General Pretreatment Permit for Significant Industrial User, Dewatering, and Remediation Wastewater Discharges

Permit Nos. CTSIU0000 and CTDRW0000

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 "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. Comments are amended for clarity and grouped by topic. Please note that due to changes between the draft and final permit the section references may have changed.

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

1. *Will CT 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 2.5.2 and 3.4.2.2] It is unclear if New Applicants would be authorized to discharge "on the first day of the month following the issuance date of an Approval of Registration [Notice of Coverage]" or "on the date the Approval of Registration [Notice of Coverage] is issued by the Commissioner." Clarify the date when discharges are authorized by the general permit.*

   Response: New Applicants will be authorized to discharge on the date the Notice of Coverage is issued by the Commissioner. The language in Section 2.5.2 of the general permit has been updated to specify this and to match the language in Section 3.4.2.2 of the general permit.

3. *[Section 2.5.1] Is it the intent of this section for Existing Permittees to meet all requirements of the 2025 issuance of the SIU GP between when it is issued until such time that a new application is approved and a new Approval of Registration [Notice of Coverage] issued? If so, do existing waivers and /or variances become null and void on the date of the SIU GP reissuance? This requirement places an undue burden on Existing Permittees. Further, NetDMR templates will not exist for use where waivers/ variances have been previously approved.*

   Response: The effluent limitations and permit conditions established in the 2025 General Permit for Significant Industrial User (SIU GP) take effect on the permit's effective date. Existing discharges will retain continued coverage following the effective date of the 2025 SIU GP, provided that a complete

application is submitted to the Commissioner within this ninety (90) day period and that all applicable terms and conditions of the reissued permit are met.

Monitoring waivers and variances granted under the previous permit will be administratively continued until the Commissioner issues a final determination on the application. During this period, NetDMR reporting requirements will remain unchanged. However, Permittees are expected to attach any additional monitoring results required under the reissued SIU GP that were not previously required under the prior permit to the appropriate Discharge Monitoring Report (DMR).

Section 2.5.1 of the 2025 SIU GP has been revised to clarify that all variances and monitoring waivers remain in effect until the Commissioner has made a determination on the application.

Public Comments Related to the Application:

4. *[Section 3.6.4] Please note Level B Aquifer Protection Area mapping only provides a rough estimate of the contributing areas to a wellfield. The Level A mapping is a refinement of the Level B mapping and is the mapping that defines the regulated Aquifer Protection Area.*

   Response: The comment is acknowledged for the record. The permit condition remains unchanged.

5. *[Section 3.6.10.2] Screening groundwater for cobalt is unnecessary and a waste of effort.*

   Response: The comment is acknowledged for the record. Additional rational or supporting information for the comment was not provided. The Department has determined that the requirement to screen parameters is an essential component of the permit, as it enables both the Permittee and DEEP to evaluate potential sources of contamination at a site and to ensure that appropriate monitoring and treatment measures are implemented. The permit condition and fact sheet remain unchanged.

6. *[Section 3.6.9] Require that the site plan depict the location(s) of all erosion and sediment controls and energy dissipation structures, consistent with the provisions of Sections 3.6.18 and 7.6 of the general permit.*

   Response: The site plan requirements in Section 3.6.9 of the general permit have been updated to include the location(s) of all erosion and sediment controls and energy dissipation structures.

7. *[Sections 3.6.18 and 7.6] Two commenters noted that it is excessive to request a detailed description of all erosion and sediment controls for all dewatering and remediation discharges as they are not always applicable. For example, some remediation systems are existing and do not require erosion and sediment controls.*

   Response: The Department recognizes that some remediation systems may be permanent installations or temporary installations. However, all installations and the associated sediment and soil, have the potential to pollute the environment if not properly managed. The requirement to describe erosion and sediment control measures ensures that each discharge is evaluated for potential environmental impacts and that appropriate controls are in place when necessary. The permit condition and fact sheet remain unchanged.

8. *[Section 3.3] Two commenters noted that the $1,000 fee for all Notices of Change is excessive. Minor changes such as reduction in flow or changes in monitoring location, should be treated as minor modifications not subject to fees.*

   Response: The comment is acknowledged for the record. A fee is required for all modification requests that necessitate an assessment of the need for an Amended Notice of Coverage, except those identified as minor modifications under Section 22a-430-4(p)(5)(B) of the Regulations of Connecticut State Agencies ("Reg. Conn. State Agencies") and treatment system modifications. Modifications that fall outside the scope of these designated minor modifications are considered major modifications and therefore require a more detailed technical review and administrative processing by the Department. The permit condition and fact sheet remain unchanged.

9. *[Section 3.6.4] One commenter suggested additional application requirements for Applicants of Dewatering and Remediation Wastewater. The Applicant should provide additional information on the site including 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.

Two comments received requested the removal of application requirements to this section for Applicants of Dewatering and Remediation Wastewater since they are not necessary for evaluating discharges to a Publicly Owned Treatment Works ("POTW") and are only necessary for surface or groundwater discharges. The requirements requested to be removed include the Applicant identifying if the site: is or was on the National Priority List under Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA") or is a State or Federal Superfund Site; is or has been used for the disposal of hazardous materials or solid waste; is subject to the reporting requirements of Sections 22a-6u or 22a-134 of the Connecticut General Statues ("Conn. Gen. Stat."); and has a discharge within a ¼-mile of any public or private drinking water well.

Response: DEEP does not find additional information on the site (including brownfield status, presence of an ELUR, contamination designation, or additional location and ownership records of drinking water wells) necessary to evaluate the eligibility of Dewatering and Remediation Wastewater to be permitted under the SIU GP. In accordance with Section 3.10 of the draft general permit, the Commissioner can request additional information deemed necessary to evaluate the subject activity with the requirements for authorization under the general permit. This information can still be collected by DEEP if deemed necessary.

DEEP historically has collected the information already listed in Section 3.6.4 and will keep this requirement in the application requirements. This information can be helpful to the permit writer to have readily available.

The permit condition remains unchanged.

10. *[Section 3.6.10.2] Two comments received stated the screening analysis required for remediation discharges is excessive and should not be collected from raw water. Concern was expressed that detection of certain elements that make up natural soils at levels exceeding permit limits may lead to expensive and unwarranted treatment requirements.*

Response: The screening requirement for Dewatering and Remediation Wastewaters applies to the raw, untreated wastewater to identify potential contaminants of concern present in the discharge prior to treatment. The Department carefully evaluates screening results, along with available site data to determine which parameters are required in the Notice of Coverage. This approach ensures that monitoring requirements and effluent limits are protective of the environment, while minimizing unnecessary or unwarranted treatment obligations. The permit condition and fact sheet remain unchanged.

11. *[Section 3.6.10.2] 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: Although methyl tert-butyl ether ("MTBE") has been largely phased out of gasoline formulations, it remains a compound of concern due to its persistence in the environment, high solubility, and limited ability to degrade or sorb to soils. MTBE continues to be detected in groundwater and soil at sites impacted by historical fuel releases and leaks in underground storage tanks. The Department notes that many of the applications it receives involve the replacement of leaking underground storage tanks that have resulted in groundwater contamination. These projects often require evaluation of potential pollutants and appropriate treatment or control measures to prevent further impacts to water quality. The Department has

determined that continued screening for MTBE in remediation discharges is necessary to identify potential residual contamination and to ensure adequate protection of water quality. The permit condition and fact sheet remain unchanged.

12. *[Section 3.6.8] Where in the general permit addresses when the receiving POTW is not in the same municipality as the Water Pollution Control Authority ("WPCA") of the conveyance system? The municipality with the collection system would also need to know if there is sufficient infrastructure to handle the wastewater flow and not have issues with surges during high flows that can occur at 90-degree pipe connections.*

    Response: Section 3.6.8 of the general permit requires the submission of a complete application, including a signed Certificate of Approval from each POTW and any associated sewer authority involved in the conveyance or receipt of the wastewater. This ensures that both the conveying WPCA and receiving POTWs have reviewed and approved the discharge prior to authorization under the general permit.

13. *[Section 2.5.3] 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.*

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

14. *[Section 3.6.9] Two similar comments were received and summarized as follows: Requesting the following information for the site plan attachment of the application (entrance and exit routes of the site, the areas occupied by manufacturing and commercial facilities, the hazardous material and process storage areas, the loading and unloading areas, the direction of drainage from hazardous material and waste handling storage and treatment areas, the floor drains, pipes, and channels which lead away from the potential leak or spill areas and where these drain to, and the spill prevention structures) is excessive . Much of this information is confidential for water utilities and cannot be in a document available to the public. The current SIU GP requires this information in the Spill Prevention and Control Plan (SPCP) and that is where it should remain. In addition, requiring the location of drinking water wells for a Dewatering and Remediation Wastewater discharge is also problematic if the work is located at a drinking water facility and unnecessary as the permit covers sewer discharges.*

    Response: In response to recommendations received prior to public notice, the requirements for the site plan in Section 3.6.9 had been updated to allow for the use of the same site plan as is required for the Spill Prevention and Control Plan. This will eliminate the need for multiple site plans with different requirements.

    In regard to confidential information, the Applicant may designate portions of an application as confidential if the information meets the criteria set forth in Section 1-210 of the Conn. Gen. Stat. (Freedom of Information Act). Such information must be clearly identified as confidential at the time of submission and accompanied by a written justification explaining how it qualifies for exemption from public disclosure under the statute.

    The Department will review all confidentiality claims in accordance with Section 1-210 of the Conn. Gen. Stat. and Section 22a-430-3(b) of the Regs. Conn. State Agencies, which governs the confidentiality of records submitted in connection with wastewater discharge permits. Information determined to meet the statutory and regulatory criteria will be protected from public release to the extent permitted by law, while

ensuring that sufficient information remains available to support regulatory review and maintain transparency in the permitting process. The permit conditions and fact sheet remain unchanged.

15. *[Section 3.6.10.2] Add a requirement for the laboratory's certification numbers and a copy of the chain of custody with the analytical data submitted with the application.*

Response: The permit condition has been updated to include a requirement that a copy of the lab report is submitted with the analytical results which includes the laboratory's certification number and chain of custody.

16. *[Section 3.6.13] Creation of a Spill Prevention and Control Plan (SPCP) in combination of other new requirements are expected to result in significant new costs for each registered discharge.*

Response: Section 22a-430-3(p) of the Regs. Conn. State Agencies 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.

The requirement to develop and implement a Spill Prevention and Control Plan (SPCP) is consistent with these existing regulatory obligations and is not a new condition introduced with the reissuance of the 2025 General Permit. The Department therefore disagrees that this requirement will result in significant new costs to Permittees, as it reflects long-standing obligations that have been in place under the 2020 SIU General Permit and existing state regulations. The permit condition and fact sheet remain unchanged.

17. *[Section 3.6.1.1] Please clarify that a Certification of No Change can be used based on the last modification package [application] submitted and not only based on the original registration submitted.*

Response: Yes, the Certification of No Change is based on the most recent registration submitted to DEEP, which can include a modified registration. The general permit has been updated to clarify that the certification applies to the last registration or modified registration submitted to the Department.

18. *[Sections 3.6.1.1 and 3.6.5] If a Permittee has eliminated a process or non-process discharge and the need for a DSN for that discharge, can the Permittee still use the Certification of No Change? If not, will a Permittee be required to prepare new Attachment Ds (formerly Attachment F) for all remaining DSNs that have not changed?*

Response: The general permit has been updated (see Sections 3.6.1.1 and 3.6.5 of the general permit) to clarify that removal of DSNs does not affect the eligibility for the Certification of No Change. If the only change is eliminating a discharge and its associated DSN, the Permittee may still use the Certification of No Change. A new Attachment D (formerly Attachment F) is not required for the remaining DSNs if they have not changed.

19. *[Section 3.6] The application requirements have been updated upon reissuance including updating screening requirements in the application. Does this preclude an Existing Permittee from using the Certification of No Change?*

Response: No, the Certification of No Change remains available for use by Existing Permittees who maintained coverage under the 2020 SIU General Permit. The reissuance of the general permit, including updates to the application and screening requirements, does not preclude eligible Existing Permittees from

utilizing the Certification of No Change, provided that no changes have occurred since the last approved registration or modified registration. The permit and fact sheet remain unchanged.

20. *[Section 3.6.17] It is suggested that CT DEEP develop a guidance for applying for a variance.*

Response: Comment acknowledged for the record. Information is available in the Frequently Asked Questions (FAQs) document on DEEP's website.

21. *[Section 2.5.1] Existing Permittees should be allowed an extended application period to the day the Permittee receives POTW approval to submit a complete application to DEEP, as long as the Existing Permittee submits the attachments that require POTW approval (a variance request, monitoring waiver request, or discharge approval) to the POTW Authority within sixty (60) days of the effective date of this general permit.*

Response: The comment is acknowledged for the record. The Department has determined that ninety (90) days is an appropriate timeframe for Existing Permittees to prepare and submit a complete application, including obtaining authorization from the receiving POTW. This period provides sufficient time for coordination with the POTW while ensuring timely submission and review of applications. The permit condition and fact sheet remain unchanged.

22. *[Section 2.5.1] DEEP should consider changing the ninety (90) day application window currently starting the day the general permit is issued to ninety (90) days from the day the new application forms and application guidance document are published if that is after the date of general permit issuance.*

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

Public Comments Related to Effluent Limits and Conditions:

23. *[Sections 4.5, 6.1, and 6.3] Why is total residual chlorine listed in Table 4-1: Sample Type Required for Screening and Monitoring if it is not listed in the effluent limits and monitoring requirements listed in Table 5-1, Table 6-1, or Table 6-2?*

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 Conn. Gen. Stat. is beyond the scope of this general permit. The permit condition and fact sheet remain unchanged.

25. *[Section 5.1] Table 5-1 lists all constituents that have limits and may require monitoring. Many constituents were added (see page 7, Section 4.3 of DEEP's Fact Sheet) that are neither categorical nor listed in the Regs. Conn. State Agencies Section 22a-430-4(s). CT DEEP has not provided the technical and/or regulatory basis for the addition of these parameters.*

Response: The comment is acknowledged for the record. Inclusion of these parameters expands the range of discharges eligible for authorization under the general permit, reducing the need for individual permits while maintaining necessary safeguards for POTW operations and the receiving environment. The parameters and associated limits are based on the Department's experience implementing prior pretreatment permits and have demonstrated effectiveness in ensuring POTW compliance and operational reliability. The permit condition and fact sheet remain unchanged.

26. *[Section 4.6] Four commenters expressed concern with the updated flow requirements, especially the additional expense to add flow meters for lower volume discharges where flow meters requiring full-pipe flow cannot be used and open-channel flow meters are cost prohibitive.*

One commenter suggested requiring flow meters only for Group 1 discharges with monthly average flows greater than 10,000 gpd. They also suggested that Group 1 discharges less than 10,000 gpd and Group II discharges should only require flow monitoring on required sampling days and should be given an allowance of using flow meters, engineering calculations, or process knowledge to determine the flow.

One commenter further stated that it reflects poorly on DEEP to add these flow monitoring requirements without significant outreach and feedback from the regulated community. They further stated that the update will not provide improvement in the overall quality of the wastewater received by the POTWs since these are proportionally very small discharges compared to the total flow received by a POTW.

Response: During development of the general permit, the Department conducted extensive stakeholder outreach, including multiple listening sessions and distribution of a pre-draft version of the permit to the regulated community for review and feedback. In April 2025, DEEP published the draft general permit and fact sheet for the required thirty (30) day public comment period to solicit additional input.

The Department agrees with the commenter that the inclusion of flow meters will not, by itself, improve the overall quality of wastewater received by the POTW. However, flow monitoring provides valuable data for determining the quantity and variability of industrial loading to the treatment works. This information is essential for assessing pretreatment program performance, managing capacity, and ensuring that POTWs remain in compliance with applicable permit limits and treatment requirements. Additionally, the federal NPDES Program requires applicants to report flow on their applications.

The Department has included provisions in the general permit allowing an alternate flow monitoring plan where installation of flow meters is not feasible. Flow estimates may be used to satisfy this requirement, provided they are based on generally accepted engineering practices and approved by the Commissioner. This approach provides flexibility while ensuring the reliability of flow data used for regulatory purposes.

27. *[Section 7.1] A request was submitted asking intentionality of the decision that some of the limits match the old surface water limits.*

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

28. *[Section 7.1] 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 magnesium limit included in Section 7.1 of the general permit was carried forward in error from a previous draft. Upon further review, the Department determined that a specific effluent limit for magnesium is not warranted under the scope of this general permit. Magnesium is not typically identified as a pollutant of concern for a majority of POTW operations or for the protection of receiving waters, and it is not commonly associated with industrial pretreatment program compliance issues. Accordingly, the magnesium limit has been removed in the final permit to maintain consistency with applicable regulatory requirements and to ensure that the monitoring and effluent limitations remain focused on parameters of environmental significance.

29. *[Sections 5.1, 6.1, and 7.1] In Tables 5-1, 6-1, and 7-1, 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: 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 #30 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.

30. *[Section 4.4] A total of ten commenters raised concerns regarding the inclusion of minimum levels (MLs) in the permit. Six specifically requested their removal, citing that:*

- *Permit limits are significantly higher than the MLs, making their inclusion unnecessary and overly burdensome.*
- *Analytical methods approved under 40 CFR 136 may be affected by matrix interferences in wastewater, making it difficult or impossible to meet the MLs even when the discharge complies with permit limits.*
- *Adding MLs at permit issuance, rather than during the public notice period, undermines the public's opportunity to comment and is inconsistent with public notice requirements.*

Additionally, four commenters emphasized that the U.S. EPA's Sufficiently Sensitive Methods Rule applies only to direct dischargers under NPDES permits—not to indirect dischargers:

- *Some approved methods under 40 CFR 136 may be less sensitive than the specified MLs but are still adequate for demonstrating compliance.*
- *Requiring more sensitive methods for indirect discharges is not mandated by EPA and imposes unnecessary cost burdens on Permittees.*

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.

However, to ensure that analytical methods remain appropriate for assessing compliance, 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.

Additionally, to clarify reporting expectations:

- Analytical results below the ML—including estimated values, J-flagged data, or results below the detection capability—must be reported as "less than the [ML]" or "< [ML]" where [ML] is the applicable minimum level for that analysis.

- Verified results at or above the ML shall be reported as quantified values.

- The term "non-detect" should be avoided, as it refers to results below the method detection limit (MDL), which are not reliable for compliance purposes.

- Permittees must submit documentation showing the ML used for each analysis as an attachment to their Discharge Monitoring Report (DMR).

31. *[Sections 3.6.10.2 and 6.4] Two commenters submitted similar comments, summarized as follows: The addition of annual monitoring for discharges that previously did not have required monitoring and the addition to screen wastewaters previously exempt from screening in the application process is excessive, adds an undue burden on the permitted community, and does not provide an improvement to the overall quality of the wastewater due to the small volumes of the wastewater.*

Response: Federal regulations under 40 CFR 403.12(g)(3) and 403.8(f)(2) require indirect dischargers to conduct sampling and analysis of regulated pollutants and report the results to the permitting authority. These requirements are mirrored in Section 22a-430-3(j)(7) of the Regs. Conn. State Agencies, which incorporates by reference the analytical and monitoring procedures established in 40 CFR 136. Together, these provisions ensure that effluent limits are enforceable, and that sufficient data is available to evaluate compliance and protect the integrity of the treatment works and receiving waters.

32. *[Sections 5.1 and 6.1] Four comments were received in regards to nitrogen limits. Suggestions included modifying the proposed total nitrogen limit to be a limit only for Total Kjeldahl Nitrogen (TKN), removing these limits entirely, or requiring only on a case-by-case basis. 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.

The 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 LIS 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 SIU General Permit 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.

33. *[Section 4.10] A comment was received supporting the provisions in the general permit that ensure the proper operation of wastewater treatment systems.*

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

34. *[Sections 3.6.13 and 4.10.2, Appendix A] 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's 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 6.5 for specific categories of discharge that are not internal or end-of-pipe treatment. For these categories of discharge, sampling requirements, flow monitoring, and testing/reporting requirements are specified in the actual general permit application attachments and the Approval of Registration [Notice of Coverage] issued by DEEP.*

Another commenter stated that the O&M Plan and other new requirements are expected to result in significant new costs for each registered discharge.

Response: The condition to maintain an Operation and Maintenance ("O&M") Plan for Metal Finishing, Process, and Non-process Wastewater was established in the 2020 issuance of the SIU General Permit 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—except Dewatering and Remediation Wastewater—to maintain an O&M Plan and conduct at least annual sampling.

The O&M Plan must address all applicable elements identified in Attachment G of the application. 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. Sections 3.6.13, 4.10.2.1, and Appendix A have been updated to clarify these requirements and ensure consistent application across all covered facilities.

35. *Comments Regarding the pH Effluent Limits*

35.1 [Section 4.2.2] Four 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. 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.*
- *Most metal finishers use metal hydroxide chemistry, and a higher pH is necessary to remove metals from the wastewater per the metal hydroxide solubility charts.*
- *Metal finishing facilities will need to purchase and use more acid with the lowering of the high end of the pH range from 12.0 S.U. to 10.0 S.U.*

The maximum pH limit should be maintained at 12.0 S.U.

35.2 [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 general permit or the Fact Sheet provided the regulatory or technical basis for these changes. The Regs. Conn. State Agencies 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 general permit. 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 general permit limits of 5.0 to 12.0, a variance should not be required, simply documentation in the Permittee's application.

35.3 [Section 4.2.2] A comment was received about the dislike of a 5.5 S.U. minimum limit for pH for the following reasons:

- *POTW's need a sufficient pH and alkalinity to process wastewater (ideally pH upwards of 7 S.U. and alkalinity of 100+ ppm).*
- *Wastewater treatment reference texts can suggest even higher optimal pH (7.2-8 S.U.) and suggest simply "sufficient alkalinity."*
- *pH is an exponential scale. Waters with pH of 4.5 S.U. have significantly less alkalinity than those with a pH of 7 S.U.*
- *POTWs lose significant alkalinity in the nitrification stage (and only a small amount regained in denitrification).*

The primary source of alkalinity to the POTW is bicarbonate (not carbonate or hydroxide). Using the Langelier Index with a low pH of 5.5 S.U., most wastewaters will have a negative saturation index meaning the wastewater will be corrosive to cement/concrete, the material many collection system pipes are made from.

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.

36. *[Section 2.2.4] Two comments received requested that the prohibition that transported wastewater cannot be introduced anywhere except the headworks of the POTW be revised 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.

37. *[Section 4.5] Language should be added indicating if a discharge lasts less than four (4) hours, a composite sample or grab sample average is not required.*

Response: A footnote was added to Table 4-1 to allow a single grab when the discharge is less than four (4) hours in duration for non-metal finishing discharges.

38. *[Section 4.3] Two comments received were similar and summarized as follows: The general permit requires all analyses to be performed by a certified and registered environmental laboratory. This does not take into account that some analyses like pH need to be conducted in the field and cannot be conducted by a certified and registered environmental laboratory.*

Response: Section 22a-430-3(j)(7) of the Regs. Conn. State Agencies requires "Sample collection, preservation, handling and analytical techniques used to determine compliance with effluent limitations in the permit or to submit a permit application shall be as prescribed by 40 CFR Part 136." The holding times for temperature, total residual chlorine, and pH are fifteen minutes in accordance with 40 CFR 136.3(e). To meet this requirement, DEEP has updated the language in Section 4.3 of the general permit to exclude the analysis of pH, temperature, and total residual chlorine from the certified and registered lab requirement.

39. *[Section 6.3] Three comments received were similar and are summarized as follows: A large list of parameters has been added for vehicle maintenance wastewater and the cost for a single sample may exceed $1,000. This may be burdensome on businesses.*

Response: The comment is acknowledged for the record.

40. *[Section 6.3] 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.*

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 6-2 of the general permit has been updated to remove oil & grease (non-polar material) from the sampling requirements for Potable Water System Maintenance or Sampling wastewater.

41. *[Section 9.12] Do the conditions in Section 9.12 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.

42. *[Section 2.2.4] In practice, the high temperature wastewaters in industries are generally limited to process (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. 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 the application.

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 the 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 the Reg. 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 Reg. Conn. State Agencies Section 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.

43. *[Section 6.1] Include the footnotes from the existing permit: "This limit does not apply to discharges of water treatment wastewater, or to discharges of food processing wastewater that have implemented the practices specified in Section 5B(c)(3) of this general permit. In accordance with Section 7(a) of this general permit, the Commissioner may approve an alternate mass loading limit (flow x concentration) for BOD_5, COD or TSS. For COD, such alternate mass loading limit shall not exceed 200 lbs/day. For BOD_5 or TSS, each alternate mass loading limit shall not exceed 100 lbs/day or 2% of the POTW's design loading, whichever is less."*

Response: The comment is acknowledged for the record. During the term of the 2020 SIU General Permit, DEEP evaluated the effects of the footnote included in Section 5B(a) of the 2020 SIU GP, which exempted certain water treatment and food processing wastewaters from BOD_5, COD, and TSS limits when best management practices (BMPs) were implemented. The referenced BMPs primarily focused on the installation and operation of oil-water separators, which are not effective treatment technologies for reducing BOD_5 or TSS concentrations.

Water treatment wastewaters can exhibit highly variable characteristics depending on the source and treatment process. Removing BOD_5, COD, and TSS limits for all such discharges could increase the risk of pass-through or interference at POTWs. Similarly, food processing wastewater typically contains elevated organic and solids loading due to process residues and cleaning activities. Maintaining applicable limits for these parameters ensures that POTWs can continue to operate within their design loading capacities and maintain compliance with their NPDES permits.

Retaining consistent BOD_5, COD, and TSS limits across all discharge categories provides greater protection for POTW operations and receiving waters. Permittees may continue to request variances for BOD_5, COD, and TSS; or site-specific conditions may be considered through the individual permit process, if warranted. The permit condition and fact sheet remain unchanged.

44. *[Section 10.1] It should be agreed that a variance approved by DEEP has approval from the POTW.*

Response: In accordance with the Regs. Conn. State Agencies Section 22a-430-3(l)(3) and POTWs NPDES permits, POTWs shall adopt a sewer use ordinance to protect the physical and operational integrity of the collection and treatment facilities. The POTW is required to evaluate all discharges to determine if they may result in pass-through to the receiving water body or interference in the treatment process. The permit requires that all variance requests include approval from the receiving POTW since each treatment works has different treatment capabilities, design capacities, and inhibition concentrations. Obtaining approval from the POTW ensures they have assessed their current operations, loadings, and capacity in evaluating the variance request to remain in compliance with their applicable NPDES discharge permit limits and treatment requirements. For these reasons, both the POTW and DEEP shall continue to make a determination on variance requests. The permit condition and fact sheet remain unchanged.

45. *[Sections 2.1] 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 SIU General Permit 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 SIU General Permit further clarifies the types of wastewaters authorized for discharge to a POTW and distinguishes these from solids management activities. The 2025 SIU General Permit 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 9.12 of the general permit. Clarification has been added to the eligibility section to ensure consistency and transparency.

46. *[Section 2.2.9] Two similar comments received are summarized as follows: Given that the general permit authorizes indirect discharges and not those discharged directly to a surface water, it is unclear how the Wild and Scenic Rivers Act applies as written. 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 statute, such as the Wild and Scenic Rivers Act (16 U.S.C. 1271–1287), is beyond the scope of this general permit. This general permit prohibits any discharge that causes pass-through or interference at a POTW. Accordingly, if a Permittee's discharge results in a POTW violating its NPDES permit and thereby contributes to a violation of the Wild and Scenic Rivers Act, the Permittee would be in noncompliance with the general permit and subject to appropriate enforcement under applicable state and federal regulations. The permit condition and fact sheet remain unchanged.

Public Comments Regarding Record Keeping and Reporting:

47. *[Section 4.6 and 4.7] The general permit states for electronic data recorders "…the frequency must be logged with the date and time". What is meant by this?*

Response: In the 2020 issuance of the SIU General Permit, flow and pH measurements were required to be recorded either on a physical chart recorder or electronically. Chart recordings had to be reviewed, signed, and dated daily, while electronic data was required to be reviewed, printed weekly, signed, and dated.

For the 2025 reissuance, DEEP modernized these requirements to provide flexibility and reduce unnecessary administrative burden. Permittees may now use either chart recorders or electronic data recorders without the requirement to print electronic data for signature. The intent of this update is to ensure that electronic data is reviewed as frequently as the daily review required for physical chart recorders.

Permittees utilizing electronic data recording must maintain a log documenting each operator's review of the data. This log must include the date, time, and name of the individual who conducted the review. The log may be maintained electronically, and printing of data is not required. The permit condition has been revised for clarity.

48. *[Section 4.8.2] The general permit requires the pH range for the day be recorded in addition to the pH value recorded as required in Section 4.7 of the general permit. What is the purpose for the additional data? Having staff record data that is already recorded on a chart recorder or electronic data recorder is not an efficient use of an employee's time.*

Response: Section 4.7 of the general permit outlines the pH monitoring requirements, including continuous and batch sampling, while Section 4.8.2 of the general permit addresses record retention. It is standard practice in Notices of Coverage to require reporting of both the monthly pH range and the pH range during sampling events.

Requiring a daily pH range log enables the Permittee to compile these data sets accurately and ensures daily review of pH data for compliance verification. This daily documentation serves as a critical quality control measure to confirm that data from chart recorders or electronic data loggers are consistently monitored, and any deviations are promptly identified, thereby supporting operational and regulatory compliance. Although this practice may increase staff effort, it enhances the reliability of monitoring data and ensures a more proactive response to potential issues that may not be fully identified through automated systems alone.

For discharges that do not require continuous monitoring, pH analysis is only required based on the monitoring frequencies specified in Sections 5.2.2, 6.4, and 7.4 of the general permit. This clarification was added to Section 4.7 of the general permit.

49. *[Section 4.6] Will DMRs that are only required annually or quarterly be required to submit flow monitoring for those months only, or for all months since the last DMR?*

Response: Flow data will only be required to be submitted on the prescribed reporting months. Data from non-reporting months shall be kept onsite and shall be used for future applications when calculating average and maximum flows of a discharge. The permit has been revised for clarity.

50. *[Section 4.9.2] If any sample analysis violates an effluent limit, a second sample of the effluent, using the same sample type, shall be collected and analyzed for the parameter(s) in question and the results reported to DEEP within thirty (30) days of the exceedance using the **30-day follow-up form** referenced in Section 4.9.2.3 of this general permit and NetDMR. Section 4.9.2.3 of the general permit references a "**Five-Day***

Follow Up Report*". Suggestion to clarify or reference the appropriate subsection for the required 30-day follow-up form.*

Response: The same follow-up form is used for follow-up notifications required within five (5) days and within thirty (30) days. The language in Sections 4.9.2.2, 4.9.2.3, and 4.9.2.4 of the general permit is updated to reflect the use of a 'Noncompliance Follow-up Report Form'.

51. *[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 Permittee 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 contains the violations that are required to be reported within two (2) hours of discovery. The sentence regarding all other violations has been moved to after the bulleted list to remedy the confusion. The requirement to notify the POTW Authority found in Section 4.9.2.1 of the general permit has been repeated in Section 4.9.2 of the general permit to avoid confusion. Permittees shall report noncompliance to the Commissioner and the associated POTW Authority(ies).

52. *[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 was 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.

53. *[Section 4.4] Section 4.4 of the general permit instructs to report analytical results below the minimum level as "< [ML]" in one bullet and to treat it as "0" for compliance purposes in another bullet. This bullet further states that the Permittee must attach the ML for the test method on the DMR. Which method should be used.*

Response: This section was updated to clarify when to use '< ML' and when to use '0'. When reporting a calculated value (e.g. grab sample average or average monthly value), use '0' as the value for any individual result that is below the minimum level of the test method. When reporting an individual analytical result (e.g. a single measurement that is not part of a calculation) and the result is below the minimum level, report the result as '< [ML]', where [ML] is the applicable minimum level for that analysis.

Public Comments Regarding Eligible Activities:

54. *[Section 2.1] Three 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, and Remediation Wastewater.*

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

55. *[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.

56. *[Section 2.1] Revise the general permit to clearly state that discharges of any metal finishing ancillary operations defined in 40 CFR 433.10 fall into the Metal Finishing Wastewater category if one of the six (6) metal finishing operations are present on site.*

Response: This clarification has been included in Section 2.1 of the general permit. The term "ancillary metal finishing operations" has been defined in Section 11: Definitions.

57. *[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 SIU GP.*

Response: Comment is acknowledged for the record.

58. *[Section 6.5.5] Section 6.5.5 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 11 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 6.5.5 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 6.5.5 of the general permit would be more typical for a surface water discharge 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."*

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

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

59. *[Section 3.6.10.2] Two commenters submitted similar comments as summarized: For those discharges that have completed PFAS testing as a special condition in the "current" Approvals of Registration, does PFAS testing have to be repeated in a new application for these discharges? Please incorporate language for an exclusion to need to repeat PFAS testing to those Permittees that have previously conducted this sampling.*

Response: Yes, this screening requirement is required regardless of whether the Permittee has previously complied with the requirements in their Approval of Registration during the last permit term. The permit condition and fact sheet remain unchanged.

60. *[Section 4.14] In Approval of Registrations issued under the 2020 issuance of the SIU GP and in some individual permits, there has been a requirement that facilities with specific categories of discharge sample for PFAS twice. That protocol should be retained until sufficient data is acquired by DEEP.*

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 POTWs and the environment. The permit condition and fact sheet remain unchanged.

61. *[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, water treatment 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, WTW remains identified as an included category under Section 4.14 of the general permit. The permit condition and fact sheet remain unchanged.

62. *[Sections 4.14 and 6.3] PFAS is present in many potable water supplies and domestic sewerage. DEEP has not specified a "threshold" level that would trigger the need for a PFAS Source Reduction Plan. 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 6-2 under "pollutants require testing if expected in the discharge" listed in Appendix G and Appendix I. 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 BMPs to minimize PFAS discharges to POTWs and the environment. The permit condition and fact sheet remain unchanged.

63. *[Section 4.14] Two similar comments received are summarized as follows: Requiring a PFAS Source Reduction Plan as part of this draft is inappropriate. Numerous facilities will be required to develop PFAS Reduction Plans at a significant cost to the Permittee. This permit is not the appropriate mechanism for DEEP to attempt to research or regulate PFAS. Requiring the PFAS monitoring and preparation of a Reduction Plan, before there is a PFAS effluent limit for the POTWs, seems premature.*

Response: The comment is acknowledged for the record. There is insufficient information to substantiate the Commenter's assumption regarding the cost of developing a PFAS Reduction Plan. As this is a new permit requirement, no PFAS Reduction Plans have yet been prepared or implemented; therefore, no cost data or benchmarks currently exist to support such an estimate. See Responses above regarding DEEP's current strategy in regard to PFAS. The permit condition and fact sheet remain unchanged.

64. *[Section 4.14] Two similar comments received are summarized as follows: Requiring monitoring of PFAS for industries like water treatment and vehicle maintenance constitutes an unreasonable burden as neither can be considered a source of PFAS.*

Response: Comment acknowledged for the record. See responses above regarding DEEP's current strategy. The permit condition and fact sheet remain unchanged.

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 sources of PFAS at car washes include waxes, sealants, coatings, detergents, surfactants, and cleaning chemicals.

65. *[Section 7.1] Two commenters submitted similar comments summarized as follows: The proposed PFAS effluent limit for Dewatering and Remediation Wastewater was not included in the draft general permit 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: The draft SIU General Permit included a statement that PFAS limits would be determined in the final permit. Following review of public comments and consideration of the evolving regulatory landscape, the Department has determined that PFAS effluent limits will not be established as fixed values in the general permit itself.

Instead, PFAS limits will be developed on a site-specific basis and included in the Notice of Coverage based on the characteristics of the discharge and the receiving POTW. This approach reflects the need for flexibility as PFAS regulations continue to develop and allows for more appropriate, tailored permitting of Dewatering and Remediation Wastewater discharges.

66. *[Sections 5.2.2, 6.4, and 7.4] Two similar comments received are summarized as follows: Requiring PFAS sampling more often than annually is excessive. Reducing to an annual screening, if PFAS is present, is sufficient to get baseline information for DEEP.*

Response: The quarterly sampling requirement was originally proposed to generate approximately twenty (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 applications, 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.

67. *[Section 4.14] Two similar comments received are summarized as follows: What is the regulatory requirement to require a PFAS Source Identification and Reduction Plan? What if a facility listed in the section concludes that PFAS were not identified? There should be a way a facility could be excluded from these requirements since the cost may be unwarranted without the presence of PFAS.*

Response: Facilities that are required to prepare a PFAS Source Identification and Reduction Plan and determine, based on a review of materials, processes, and analytical data, that PFAS are not used, stored, or

otherwise present at the site, may submit a concise report in lieu of a detailed plan. The report shall document the evaluation conducted, summarize the analytical results confirming non-detect levels, and provide a conclusion that additional minimization measures are not necessary due to the absence of detectable PFAS. DEEP intends to publish a PFAS Source Identification and Reduction Plan Guidance Document after the issuance of the general permits. The permit condition and fact sheet remain unchanged.

68. *[Section 6.4] Potable Water System Maintenance or Sampling often batch discharges and quarterly sampling for PFAS may not be applicable.*

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

69. *[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 except for the PFAS monitoring frequency being changed to semi-annually. See response above.

70. *[Section 4.14] The general permit requires a qualified professional acceptable to the Commissioner. The SIU GP does not indicate how a Permittee is to know if the professional is acceptable.*

Response: The second bullet of Section 4.14 of the general permit describes the experience necessary to be considered a qualified professional. A qualified professional has experience in the operation and/or design of industrial wastewater treatment facilities and experience identifying PFAS sources and sampling/analyzing wastewater for PFAS. If the PFAS Source Reduction and Identification Plan submitted does not meet the requirements outlined in the general permit, DEEP will request information including but not limited to, a description of the professional's education, experience, and training. The permit condition and fact sheet remain unchanged.

Public Comments regarding Language and Grammar:

71. *[Section 11] Pass through, upset, and pretreatment are suggested to be added to Section 11: Definitions.*

Response: DEEP has added the terms "upset" and "pretreatment" to Section 11: Definitions. The term "Pass through" is already defined in the permit.

The source and definitions are as follows:

"Upset" as defined in 40 CFR 122.41(n) means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the Permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

"Pretreatment" as defined in 40 CFR 403.3(s) means the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW. The reduction or alteration may be obtained by physical, chemical or biological processes, process changes or by other means, except as prohibited by 40 CFR 403.6(d) [prohibition on dilution as a form of treatment].

72. *[Section 2.1] Why are wastewater grouped into Group I and II but this information is not provided in Section 2.1 Eligible Activities of the general permit.*

Response: Group I and Group II are only used to distinguish between monitoring and reporting frequencies and not the eligibility of the discharge to be permitted under the general permit. Thus, the grouping is not mentioned in the eligibility section.

73. *[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.*

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.

74. *[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.

75. *[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 11 of the general permit.*

Response: The referenced section of the fact sheet, [4.6 Updated Application], summarizes the modifications made to the 2025 application compared to the 2020 SIU GP registration forms. DEEP

removed the requirement for a Qualified Professional Engineer (QPE) certification in the 2025 SIU GP 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.

76. [Throughout permit] A few commenters noted typographical errors.

Response: The sections of the general permit have been updated based on the comments received. The updates were documented in the fact sheet.