General Pretreatment Permit for Non-Significant Industrial User Discharges to Publicly Owned Treatment Works

Permit No. CTPNONSIU

Response to Comments
October 2025

The Commissioner of the Connecticut Department of Energy and Environmental Protection ("the Commissioner," "Department," "DEEP") placed the above referenced permit (the "Non-SIU GP") on public notice for comment from April 28, 2025, through May 28, 2025. Comments received during this notice period are accounted below. The following is a summary of the comments in italics followed by the Commissioner's response and recommendation. Please note that portions of the final permit and fact sheet have been reorganized to reflect structural adjustments, hence section references in the comments may no longer align with the final documents.

Public Comments Related to the Eligibility and Administration of the General Permit:

1. *Will DEEP be issuing the response document for all comments received on or before the issuance date of the general permit?*

   Response: In accordance with federal and state regulations, the Department of Energy and Environmental Protection (DEEP) will issue a formal response to all comments received during the public comment period.

2. *[Sections 2.5.1 and 2.5.3] In Section 2.5.1 of the general permit, what does "[the Publicly Owned Treatment Works ("POTW")] Authority makes a final determination regarding such notification" mean? How long will it take DEEP to provide approval of notifications? Require a POTW approval to be completed by the discharger prior to submitting the Notification Form to DEEP. Section 2.5.3 of the general permit should state "the date of authorization is the day the discharge is approved by the POTW prior to initiating the discharge."*

   Response: The 2025 Non-SIU GP will be administered in a manner consistent with the intent and structure of the 2020 General Permit for Discharges from Miscellaneous Industrial Users (MIU GP). The Department will not make determinations on individual Notification Forms submitted under the Non-SIU GP. The general permit covers all publicly owned treatment works (POTWs) across the state, each with differing operational capacities and administrative procedures, the permit language intentionally affords flexibility for POTWs to determine the manner in which notifications are reviewed, and discharges are authorized. Accordingly, each POTW retains the discretion to establish its own process, consistent with the general permit, including whether formal written approval or other documentation is necessary to authorize a discharge. The permit conditions and fact sheet remain unchanged.

3. *Adding: monitoring for flows under 1,000 gallons per day (gpd); quarterly PFAS monitoring for water treatment wastewater and vehicle maintenance wastewater; preparation of a PFAS Identification and Reduction Plan; development of an Operation & Maintenance Plan (O&M Plan); and creation of a Spill Prevention and Control Plan (SPCP) is expected to result in significant new costs for each registered discharge. As a utility, these expenses will be passed along to the rate payers. While some of these plans may be needed for larger discharges, to require all of them for all flow volumes is disproportionate to the potential impact these discharges may have on the POTWs and the waters of the State.*

   Response: The technical development of both individual and general permits does not include a required step to determine the cost to the permittee; however, DEEP remains mindful of the potential economic impacts associated with the addition, removal, or modification of permit conditions. As the agency responsible for administering multiple water discharge permitting programs, DEEP is aware of the costs that may be incurred by permittees and strives to balance such considerations with its statutory mandate to protect human health and the environment. DEEP does not, however, determine how a utility or permittee manages its internal costs, nor does the Department assume that such costs must necessarily be passed on to ratepayers. These determinations rest within the discretion and fiscal management of the individual utility or permittee. The permit conditions and fact sheet remain unchanged.

4. *It is understood that DEEP has the authority to establish conditions in wastewater general permits so as to meet the statutory intent of protecting the waters of the state. More stringent permit conditions than what were previously in effect will undoubtedly have cost impacts on the regulated community, but there is no requirement to evaluate a permit's fiscal impact on state agencies, like when new regulations are proposed. A draft permit's comment period is thought to be the opportunity for the public to advise on what the fiscal impact could be for complying with the new permit conditions. If cost estimates from the Connecticut Department of Transportation ("CT DOT") regarding compliance with the new conditions of the Non-SIU GP will help DEEP in reviewing public comments and finalizing the Non-SIU GP, CT DOT can provide those estimates to DEEP upon request.*

   Response: The technical development of both individual and general permits does not include a required step to determine the cost to the permittee; however, DEEP remains mindful of the potential economic impacts associated with the addition, removal, or modification of permit conditions. As the agency responsible for administering multiple water discharge permitting programs, DEEP is aware of the costs that may be incurred by permittees and strives to balance such considerations with its statutory mandate to protect human health and the environment. DEEP appreciates the continued partnership and collaboration of the Connecticut Department of Transportation in advancing these shared objectives. The permit conditions and fact sheet remain unchanged.

5. *The current MIU GP was a welcome improvement over prior permits and demonstrated to the regulated community that DEEP understood the industries' concerns while still allowing the local sewer entities the authority needed to protect their operations. The draft permit places unnecessary burdens upon their operations. The costs associated with registering, sampling, analysis, and reporting of results together with the substantial costs associated with the preparation of the plans required by the draft permit and possible modifications of oil/water separators far outweigh any possible environmental benefit. DEEP should rescind the draft Non-SIU GP and simply reissue the current MIU GP without modification or modify the current draft to more closely resemble the existing MIU GP.*

Response: The comment is acknowledged for the record. The permit conditions and fact sheet remain unchanged.

6. *The commenter is disappointed in changes made to the Non-SIU GP. The transition from the General Permit for Miscellaneous Discharges of Sewer Compatible Wastewater ("MISC GP"), reissued in 2018, to the MIU GP, issued 2020, placed a significant burden on POTWs and Water Pollution Control Authorities ("WPCA"). In developing the MIU GP, DEEP, municipalities, and an outside consultant formed a working group to balance the goals of the Department and the POTWs. The result was the MIU GP which emphasized notifications and not registrations. The MIU GP focused on the discharges of greatest concern without burdening the POTW with the responsibility to provide approvals or manage large volumes of submittals. DEEP has chosen to disregard the institutional knowledge and collaborative progress achieved thru the process. The Non-SIU GP requires all dischargers to notify the POTW of all discharges regardless of the size of the discharge. It does not include the exemption from monitoring for low volume discharges (less than 1,000 gallons per day (gpd) or 5,000 gpd depending on discharge type) that was in both the MIU GP and MISC GP. This places an undue burden on every building with a boiler, dehumidifier, water softener or other small discharge that does not require notification under the current MIU GP. The burden of managing thousands of notifications is exactly what the POTWs were fighting when the MIU GP was created.*

   Response: DEEP acknowledges and appreciates the extensive efforts and collaboration of the historical working group that contributed to the development and refinement of previous general permits. The Department does not agree with the characterization that prior decisions were disregarded in this reissuance. Rather, DEEP has built upon the foundation established through those prior deliberations to further strengthen the program and ensure that publicly owned treatment works (POTWs) and water pollution control authorities (WPCAs) are positioned to make more informed decisions in support of economic development and future growth.

   The intent of the 2025 Non-SIU GP requiring notification of all discharges, regardless of size, is not to impose an unnecessary administrative burden on POTWs or WPCAs, but to ensure that these authorities maintain comprehensive awareness of all dischargers entering their systems. Unlike the 2020 Miscellaneous Industrial User (MIU) General Permit, which exempted certain low-volume discharges from notification, the 2025 Non-SIU GP emphasizes full visibility so that POTWs and WPCAs can better assess the total volume, characteristics, and variability of industrial loadings to their treatment works.

   This approach is intended to provide the information necessary for POTWs to manage potential impacts, protect treatment efficiency, and maintain compliance with applicable permit conditions. While DEEP recognizes that this change may increase the number of notifications received, it is designed to enhance long-term planning, promote system resiliency, and safeguard against unanticipated risks that could arise from the cumulative effect of multiple smaller discharges. The permit condition and fact sheet remain unchanged.

Public Comments Regarding the Notification Form:

7. *[Section 3.5.4] Screening groundwater for cobalt is unnecessary and a waste of effort.*

Response: The commenter is referring to a requirement that applied specifically to discharges of Dewatering and Remediation Wastewaters. The final general permit no longer includes eligibility for these types of discharges; therefore, the referenced requirement is no longer applicable. These discharges are eligible for authorization under the SIU GP.

8. *[Sections 3.5.4 and 6.6] Two similar comments received are summarized as follows: The general permit requires a detailed description of any erosion and sediment controls and energy dissipation structures to be used in connection with the subject remedial measures in accordance with Section 6.6 of this general permit. These types of erosion and sediment controls are not required for a remediation system and are usually associated with a discharge to the ground or surface water, not a discharge to the sewer.*

Response: The commenter is referring to a requirement that applied specifically to discharges of Dewatering and Remediation Wastewaters. The final general permit no longer includes eligibility for these types of discharges; therefore, the referenced requirement is no longer applicable. These discharges are eligible for authorization under the SIU GP.

9. *[Section 3.5.4] One commenter suggested to require the following information to be submitted on a Notification Form for sites discharging Dewatering and Remediation Wastewater under the authority of this general permit: if the site is listed as a brownfield, is under an environmental land use restriction ("ELUR"), contains a significant environmental hazard, or is designated as contaminated or potentially contaminated. Additionally, the commenter requests that the Applicant provide the street addresses or geographic coordinates for public and private drinking water wells and the associated owners of the wells.*

Response: The commenter is referring to a requirement that applied specifically to discharges of Dewatering and Remediation Wastewaters. The final general permit no longer includes eligibility for these types of discharges; therefore, the referenced requirement is no longer applicable. These discharges are eligible for authorization under the SIU GP.

10. *Another commenter requested the removal of the application requirement to identify if any discharges of Dewatering and Remediation Wastewater are within a ¼-mile of any public or private drinking water well. The commenter further stated the information was not necessary for evaluating discharges to a POTW and are only necessary for surface or groundwater discharges.*

Response: The commenter is referring to a requirement that applied specifically to discharges of Dewatering and Remediation Wastewaters. The final general permit no longer includes eligibility for these types of discharges; therefore, the referenced requirement is no longer applicable. These discharges are eligible for authorization under the SIU GP.

11. *[Section 3.5.4] The screening analysis required for remediation discharges is excessive and should not be collected from raw water. Detection of certain elements that make up natural soils at levels exceeding permit limits may lead to expensive and unwarranted treatment requirements.*

Response: The commenter is referring to a requirement that applied specifically to discharges of Dewatering and Remediation Wastewaters. The final general permit no longer includes eligibility for these

types of discharges; therefore, the referenced requirement is no longer applicable. These discharges are eligible for authorization under the SIU GP.

12. *[Section 3.5.4] Methyl tert-butyl ether ("MTBE") has not been added to gasoline for twenty years. There is no benefit to requiring screening analyses for MTBE for remediation discharges.*

    Response: The commenter is referring to a requirement that applied specifically to discharges of Dewatering and Remediation Wastewaters. The final general permit no longer includes eligibility for these types of discharges; therefore, the referenced requirement is no longer applicable. These discharges are eligible for authorization under the SIU GP.

13. *[Sections 2.5.3, 3.3.1, and 3.5] Two comments were received on short-term discharges.*

    It should be made clear that the POTW must approve short-term discharges including emergency discharges prior to discharge. There could be capacity issues associated with a discharge into the sanitary sewer system. Section 3.3.1 of the general permit should be rewritten as follows "A notification and approval to discharge is required to the POTW." Notification should be required for short-term UST wastewaters including Attachment A and C. POTWs should be authorized to approve or reject a discharge, even short-term discharges.

    It is unclear how a site with a short-term discharge shall be authorized in Section 2.5.3 of the general permit. Authorization starts when the facility meets all requirements from the POTW, but are not required to notify the POTW. Please clarify. Add the following sentence taken from the draft General Pretreatment Permit for the Discharges from Significant Industrial Users to Publicly Owned Treatment Works ("SIU GP"), "The Permittee must obtain any local authorization(s) required for such a discharge or associated activities, including written approval from the POTW Authority, if applicable.

    Response: The commenter is referring to a requirement that applied specifically to discharges of Dewatering and Remediation Wastewaters. The final general permit no longer includes eligibility for these types of discharges; therefore, the referenced requirement is no longer applicable. These discharges are eligible for authorization under the SIU GP.

14. *[Section 2.5.1] Two related comments received are summarized as follows: DEEP should consider changing the ninety (90) day notification window currently starting the day the general permit is issued to ninety (90) days from the day the new Notification Forms and guidance document are published if that is after the date of general permit issuance.*

    Can DEEP provide the forms for the notification and attachments for review? These are critical in development of the general permit.

    Response: DEEP intends to post the Notification Forms and associated guidance documents on or before the effective date of the general permit. A ninety (90) day period prior to the effective date provides sufficient time for permittees to review the materials and prepare the required submittals. The permit conditions and fact sheet remain unchanged.

15. *[Section 3.2] It should state that "The POTW may require and collect a fee for this general permit."*

    Response: Section 3.2 of the general permit expressly provides that a POTW may require and collect a fee in connection with its administration of the permit. DEEP is unclear as to the specific concern raised by the commenter, as the authority for POTWs to assess such fees is already acknowledged within the permit language. The permit condition and fact sheet remain unchanged.

16. *[Section 2.6] There does not appear to be an allowance for an existing discharge currently authorized under an individual permit or the current SIU permit to transfer to the Non-SIU. A criterium of eligibility under the Non-SIU GP changed; the process flow criterium changed to use an average daily flow of 25,000 gallons per day (gpd) as compared to a maximum daily flow of 25,000 gpd in the current general permit. Some Permittees will desire a transfer to the Non-SIU GP. As language for other type of permit transfers are included, language for transfer from the SIU should also be included.*

    Response: Section 2.6.1 of the general permit provides instructions for permittees transitioning from an individual permit to coverage under the Non-SIU GP. This section of the permit remains unchanged.

    Section 2.6.3 was added to the general permit. This new section provides instructions for permittees currently authorized under the 2020 issued SIU GP on how to transition to coverage under the Non-SIU GP.

17. *[Section 3.8.1] It should be included that the POTW can reject any discharge for any reason identified by the POTW.*

    Response: Comment acknowledged for the record. The permit condition and fact sheet remain unchanged.

18. *[Section 3.5.1] In Section 3.5.1 of the general permit, add "or the type and source of contamination for Remediation Wastewater discharges" to more closely align with the SIU GP.*

    Response: The commenter is referring to a requirement that applied specifically to discharges of Dewatering and Remediation Wastewaters. The final general permit no longer includes eligibility for these types of discharges; therefore, the referenced requirement is no longer applicable. These discharges are eligible for authorization under the SIU GP.

19. *[Section 3.5.4] Specify the analysis method that is noted in the draft SIU GP as "Analysis shall be by EPA Method 624.1, or other methodology approved pursuant to 40 CFR 136."*

    Response: The commenter is referring to a requirement that applied specifically to discharges of Dewatering and Remediation Wastewaters. The final general permit no longer includes eligibility for these types of discharges; therefore, the referenced requirement is no longer applicable. These discharges are eligible for authorization under the SIU GP.

20. *[Section 3.5.4] Two similar comments were received and are summarized as follows: Only parameters in the table that are believed to be present should be required for petroleum related discharges.*

    Response: The commenter is referring to a requirement that applied specifically to discharges of Dewatering and Remediation Wastewaters. The final general permit no longer includes eligibility for these types of discharges; therefore, the referenced requirement is no longer applicable. These discharges are eligible for authorization under the SIU GP.

21. *[Section 3.5.2] Can the sample results for the collection of a sample for normal monitoring under the MIU GP also be used for the screening analysis?*

    Response: If the sampling analysis meets the requirements of Section 3.5.2 of the general permit, the results may be used. The permit condition and fact sheet remain unchanged.

Public Comments Regarding the Effluent Limits and Conditions:

22. *[Section 4.10.2] Three similar comments received are summarized as follows:*

This section requires a Spill Prevention & Control Plan (SPCP) to be prepared for any discharge covered by the permit. The 2020 issuance of the MIU GP allowed vehicle maintenance wastewaters and wastewaters that did not require treatment to be excluded from this requirement. Preparation of a Spill Prevention and Control Plan for each activity covered by this permit is not justified. The prescriptive nature of the required plan may necessitate hiring consultants at a significant expense. Additionally, the wording is vague and could be interpreted to mean a SPCP needs to be prepared even if "storage, collection, transfer, transport, treatment, loading and unloading of all toxic or hazardous substances, oils, process wastewaters, and solvents" does not occur in a way that could result in impact to the covered activity.

This update will cause Permittees with many sites to develop a SPCP for each site discharging under the general permit. The creation of the plan poses an administrative burden, the most challenging of which is the requirement of a chemical inventory list of all substances and compounds stored at the facility. Many Permittees already have Stormwater Pollution Prevention Plans (SWPPPs), Spill Prevention, Control and Countermeasure Plans (SPCC Plans), and other pollution prevention plans that address petroleum-based products. Expanding pollution plan requirements to cover all such materials would be a significant administrative burden without any meaningful environmental benefit.

The related challenge of the Non-SIU GP's SPCP is the requirement to have containment for all materials on the chemical inventory. Bulk containers are stored on spill pallets or on grates covering engineered sub-slab containments. However, small containers of automotive fluids and cleaners are not necessarily stored in areas that would meet the Non-SIU GP's SPCP requirements. Consider restoring the approach used in previous general permits to exclude vehicle maintenance facilities from needing SPCPs.

Response: The permit language aligns with Section 22a-430-3(p) of the Regulations of Connecticut State Agencies (RCSA), which requires all permittees that store, handle, or transfer toxic or hazardous substances—including those operating within manufacturing areas—to maintain practices, procedures, and facility design elements that prevent, minimize, and control spills, leaks, and unplanned releases of such substances.

Regarding the second part of the comment regarding the chemical inventory list, the items required in the Spill Prevention and Control Plan, Appendix B of the general permit, have been updated. Item #2 was updated to specify the chemical inventory list is required only for hazardous and toxic substances.

Additionally, the Regs. Conn. State Agencies Section 22a-430-3(p)(2) allows an exception from the SPCP requirement for 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. This language was added to Section 4.13.2.2 of the general permit.

To address the need for clarification, the phrase 'for the activity covered by this general permit' has been removed from Section 4.13.2 (formerly Section 4.10.2) of the general permit.

23. *[Sections 3.5.2, 5.1, and 5.2] Why is total residual chlorine listed in Table 3-2: Sample Type Required if it is not listed in the effluent limits and monitoring requirements listed in Table 5-1 or Table 5-2?*

    Response: Total residual chlorine was inadvertently omitted from Tables 6-1 and 6-2. A limit of 3.0 mg/L was added for total residual chlorine in Table 6-1. Table 6-2 has been updated to include monitoring requirements for total residual chlorine applicable to swimming pool wastewater and potable water system maintenance or sampling discharges.

24. *[Section 2.2.6] Given that the general permit might authorize certain wastewaters to a POTW that would eventually discharge to surface water, revise Section 2.2.6 of the general permit to prohibit adverse modification of any critical habitat essential to any species.*

    Response: Modifying statutory language, Section 26-306 of the Connecticut General Statutes ("Conn. Gen. Stat.") is beyond the scope of this general permit. The permit condition and fact sheet remain unchanged.

25. *[Section 6.1] A request was submitted asking intentionality of the decision that some of the limits match the old surface water limits.*

    Response: The commenter is referring to a requirement that applied specifically to discharges of Dewatering and Remediation Wastewaters. The final general permit no longer includes eligibility for these types of discharges; therefore, the referenced requirement is no longer applicable. These discharges are eligible for authorization under the SIU GP.

26. *[Section 6.1] Two commenters requested the magnesium limit be removed for the following reasons: (1) Brackish water has a concentration of 1,000+ mg/L and road salts can be 10% or more magnesium and can get into the groundwater; background levels of magnesium can be much higher than the limit without contamination to the site; (2) Magnesium in wastewater cannot burn like dry/powered magnesium and does not result in a fire hazard; and (3) Magnesium does not impact POTWs.*

    Response: The commenter is referring to a requirement that applied specifically to discharges of Dewatering and Remediation Wastewaters. The final general permit no longer includes eligibility for these types of discharges; therefore, the referenced requirement is no longer applicable. These discharges are eligible for authorization under the SIU GP.

27. *[Sections 5.1 and 6.1] In Tables 5-1 and 6-1, DEEP has proposed an effluent limit for total mercury of 0.05 µg/L (50 ng/L or ppt). This is equal to the minimum level ("ML") specified on those tables. No such categorical or best professional judgement (BPJ) limit is promulgated in either DEEP's regulations or US EPA regulations for indirect discharges. By comparison, the most stringent surface water ambient criterium (CT DEEP and US EPA) for mercury is 770 ng/L (freshwater chronic protection for aquatic life). Methods currently in use specify an ML of 200 ng/L. POTW NPDES permits in CT have been issued with the ML specified at 50 ng/L for their effluent when aquatic toxicity testing is performed. Mercury testing is also specified for waste sludge to conform with the federal regulations (40 CFR 503). It is requested that DEEP retain the mercury limit of less than 200 ng/L as long as it amends its regulations to adopt such a limit or publishes a BPJ with regulatory and technical justification provided. Otherwise, mercury should be "monitor only" in the general permit.*

    Response: Regarding Section 6.1 of the permit, the commenter is referring to a requirement that applied specifically to discharges of Dewatering and Remediation Wastewaters. The final general permit no longer

includes eligibility for these types of discharges; therefore, the referenced requirement is no longer applicable. These discharges are eligible for authorization under the SIU GP.

As part of the technical development of this general permit, the Department did not conduct a comprehensive review of all categorical or Best Professional Judgment (BPJ) limits promulgated by DEEP or the U.S. EPA. In 2007, Connecticut entered into the Northeast Regional Mercury Total Maximum Daily Load ("TMDL") agreement, which requires implementation of a Mercury Minimization Plan to reduce and ultimately eliminate releases of mercury from wastewater discharges to the environment.

Consistent with the objectives of the TMDL, DEEP-issued permits now generally prohibit the discharge of mercury to POTWs. Due to comments received in regard to minimum levels (See Response #45 below), specific minimum level requirements were removed from the effluent tables. The effluent limit for mercury has been updated to be "less than the [ML]" or "< [ML]" where [ML] is the applicable minimum level for analysis utilizing EPA Method 1631E, an approved method for low-level mercury analysis.

28. *[Sections 3.5.2, 5.3, and 10] Six commenters submitted similar comments, which were grouped and summarized as follows:*

- *Monitoring Burden for Low-Volume Discharges: Requiring all dischargers to conduct monitoring at least annually imposes an undue burden on facilities with low-volume discharges, particularly those below 1,000 gallons per day. Commenters suggest this threshold should be recognized as a de minimis volume and that such minimal discharges should not be subject to monitoring or permit registration requirements.*

- *Non-Process Wastewaters: Several commenters questioned the need for screening analyses and monitoring of non-process wastewaters, such as boiler blowdown, air compressor condensate, and other auxiliary discharges. These wastewaters were previously exempt under the 2020 MIU General Permit and the 2013–2020 Miscellaneous General Permit when discharges were below 1,000 gpd. Commenters note that such discharges are typically low-strength and not a concern for POTWs.*

- *Cost of Sampling and Analytical Testing: Commenters expressed concern that the cost of sampling and analysis for low-volume or low-risk discharges is disproportionate to the environmental benefit. For example, analytical costs for a single sample of vehicle maintenance wastewater, softener reject water, or other process wastewater may exceed $1,000. For very small discharges, annual costs could approach $2,000.*

- *Vehicle Maintenance Wastewater Requirements": Commenters objected to the expanded list of required parameters for vehicle maintenance wastewater monitoring, noting that: Previous general permits dating back to 1989 (Car Wash GP, Vehicle Service Floor Drain GP, and the 2011–2021 Vehicle Maintenance GP) relied on best management practices (BMPs) and oil-water separator (OWS) inspection rather than analytical monitoring. The new requirement represents a significant shift from established practice and could create unnecessary costs for facilities with minimal discharges, often limited to rainwater runoff. Reinstating screening and monitoring without prior stakeholder outreach or justification reflects a lack of continuity with prior regulatory decisions.*

- *Representative Sampling and Flexibility: Section 5.2 of the draft Non-SIU GP allows a single Discharge Serial Number (DSN) to represent multiple discharge points of similar wastewater. Commenters request clarification that this provision may extend to representative sampling across*

multiple sites under the same ownership or operation where discharges are of similar character and composition. Additionally, if DEEP maintains the monitoring requirement, commenters request flexibility to collect samples during months other than June to accommodate operational variability.

- *Regulatory Justification for New Requirements: Commenters request clarification on the regulatory basis for imposing annual sampling for vehicle maintenance facilities and for expanding the list of required parameters, which were not included in previous permits.*

- *Scope of Screening Analysis Requirements: Under the prior MIU GP, a screening analysis was required only for Group I Process Wastewaters and Group II "Other Non-Process Wastewaters." Commenters seek confirmation that this remains the case. They also question why CT DEEP now requires analytical testing for backflow preventers, fire suppression system testing, and swimming pool drainage, when earlier guidance indicated such testing was unnecessary.*

Response: DEEP acknowledges that the requirement for all dischargers to perform monitoring, even annually, represents a change from prior permits and may impose additional effort for facilities, particularly those with low-volume or low-risk discharges. However, this requirement is deemed necessary to establish a more comprehensive understanding of indirect discharges statewide. The information collected is intended to capture the full range of industrial loadings, including previously unmonitored discharges, which will assist DEEP and POTWs in evaluating pollutant variability, influent trends, and the need for future permit refinement.

The Non-SIU GP expands screening analysis requirements, to ensure consistent baseline data collection across sectors. This expansion now includes certain non-process wastewaters, such as boiler blowdown and air compressor condensate, and other sources like backflow preventers, fire suppression system testing, and swimming pool drainage. This reflects DEEP's effort to better characterize wastewater sources that may contain pollutants of concern due to site-specific conditions, chemical additives, or operational practices. Collecting this analytical data is intended to provide a technical basis for potential future exemptions or simplified monitoring tiers.

While previous general permits relied primarily on BMPs and oil/water separator inspection, the updated Non-SIU GP reinstates limited analytical monitoring for vehicle maintenance wastewater. This shift is based on the need to verify the effectiveness of the historically relied-upon BMPs. The data generated will validate these measures, inform the development of additional control measures, and confirm the parameter list—which reflects pollutants reasonably expected (e.g., oil and grease, metals, total suspended solids). DEEP intends to review this data to determine if future permit cycles may justify adjustment of monitoring requirements.

DEEP confirmed that the establishment of monitoring requirements under the Non-SIU GP is authorized pursuant to Section 402 of the Clean Water Act, 40 CFR Part 403, and Conn. Gen. Stat. Section 22a-430. This authority grants DEEP the ability to establish necessary monitoring to ensure discharges to POTWs do not cause pass-through or interference. These requirements align with EPA guidance, specifically the *Industrial User Inspection and Sampling Manual* (2017) and the *Industrial User Permitting Guidance Manual* (2012), which recommend baseline data collection for indirect discharges as a best practice. Furthermore, DEEP asserts it conducted extensive stakeholder outreach, including multiple listening sessions and distributing a pre-draft version, before publishing the draft general permit for the required public comment period.

Flexibility in Sampling: The Non-SIU GP provides increased flexibility in two key areas:

1. Representative Sampling: Section 5.2 allows a single Discharge Serial Number (DSN) to represent multiple discharge points of similar wastewater within a single site, reducing duplicative sampling efforts.

2. Timing: The definition of "Annually" in Section 8 of the general permit has been updated to allow samples to be collected during any month of a calendar year, providing flexibility to accommodate seasonal and operational variations.

29. *[Section 5.1] Three comments were received regarding nitrogen limits. Suggestions included modifying the proposed total nitrogen limit to be a limit only for Total Kjeldahl Nitrogen (TKN), and another suggestion was to remove these limits entirely. The commenters stated that these pollutants are not a contaminant of concern.*

One commenter stated that nitrogen is beneficial to the municipal sewer system since: (1) nitrate/nitrite (NO_2/NO_3) suppresses the formation of hydrogen sulfide (H_2S) and ultimately sulfuric acid, since denitrifying bacteria outcompete the sulfide forming bacteria, and release nitrogen oxides (NOx) and dissolved oxygen (DO) in the sewer system; and (2) NO_2/NO_3 that may reach the POTW are removed by denitrification in the POTW primary treatment, or denitrification in the biological treatment process, providing alkalinity and oxygen.

Response: Long Island Sound ("LIS") has an approved TMDL to achieve water quality standards for dissolved oxygen by addressing nitrogen sources throughout the watershed. The LIS watershed encompasses nearly the entire State of Connecticut as well as portions of Massachusetts, Vermont, New Hampshire, New York, and Quebec, Canada. Nitrogen is the primary limiting nutrient for algal growth in LIS. Excess nitrogen from human-related activities promotes algal blooms, and the subsequent decomposition of algae depletes dissolved oxygen levels, impairing aquatic life and the designated uses of the waterbody.

TMDL requires implementation of permit conditions designed to reduce or eliminate nitrogen discharges through increased awareness, identification and correction of improper discharges, management and good housekeeping practices. For additional information, refer to the Long Island Sound TMDL (available at: https://portal.ct.gov//media/DEEP/water/lis_water_quality/itrogen_control_program/tmdlpdf.pdf)

All POTWs located within Connecticut's LIS drainage basin are required to meet nitrogen limitations consistent with their wasteload allocations under the General Permit for Nitrogen Discharges. These POTWs must limit total nitrogen and monitor total Kjeldahl nitrogen (TKN), nitrate, and nitrite. Because the Non-SIU GP applies broadly to facilities discharging to any POTW statewide, including those without nitrogen removal capabilities, the nitrogen-related monitoring requirements must also be broad to ensure consistent protection of POTW operations.

Indirect discharges containing TKN, ammonia, nitrate, or nitrite can contribute to a POTW's noncompliance with its NPDES permit limits. Ammonia can cause aquatic toxicity and stimulate excessive plant growth, leading to reduced dissolved oxygen levels incompatible with aquatic life. Nitrates also promote eutrophication and oxygen depletion, while nitrites readily oxidize to nitrates and may cause process inhibition at POTWs.

Accordingly, ammonia (a component of TKN), nitrate, and nitrite are identified as contaminants of concern for POTWs and will remain as parameters in the General Permit. The permit condition and fact sheet remain unchanged.

30. *[Section 4.10.2.1, Appendix A] Four comments were received regarding the Operation and Maintenance Plan requirements and are summarized as follows: DEEP should clarify that the Operation and Maintenance Plan ("O&M Plan") requirements only apply to discharges that have "treatment systems" as defined in Section 11: Definition of "Treatment" and outlined in Appendix A and not to Dewatering and Remediation Wastewater and Process/Non-process Wastewaters without treatment. Other discharges that do not have treatment systems prior to discharge (as example boiler blowdown, non-contact cooling water, potable water system maintenance and testing, and fire suppression system testing) are documented in the facility Spill Prevention and Control Plan (SPCP), including chemical storage and use of best management practices (BMPs) as described in Section 4.10.2.2 and the Appendix B checklist. This would include BMPs as presented in Section 5.4 for specific categories of discharge that are not internal or end-of-pipe treatment.*

    The current MIU GP requires Operation & Maintenance (O&M) Plans if a discharge other than vehicle maintenance wastewaters requires treatment to comply with the permit's effluent limits. In other words, vehicle maintenance wastewater, although treated through the use of oil/water separators, are not required to have O&M Plans. Section 4.10.2 of the proposed Non-SIU GP makes no exception for any Process Wastewater discharges requiring treatment from needing to have O&M Plans.

    Another commenter stated requiring an Operation & Maintenance (O&M) Plan for all discharges that requires treatment is excessive. In particular, an O&M Plan is not necessary for an oil/water separator. These are simple structures and the permit is prescriptive regarding how oil/water separators need to be maintained.

    Response: The condition to maintain an Operation and Maintenance (O&M) Plan for process and non-process wastewater was established in the 2020 issuance of the MIU GP and has been carried forward in this reissuance. During the previous permit term, the Department observed deficiencies in the operation and maintenance of conveyance and monitoring systems, including systems not directly associated with treatment. To address these issues, the reissued general permit requires all discharges to maintain an O&M Plan.

    The O&M Plan must address all applicable elements identified in Appendix A of the permit. Elements that apply only to treatment systems may be marked "not applicable" while all remaining elements must be completed to ensure proper operation and oversight of the discharge system. Section 4.13.2.1 (formerly 4.10.2.1), and Appendix A have been updated to clarify these requirements.

31. *[Section 4.2.2] Five similar comments received are consolidated and summarized as follows:*

    - *Reducing the upper limit of pH from 12.0 S.U. to 10.0 S.U. provides no benefit and is not required in the state or federal regulations. Why are the pH limits changing after 2 years? Higher alkalinity discharges, between 10 S.U. and 12 S.U. have the following beneficial effects:*

        - *It aids in keeping the municipal sewer system aerobic and alkaline, thus suppressing the growth of acid forming bacteria, and the generation of toxic gas, hydrogen sulfide (H_2S).*

- *At alkaline pH in the municipal sewer, H_2S that is formed is kept in solution as sulfide ions.*
- *Provides alkalinity that is essential in keeping the POTW nitrogen removal (nitrification) biological process operating effectively, thus reducing the need to ADD alkalinity at the POTW with chemical addition (NaOH, calcium bicarbonate).*
- *Optimal nitrogen removal at the POTW reduces and/or eliminates the need for the POTW to BUY nitrogen credits to comply with the General Permit for Nitrogen Discharges which applies to all POTWs.*
- *Higher pH is protective of POTW assets and infrastructure in that most sewer discharges are acidic so a more basic wastewater will neutralize the wastewater.*
- *Allows to minimize use of acid and thus minimize employee exposure and potential to produce dangerous reactions with other chemicals.*

- *The pH limit should be maintained at 12.0 S.U.*
- *[Section 4.2.2] CT DEEP is proposing an "upper" pH limit for all discharge categories of 10.0 S.U., two pH units lower than the current "upper " pH limit of 12.0 and the "lower" pH limit of 5.5, 0.5 pH units higher than the current limit of 5.0. DEEP has not in the DRAFT GP or the fact sheet provided the regulatory or technical basis for these changes. RCSA Section 22a-430-4(t)(2)(B) and 40 CFR 403.5(b)(2) only specifies a lower limit for pH of 5.0 with no upper limit. The "upper" limit of 12.0 should remain in the GP. If a particular POTW requires a lower upper limit, all relevant factors should be evaluated: (1) POTW NPDES permit compliance; (2) sludge management (40 CFR 503); (3) physical damage to infrastructure (collection system and /or POTW); and (4) human health and/or safety. That determination should be left to the POTW and the Permittee to establish pH limits and a compliance schedule, if necessary. Since such limits, if necessary, would be more restrictive than the GP limits of 5.0 to 12.0, a variance should not be required, simply documentation in the Permittee's Notification Form.*

- *[Section 4.7] Due to the change in the pH limits, more discharges will require pH adjustment. Boilers have a standard practice to operate at a pH of between 10 and 12 S.U. to minimize corrosion damage to the boiler. Imposition of an upper pH limit of 10.0 S.U. in a blowdown discharge would require the blowdown to be pH adjusted (acid addition) without a known benefit to the POTW or Town's conveyance system. This unnecessary treatment step may also affect other wastewater, including ion exchange wastewater (water treatment wastewater), tumbling and burnishing, food processing equipment cleaning, and commercial laundries. In summary, the pH limits in the GP should be kept at 5.0 to 12.0.*

Response: DEEP has established a uniform protective pH range of 5.5 to 10.0 S.U. for all discharges under the general permit because the general permit applies broadly across a large number of industrial discharges statewide; individualized determinations are not appropriate under this framework. Maintaining influent pH within the municipal treatment works design parameters ensures consistent treatment performance, prevents damage to equipment and concrete structures, and supports compliance with effluent limitations established under the Clean Water Act. Accordingly, the upper pH limit of 10.0 S.U. and the lower limit of 5.5 S.U. have been retained. The permit condition and fact sheet remain unchanged.

32. *[Section 2.2.4] Revise the prohibition that transported wastewater cannot be introduced anywhere except the headworks of the POTW to allow POTWs to accept wastewater at the intake point of their preference.*

Response: While 40 CFR 403 does not explicitly state that wastewater must enter at the headworks of a POTW, the requirement is implicit in the federal pretreatment regulations. Section 403.5 establishes that discharges to a POTW must occur through the designated points and in a manner that ensures complete treatment and compliance with pretreatment standards. Introducing wastewater downstream of the headworks would bypass required treatment processes and may result in violations of the prohibitions against pass-through and interference under 40 CFR 403.5. Accordingly, wastewater discharges must enter at or upstream of the headworks to ensure proper treatment, monitoring, and protection of POTW operations.

The Department has determined that maintaining the requirement for transported wastewater to be introduced at the headworks of the POTW is necessary to ensure regulatory compliance and the proper operation of the treatment facility. Local limit evaluations and Sewer Use Ordinances (SUOs) are developed based on the assumption that wastewater is discharged directly to the headworks. This location is the designed entry point for all influent wastewater and represents the beginning of the treatment process. Accepting discharges at alternative points downstream of the headworks would compromise the basis of local limit calculations, pretreatment oversight, and operational design assumptions.

Additionally, under the Bypass Rule in 40 CFR 122.41(m) (applicable to all POTW NPDES permits), a "bypass" is defined as *the intentional diversion of waste streams from any portion of a treatment facility*. While this does not explicitly require entry at the headworks, it imposes strong restrictions on diverting flows around treatment processes. Bypass is prohibited unless very specific conditions are met, including that there are no feasible alternatives and that the bypass is unavoidable to prevent severe property damage.

For these reasons, allowing discharges to enter the POTW at points other than the headworks could be interpreted as a prohibited bypass and may result in noncompliance with both pretreatment and NPDES program requirements. Therefore, the final general permit maintains the requirement that transported wastewater must be introduced at or upstream of the headworks to ensure appropriate monitoring, treatment, and regulatory compliance.

33. *[Section 4.5] Two similar comments were received and summarized as follows: Language should be added indicating if a discharge lasts less than four (4) hours, a composite sample or grab sample average is not required. This language was included in the 2020 issuance of the MIU GP and streamlines the process rather than requiring the Applicant to provide an explanation for the alternative sample type utilized. The Non-SIU GP also requires the POTW to evaluate the rationale for the alternative sample type, which is an additional burden on the POTW. Modifying the language will help reduce this burden.*

Response: A footnote was added to Table 3-1 (formerly Table 3-2) to allow a single grab when the discharge is less than four (4) hours in duration. The footnote requiring the POTW to approve the alternate sample type has been removed.

34. *[Section 6.2] Two comments received were similar and are summarized as follows: Oil & grease should not be a parameter for Potable Water System Maintenance or Sampling as it is not a contaminant of concern. Also, these are often batch discharges and quarterly sampling for PFAS may not be applicable.*

Response: DEEP has determined that oil and grease (non-polar material) is not a pollutant of concern for Potable Water System Maintenance or Sampling wastewater. Table 4-3 (formerly Table 5-2) of the general

permit has been updated to remove oil & grease (non-polar material) from the required parameters for Potable Water System Maintenance or Sampling wastewater.

35. *[Section 8.12] Do the conditions in Section 8.12 of the general permit mean that a request for approval has to be submitted to DEEP for all sludges? If so, how is an approval given? What if a material is disposed of out of state? This section should be reworded.*

    Response: The language referenced by the Commenter is from Section 22a-430-3(g) of the Regs. Conn. State Agencies, which requires that all materials removed or generated as part of a permitted activity be disposed of at a location approved by the Commissioner or through a waste transporter licensed under the Connecticut General Statutes. This provision ensures that the handling, transport, and disposal of wastewater residuals, sludge, or other wastes are conducted in a manner protective of human health and the environment and consistent with state solid and hazardous waste management requirements. This section is included to inform the Permittee they are required to properly dispose of their solid or hazardous waste in accordance with state, local and federal regulations. The permit condition and fact sheet remain unchanged.

36. *[Section 2.2.4] Two similar comments were received and summarized as follows: In practice, the high temperature wastewaters in industries are generally limited to processes (commercial laundries, food processes, contact cooling) and/or heating or steam boilers which can generate "blowdown." It is common that "tempering" domestic water is mixed with the blowdown to reduce its temperature and protect downstream piping. The prohibition listed in Section 2.2.4.1 of this general permit prohibiting the use of water to dilute a wastewater in order to meet an effluent limit should not be applicable to this situation for temperature as long as it's identified in a Notification Form.*

    Additionally, an instantaneous temperature limit was added of 140°F. Is the limit complied with as long as the temperature of the "site" sewer connection to the municipal sewer (which in some circumstances can include mixing with sanitary waste, and/or Process and Non-process Wastewaters) that by mixing has a temperature below 140°F? Provide a technically valid basis for establishing this "site" limit. No such limit currently exists in Regs. Conn. State Agencies Section 22a-430-4(t) or in 40 CFR 403.5. This issue should be left to the POTW, not this general permit.

    Response: All discharges must meet the general and specific prohibitions in 40 CFR Part 403 and Regs. Conn. State Agencies Section 22a-430-4(t). In accordance with 40 CFR 403.6(d), dilution may not be used as a substitute for treatment to achieve compliance. The general permit allows the permittee to identify a representative monitoring location.

    The instantaneous temperature limit of 140°F was established using Best Professional Judgment ("BPJ") consistent with the Regs. Conn. State Agencies 22a-430-4(m) and the International Plumbing Code, which limits wastewater temperature to protect collection systems and POTW infrastructure. The permit condition and fact sheet remain unchanged.

37. *[Sections 3.5.3 and Section 9] Two similar comments were received and are summarized below:*

    DEEP reviews variances, but the POTW is not included. POTWs should have final approval. This should be clarified in this section.

    Response: Comment acknowledged for the record.

38. *Section 2.2.4.3 of the general permit prohibits the discharge to "contain any substance listed in Appendix E of this general permit, other than a substance for which an effluent limit is specified in this general permit or as otherwise approved by the POTW in accordance with Section 9.1 of this general permit." Section 9.1 of the general permit does not include any reference or provisions for the POTW to issue such approval. While the heading for Section 9 references "Commissioner's and POTW Authority's Powers", information regarding the POTW Authority's powers is missing. Clarify if the POTW Authority can authorize an alternative effluent limit. Alternatively, revise Section 9.1 to refer to the Commissioner's powers only.*

    Response: Comment acknowledged for the record and language was revised to provide clarification.

39. *[Section 2.2.9] Since the authorized discharges are to a POTW and the POTW would eventually discharge to surface waters, remove the word "direct" so that any activity that could have an adverse effect, both direct and indirect, on the values for which such river designation was established, is prohibited.*

    Response: Modifying a federal act, 16 USC 1271-1287 is beyond the scope of this general permit. The discharges are prohibited from causing pass-through or interference at a POTW under this general permit. If the Permittee causes the POTW to violate their NPDES permit and violate the Wild & Scenic Rivers Act, this act becomes relevant, hence its incorporation. The permit condition remains unchanged.

40. *[Section 4.1] Two similar comments were received and are summarized below: Requiring that all dischargers develop site specific best management practices ("BMPs") will be confusing to small dischargers. Those who attempt to comply will need to spend significant funds on consultants to develop the BMPs that comply with this section's requirements.*

    Response: DEEP acknowledges the comment regarding the requirement for all dischargers to develop and implement site-specific BMPs. This is not a new requirement, but rather a continuation of existing obligations carried forward from previous iterations of the general permit and longstanding regulatory provisions under Section 22a-430-3(o) of the Regs. Conn. State Agencies.

    The referenced section of the Regs. Conn. State Agencies requires all permittees to implement and maintain practices and/or facilities that, to the maximum extent practicable, result in the minimum amount of wastewater discharged. Such results may be achieved through water conservation, resource recovery, waste recycling, wastewater reuse, or material or product substitution. This provision has been part of Connecticut's wastewater permitting framework for decades and applies uniformly to all discharges authorized under both individual and general permits.

    DEEP does not agree with the comment asserting that compliance with this requirement will necessitate "significant funds for consultants." The general permit does not require a permittee to retain a consultant to develop BMPs, nor does DEEP regulate or control consultant pricing. Many facilities, including small dischargers, are capable of developing and implementing appropriate BMPs using their own personnel and by following the guidance and examples provided in DEEP's fact sheets, permit instructions, and sector-specific resources. The Department encourages permittees to develop BMPs that are site-appropriate, practical, and commensurate with the scale and nature of their operations. Because this condition reflects an existing regulatory requirement rather than a new or modified provision, and because it provides necessary flexibility for facilities of varying size and complexity the permit condition and fact sheet remain unchanged.

41. *[Section 5.3] Two similar comments were received and are summarized below: Sampling a discharge of vehicle maintenance wastewater will typically require sampling of an oil/water separator, which was not designed to be sampled. A dip sample can be collected from the oil/water separator tank however, this may not be representative of the discharge as the separator is designed to collect oil and other petroleum products.*

    Response: DEEP acknowledges the concern that sampling vehicle maintenance wastewater may present logistical challenges where the sampling point is located at or near an oil-water separator (OWS). The Department understands that these units are designed primarily for the removal of petroleum products and may not have been originally constructed with a dedicated sampling port. The general permit requires that samples be collected at a point representative of the wastewater being discharged to the sanitary sewer, and prior to commingling with domestic wastewater. The intent of this requirement is to ensure that analytical results reflect the characteristics of the discharge leaving the treatment device and entering the sewer system.

    While DEEP does not prescribe a specific method or configuration, facilities may consider installing a sample tap or valve on the OWS effluent piping or collecting a grab sample from the outlet chamber of the separator, provided that the location yields a representative sample of the discharge and can be accessed safely. In some cases, sampling may also be feasible downstream of the OWS, at a maintenance hole or cleanout immediately prior to the connection to the sanitary sewer. The permit condition and fact sheet remain unchanged.

Public Comments Regarding Record Keeping and Reporting:

42. *[Section 4.9.2] In Section 4.9.2 of the general permit, it is unclear if the phrase "the following actual or anticipated noncompliance" applies to the bulleted list in Section 4.9.2 of the general permit for the two-hour notification. Furthermore, the Applicant should be required to notify the appropriate POTW authority, in addition to the Commissioner. The following sentence should be added after the bulleted list to avoid any confusion, "All other actual or anticipated violations of the permit shall be reported to the POTW Authority and Commissioner within twenty-four (24) hours of becoming aware of the circumstances."*

    Response: The bulleted list in Section 4.12.2 (formerly Section 4.9.2) contains the violations that are required to be reported within two (2) hours of discovery. The sentence regarding all other violations has relocated for clarification. The requirement to notify the POTW Authority found in Section 4.9.12.1 (formerly Section 4.9.2.1) of the general permit has been repeated in Section 4.12.2 (formerly Section 4.9.2) of the general permit to avoid confusion. Permittees shall report noncompliance to the Commissioner and the associated POTW Authority(ies).

43. *[Section 2.2.4] It is unclear if the phrase "in combination with other discharges" identified in some of the provisions of this subsection applies to discharges from the same site/facility or all discharges within the wastewater conveyance system. Clarify if the 'other discharges' are referring to discharges from the same site or discharges present in the wastewater conveyance system from other sites. DEEP should provide clearly defined and enforceable site-specific prohibitions for eligible discharges.*

    Response: This language is adopted from Section 22a-430-4(t)(1) of the Regs. Conn. State Agencies and mirrored in 40 CFR 403.5 and will remain unchanged. To clarify the meaning and intent, the 'other discharges' are reference to any other discharge entering the sewer. The pollutant load of one facility may not cause issues alone if it were the only discharge to the POTW, but when that discharge comingles with other discharges, an issue may arise from the cumulative pollutant load, hence the inclusion of 'other discharges'. The goals of the pretreatment program are to control indirect discharges in order to (1) prevent interference at the POTW and (2) prevent pass-through of pollutants to surface waters. Narrative conditions are used to reach these goals where data is not available to create applicable site-specific prohibitions. The permit condition and fact sheet remain unchanged.

44. *[Section 4.6] Six commenters expressed concern with the updated flow requirements which were compiled and summarized as follows:*

    Commenters expressed concern about the feasibility, cost, and practicality of meeting the new flow-monitoring requirements in the draft Non-SIU GP.

    - ***Feasibility and design limitations:*** *Facilities with low or intermittent flow (such as wash bays or floor drains routed through oil/water separators) noted that these systems do not maintain full-pipe flow needed for most inline meters. Installing open-channel devices such as flumes would be prohibitively expensive. Commenters requested clarification or recommendations for acceptable alternative measurement methods in such situations.*

    - ***Implementation cost and timing:*** *Many facilities would require significant retrofitting—including re-plumbing, trenching, and electrical work—to install meters. Commenters asked whether a grace period or phased implementation would be provided to allow adequate time for installation.*

- ***Alternatives to direct metering:*** *Commenters recommended that the permit explicitly allow use of engineering estimates, process knowledge, or periodic measurements instead of direct metering, consistent with prior general permits (e.g., MIU and Miscellaneous GPs). They also objected to the need for case-by-case POTW approval of alternate flow-monitoring plans, citing potential delays and administrative burden.*

- ***Monitoring frequency and recordkeeping:***
  For low-volume, non-continuous discharges, commenters stated that requiring twice-daily review and logging of chart or electronic recorders is excessive. A once-daily review or monitoring only during required sampling events was suggested.

- ***Tiered applicability:*** *Commenters proposed limiting continuous flow-meter requirements to Group I discharges exceeding 10,000 gpd, with smaller Group I and all Group II discharges allowed to rely on alternate methods.*

- ***Role of POTWs:*** *Several commenters noted that delegating approval of alternate flow-monitoring methods to POTW authorities is inappropriate and requested that DEEP provide clear, statewide alternatives directly within the permit language.*

Response: DEEP acknowledges the comments regarding the feasibility, cost, and implementation of the flow monitoring requirements in the draft Non-SIU GP. DEEP carefully evaluated these concerns and made several revisions to clarify and improve the applicability of these provisions. Pursuant to 40 CFR 403.5(c)(2), POTWs are required to develop and enforce specific effluent limits for industrial users (IUs) to prevent pass-through and interference, thereby ensuring compliance with their NPDES permits and sludge management practices. To establish these local limits, accurate flow data is required to determine the volume and variability of industrial wastewater discharged to each POTW, consistent with *EPA's Local Limits Development Guidance,* 2004.

DEEP is collecting the data necessary to support statewide local limit development and requires more comprehensive flow information than has been available through the current pretreatment general permits. For this reason, the 2025 Non-SIU GP expands flow monitoring requirements to include all authorized discharges, ensuring that both DEEP and POTWs have sufficient information to evaluate hydraulic and pollutant loadings from indirect industrial users.

<u>Feasibility and Cost Considerations</u>

DEEP recognizes that installing flow meters at some facilities, particularly those with intermittent or low-volume discharges—may present practical and financial challenges. The Department has incorporated greater flexibility in the final general permit. Facilities may use engineering estimates or other acceptable methods to determine flow for Process Wastewaters discharging less than 5,000 gpd and for all Non-process Wastewaters, provided such estimates are based on generally accepted engineering practices.

Acceptable estimation methods include:

- Data from a dedicated incoming water meter,
- Calculations based on a batch treatment tank volume,
- Accurately timed filling of a container of known volume,

- Use of a rated pump capacity, or
- Any other recognized engineering approach that yields reliable flow estimates.

In addition, DEEP removed the requirement that an alternate flow monitoring plan be approved by the POTW. This revision streamlines implementation and eliminates potential administrative delays for permittees.

Clarifications on Review and Recordkeeping

DEEP has also revised the requirement for reviewing chart recorders. Facilities are now required to review and log data once per day, consistent with the existing requirement for electronic data recorders. This update addresses concerns that twice-daily review was overly burdensome, particularly for facilities with non-continuous or low-volume discharges.

Sampling Challenges at Low-Flow Locations

DEEP acknowledges that flow measurement and sampling at wash bays, floor drains, or oil/water separator outlets may be difficult due to minimal or variable flow conditions. The Department encourages facilities to identify representative measurement points using simple, cost-effective approaches (e.g., sample taps, flow-proportional estimation, or downstream sampling locations) that reflect the discharge entering the sanitary system.

The final general permit provides greater flexibility, reduced recordkeeping frequency, and clear alternatives to direct metering. These revisions are intended to minimize cost while ensuring the collection of accurate and representative flow data necessary for statewide wastewater management and local limit development.

45. *[Sections 4.4, 5.1, and 6.1] Three commenters requested the removal of the minimum levels from the permit for the following reasons:*

    - *The limits are orders of magnitude higher than the minimum levels; this is onerous and not needed to ensure compliance with permit limits.*
    - *Wastewaters may have matrix interferences using the approved methods under 40 CFR 136 making the minimum levels impossible to meet. This will result in a Permittee being in violation of the minimum level, but still below the limit.*
    - *Adding minimum levels upon issuance of the permit and not during the notice is contrary to the intent of the public notice requirements.*

    [Section 4.3] The Sufficiently Sensitive Rule adopted by US EPA is only applicable to direct discharge NPDES permits and not indirect discharges. Some methods listed in 40 CFR 136 are less sensitive than the minimum level, but should be an acceptable test method as long as quantification is sufficient enough to demonstrate compliance with a permit limit.

    Another commenter requested a definition for 'sufficiently sensitive' for indirect dischargers.

    Response: The Department has determined that the requirement to use "sufficiently sensitive" test methods under 40 CFR 122.44 applies to direct dischargers only and does not extend to indirect dischargers. As such, specific minimum levels (MLs) were not included in the final permit for the purpose of enforcing method

sensitivity. Additionally, the requirement for a sufficiently sensitive test method has been removed along with the reference to 40 CFR 122.44(i)(1)(iv).

However, to ensure that analytical methods remain appropriate for assessing compliance, Section 4.5 (formerly Section 4.4) of the general permit now includes a narrative requirement directing Permittees to use methods with adequate sensitivity relative to applicable effluent limits.

Public Comments Regarding Eligible Activities:

46. *[Section 2.1] Two comments received requested clarification on when discharges can be covered under the SIU GP compared to the Non-SIU GP, since both permits cover Process Wastewater, Non-process Wastewater, Dewatering Wastewater, Remediation Wastewater, Short-term UST Replacement Wastewater, and Emergency Discharges. Specifically, if SIU-designating wastewaters (Process Wastewater flow is greater than 25,000 gpd or categorical wastewater) are under an individual permit, can wastewaters that don't meet the SIU criteria be able to be registered under the Non-SIU GP?*

    Response: Permit eligibility is determined by whether a facility is classified as a Significant Industrial User (SIU). Only SIUs are eligible for coverage under the SIU General Permit, which authorizes Process Wastewater and Non-process Wastewater discharges from SIUs.

    Facilities that are not SIUs must use the Non-SIU GP for their Process and Non-process Wastewater discharges. However, Dewatering and Remediation Wastewaters have been removed from the Non-SIU GP and are now only eligible under the SIU GP, regardless of SIU status. As such, any site—SIU or non-SIU—discharging Dewatering or Remediation Wastewater must apply for coverage under the SIU GP.

    Permit Eligibility Summary Table:

Discharge Type	Eligible Under SIU General Permit	Eligible Under Non-SIU General Permit	Notes
Process Wastewater	✅ Yes (SIUs only)	✅ Yes (Non-SIUs only)	Eligibility depends on SIU status
Non-process Wastewater	✅ Yes (SIUs only)	✅ Yes (Non-SIUs only)	Eligibility depends on SIU status
Dewatering Wastewater	✅ Yes (SIUs and Non-SIUs)	❌ No	Removed from Non-SIU GP
Remediation Wastewater	✅ Yes (SIUs and Non-SIUs)	❌ No	Removed from Non-SIU GP

47. *[Section 2.1] Are discharges of Groundwater Remediation Wastewater to surface water or ground still permitted under the General Permit for the Discharge of Groundwater Remediation Wastewater?*

    Response: Yes, until it's reissued and then all discharges to the POTW will be permitted under Pretreatment specific general or individual permits.

48. *[Section 2.1] A request was submitted to cover Dewatering and Remediation Wastewater under a separate general permit since it will add confusion to include it under the Non-SIU GP.*

    Response: The commenter is referring to a requirement that applied specifically to discharges of Dewatering and Remediation Wastewaters. The final general permit no longer includes eligibility for these types of discharges; therefore, the referenced requirement is no longer applicable. These discharges are eligible for authorization under the SIU GP.

49. *[Section 5.4.5] Section 5.4.5 of the general permit requires non-contact cooling water to be derived solely from once-through heat exchange systems or condensate which does not receive chemical additions of any kind, and which uses on-site uncontaminated water, public water supply, or surface water as source water. This would appear to eliminate blowdown from cooling towers. The definition in Section 10 of the general permit for noncontact cooling and heat pump water is: "Noncontact cooling and heat pump water" means wastewater which has been used for cooling purposes, or generated from cooling processes, including but not limited to condensate from cooling systems, or for heating purposes and which does not come into direct contact with a product or process, except for water treatment chemicals in recirculation systems. This definition includes system blowdown, associated system maintenance drains, and incidental leakage. The definition does not include air compressor condensate or blowdown from boiler equipment. If Section 5.4.5 of the general permit remains, how would typical non-contact cooling water discharges that include blowdown from cooling towers be covered? It seems like Section 5.4.5 of the general permit would be more typical for a surface water discharges rather than a discharge to a POTW. Also, most of the cooling towers contain biocides to keep the system free of bacteria and algae. The cooling towers bleed water based on conductivity and turbidity and the system is designed to save water, but the biocides would be considered "chemical additions."*

    Another commenter asked to modify the third bullet to not prohibit chemical additions of any kind but to limit chemical additions containing chromium, copper, lead, zinc, or tributyl tin.

    Response: This section has been revised to correct a typographical error.

50. *[Section 10] There is no definition of "process building maintenance wastewater." What's applicable? How is it collected and sampled?*

    Response: Process building maintenance wastewater is defined in Section 10 of the general permit. The permittee has the discretion to determine both the location and method of sampling, provided that the selected point yields a representative sample of the discharge in accordance with the permit's monitoring requirements. Consistent with 40 CFR 403.12(g), samples must accurately reflect the characteristics of the discharge and be collected prior to commingling with other wastewaters whenever practicable. This flexibility allows the permittee to select a sampling point best suited to the site's configuration while ensuring the integrity and representativeness of the analytical data. The permit condition and fact sheet remain unchanged.

51. *[Section 4.10.1.2] Is mercury amalgam wastewater a Group I Process or Group II Non-process Wastewater?*

    Response: Mercury amalgam wastewater is a Group I Process Wastewater.

52. *[Section 2.2.1] DEEP should clarify that Group II Non-process Wastewaters are included in the determination for "all flows".*

Response: DEEP acknowledges the comment requesting clarification on whether Group II Non-process Wastewaters are included in the determination of "all flows." Section 2.2.1 of the general permit specifies the criteria used to determine whether a facility qualifies as a Non-SIU and is therefore eligible for coverage under the Non-SIU GP.

Consistent with the federal definition of a SIU under 40 CFR 403.3(v)(1), only the average daily flow of process wastewater is considered when evaluating whether a facility meets or exceeds the 25,000 gallons per day (gpd) threshold that would classify it as an SIU. Non-process wastewaters, including Group II discharges such as boiler blowdown, air compressor condensate, and similar auxiliary streams, are not included in this determination.

53. *[Section 5.4.4] Section 5.4.4 of the general permit contains two contradictory statements:*

(1) "Any wastewater resulting from this prior cleaning must be analyzed to determine if it can be discharged under the authority of this general permit."

(2) "Wastewater generated from any of the cleaning procedures above are not considered an eligible discharge under this general permit."

Clarify if the "wastewater resulting from this prior cleaning" would be an eligible discharge. If not, remove the phrase noted above, which would be consistent with the language in the draft SIU GP.

Response: The first sentence was carried over in error from a previous version of the general permit and has been deleted from the final issuance.

54. *[Section 2.1] If a Permittee has a discharge that is not listed, how are they to determine if the discharge is a Group I Process Wastewater or a Group II Non-process Wastewater? For example, facilities typically pressure wash their cooling towers annually or semi-annually and may use a biocide or scale remover as part of the process. Is this a Process or Non-process Wastewater? Hospitals have sterile processing departments where they clean surgical instruments, scopes, etc. Is this Process or Non-process Wastewater or is it sanitary wastewater, similar to what comes out of a dishwasher? Hospitals and universities have labs. Is the lab wastewater Process or Non-process Wastewater? I am sure there are others as well. Based on the notifications submitted under the MIU GP, does DEEP have a list of discharges from around the state that are not identified in the general permit but which DEEP has categorized as Process or Non-process Wastewater?*

Response: DEEP does not maintain a comprehensive list of discharges grouped into Process and Non-process Wastewater categories. Permittees should use the definition of Process Wastewater provided in the general permit to determine the appropriate classification for each discharge.

"Process Wastewater" means any water, not subject to Categorical Pretreatment Standards under 40 CFR 403.6 or 40 CFR Chapter I, Subchapter N, which, during manufacturing or processing, comes into direct contact with, or results from the production or use of any raw material, intermediate product, finished product, byproduct, or waste product.

Using this definition, sterile processing wastewater and laboratory wastewater would be considered Process Wastewaters. This approach ensures consistent classification based on the origin and nature of the wastewater rather than its volume or treatment method.

55. *[Sections 2.1 and 5.1] Two similar comments were received and are summarized below: The 2020 issuance of the general permit included a footnote to the table of effluent limits that indicated the total suspended solids limit does not apply to residuals generated by water treatment facilities transported to the solids handling portion of a POTW. This footnote is essential for allowing water treatment residuals to be collected and transported to a POTW.*

    Response: The 2020 issuance of the MIU GP included a footnote stating that the effluent limits in Table 5B-1 did not apply to residuals generated by water treatment facilities that were transported to the solids-handling portion of a POTW. The 2025 Non-SIU GP further clarifies the types of wastewaters authorized for discharge to a POTW and distinguishes these from solids management activities. The 2025 Non-SIU GP does not regulate the ultimate disposal of solids or residuals generated by water treatment facilities. Requirements related to the management and disposal of sludge (i.e., residuals) are addressed in Section 9 of the General Permit. Clarification has been added to the eligibility section to ensure consistency and transparency.

Public Comments Regarding Per- and Polyfluoroalkyl Substances ("PFAS"):

56. *[Section 5.3] Two similar comments were received and summarized below: Requiring quarterly PFAS sampling of discharges of less than 1,000 gpd is costly ($400/sample) and disproportionate to any impact the discharge would have.*

    Response: The quarterly sampling requirement was originally proposed to generate approximately 20 discrete data points per monitoring parameter, providing a robust dataset suitable for statistical analysis and comparison across industry sectors. Reducing the sampling frequency to annual monitoring would produce only five (5) data points over the permit term, which would not yield sufficient data to support meaningful evaluation or informed decision-making.

    DEEP acknowledges the cost considerations expressed by the regulated community and has revised the permit to reduce the sampling frequency from quarterly to semi-annual monitoring. This adjustment balances the need for representative statewide data with the goal of minimizing unnecessary burden on permittees. The Commissioner reserves the right to require more frequent sampling based on a review of individual registrations, site-specific conditions, or during the term of the permit if warranted by monitoring results. A definition of "semi-annually" has been added to Section 11 of the general permit for clarity.

57. *[Sections 4.14 and 5.3] PFAS is present in many potable water supplies and domestic sewerage. Is it DEEP's intent to have all discharges tested for PFAS if the only reason it is present is because it is in the facility's potable water supply provided by a public company or municipality owned water utility? The bottom entry in Table 5-2 under "pollutants require testing if expected in the discharge" listed in Appendix E and Appendix G. The only discharge category that would be exempt is air compressor condensate.*

    Response: DEEP updated the permit requirements upon reissuance to better align with the objectives of Connecticut's Interagency PFAS Task Force and the Connecticut PFAS Action Plan. The Action Plan establishes three primary goals: (1) minimizing environmental exposure to PFAS for Connecticut residents, (2) preventing future releases of PFAS to the environment, and (3) identifying, assessing, and remediating historical PFAS releases. To support these goals, DEEP determined that additional data is necessary to more accurately evaluate the occurrence and concentration of PFAS in permitted discharges. The revised permit therefore includes monitoring provisions to improve statewide understanding of PFAS presence and potential sources.

    In addition, DEEP incorporated strategies consistent with the U.S. EPA's 2022 memorandum, "Addressing PFAS Discharges in NPDES Permits and Through the Pretreatment Program and Monitoring Programs." This approach emphasizes proactive source control, requiring permittees to identify potential sources of PFAS, conduct routine monitoring, and implement appropriate source control measures and best management practices (BMPs) to minimize PFAS discharges to publicly owned treatment works (POTWs) and the environment. The permit condition and fact sheet remain unchanged.

58. *[Section 4.14] On the listing of suspected sources of PFAS in Section 4.14 of the general permit is water treatment wastewater ("WTW"). If the Permittee is a facility such as a hospital, college, or university, which has water softeners (e.g., for boiler water treatment), activated carbon units (e.g., for dialysis water treatment), and multi-media filters (e.g., for cooling tower condenser water filtering), are they required to have a PFAS Source Reduction Plan?*

    Response: Yes.

59. *[Section 4.14] Four similar comments received are summarized as follows: On the listing of suspected sources of PFAS in Section 4.14 of the general permit is water treatment wastewater ("WTW"). This may be appropriate for potable water treatment plants (public companies and/or municipally owned) that may be discharging these types of WTW to POTWs. To require industrial, commercial, or institutional facilities to sample for PFAS from "in-facility" utility discharges (reverse osmosis reject, water softener regeneration, ion exchange regeneration, filter backwash, granulated activated carbon backwash) has no value since the PFAS has been received by them in their water supply, not added by them in the WTW discharges. It is rather "pass through." DEEP should remove the requirements for PFAS testing for the WTW from industrial, commercial, and institutional facilities.*

    Other commenters further stated that drinking water plants should also not be included since the PFAS is from their source water. Any benefit that could possibly be obtained by requiring the water industry to sample its wastewater would be far outweighed by the fact that the volume of domestic wastewater discharged on a daily basis and containing PFAS is many times that discharged by water treatment. The water treatment industry has no legal authority to reduce or eliminate the presence of PFAS.

    Response: DEEP recognizes that the presence of PFAS in water treatment wastewater (WTW) is primarily attributable to constituents present in the source water, rather than substances introduced during the treatment process. However, WTW operations generate concentrated waste streams—such as filter backwash, membrane reject, or regeneration wastewaters—that may contain elevated PFAS concentrations due to the removal and accumulation of contaminants during treatment. Because these wastewaters have the potential to discharge PFAS at concentrated levels to a sanitary sewer system, water treatment wastewater remains identified as an included category under Section 4.14 of the general permit.

60. *[Section 4.14] Two commenters submitted similar comments, compiled and summarized as follows: Requiring the PFAS monitoring and preparation of a Reduction Plan, before there is a PFAS effluent limit for the POTWs seems premature. What is the regulatory requirement to require a PFAS Source Identification and Reduction Plan? Additionally, this permit may not be the most suitable mechanism for DEEP to address PFAS regulation or data collection.*

    Given the broad scope of facilities affected, thousands of Permittees will be required to develop such plans which could impose substantial financial burdens.

    It may not be DEEP's intent, but the permit language requires this monitoring and Reduction Plan even if PFAS has not been detected. There should be a way a facility could be excluded from these requirements.

    In addition, the proposed PFAS effluent limit was not included in the draft non-SIU that was put out for Public Notice. The addition of a PFAS effluent limit is a major modification to the permit and should be subject to Public Notice.

    Response: DEEP added PFAS monitoring requirements and the Reduction Plan upon reissuance to better align with the goals of Connecticut's Interagency Task Force and PFAS Action Plan. The goals of the PFAS Action Plan include: (1) minimizing environmental exposure to PFAS for Connecticut residents, 2) minimizing future releases of PFAS to the environment, and 3) identifying, assessing, and cleaning up historical releases of PFAS to the environment. To achieve these objectives, DEEP requires additional data to more accurately assess the prevalence of PFAS in permitted discharges. DEEP is utilizing the strategy presented in EPA's 2022 memo, "*Addressing PFAS Discharges in NPDES Permits and Through the Pretreatment Program and Monitoring Programs*", which requires Permittees to identify sources of PFAS,

monitor routinely, and implement BMPs to minimize PFAS discharges to POTWs. This requirement will apply to industries known to have a higher probability of PFAS in their discharges. Additionally, the permit requires the Permittees to evaluate minimization of PFAS concentrations in their discharge without the burden of purchasing additional facilities or equipment. DEEP has the authority to include conditions based on Best Professional Judgment pursuant to Regs. Conn. State Agencies Section 22a-430-4(m).

If a facility required to complete the PFAS Source Identification and Reduction Plan discovers that no PFAS substances have been used or are present onsite and analytical results support these claims, the submitted PFAS Plan can be a short report, summarizing the findings and concluding that no minimization is necessary due to the concentrations being non-detect.

In regard to a PFAS effluent limit, the commenter is referring to a requirement that applied specifically to discharges of Dewatering and Remediation Wastewaters. The final general permit no longer includes eligibility for these types of discharges; therefore, the referenced requirement is no longer applicable.

61. *[Section 4.14] Being required to accept annual PFAS Status reports is not a burden the POTW Authorities have agreed to accept.*

Response: Section 4.14 of the general permit has been updated to require the PFAS status reports to be sent to DEEP.

62. *[Sections 3.5.4 and 4.14] A commenter supports the following approach: Section 3.5.4 of the general permit does not include a requirement to test for PFAS as part of the screening for Dewatering and Remediation Wastewater discharges unless PFAS is known to have been handled, stored, released, or disposed of at or adjacent to the site where the subject wastewater originates.*

If PFAS is known or suspected to be present in the discharge, or if required by the POTW, then the routine quarterly monitoring of the Dewatering or Remediation Wastewater would have to include PFAS testing in accordance with Sections 6.2 and 6.4 of the general permit, but the PFAS effluent limit for Dewatering and Remediation Wastewater is noted in the draft permit as being "under development and will be based on achievable concentrations assuming a minimum level of treatment from available treatment technologies."

The lack of proposed effluent limit in the draft general permit makes it impossible to comment on the availability of treatment technology and the achievability of the concentrations in treated discharges. The impact on a construction projects' cost to treat groundwater when it is contaminated with PFAS cannot be determined without a proposed numerical limit. Section 5.1's Table 5-1 clearly indicates that a PFAS effluent limit for Process and Non-process Wastewaters is not specified but must be monitored for (when required by other sections). Adopt the same approach for Dewatering and Remediation Wastewater.

Response: The commenter is referring to a requirement that applied specifically to discharges of Dewatering and Remediation Wastewaters. The final general permit no longer includes eligibility for these types of discharges; therefore, the referenced requirement is no longer applicable. These discharges are eligible for authorization under the SIU GP.

63. *[Section 4.14] A comment stated strong support for the addition of 1) the PFAS monitoring requirements for facilities in specific industry categories and those with known or suspected concentrations of PFAS in their effluent, and 2) the provisions of the PFAS Minimization Plan that require Permittees to identify sources, review chemical substitutions, treatment, and operational changes to minimize the amount of PFAS discharged to the POTW.*

    Response: Comment acknowledged for the record. The permit conditions remain unchanged with the exception of PFAS monitoring frequency being changed to semi-annually. See Response above.

64. *[Section 4.14] Non-SIU GP requires that vehicle maintenance wastewater be screened for PFAS as part of the permit notification process and then quarterly monitored thereafter. A current Permittee with forty-nine garages that discharge vehicle maintenance wastewater to POTWs, estimates its total cost for PFAS testing over a five-year permit term will be $2.4 million to $3.5 million, inclusive of laboratory fees and the cost of having qualified consultants collect the sample using equipment and procedures unique to PFAS sampling. The range in cost is due to anticipated increases over the permit's term. Also, Sections 4.14 of the proposed Non-SIU GP requires that a PFAS Reduction Plan and annual status reports to are sent to DEEP. At this time, this Permittee is unable to confirm which of the products used at its garages, including wash bay detergents, contain PFAS. It is presumed that a consistent PFAS reduction strategy could be ubiquitously applied to each of its garage given the standardization in operations and materials. As such, the preparation of a PFAS reduction plan and the annual status reports are expected to be an expense that will be significantly less than the cost of monitoring. This Permittee envisions that a PFAS reduction plan for its garages would call for a review of materials to determine which contain PFAS and could affect vehicle maintenance wastewater quality with a goal of switching to substitute materials that do not contain PFAS. However, Public Act 24-59 already requires that certain PFAS-containing products, including automotive maintenance products, cannot be sold or distributed in Connecticut after July 1, 2026 unless DEEP's been provided notification and the products have special labeling, and no such products can be sold or distributed after January 1, 2028. This Permittee acknowledges the longevity that PFAS has in the environment, the limits that U.S. EPA has proposed for PFAS in drinking water, and the published testing results of DEEP's recent study of PFAS in POTW effluent. The CT legislature's approach to limiting the availability of consumable products that contain PFAS, is having the most meaningful impact on reducing the sources of PFAS in the environment, including that which gets discharged through wastewater. Presumably, POTW effluent and/or surface water testing for PFAS will continue, and the results of which should validate PA 24-59's effectiveness, rather than requiring onerous monitoring requirements on Permittees under the Non-SIU GP. If DEEP is not willing to consider eliminating the PFAS monitoring requirement in the Non-SIU GP, then consider at least reducing the frequency of the PFAS monitoring. In addition, Section 5.2 of the proposed Non-SIU GP also includes the provision that "A single DSN may represent multiple discharge pipes of similar wastewaters." Consider adding explicit language in the permit that could allow Permittees to use representative sampling across multiple, similar sites with similar discharges.*

    Response: Upon review of EPA Region 1's recommendation to begin routine testing on discharges of specific industries, commercial car washes are included and not vehicle maintenance wastewater. The permit has been updated to include commercial car washes instead of vehicle maintenance wastewater. The suspected source of PFAS at car washes includes the cleaning compounds used. The comment is no longer applicable.

Public Comments Regarding Clarifications and Editorial Revisions

65. *[Section 10] Excessive foaming, pass through, PFAS, upset, and pretreatment are suggested to be added to Section 10: Definitions. Notification should be narrowly defined to only include the "notification form filed with the POTW Authority" since the general permit references notifications to the Commissioner/DEEP.*

    Response: DEEP has added the terms "excessive foaming", "PFAS", "upset", and "pretreatment" to Section 10: Definitions. The term "Pass through" is already defined in the permit. [Fact Sheet] The fact sheet is very confusing. The section headings are different from those in the actual general permit. CT DEEP should reference the actual general permit section headings in the text of the fact sheet.

66. *[Fact Sheet] The fact sheet is very confusing. The section headings are different from those in the actual general permit. DEEP should at least reference the actual general permit section headings in the text of the fact sheet.*

    Response: The fact sheet needs to cover topics outside of the headings covered in the general permit including proposed changes in reissuance, permit history, public participation, etc. The fact sheet will have references added to the associated section of the general permit to minimize confusion.

67. *[Section 2.2.1] POTW organic capacity is not defined. Does organic capacity mean BOD_5, or BOD_5 and TKN?*

    Response: Under 40 CFR 403.3(v)(1)(ii), a facility is classified as a Significant Industrial User (SIU) if it contributes a process wastestream that equals or exceeds five percent of the POTW's average dry-weather hydraulic or organic capacity. This threshold is intended to identify users whose discharge volume or loading is significant enough to affect POTW operations, treatment performance, or compliance with effluent limits.

    The hydraulic capacity refers to the POTW's design flow (e.g., millions of gallons per day), while organic capacity refers to the plant's design loading for BOD, TSS, TKN, or similar parameters. Either metric may be used by the Control Authority to determine whether a discharge is "significant."

    For example, if a POTW has a design flow of 10 MGD, and an industrial facility discharges 0.6 MGD of process wastewater, that discharge represents 6% of the POTW's hydraulic capacity—exceeding the 5% threshold and qualifying as an SIU. Similarly, if the facility's average BOD loading constitutes 5% or more of the POTW's design organic capacity, it would also meet the criterion.

    This provision ensures that industrial users contributing substantial hydraulic or organic loadings are properly identified and controlled under the Pretreatment Program to prevent pass-through or interference at the POTW. The permit condition and fact sheet remain unchanged.

68. *[Fact Sheet Section 4.6] The item (1) parenthetical about qualified professional engineer (QPE) should be removed since using one is not required in the new general permit. No definition for a qualified professional engineer is provided in Section 10 of the general permit.*

    Response: The referenced section of the fact sheet summarizes the modifications made to the 2025 General Permit compared to the 2020 issuance. DEEP removed the requirement for a Qualified Professional Engineer (QPE) certification in the 2025 General Permit to reduce compliance costs for permittees.

However, as noted in the parenthetical statement, while QPE certification is no longer mandatory, DEEP continues to encourage the use of QPEs during the application and plan development process to help ensure the accuracy and technical quality of submitted materials. The permit condition and fact sheet remain unchanged.

69. *A commenter does not agree with the name change of the permit. Changing "MIU" to "Non-SIU" will require municipalities to revise their ordinances to address the authority requirements in the general permit and will create confusion for facilities that need to provide notification.*

    Response: Comment is acknowledged for the record. The permit conditions and fact sheet remain unchanged.

70. *[Sections 2.2.1, 2.5.1, 2.6.3, 3.5.4, 4.2.2.2, 6.1, and 8.20.2, Appendix B, and Appendix D] A few commenters noted typographical errors.*

    Response: The sections have been updated based on the comments received and documented in the fact sheet.