

PUBLIC NOTICE BRIEF

GENERAL PERMITS FOR THE DIVERSION OF WATER FOR CONSUMPTIVE USE PROPOSED RENEWAL WITH MODIFICATIONS

General Permit Background:

The Department of Energy and Environmental Protection (DEEP) issues several general permits to regulate minor activities considered to have minimal environmental effect. A general permit is issued for one or more geographical locations (typically statewide) and applies to entire categories of activities rather than to individual applicants. Those wishing to have their regulated activity authorized under an approved general permit must meet certain requirements and conditions contained within the general permit.

Like other permits issued by DEEP, general permits have a limited duration and must be periodically renewed. The current General Permits for the Diversion of Water for Consumptive Use were issued for a period of ten years and will all expire on January 17, 2027. These current general permits, each with a particular set of eligible categories and different requirements, include:

1. *General Permit for the Diversion of Water for Consumptive Use: Authorization Required Categories.* This general permit is available to those diverting the waters of the state in excess of 50,000 gallons per day and is expected to have minimal environmental effect. However, because of the particular nature of these eligible diversions, the proposal requires more careful review and written authorization by the DEEP. Eligible diversions include:
 - a. Withdrawal of up to 250,000 gpd – Surface Water / Stratified Drift Aquifer
 - b. Withdrawal of up to 250,000 gpd – Bedrock Aquifer
 - c. Interconnection and Transfer of Up To 1,000,000 gpd (modified)
2. *General Permit for Diversion of Water for Consumptive Use: Filing Only Categories.* This general permit is available to those diverting the waters of the state in excess of 50,000 gallons per day with such a minimal environmental effect that the DEEP requires the diverter to simply notify, or “file” with the department on a prescribed form clearly demonstrating compliance with the terms and conditions of the general permit. Eligible diversions include:
 - a. Back Up Well
 - b. Large Tidally Influenced Rivers
 - c. Small Supplemental Bedrock Well
 - d. Small Water Supply System
3. *General Permit for the Diversion of Water for Consumptive Use: Non-Filing Categories.* This general permit is available to those diverting the waters of the state in excess of 50,000 gallons per day with such a minimal environmental effect that the DEEP does not require the diverter to file an application. However, to be authorized, the diverter must ensure they meet all applicable eligibility requirements of the general permit. Eligible diversions include:

- a. Pump and Recharge Geoexchange System
 - b. Non-Contact Cooling – Surface Waters
 - c. Hydrostatic Testing of Pipes and Tanks
 - d. Long Island Sound
 - e. Interconnection and Transfer of Treated Water (new category)
 - f. Remediation Groundwater (new category)
4. *General Permit for the Diversion of Water for Consumptive Use: Reauthorization Categories* This “filing only” general permit is available to those needing to renew their coverage obtained under previous water diversion general permits for the following eligible diversions subject to certain conditions:
- a. Withdrawal of up to 250,000 gpd – Surface Water / Stratified Drift Aquifer
 - b. Withdrawal of up to 250,000 gpd – Bedrock Aquifer
 - c. Interconnection and Transfer of Up To 1,000,000 gpd
 - d. Back Up Well
 - e. Large Tidally Influenced Rivers
 - f. Small Supplemental Bedrock Well
 - g. Small Water Supply System
 - h. Water Supply System Interconnection
 - i. Unregistered Water Supply Systems
 - j. Diversion of up to 250,000 gallons per day New Water
 - k. Restoration of Lost Capacity

Proposed Modifications:

In preparation for general permit renewal, the Water Planning and Management Division of the Bureau of Water Protection and Land Reuse, who administers these general permits, has proposed certain modifications to this set of general permits. Substantive general permit modifications include:

- Addition of a new “Remediation Groundwater” category at Section 3(a)(5) of the “Non-filing” general permit. This would only apply to withdrawal of groundwater required to treat contaminated soils and/or groundwater, provided a water discharge permit has been issued by the commissioner for the remediation activity.
- Addition of a new “Interconnection and Transfer of Treated Water” category at Section 3(a)(6) of the “Non-filing” general permit. This would authorize transfer of treated water between public water supply systems provided that the registrant has obtained all necessary authorizations for the system interconnection from the Connecticut Department of Public Health’s Drinking Water Section. “Treated Water” is water that has undergone certain chemical processes to remove contaminants, pathogens, and turbidity, making it safe for human consumption.
- Modification of the “Interconnection and Transfer of up to 1,000,000 gpd” category at Section 3(a) of the “Authorization Required” general permit to restrict use of category to “raw water” (i.e. untreated water) only. This modification is necessary to differentiate this existing category from the new, proposed “Interconnection and Transfer of Treated Water” category discussed above which would effectively remove coverage of “treated water” currently included under the “Interconnection and Transfer of up to 1,000,000 gpd” category.

- Revision of the eligibility requirements for “Withdrawal of up to 250,000 gallons per day – Surface Water / Stratified Drift” category at Section 3(a)(1) of the “Authorization Required” general permit to allow for consideration of withdrawals from lakes, ponds, and basins. As currently written, this requirement prohibits such withdrawals if certain low flow conditions are present, however it was difficult to apply this restriction to non-flowing waterbodies.
- Update the Water Audit and Leak Detection operating conditions at Section 5(a) of both the “Authorization Required” and “Filing-Only” general permits to current industry standards of the American Water Works Association (AWWA). Under the existing condition, water supply main leak detection/repair was required if a water audit performed pursuant to the AWWA’s Manual M36 determined total system loss of 15% or more. Current manual standards now describe leaks as a “unit loss” based on miles of supply pipe or numbers of customer connections.

General Permit Registration Reauthorization:

As with the previous general permit renewal processes, current registrants will be required to reregister to maintain their general permit authorization utilizing the *General Permit for the Diversion of Water for Consumptive Use: Reauthorization Categories*.

Public Comment:

The accompanying public notice contains information on how to provide comment on or request a public hearing for the proposed general permits. Your input is encouraged, however please be aware that the deadline for public comment is 60 days after notice issuance.