain all facilities and systems and parts thereof for wastewater collection, storage, treatment and control which are installed or used by the Permittee to achieve compliance with the terms and conditions of the permit. Proper operation and maintenance includes but is not limited to effective performance, adequate funding, and adequate operator staffing

and training, including the employment of certified operators as may be required by the Commissioner pursuant to sections 22a-416-1 through 22a-416-10 of the RCSA, as amended, and adequate laboratory and process controls, including appropriate quality assurance procedures.

In accordance with sections 22a-416 through 22a-471 of the CGS as amended, the Permittee is required to install and operate a back-up or auxiliary facilities or similar systems or the inventory of spare parts and appurtenances.

**8.19** **Instrumentation, Alarms, and Flow Records**

Except for batch treatment systems unless required by the Commissioner, process wastewater treatment systems shall include instrumentation to automatically and continuously indicate, record and/or control those functions of the system and characteristics of the discharge which the Commissioner deems necessary to assure protection of the waters of the State.

If continuous flow measurement equipment is not present at a given outfall or discharge location, you may estimate flows and retain records in accordance with this permit the following information: (1) A description of the methodology used to estimate flow (for each applicable outfall); (2) Documentation appropriate to the methodology utilized which provides information necessary to support the validity of the reported flow estimate. If actual measurements or observations are made, a description of typical sampling times, locations, and persons performing the measurements/observations should be provided; and (3) A description of the factors (e.g. batch discharges, intermittent operation, etc.) which cause flow at the outfall to fluctuate significantly from the estimate provided.

**8.20** **Signatory Requirements**

All permit applications and permit modification requests submitted to the Commissioner shall be signed as follows:

For a corporation: by a responsible corporate officer. For the purposes of this section, a responsible corporate officer means: a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation, or the manager of one or more manufacturing, production, or operating facilities employing more than two hundred fifty persons or having gross annual sales or expenditures exceeding twenty-five million dollars (in second quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or

For a municipality, State, Federal, or other public agency; by either a principal

executive officer or a ranking elected official. For purposes of this section, a principal executive officer of a federal agency includes the chief executive officer of the agency, or a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.

All reports required by permits, and other information submitted to the Commissioner shall be signed by a person described above of this section or by a duly authorized representative of that person. A person is a duly authorized representative only if:

The authorization is made in writing by a person described above;

The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of plant manager, operator of a well or well field, superintendent, position or equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. A duly authorized representative may thus be either a named individual or any individual occupying a named position; and

The written authorization is submitted to the Commissioner.

If an authorization under this subsection is no longer accurate because a different individual or position has assumed the applicable responsibility, a new authorization satisfying the requirements of this section must be submitted to the Commissioner prior to or together with any reports or other information to be signed by an authorized representative.

Any person signing a document under this section shall make the following certification:

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

“I have personally examined and am familiar with the information submitted in this document and all attachments thereto, and I certify that, based on reasonable investigation, including my inquiry of those individuals responsible for obtaining the information, the submitted information is true, accurate and complete to the best of my knowledge and belief. I understand that a false statement made in the submitted information may be punishable as a criminal offense, in accordance with section 22a- 6 of the General Statutes, pursuant to section 53a-157b of the General Statutes,

and in accordance with any other applicable statute."

**8.21 False Statements**

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-157 of the CGS.

**8.22 Correction of Inaccuracies**

Within fifteen (15) days after the date a Permittee becomes aware of a change in any of the information submitted pursuant to this permit or becomes aware that any such information is inaccurate or misleading or that any relevant information has been omitted, such Permittee shall correct the inaccurate or misleading information or supply the omitted information in writing to the Commissioner. Such information shall be certified in accordance with Section 8.20 of this permit.

**8.23 Transfer of Authorization**

The authorization to discharge under this permit may not be transferred without prior written approval of 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 may subject the transferee to enforcement action for discharging without a permit pursuant to applicable sections of the CGS and RCSA.

**8.24 Other Applicable Law**

Nothing in this permit shall relieve the Permittee of the obligation to comply with any other applicable federal, state and local law, including but not limited to the obligation to obtain any other authorizations required by such law.

**8.25 Other Rights**

This permit is subject to and does not derogate any present or future rights or powers of the State of Connecticut and conveys no rights in real or personal property nor any exclusive privileges and is subject to all public and private rights and to any federal, state, and local laws pertinent to the property or activity affected by such permit. In conducting any activity authorized hereunder, the Permittee may not cause pollution, impairment, or destruction of the air, water, or other natural resources of this state. The issuance of this permit shall not create any presumption that this permit should or will be renewed.

**8.26 Effect of a Permit**

The issuance of a permit does not convey any property rights of any sort, or any exclusive privilege, authorize any injury to persons or property or invasion of other private rights, authorize any infringement of the CGS, RCSA or municipal ordinances, or affect the responsibility of the Permittee to obtain all applicable

federal, State and municipal authorizations or permits for the discharge and activities which generate the discharge.

## **9.0 COMMISSIONER'S POWERS**

### **9.1 Abatement of Violations**

The Commissioner may take any action provided by law to abate a violation of this permit, including the commencement of proceedings to collect penalties for such violation. The Commissioner may, by summary proceedings or otherwise and for any reason provided by law, including violation of this permit, revoke a Permittee's authorization hereunder in accordance with sections 22a-3a-2 through 22a-3a-6, inclusive, of the RCSA. Nothing herein shall be construed to affect any remedy available to the Commissioner by law.

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 which may be authorized under 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 CGS or regulations adopted thereunder which are then applicable.

### **9.2 Permit Revocation, Suspension, or Modification**

The Commissioner may, for any reason provided by law, by summary proceedings or otherwise, revoke or suspend this permit or modify to establish any appropriate conditions, schedules of compliance, or other provisions which may be necessary to protect human health or the environment.

### **9.3 Permit Actions**

The Commissioner may modify or revoke a permit during its term for cause as provided in subsection (p) of section 22a-430-4 of the RCSA. Notification of facility modifications does not stay any permit term or condition.

## **10.0 DEFINITIONS**

### **10.1** 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.

### **10.2** In addition to the above, the following definitions shall apply to this permit:

“Annual”, in the context of a sampling frequency, shall mean the sample must be taken in the month of March.

“Average” means the arithmetic average.

“Average daily concentration” means the average concentration of a substance in a daily composite sample.

“Average daily flow” means the average of all total daily flows measured during any calendar month.

“Average monthly concentration” means the average concentration of a substance as measured by the average of all daily composite samples or grab sample averages taken during any calendar month.

“Average monthly limit” means the highest allowable average of all grab samples taken during any calendar month.

“Continuous”, as a sample frequency, means data points must be collected and recorded by a continuous monitoring device in at least one-minute intervals for as long as a discharge occurs.

“Day” means the twenty four hour period commencing at 12:00 a.m., and, unless specified as “business day” shall mean calendar day.

“Discharge” means the emission of any water, substance or material into the waters of the state, whether or not such substance causes pollution as defined in section 22a-423 of the CGS.

“Domestic sewage” means sewage that consists of water and human excretions or other waterborne wastes incidental to the occupancy of a residential building or a non-residential building but not including manufacturing process water, cooling water, wastewater from water softening equipment, commercial laundry wastewater, blowdown from heating or cooling equipment, water from cellar or floor drains or surface water from roofs, paved surface or yard drains.

“Effluent limitation” means (1) any numerical limitation imposed by the Commissioner on quantities, discharge rates or concentrations of any water, substance or material discharged to the waters of the State or (2) any limitation imposed by the Commissioner on any other measure of the quality or quantity of the discharge.

“Grab sample” means an individual sample collected in less than fifteen minutes.

“Ground waters” means those waters of the state which naturally exist or flow below the surface of the ground and waters flowing through earth materials beneath the ground surface.

“Injection” means the subsurface emplacement of fluids by gravity or greater pressure through a well.

“Instantaneous”, as a sample type, means a grab sample collected with automatic equipment or in-line analysis with automated instrumentation.

“Maximum concentration” means the maximum concentration at any time as determined by a grab sample.

“Maximum daily concentration” means the maximum concentration as measured in a daily composite sample or a grab sample average.

“Maximum daily flow” means the greatest volume of wastewater to be discharged over an operating day, not to exceed the design flow rate.

“Maximum daily quantity” means the maximum quantity of waste generated during an operating day.

“mg/l” means milligrams per liter.

“Non-point source” means any unconfined and diffuse source of pollution such as stormwater or snowmelt runoff, atmospheric deposition, or ground water not conveyed to a surface water discharge point within a discrete conveyance.

“Permittee” means any person who or municipality which is authorized by this permit.

“Pollutant” means any water, substance or material for which the permit in question specifies an effluent limitation.

“Quarterly”, in the context of a sampling frequency, shall mean sampling is required during each calendar quarter ending on the last day of March, June, September and December.

“Safe Drinking Water Act” or “SDWA” means the federal Safe Drinking Water Act, 42 U.S.C. 300fet seq. and applicable regulations promulgated thereunder.

“Subsurface sewage disposal system” means a system receiving domestic sewage consisting of a house sewer, a septic tank followed by a leaching system, any necessary pumps or siphons, and any groundwater control system on which the operation of the leaching system is dependent, as amended.

“Sufficiently sensitive” means using a sufficiently sensitive analytical method as defined in 40 CFR §122.44(i)(1)(iv).

“Three times per year”, in the context of a maintenance frequency, shall mean the maintenance must be performed at least three (3) times during the period of May to November.

“Twice per month”, when used as a sample frequency, shall mean two samples per calendar month collected no less than twelve (12) days apart.

“Twelve month rolling average”, means the average monthly concentration of the current month’s samples averaged with average monthly concentrations from each of the previous eleven (11) months.

“Well” means a bored, drilled, or driven shaft, or a dug hole, the depth of which is greater than its largest surface dimension or a commercial subsurface sewage disposal system, household subsurface sewage disposal system, or other subsurface sewage disposal system.

This permit is hereby issued on

Jennifer L. Perry, P.E.  
Bureau Chief

## ATTACHMENT 1

**TABLE A**  
**(Required to be Reported in NetDMR)**

Discharge Serial No. 301-2		Monitoring Location: G							
Wastewater Description: Domestic sewage influent to Norweco Treatment									
Monitoring Location Description: After Muffin Monster									
<b>FLOW/TIME BASED MONITORING</b>									
Parameter	Units	Average Daily Flow Limit	Maximum Daily Flow	Sample Type	Sample Frequency				
Flow Rate (Average daily) <sup>1</sup>	gpd	12,000	18,000	Totalizer	Continuous				
<b>INSTANTANEOUS MONITORING</b>									
Parameter	Units	Average Monthly Limit <sup>2,3</sup>	Sample Type	Sample Frequency <sup>4</sup>					
Biochemical Oxygen Demand <sub>5day</sub>	mg/L	Report	Grab	Twice per month					
Total Suspended Solids	mg/L	Report	Grab	Twice per month					
Total Kjeldahl Nitrogen	mg/L	Report	Grab	Twice per month					
pH	S.U.	Report	Grab	Twice per month					
Footnotes:									
<ol style="list-style-type: none"> <li>1. For this parameter, the Permittee shall maintain at the facility a record of the total flow for each day of discharge and shall report on the DMR the Average Daily Flow and the Maximum Daily Flow for each month.</li> <li>2. “Report” in the limits column on this monitoring table means a limit is not specified, but monitoring is required, and a value must be reported on the DMR.</li> <li>3. The pH shall be reported as the minimum and the maximum value for the month.</li> <li>4. Sample shall be taken twice per month on two different calendar days.</li> </ol>									

**TABLE B**  
**(Required to be Reported in NetDMR)**

Discharge Serial No. 301-2		Monitoring Location: J					
Wastewater Description: Effluent Intermediate Process							
Monitoring Location Description: Aeration Units							
<b>INSTANTANEOUS MONITORING</b>							
Parameter	Units	Average Monthly Limit <sup>1</sup>	Sample Type	Sample Frequency <sup>2</sup>			
Dissolved Oxygen	mg/L	Report	Grab	Twice per month			
Temperature	° F	Report	Grab	Twice per month			
Mixed Liquor Suspended Solids (MLSS)	mg/L	Report	Grab	Twice per month			
Sludge Volume Index	L	Report	Grab	Twice per month			
pH	S.U.	Report	Grab	Twice per month			
Footnotes:							
<ol style="list-style-type: none"> <li>1. “Report” in the limits column on this monitoring table means a limit is not specified, but monitoring is required and a value must be reported on the DMR.</li> <li>2. Sample shall be taken twice per month on two different calendar days.</li> </ol>							

**TABLE C**  
**(Required to be Reported in NetDMR)**

Discharge Serial No. 301-2		Monitoring Location: E							
Wastewater Description: Pretreated Domestic Sewage Effluent from Treatment									
Monitoring Location Description: Clearwell									
<b>FLOW/TIME BASED MONITORING</b>									
Parameter	Units	Average Daily Flow Limit	Maximum Daily Flow Limit	Sample Type	Sample Frequency				
Flow Rate (Average daily) <sup>1</sup>	gpd	12,000	18,000	Totalizer	Continuous				
<b>INSTANTANEOUS MONITORING</b>									
Parameter	Units	Average Monthly Limit <sup>2</sup>	Maximum Daily Limit <sup>4,5</sup>	Sample Type	Sample Frequency <sup>4</sup>				
Biochemical Oxygen Demand <sub>5-day</sub>	mg/L	20	30	Grab	Twice per month				
Total Suspended Solids	mg/L	20	30	Grab	Twice per month				
Total Nitrogen	mg/L	12 <sup>3</sup>	18	Grab	Twice per month				
Ammonia	mg/L	Report	Report	Grab	Twice per month				
Nitrate Nitrogen	mg/L	Report	Report	Grab	Twice per month				
Nitrite Nitrogen	mg/L	Report	Report	Grab	Twice per month				
Total Kjeldahl Nitrogen	mg/L	Report	Report	Grab	Twice per month				
Total Phosphorus	mg/L	Report	Report	Grab	Twice per month				
pH, Minimum (Day of Sampling)	S.U.	NA	6.0 – 9.0	Grab	Twice per Month				
Alkalinity	mg/l	Report	Report	Grab	Twice per month				
Footnotes:									
<ol style="list-style-type: none"> <li>For this parameter, the Permittee shall maintain at the facility a record of the total flow for each day of discharge and shall report on the DMR the Average Daily Flow and the Maximum Daily Flow for each month.</li> <li>“Report” in the limits column on this monitoring table means a limit is not specified, but monitoring is required and a value must be reported on the DMR.</li> <li>Limit is based on a twelve-month rolling average.</li> <li>Sample shall be taken twice per month on two different calendar days.</li> <li>For the parameter pH, the daily minimum limit is 6.0 S.U. and the daily maximum limit is 9.0 S.U.</li> </ol>									

**TABLE D**  
**GROUNDWATER MONITORING**  
**(Required to be Reported in NetDMR)**

Monitoring Wells			Monitoring Location: GV/GW	
Groundwater Monitoring Location No.: B104			Description: Upgradient monitoring well <sup>3</sup>	
Groundwater Monitoring Location No.: B107, B109, B111			Description: Downgradient monitoring wells	
Parameter	Maximum Daily Limit <sup>1,2</sup>	Units	Frequency of Sampling	Sample Type
Total Coliform	0 (zero)	Col/100ml	Quarterly	Grab
Groundwater Depth (Standard depth below grade)	Report	Ft	Quarterly	Instantaneous
Ammonia Nitrogen	Report	mg/L	Quarterly	Grab
Nitrate Nitrogen	10	mg/L	Quarterly	Grab
Nitrite Nitrogen	1	mg/L	Quarterly	Grab
Total Kjeldahl Nitrogen	Report	mg/L	Quarterly	Grab
Total Nitrogen	Report	mg/L	Quarterly	Grab
pH	6.0 – 9.0	S.U.	Quarterly	Grab
Total Phosphorous	Report	mg/L	Quarterly	Grab

## Footnotes:

1. “Report” in the limits column on this monitoring table means a limit is not specified, but monitoring is required and a value must be reported on the DMR.
2. For the parameter pH, the daily minimum limit is 6.0 S.U. and the daily maximum limit is 9.0 S.U.
3. Monitoring is required for the upgradient monitoring well and a value must be reported on the DMR for each parameter, but values in the limits column are not in effect.

**ATTACHMENT 2**

**TABLE E**  
**INSPECTION, MONITORING AND MAINTENANCE REQUIREMENTS<sup>1,2</sup>**  
**(Not Required to be Reported in NetDMR)**

Discharge Serial No.: 301-2	Monitoring Location: S
Wastewater Description: Domestic Sewage	
Average Daily Flow: 12,000 gallons per day	Maximum Daily Flow: 18,000 gallons per day
Inspection, Monitoring, or Maintenance	Minimum Frequency
Depth of sludge in EQ	During pump-out
Pump out the EQ	Annually
Mechanical inspection of the EQ	During pump-out
Pump out the grease traps	Quarterly
Water meter readings of water usage	Daily
Mechanical inspection of pump station	Monthly
Mechanical inspection of equalization tanks	Monthly
Mechanical inspection of anoxic tanks	Monthly
Mechanical inspection of aeration tanks	Monthly
Mechanical inspection of clarifiers	Monthly
Mechanical Inspection of tertiary filter	Monthly
Pump out final effluent pump chamber	Annually
Visual inspection of surface condition of leaching fields	Quarterly
Depth of ponding in leaching fields	Quarterly
Mow grass over leaching fields	3 times per year
ADDITIONAL NOTES:	
<ol style="list-style-type: none"> <li>1. All inspection, monitoring, and maintenance required in this table shall be reported annually by the end of each January as an attachment to the December DMR.</li> <li>2. The Sanitarian shall be notified at least one week prior to pumping of septic tanks and grease traps. Verification of all pump outs shall be attached to the monitoring report and a copy of the report shall be sent to the Madison Health Department Director of Health.</li> </ol>	