



NOTICE OF TENTATIVE DETERMINATION
Intent to Renew the General Permit for Nitrogen Discharges

TENTATIVE DETERMINATION

Pursuant to sections 22a-430, 22a-430b, and 22a-522 of the Connecticut General Statutes of the Connecticut General Statutes (CGS), the Commissioner of the Department of Energy and Environmental Protection (“DEEP”) hereby provides notice of the re-issuance of the General Permit for Nitrogen Discharges (“general permit”).

The purpose of the general permit is to protect waters of the state from total nitrogen discharged by publicly owned treatment works (POTWs) which treat domestic sewage. The DEEP first issued the General Permit for Nitrogen Discharges in January 2002 following the passage of Public Act 01-180 and establishment of Section 22a-522 of the CGS. The DEEP has since reissued the general permit in 2006, 2011, 2016, and 2019. The general permit authorizes the discharge of total nitrogen from POTWs up to a specified “wasteload allocation” (WLA) and subsequent to a POTW’s treatment of domestic sewage. Pursuant to the state’s Nitrogen Credit Exchange Program, POTWs that discharge less than their WLA sell excess nitrogen credits back to the state, while POTWs that exceed their WLA are required to buy credits from the state in order to comply with the general permit. Each year following 2002, WLAs were lowered for each facility until the final WLAs were established in 2014. These final WLAs represent a 63.5% reduction in nitrogen load from the baseline values established in the December 2000 *Total Maximum Daily Load Analysis to Achieve Water Quality Standards for Dissolved Oxygen in Long Island Sound*. The proposed general permit contains the same final WLAs that are in the current general permit issued in 2019.

INFORMATION REQUESTS/PUBLIC COMMENT

Interested persons may obtain a copy of this public notice and the proposed general permit on the DEEP website at <https://portal.ct.gov/DEEP/About/Public-Notices>. The general permit is also available at the DEEP Bureau of Water Protection and Land Reuse, 79 Elm Street, Hartford, CT from 8:30 – 4:30, Monday through Friday. Questions may be directed to Iliana Raffa at (860) 424-3758 or by email to Iliana.Raffa@ct.gov.

Before making a final decision on this proposed general permit, the Commissioner shall consider written comments from interested persons that are received within thirty (30) days of this public notice. Written comments should be directed to: Iliana Raffa, Municipal Wastewater Section, 79 Elm Street, Hartford, CT 06106-5127 or may be submitted via electronic mail to: Iliana.Raffa@ct.gov.

PETITIONS FOR PUBLIC HEARING

The Commissioner may conduct a public hearing if the Commissioner determines that the public interest will be best served thereby or shall hold a hearing upon receipt of a petition signed by at least twenty-five (25) persons. Petitions should include the name of the general permit noted above and also identify a contact person to receive notifications. Petitions may also identify a

person who is authorized to engage in discussions regarding the proposed general permit and, if resolution is reached, withdraw the petition. Original signed petitions may be scanned and sent electronically to deep.adjudications@ct.gov or may be mailed or delivered to: DEEP Office of Adjudications, 79 Elm Street, 3rd floor, Hartford, CT 06106-5127. All petitions must be received within the comment period noted above. If submitted electronically, original signed petitions must also be mailed or delivered to the address above within ten (10) days of electronic submittal. If a hearing is held, timely notice of such hearing will be published in a newspaper of general circulation.

Dated: June 21, 2023



Tracy R. Babbidge
Acting Deputy Commissioner

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