



Pretreatment Permit

issued to

Leed - Himmel Industries, Inc.  
75 Leeder Hill Drive  
Hamden, CT, 06517

**Location Address:**

75 Leeder Hill Drive  
Hamden, CT, 06517

**Issuance Date:** [TBD – Upon Signature]

**Effective Date:** [1<sup>st</sup> of the Month  
following Issuance Date]

**Expiration Date:** [Five (5) Years from  
Effective Date]

**Permit ID:** SP0000082

**SECTION 1: GENERAL PROVISIONS**

- (A) This permit is reissued 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) Leed - Himmel Industries, Inc., ("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
  - (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:

"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.

"Composite" in the context of sample type, shall consist of grab samples collected of equal volume collected during an operating day at equal time intervals of one hour or less beginning at the initiation of the discharge and ending at the termination of the discharge.

"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.

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

"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.

"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.

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

- (A) The Commissioner has made a final determination and found that the continuance of the existing system to treat the discharge will protect the waters of the state from pollution. The Commissioner's final determination is based on Application No. 202309142 for permit reissuance, received on December 1, 2023, 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. SP0000082, issued by the Commissioner to the Permittee on the issuance date, Application No. 202309142 received by the Department of Energy and Environmental Protection ("Department") on December 1, 2023, 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. SP0000082 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 discharge shall not exceed and shall otherwise conform to the specific terms and conditions listed below. The discharge is restricted by, and shall be monitored in accordance with, the table below.

**Table A**

Discharge Serial Number: 001-1						Monitoring Location: 1		
Wastewater Description: Treated metal finishing wastewater and boiler blowdown								
Monitoring Location Description: Effluent from separating tank outlet								
Discharge is to: Greater New Haven Water Pollution Control Authority (“GNHWPCA”)								
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
Aluminum, Total	mg/L	----	----	Weekly	Composite	NA	NR	NA
Cadmium, Total	mg/L	0.1	0.5	Semi-annually	Composite	0.5	NR	Grab
Chromium, Total	mg/L	1.0	2.0	Weekly	Composite	3.0	NR	Grab
Copper, Total	mg/L	1.0	2.0	Weekly	Composite	3.0	NR	Grab
Cyanide, Total	mg/L	0.65	1.20	Semi-annually	Grab Sample Average	1.20	NR	Grab
Flow Rate (Average Daily) <sup>1</sup>	gpd	-----	NA	Daily//Monthly	Daily Flow	NA	NR	NA
Flow, Maximum during 24 hr period <sup>1</sup>	gpd	NA	60,000	Daily//Monthly	Daily Flow	NA	NR	NA
Flow (Day of Sampling)	gpd	NA	60,000	Weekly	Daily Flow	NA	NR	NA
Fluoride	mg/L	20.0	30.0	Weekly	Composite	40.0	NR	Grab
Lead, Total	mg/L	0.1	0.5	Semi-annually	Composite	0.5	NR	Grab
Nickel, Total	mg/L	1.0	2.0	Weekly	Composite	3.0	NR	Grab
pH, Day of Sampling	S.U.	NA	NA	NR	NA	6.0 – 10.0	Weekly	RDS
pH, Minimum	S.U.	NA	NA	NR	NA	6.0	Continuous	Instantaneous
pH, Maximum	S.U.	NA	NA	NR	NA	10.0	Continuous	Instantaneous
Silver, Total	mg/L	0.1	0.43	Semi-annually	Composite	0.43	NR	Grab
Tin, Total	mg/L	2.0	4.0	Weekly	Composite	6.0	NR	Grab
Total Suspended Solids Applies first two years upon effective date of permit	mg/L	----	----	Weekly	Composite	NA	NR	NA
Total Suspended Solids Applies two years after effective date of the permit and for remainder of permit term	mg/L	----	100.0	Weekly	Composite	150.0	NR	Grab
Total Toxic Organics (TTO) <sup>3</sup>	mg/L	NA	NA	NR	NA	2.13	Monthly	Grab
Zinc, Total	mg/L	1.0	2.0	Weekly	Composite	3.0	NR	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> In accordance with Section 22a-430-4(l) 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. See section 5(H) of this permit for the certification statement.

**Table A**

<b>Discharge Serial Number:</b> 001-1	<b>Monitoring Location:</b> 1
<b>Wastewater Description:</b> Treated metal finishing wastewater and boiler blowdown	
<b>Monitoring Location Description:</b> Effluent from separating tank outlet	
<b>Discharge is to:</b> Greater New Haven Water Pollution Control Authority ("GNHWPCA")	
<b>Remarks:</b> <ol style="list-style-type: none"><li>1. Abbreviation used for units are as follows: gpd means gallons per day; mg/L means milligrams per liter; S.U. means Standard Units. Other abbreviations are as follows: NA means Not Applicable; NR means Not Required; RDS means Range During Sampling.</li><li>2. If "----" is noted in the limit's column in the table, this means a limit is not specified but a value must be reported on the Discharge Monitoring Report ("DMR").</li></ol>	

- (B) All samples shall be comprised of only those wastewaters described in this permit. 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) 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.
- (D) 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 submitted in NetDMR by the last day of the month following the month in which samples are taken.
- (E) 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.
- (F) DMR Reporting Requirements
  - 1. The Permittee must submit monitoring data and other reports to the Department 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

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(D) of this permit.

DMRs shall be submitted electronically no later than the last day of the month following the required sampling 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: <https://npdes-ereporting.epa.gov/net-netdmr>.

- (G) 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.
- (H) For Total Toxic Organics (TTO) monitoring, in accordance with Section 22a-430-4(l) 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) **Noncompliance Notifications:**

- (1) In accordance with Sections 22a-430-3(j)(8), 22a-430-3(j)(11)(D), 22a-430-3(k)(4), and 22a-430-3(i)(3) of the RSCA, 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 24 hours of becoming aware of the circumstances:
- A noncompliance that is greater than two times an effluent limitation;
  - Any condition that may endanger human health or the environment;
  - Any condition that may endanger the operation of a POTW, including sludge handling and disposal;
  - A failure or malfunction of monitoring equipment used to comply with the monitoring requirements of this permit;



- e. Any actual or potential bypass of the Permittee's collection system or treatment facilities; or
  - f. 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.
- (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>.
- (3) Within five days of any notification of noncompliance in accordance with Sections 6(A)(1)(a) through 6(A)(1)(f) of this permit, the Permittee shall submit a follow-up report 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.
- (4) Within 30 days of any notification of facility modifications reported in accordance with Section 6(A)(1)(f) 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 therefore.
- (5) Notification of an actual or anticipated noncompliance or facility modification does not stay any term or condition of this permit.
- (B) In accordance with Section 22a-430-3(j)(11)(E) of the RSCA, the Permittee shall notify the Commissioner within 72 hours and in writing within 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. 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>.

## SECTION 7: COMPLIANCE SCHEDULE

- (A) The Permittee shall achieve compliance with the prohibitions in RCSA Section 22a-430-4 and 40 CFR 403, and the total suspended solids limit identified in Section 4, Table A of this permit as soon as possible but in no event later than two (2) years after the effective date of this permit in accordance with the following:
- (1) On or before thirty (30) days after the effective date of this permit, the Permittee shall retain one or more qualified professionals acceptable to the Commissioner to prepare the documents and implement or oversee the actions required by this section of the permit and shall, by that date, notify the Commissioner in writing of the identity of such professionals. Such professionals employed or retained by the Permittee to complete the requirements specified in Sections 7(A)(3) and (4) of this permit shall have demonstrated knowledge of the per- and polyfluorinated alkyl substances (PFAS) and the sampling protocols and analytical laboratory methods associated with identifying and quantifying PFAS. The professional retained by the Permittee to complete the requirements specified in Section 7(A)(2) of this permit shall be a qualified professional engineer licensed to practice in Connecticut acceptable to the Commissioner. The Permittee shall retain one or more qualified consultants acceptable to the Commissioner until the actions required by this section of the permit have been completed, and within ten (10) days after retaining any consultant other than one originally identified under this paragraph, the Permittee shall notify the Commissioner in writing of the identity of such other consultant. The Permittee shall submit to the Commissioner a description of a consultant's education, experience, and training, which is relevant to the work required by this permit within ten (10) days after a request for such a description. Nothing in this paragraph shall preclude the Commissioner from finding a previously acceptable consultant unacceptable.
  - (2) On or before one hundred and twenty (120) days after the effective date of this permit, the Permittee shall submit for the Commissioner's review and written approval a comprehensive and thorough report which describes and evaluates alternative corrective actions which may be taken by the Permittee to achieve compliance with the total suspended solids limit in Section 4, Table A of the permit to prevent solid or viscous waste from causing or threatening obstruction of flow in the sanitary sewer collection system and prevent interference in accordance with RCSA Section 22a-430-4(t)(2)(C) and 40 CFR 403.5(b)(3). Such report shall:
    - (a) evaluate alternative actions to achieve compliance with the total suspended solids limit in Section 4, Table A of the permit, and to characterize, remove, and monitor sludge buildup within the sewer collection system connection to the GNHWPCA including, but not limited to, pollutant source reduction, process changes/innovations, chemical substitutions, recycle and zero discharge systems, water conservation measures, and other internal and/or end-of-pipe treatment technologies.
    - (b) state in detail the most expeditious schedule for performing each alternative action.
    - (c) list all permits and approvals required for each alternative, including but not limited to any permits required under Sections 22a-32, 22a-42a, 22a-342, 22a-361, 22a-368, 22a-430, or 22a-430b of the CGS.
    - (d) propose a preferred alternative or combination of alternatives with supporting justification.

- (e) propose a detailed program and schedule to perform all actions required by the preferred alternative including but not limited to a schedule for submission of engineering plans and specifications on any internal and/or end of pipe treatment facilities, start and completion of any construction activities related to any treatment facilities, applying for and obtaining all permits and approvals required for such actions.
- (3) On or before one hundred and twenty (120) days after the effective date of this permit, the Permittee shall submit for the Commissioner's review and approval a sampling plan on which to take a minimum of two (2) separate and distinct samples of the discharge associated with DSN 001-1 for PFAS analysis. PFAS analyses shall be performed using the methods approved by EPA pursuant to 40 CFR 136 and by a laboratory certified to conduct such test methods. If no such test method is approved by EPA pursuant to 40 CFR 136, PFAS analyses shall be performed in accordance with EPA Method 1633 or 1633A (see <https://www.epa.gov/cwa-methods/cwa-analytical-methods-and-polyfluorinated-alkyl-substances-pfas>). At a minimum this plan must identify the test method, laboratory, schedule of sampling events, sampling protocols including sample quality control procedures to be implemented, sampling locations, and number and volume of samples to be collected at each location.
- (4) The Permittee shall perform the approved actions in accordance with the approved sampling plan, but in no event shall the approved actions be completed later than thirty (30) days after the approval of the sampling plan submitted pursuant to Section 7(A)(3) of this permit. Within thirty (30) days after receiving analytical results, the Permittee shall submit all sample results generated as a result of executing the approved plan to the Commissioner in writing.
- (B) The Permittee shall submit to the Commissioner quarterly status reports beginning ninety (90) days after the date of approval of the report referenced in Section 7(A)(2) above. Quarterly status reports shall be submitted at intervals of no more than ninety (90) days apart. Status reports shall include, but not be limited to, a summary of all effluent monitoring data collected by the Permittee during the previous ninety (90) day period and a detailed description of progress made by the Permittee in performing actions required by this section of the permit in accordance with the approved schedule including, but not limited to, development of engineering plans and specifications, construction activity, contract bidding, operational changes, preparation and submittal of permit applications, and any other actions specified in the report approved pursuant to paragraph (A)(2) of this section.
- (C) The Permittee shall perform the approved actions in accordance with the approved schedule, but in no event shall the approved actions be completed later than two years after the effective date of this permit. Within fifteen (15) days after completing full compliance with the schedule, the Permittee shall certify to the Commissioner in writing that the actions have been completed as approved.
- (D) The Permittee shall submit to the Commissioner all documents required by this section of the permit in a complete and approvable form. If the Commissioner notifies the Permittee that any document or other action is deficient, and does not approve it with conditions or modifications, it is deemed disapproved, and the Permittee shall correct the deficiencies and resubmit it within the time specified by the Commissioner or, if no time is specified by the Commissioner, within thirty (30) days of the Commissioner's notice of deficiencies. In approving any document or other action under this Compliance Schedule, the Commissioner may approve the document or other action as submitted or performed or with such conditions or modifications as the Commissioner deems necessary to carry out the purposes of this section of the permit. Nothing in this paragraph shall excuse noncompliance or delay.

- (E) 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.
- (F) 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 notify the Commissioner within twenty-four (24) hours 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.
- (G) 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.
- (H) 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:

Department of Energy and Environmental Protection  
Bureau of Materials Management and Compliance Assurance  
Water Permitting and Enforcement Division  
[DEEP.pretreatment@ct.gov](mailto:DEEP.pretreatment@ct.gov)  
With the subject line: "Attn: Permit No. SP0000082"

## 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 or by posting on the Department's public website, 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.

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Jennifer L. Perry, P.E.

Bureau Chief

Bureau of Materials Management and Compliance  
Assurance

JLP/RB