

# **National Pollutant Discharge Elimination System**

## **General Permit for Discharge of Stormwater Associated with Commercial Activity**

**Permit Number: CTR010000**

This *National Pollutant Discharge Elimination System General Permit for the Discharge of Stormwater Associated with Commercial Activity* (“Commercial Stormwater General Permit”) is issued in accordance with Section 22a-430 of Chapter 446k, Connecticut General Statutes (“CGS”), and the Regulations of Connecticut State Agencies (“Regs. Conn. State Agencies”) adopted thereunder, as amended, and Section 402(b) of the Clean Water Act (“CWA”), as amended, 33 USC 1251, et. seq., and pursuant to an approval dated September 26, 1973, by the Administrator of the United States Environmental Protection Agency for the State of Connecticut to administer a NPDES permit program. This general permit authorizes discharges to surface and ground waters of the State of Connecticut. Persons shall comply with all conditions of this permit.

This permit becomes effective December 1, 2025. This permit and the authorization to discharge shall expire five (5) years from the effective date. This permit expires on September 30, 2030.

Issued: October 1, 2025



Emma Cimino  
Deputy Commissioner

*This page is intentionally left blank.*

## Table of Contents

<b>Section 1</b>	<b>Authority.....</b>	<b>5</b>
<b>Section 2</b>	<b>Authorization Under This General Permit.....</b>	<b>5</b>
2.1	Eligible Activities.....	5
2.2	Requirements of Authorization .....	5
2.3	Registration .....	7
2.4	Geographic Area.....	7
2.5	Effective Date and Expiration Date of this General Permit .....	7
2.6	Effective Date of Authorization .....	7
2.7	Transition to and from an Individual Permit .....	8
<b>Section 3</b>	<b>Registration Requirements.....</b>	<b>9</b>
3.1	Who Must File a Registration.....	9
3.2	Scope of Registration .....	10
3.3	Contents of Registration.....	10
3.4	Certification Requirements for Permittee and Preparer .....	11
3.5	Confidential Business Information.....	12
3.6	Additional Information.....	13
3.7	Additional Notification.....	13
3.8	How to File a Registration.....	13
3.9	Modifying Permit Coverage.....	13
3.10	Termination of Discharge.....	13
3.11	Action by Commissioner.....	14
<b>Section 4</b>	<b>Conditions of This General Permit.....</b>	<b>15</b>
4.1	Conditions Applicable to Certain Discharges .....	15
4.2	Stormwater Management Plan .....	16
4.3	Stormwater Control Measures.....	19
4.4	Inspections and Maintenance .....	26
4.5	Monitoring Requirements.....	27
4.6	Recordkeeping & Reporting Requirements.....	30
<b>Section 5</b>	<b>Duty to Correct, Record, and Report Violations.....</b>	<b>32</b>
5.1	Corrective Actions.....	32
5.2	Reporting Violations .....	32
<b>Section 6</b>	<b>Regs. Conn. State Agencies Incorporated into this General Permit.....</b>	<b>34</b>
6.1	Section 22a-430-3.....	34
6.2	Section 22a-430-4.....	34
<b>Section 7</b>	<b>Standard Conditions .....</b>	<b>35</b>
7.1	Inspection and Entry .....	35
7.2	Reliance on Registration.....	35
7.3	Submission of Documents.....	35
7.4	Violations .....	35
7.5	Enforcement .....	35
7.6	Need to Halt or Reduce Activity Not a Defense .....	35
7.7	No Assurance .....	35
7.8	Relief .....	35
7.9	Duty to Provide Information .....	35
7.10	Duty to Comply.....	36
7.11	Duty to Mitigate .....	36
7.12	Sludge Disposal.....	36
7.13	Resource Conservation.....	36

7.14	Spill Prevention and Control .....	36
7.15	Duty to Reapply.....	36
7.16	Equalization.....	36
7.17	Effect of an Upset.....	37
7.18	Bypass .....	37
7.19	Proper Operation and Maintenance .....	38
7.20	Instrumentation, Alarms, and Flow Records .....	38
7.21	Signatory Requirements .....	38
7.22	Date of Filing.....	39
7.23	False Statements .....	39
7.24	Correction of Inaccuracies.....	39
7.25	Transfer of Authorization.....	39
7.26	Other Applicable Law .....	40
7.27	Other Rights .....	40
7.28	Effect of a Permit .....	40
<b>Section 8</b>	<b>Commissioner's Powers.....</b>	<b>41</b>
8.1	Abatement of Violations.....	41
8.2	General Permit Revocation, Suspension, or Modification .....	41
8.3	Filing of an Individual Permit Application .....	41
<b>Section 9</b>	<b>Definitions .....</b>	<b>42</b>
<b>APPENDIX A: Applicable SIC &amp; NAICS Codes.....</b>		<b>47</b>
A.1	SIC Codes for Coverage Under this General Permit.....	47
A.2	NAICS Codes for Coverage Under this General Permit .....	48
<b>APPENDIX B: Aquifer Protection Areas and Other Groundwater Drinking Supply Areas.....</b>		<b>50</b>
<b>APPENDIX C: Certifications .....</b>		<b>51</b>

# **General Permit for the Discharge of Stormwater Associated with Commercial Activities**

## **Section 1 Authority**

This general permit is issued under the authority of Section 22a-430b of the Connecticut General Statutes.

## **Section 2 Authorization Under This General Permit**

### **2.1 Eligible Activities**

This general permit authorizes the discharge of stormwater from or associated with commercial activity, as defined in this general permit, from a site with five (5) or more acres of contiguous impervious surface to waters of the state of Connecticut provided the requirements of this section are satisfied and the activity is conducted in accordance with this permit. The Commissioner may determine that other commercial activities not covered by the Standard Industrial Classification (“SIC”) or North American Industrial Classification System (“NAICS”) codes identified in Appendix A may be subject to this general permit.

#### **2.1.1 Allowable Non-stormwater Discharges**

In addition to the discharges of stormwater from the eligible activities described above, the following non-stormwater discharges are authorized under this permit provided such non-stormwater discharges do not contribute to a violation of instream water quality standards, and such non-stormwater discharges are documented in the Stormwater Management Plan:

- uncontaminated ground water discharges including, but not limited to, pumped groundwater, foundation drains, and water from crawl space pumps and footing drains.
- irrigation water including, but not limited to, landscape irrigation and lawn watering run-off.
- residual pavement wash water associated with sweeping.
- emergency discharges or flows from firefighting activities utilizing potable water with no chemical additives, except where it is identified as significant sources of pollutants to waters of the state.
- discharges of hydrant flushing water from a municipally owned or operated drinking water distribution system provided best management practices are employed.
- naturally occurring discharges such as uncontaminated rising ground waters, uncontaminated groundwater infiltration (as defined at 40 CFR 35.2005(20)), springs, diverted stream flows, and flows from riparian habitats and wetlands.

All other non-stormwater discharges except those specifically listed are considered illicit discharges and are not authorized by this permit. Such discharges to surface water must be authorized under a different permit issued by the Commissioner (pursuant to Section 22a-430 or 22a-430b of the Connecticut General Statutes).

### **2.2 Requirements of Authorization**

This general permit authorizes the discharges listed in Section 2.1 of this general permit provided the following conditions are met:

#### **2.2.1 Limitations of Coverage**

Prohibited discharges under this general permit are as follows:

- discharges of water, substance, or material into the waters of the state other than eligible discharges specified in this general permit.
- discharges of polychlorinated biphenyl (“PCB”) compounds.
- discharges of mercury.

## **2.2.2 Complete Registration**

A completed registration pursuant to Section 3 of this general permit shall be filed with the Commissioner.

## **2.2.3 Coastal Management Act**

Such activity is consistent with all applicable goals and policies in Section 22a-92 of the Connecticut General Statutes and must not cause adverse impacts to coastal resources as defined in Section 22a-93(15) of the Connecticut General Statutes.

## **2.2.4 Endangered and Threatened Species**

Such activity does not threaten the continued existence of any species listed pursuant to Section 26-306 of the CGS and will not result in the destruction or adverse modification of habitat designated as essential to such species.

## **2.2.5 Aquifer Protection**

Such activity, if it is located within an aquifer protection area as mapped under section 22a-354b of the Connecticut General Statutes, must comply with regulations adopted pursuant to section 22a-354i of the Connecticut General Statutes.

## **2.2.6 Conservation and Preservation Restrictions**

Such activity, if located within a conservation or preservation restriction area, complies with Section 47-42d of the CGS, by providing the following documentation to the Commissioner: proof of written notice to the holder of such restriction of the proposed activity's registration pursuant to this general permit or a letter from the holder of such restriction verifying that the proposed activity is in compliance with the terms of the restriction.

## **2.2.7 Wild and Scenic Rivers Act**

Such activity must be consistent with the Wild and Scenic Rivers Act (16 USC 1271-1287) for those river components and tributaries which have been designated as Wild and Scenic by the United States Congress. Further, such activity must not have a direct and adverse effect on the values for which such river designation was established.

## **2.2.8 Discharge to Publicly Owned Treatment Works (“POTW”)**

The stormwater is not discharged to a Publicly Owned Treatment Works (“POTW”) unless such discharge consists only of run-off from areas associated with gardening or nursery materials and such discharge has been approved in writing by the POTW. Portions of the site associated with commercial activity discharging to surface waters or a municipal separate storm sewer are covered by this general permit.

## **2.2.9 Discharge to Groundwater**

The stormwater is not discharged entirely to groundwater.

## **2.2.10 Antidegradation Standards**

Such activity is consistent with the Antidegradation Standards of Section 22a-426-8 of the Regs. Conn. State Agencies.

## **2.2.11 New or Increased Discharges to High Quality Waters**

On or before thirty (30) days prior to the commencement of a new or increased discharge to High Quality Waters from its commercial activity, the permittee must document compliance with the Connecticut Anti-Degradation Implementation Policy in the Water Quality Standards, as amended. At minimum, the permittee shall identify in its Stormwater Management Plan, the control measures it will implement to prevent the discharge of the Water Quality Volume to a surface water body.

## **2.2.12 New or Increased Discharges to Impaired Waters**

A discharge is not authorized to an impaired water that is listed in the most recent Connecticut Integrated Water Quality Report pursuant to Clean Water Act Section 303(d) and 305(b) unless the permittee provides to the Commissioner the following documentation demonstrating that the discharge is not expected to cause or contribute to an exceedance of the Water Quality Standard(s) that caused the impairment:

- 2.2.12.1 For discharges of pollutants which cause or contribute to the impairment of a water body segment without an established Total Maximum Daily Load (“TMDL”), the permittee must provide data and other technical information to the Commissioner sufficient to demonstrate that the discharge of the pollutant identified as an indicator of the impairment will meet in-stream water quality standards and criteria at the point of discharge to the waterbody.
- 2.2.12.2 For discharges to waterbody segments impaired for Aquatic Life Uses, discharges shall not contain concentrations of any pollutants with a Water Quality Criteria (“WQC”) identified in Table 3 of Section 22a-426-9 of the REGS. CONN. STATE AGENCIES in concentrations greater than the more restrictive of the chronic aquatic life criteria or applicable human health criteria.
- 2.2.12.3 For discharges to waters with an established TMDL, the Commissioner must determine if there are sufficient allocations in the TMDL to allow the discharge. The Commissioner may authorize the discharge with additional permit conditions or compliance.

## **2.2.13 Other State and Local Authorization(s)**

Such activity obtains all other state and/or local authorization(s) required for such a discharge.

## **2.3 Registration**

Pursuant to the registration requirements in Section 3 of this general permit, a completed registration with respect to the commercial activity shall be filed with the Commissioner.

## **2.4 Geographic Area**

This general permit applies throughout the State of Connecticut.

## **2.5 Effective Date and Expiration Date of this General Permit**

This general permit is effective on December 1, 2025 and expires five (5) years from such date of issuance. The general permit may be administratively continued in effect until the Department has reissued the permit in accordance with the CGS and Regs. Conn. State Agencies. If the permit is administratively continued, permittees are required to comply with all permit terms and conditions, including the monitoring requirements and submittal of reports at their original frequency, during the continuance of the permit.

## **2.6 Effective Date of Authorization**

### **2.6.1 Authorization to Discharge for New Sites**

The effective date for authorization to discharge under this general permit for a new site, that has never been authorized to discharge stormwater under the Commercial Stormwater General Permit, will be provided in the Commissioner’s Notice of Coverage letter. The Commissioner will review and approve, reject, or deny registrations in writing.

### **2.6.1 Authorization to Discharge for Existing Permittees**

Upon the effective date of this general permit, permittees that had existing authorization to discharge under the *National Pollutant Discharge Elimination System General Permit for the Discharge of Stormwater Associated with Commercial Activity*, issued September 29, 2023, shall have continued authorization to discharge under the terms and conditions of this general permit upon the effective date of this general permit provided a complete registration and Stormwater Management Plan for this general permit is submitted to the Commissioner on or before one-hundred-twenty (120) days of the permit effective date - April 1, 2026.

If the owner or operator does not submit a timely, appropriate, complete, and accurate registration requesting authorization to discharge under the reissued general permit or a timely request for authorization under an individual or alternative general permit, DEEP may terminate authorization under this general permit. The Commissioner will review and approve or reject registrations in writing.

## **2.7 Transition to and from an Individual Permit**

No person shall operate or conduct an activity authorized by both an individual permit and this general permit. The requirements for transitioning authorization are as follows:

### **2.7.1 Transition from an Individual Permit to Authorization Under This General Permit**

If an activity meets the requirements of authorization of this general permit and such operation or activity is presently authorized by an individual permit, the permittee may seek a modification to the permit to exclude such operation or activity from the individual permit or if the operation or activity is the sole operation or activity authorized by such permit, the permittee shall surrender its permit in writing to the Commissioner. In either event, such permittee's individual permit shall continue to apply and remain in effect until authorization of such operation or activity under this general permit takes effect.

### **2.7.2 Transition from Authorization Under This General Permit to an Individual Permit**

If an activity or operation is authorized under this general permit and the Commissioner subsequently issues an individual permit for the same activity, then on the date any such individual permit is issued by the Commissioner, the authorization issued under this general permit shall automatically expire.

## Section 3 Registration Requirements

### 3.1 Who Must File a Registration

Any person or municipality that initiates, creates, originates, or maintains a discharge authorized by this general permit, pursuant to Section 2, from a site with five (5) or more acres of contiguous impervious surface, shall file a registration form which meets the registration requirements of this section of this general permit.

#### 3.1.1 Possession and Operation by Others

##### 3.1.1.1 Owner as the Responsible Party

If a site consisting of five (5) or more acres of contiguous impervious surface being used for commercial activity is in the possession of, or is operated by, more than one person or municipality other than the owner, the owner of such site shall be determined to be the person that initiated, created, originated, or is maintaining such discharge(s).

##### 3.1.1.2 Operator as the Responsible Party

If a site consisting of five (5) or more acres of contiguous impervious surface being used for commercial activity is in the possession of, or is operated by, a single person or municipality, and such person or municipality is solely responsible for the maintenance of the parking lot, catch basins, roof, and/or other impervious cover, such person or municipality shall be determined to be the person that initiated, created, originated, or is maintaining such discharge(s).

#### 3.1.2 Sites with Existing Discharge Authorization

Sites with existing authorization to discharge stormwater under the *General Permit for the Discharge of Stormwater Associated with Commercial Activity* issued on September 29, 2023 shall submit an application and updated Stormwater Management Plan to the Commissioner on or before one-hundred-twenty (120) days after the effective date of this general permit – April 1, 2026.

#### 3.1.3 Sites Without Existing Discharge Authorization

##### 3.1.3.1 Existing Sites Without Existing Discharge Authorization

Existing sites not previously authorized under the *General Permit for the Discharge of Stormwater Associated with Commercial Activity* issued on September 29, 2023, shall submit a complete application and Stormwater Management Plan filed with the Commissioner on or before one (1) year of the effective date of the permit – December 1, 2026.

##### 3.1.3.2 New Sites

New sites or activities which begin discharging after the effective date of the general permit, shall submit a complete application and Stormwater Management Plan filed with the Commissioner on or before sixty (60) days prior to the date the commercial activity is initiated at such site.

#### 3.1.4 Sites with Existing Discharge Authorization & a New Owner or Operator

This general permit is not transferable. The existing permittee must submit a Notice of Termination form to the Commissioner on a prescribed form on or before thirty (30) days of the change of ownership from the site authorized for discharge under this general permit. Notices of Termination shall be e-mailed to Deep.stormwatercommercial@ct.gov. Failure to submit the Notice of Termination may result in enforcement action.

The new owner or operator must submit a new registration to the Commissioner on or before thirty (30) days following the date of transfer.

#### 3.1.5 Stormwater Discharges Authorized Under Another NPDES Permit

Sites from which all stormwater discharges are authorized under another NPDES permit (such as the *General Permit for the Discharge of Stormwater Associated with Industrial Activity*, the *General Permit*

*for the Discharge of Stormwater from Small Municipal Separate Storm Sewer Systems, or an individual NPDES permit) are not required to obtain authorization under this general permit. Sites from which only a portion of the stormwater discharges are authorized under another NPDES permit and which meet the conditions of Section 3.1, above, are required to submit a complete registration for the portion of the site not authorized under another NPDES permit.*

### **3.2 Scope of Registration**

A registrant shall submit one (1) registration form encompassing all discharges at a single site for which the permittee seeks authorization under this general permit. Discharges taking place at more than one (1) site may not be consolidated on one (1) registration form.

### **3.3 Contents of Registration**

#### **3.3.1 Registration Fees**

A registration fee of \$625.00 shall be submitted with a completed registration form.

- The fees for municipalities shall be half of those indicated above pursuant to Section 22a-6(b) of the Connecticut General Statutes. State and Federal agencies shall pay the full fees specified in this subsection.
- The registration fee shall be paid to the Department of Energy and Environmental Protection.
- A registration shall not be deemed complete, and no activity shall be authorized by this general permit unless the registration fee has been paid in full.
- The registration fee is non-refundable.

#### **3.3.2 Registration Form**

A registration shall be filed electronically on forms prescribed and provided by the Commissioner. Registration shall include but not be limited to the following information:

##### **3.3.2.1 Permittee Information**

- a. Legal name, mailing address, telephone number, and e-mail address of the registrant. If the registrant is an entity transacting business in Connecticut and is required to register with the Connecticut Secretary of the State, provide the exact name as registered with the Connecticut Secretary of the State.
- b. Legal name, mailing address, telephone number, and e-mail address of the owner of the property on which the subject activity and discharge(s) are to take place.
- c. Legal name, mailing address, telephone number, and e-mail address of the registrant's attorney or other representative, if applicable.
- d. Legal name, mailing address, telephone number, and e-mail address of any consultant(s) or engineer(s) retained by the registrant to prepare the registration or to design or construct the subject activity.
- e. Legal name, telephone number, and e-mail address of the site contact person.

##### **3.3.2.2 Site Information**

- a. Name, site address, and mailing address of the site with respect to which the registration is submitted.
- b. Four-digit Standard Industrial Classification (“SIC”) codes for the primary activity(ies) occurring at the registered site.
- c. Six-digit North American Industry Classification System (“NAICS”) codes for the primary activity(ies) occurring at the registered site.

- d. Total acreage of the site.
- e. Total acreage of impervious surface on the site.

#### 3.3.2.3 Discharge Information

- a. Discharge serial number (“DSN”) also known as the outfall identification number.
- b. Latitude and longitude.
- c. Type of structural and nonstructural treatment practice used at each outfall or upgradient from each outfall, if one exists.
- d. Name of the separate storm sewer system, immediate surface water body, or wetland to which the stormwater conveyance, outfall(s), and/or run-off discharges.
- e. Name and waterbody ID of receiving stream(s) and indication of whether or not a receiving stream is listed as an impaired water with or without a TMDL, including identification of the impairment in the most recent State of Connecticut Integrated Water Quality Report.
- f. Indication whether or not the site discharges within 500 feet of a tidal wetland.

#### 3.3.2.4 Stormwater Management Plan

An electronic copy of the signed Stormwater Management Plan for the Commissioner’s review. The electronic SMP shall be in PDF format or similar no-cost, publicly available format in common use.

#### 3.3.2.5 NetDMR Subscriber Agreement

A signed Connecticut DEEP NetDMR Subscriber Agreement.

#### 3.3.2.6 Additional Forms

Include any additional forms and information that may be required pursuant to 2.2 of the general permit, “Requirements of Authorization”, regarding compliance and/or consistency with the Coastal Management Act, Endangered and Threatened Species, Impaired Waters or Waterbodies subject to a TMDL or Phosphorus Strategy, and Aquifer Protection Areas.

### 3.4 Certification Requirements for Permittee and Preparer

The permittee and any other individual or individuals responsible for preparing the registration submits to the Commissioner a written certification which, at minimum, complies with the following requirements:

#### 3.4.1 Review

The permittee and any other individual or individuals responsible for preparing the registration and signing the certification has completely and thoroughly reviewed, at minimum, this general permit and the following regarding the activities to be covered under such general permit:

- all registration information provided in accordance with Section 3.3 of such general permit.
- the site, based on a visual site inspection.
- compliance records.
- all stormwater conveyance and treatment systems and monitoring equipment, including any plans and specifications, operating records, and any Department approvals regarding such stormwater conveyance and treatment systems and monitoring equipment.

#### 3.4.2 Affirmative Determination

The permittee and any other individual or individuals responsible for preparing the registration and signing the certification has, based on the review described in Section 3.4.1 of this general permit, made an affirmative determination to each of the following:

- comply with the terms and conditions of this general permit.

- maintain compliance with all plans and documents prepared pursuant to this general permit.
- properly operate and maintain all stormwater conveyance and treatment systems and monitoring equipment in compliance with the terms and conditions of this general permit to protect the waters of the state from pollution.

### **3.4.3 Permittee Certification**

Such permittee certifies to the following statement:

“I hereby certify that I am making this certification in connection with a registration under such general permit, submitted to the Commissioner by [INSERT NAME OF REGISTRANT] for an activity located at [INSERT ADDRESS OF PROJECT OR ACTIVITY] and that such activity is eligible for authorization under such permit. I certify that the registration filed pursuant to this general permit is on complete and accurate forms as prescribed by the Commissioner without alteration of their text. I certify that I have personally examined and am familiar with the information that provides the basis for this certification, including but not limited to all information described in Section 3.3.2 of such general permit, and, based on reasonable investigation, including my inquiry of those individuals responsible for obtaining such information, that the information upon which this certification is based is true, accurate and complete to the best of my knowledge and belief. I further certify that I have made the affirmative determination required in accordance with Section 3.4.2 of this general permit and that my signing this certification constitutes conclusive evidence of my having made such affirmative determination.

I also understand that knowingly making any false statement in the submitted information and in this certification may be punishable as a criminal offense, including the possibility of fine and imprisonment, under section 53a-157b of the Connecticut General Statutes and any other applicable law.”

### **3.4.4 Preparer Certification**

Any other individual or individuals responsible for preparing the registration certifies to the following statement:

“I hereby certify that I am making this certification in connection with a registration under such general permit, submitted to the Commissioner by [INSERT NAME OF REGISTRANT] for an activity located at [INSERT ADDRESS OF PROJECT OR ACTIVITY] and that such activity is eligible for authorization under such permit. I certify that the registration filed pursuant to this general permit is on complete and accurate forms as prescribed by the Commissioner without alteration of their text. I certify that I have personally examined and am familiar with the information that provides the basis for this certification, including but not limited to all information described in Section 3.3.2 of such general permit, and I certify, based on reasonable investigation, including my inquiry of those individuals responsible for obtaining such information, that the information upon which this certification is based is true, accurate and complete to the best of my knowledge and belief. I understand that the registration filed in connection with such general permit may be denied, revoked, or suspended for engaging in professional misconduct, including but not limited to the submission of false or misleading information, or making a false or inaccurate certification. I understand that knowingly making any false statement in the submitted information and in this certification may be punishable as a criminal offense, including the possibility of fine and imprisonment, under section 53a-157b of the Connecticut General Statutes and any other applicable law.”

## **3.5 Confidential Business Information**

If the registrant claims that certain elements of their Stormwater Management Plan constitute a trade secret or are otherwise exempt from the disclosure requirements of the state Freedom of Information Act (Section 1-210 et seq of the Connecticut General Statutes, also called “FOIA”) as specified in that Act, they shall follow the procedures provided in the registration form instructions for this general permit regarding information subject to FOIA requirements. The process of complying with the FOIA requirements does not exempt the registrant from the registration and SMP preparation deadlines specified within this general permit.

### **3.6 Additional Information**

The Commissioner may require an applicant, registrant, or permittee to submit additional information, which the Commissioner reasonably deems necessary to evaluate the consistency of the subject activity with the requirements for authorization under this general permit.

### **3.7 Additional Notification**

For activities authorized under this permit that are discharged through a municipal separate storm sewer system, a copy of the registration shall also be submitted to the owner and operator of that system at the same time the registration is submitted to the Commissioner.

### **3.8 How to File a Registration**

Application Submittal Process:

1. An Application Transmittal Form shall be submitted to the Commissioner.
2. Upon receipt and confirmation thereof, the applicant shall complete the application form as prescribed.
3. The completed application, together with all required documentation and supporting materials, shall be submitted to the Commissioner.

Applicants are advised to consult the Department of Energy and Environmental Protection Stormwater Program website for detailed instructions and guidance regarding application submission.

### **3.9 Modifying Permit Coverage**

The permittee must submit a Notice of Change (“NOC”) request on a form prescribed by the Commissioner if any of the following criteria are met:

- a change in contact information.
- the addition or removal of a discharge point (e.g., DSN).

#### **3.9.1 New Application Required**

If any of the following conditions occur, the permittee must submit a Notice of Termination and submit a new application for review and approval:

- any expansion, alteration, or modification of the commercial activity.
- a change in the nature of the commercial activity generating the discharge (e.g., a change in the SIC code or NAICS code).
- the introduction of a new source of stormwater pollution.
- the relocation of the discharge to a different receiving waterbody.
- the relocation of a discharge that changes or increases the pollutant load in the discharge.

#### **3.9.2 Approval of the Notice of Change**

An affirmative determination from the Commissioner must be obtained prior to initiating the change to the commercial activity on the site. The permittee is required to update the Stormwater Management Plan.

#### **3.9.3 Rejection of the Notice of Change**

The Commissioner may reject the “Notice of Change” request and require a new registration to be submitted.

### **3.10 Termination of Discharge**

A Notice of Termination form shall be submitted to the Commissioner on a prescribed form within fourteen (14) days of the cessation of the discharge or the transfer of site ownership.

Notices of Termination shall be e-mailed to Deep.stormwatercommercial@ct.gov. Failure to submit the Notice of Termination may result in an enforcement action.

The authorization to discharge under this permit terminates at midnight of the day that the permittee is notified that their complete NOT has been processed. Until the permittee terminates permit coverage, all permit terms and conditions remain in effect.

### **3.11 Action by Commissioner**

#### **3.11.1 Approval with Permit Conditions**

The Commissioner may approve a registration with or without reasonable permit conditions. If the Commissioner approves a registration with or without conditions, the permittee shall be bound by such conditions as if they are part of this general permit.

#### **3.11.2 Rejection or Denial**

The Commissioner may reject or deny without prejudice a registration if it is determined that it does not satisfy the registration requirements in Section 3 of this general permit, or if more than seven (7) days have elapsed since the Commissioner requested the permittee submit additional information to determine eligibility for permit coverage for authorization to discharge under this general permit. Any registration refiled after such a rejection shall be accompanied by the fee specified in Section 3.3.1 of this general permit.

#### **3.11.3 Require Individual Permit**

The Commissioner may require that a permittee obtain an individual permit for any discharge authorized by this permit in accordance with Section 22a-430b(c) of the Connecticut General Statutes.

#### **3.11.4 Activity Inconsistent with Authorization Requirements**

The Commissioner may reject or deny a registration if he or she finds that the subject activity is inconsistent with the “Requirements for Authorization” in Section 2.2 of this general permit, or for any other reason provided by law.

#### **3.11.5 Notice to Registrant**

Denial or rejection of a registration under this subsection shall constitute notice to the registrant that the subject activity may not lawfully be conducted or maintained without the issuance of an individual permit in accordance with Section 22a-430 of Regs. Conn. State Agencies.

#### **3.11.6 Notice in Writing**

Rejection or denial of a registration shall be provided to the registrant in writing and state the reasons for such rejection or disapproval.

## **Section 4 Conditions of This General Permit**

The permittee shall, at all times, continue to meet the requirements for authorization set forth in Section 2.2 of this general permit. In addition, a permittee shall ensure that activities authorized by this general permit are conducted in accordance with the conditions in this section.

### **4.1 Conditions Applicable to Certain Discharges**

#### **4.1.1 Proximity to Tidal Wetlands**

Any person who or municipality which initiates, creates, or originates a discharge of stormwater associated with commercial activity after the date of issuance of this permit, which discharge is located less than 500 feet from a tidal wetland which is not a fresh tidal wetland, shall discharge such stormwater through a system designed to retain and infiltrate the Water Quality Volume of stormwater run-off as defined in the Stormwater Quality Manual, as amended. If there are site constraints that would prevent retention of this volume on-site (e.g., brownfields, capped landfills, bedrock, elevated groundwater, etc.), documentation must be submitted, for the Commissioner's review and written approval, which explains the site limitations and offers an alternative retention volume. In such cases, the portion of the Water Quality Volume that cannot be retained must be provided with additional stormwater treatment so as to protect water quality. Any such treatment shall be designed, installed, and maintained in accordance with the Stormwater Quality Manual, as amended.

#### **4.1.2 Structures and Dredging in Coastal and Tidal Areas**

Any person who or municipality which discharges stormwater below the coastal jurisdiction line into coastal, tidal, or navigable waters for which a permit is required under the Structures and Dredging Act in accordance with section 22a-361(a) of the Connecticut General Statutes or into tidal wetlands for which a permit is required under the Tidal Wetlands Act in accordance with section 22a-32 of the Connecticut General Statutes shall obtain such permit(s) from the Commissioner.

#### **4.1.3 Quality of Discharge**

The discharge shall not contain visible floating scum, oil, trash, or other matter contained in the stormwater discharge. Excluded from this are naturally occurring substances such as leaves and twigs provided no person has placed such substances in or near the discharge.

#### **4.1.4 Toxicity to Aquatic and Marine Life & Risk to Human Health**

The discharge shall not result in pollution which may cause or contribute to acute or chronic toxicity to aquatic life, impair the biological integrity of aquatic or marine ecosystems, result in unacceptable bioaccumulation, risk to human health, or ecological communities.

#### **4.1.5 Water Quality Standards**

The stormwater discharge shall not cause or contribute to an exceedance of the applicable Water Quality Standards or Criteria in the receiving water.

#### **4.1.6 High Quality Waters**

Any new stormwater discharge to high quality waters (as identified by the Commissioner consistent with the Water Quality Standards) shall be discharged in accordance with the Connecticut Anti-Degradation Implementation Policy in the Water Quality Standards manual. At minimum, the permittee shall evaluate and implement to the Maximum Extent Practicable practices which will prevent the discharge of the Water Quality Volume to a surface water body or other practices necessary to protect and maintain designated uses and meet standards and criteria contained in the Water Quality Standards.

#### **4.1.7 Future Construction**

Note that any construction activity that disturbs greater than one (1) acre must be conducted in accordance with the *General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities* (as amended). All construction activities, regardless of size, shall comply with the Connecticut Guidelines for Soil Erosion and Sediment Control during construction, and the Connecticut Stormwater Quality Manual for the design and implementation of post-construction stormwater management measures.

### **4.2 Stormwater Management Plan**

#### **4.2.1 Development of Stormwater Management Plan**

The permittee shall prepare, implement, and maintain a Stormwater Management Plan (“SMP”) which shall consist of all records, schedules, descriptions, narrative, instructions, or other materials kept on file at the registrant’s site in accordance with the Stormwater Control Measures and other provisions of Section 4 of this general permit. The Stormwater Control Measures as defined in Section 4.3 shall be implemented on or before the date such activity is initiated and shall be maintained thereafter.

#### **4.2.2 Contents of Stormwater Management Plan**

The Stormwater Management Plan shall be representative of current site conditions and shall address, at minimum, the elements below. If an element is not applicable to the site, the SMP shall identify it and provide an explanation as to why the element does not apply.

##### **4.2.2.1 Site Description**

The permittee shall provide a list and detailed description of all the commercial activities at the site.

##### **4.2.2.2 General Location Map**

The permittee shall provide a general location maps (e.g., U.S. Geological Survey quadrangle map, or other) with enough detail to identify the location of the site with crossroads and all receiving waters to which stormwater discharges.

##### **4.2.2.3 Detailed Site Map**

The permittee shall develop and provide a site map (at a defined or approximate scale) showing the following:

- a. a north arrow and surveyed or approximate property lines.
- b. location of existing buildings and structures.
- c. the overall site size in acres and amount of impervious coverage in acres.
- d. an outline of the drainage area, including the extent of impervious surface, for each stormwater outfall and direction of flow within the drainage area.
- e. existing structural control measures installed to reduce pollutants in stormwater run-off.
- f. locations of all stormwater conveyances including catch basins, ditches, pipes, and swales as well as the location of any non-stormwater discharges.
- g. the areal extent of any wetlands to which stormwater discharges.
- h. location where major spills or leaks pursuant to Section 4.2.2.5 have occurred.
- i. locations and identification of stormwater monitoring points including latitude and longitude.
- j. locations and identification of stormwater discharges to a municipal storm sewer system.
- k. locations of stormwater discharges to groundwater through an infiltration system.
- l. locations where any drainage run-on enters the site.
- m. location of each potential pollutant source identified pursuant to Section 4.2.2.4.

n. location of each of the following activities:

- fueling stations.
- vehicle and equipment maintenance and/or cleaning areas.
- loading/unloading areas.
- locations of dumpsters, compactors, and waste oil and grease storage.
- liquid storage tanks.
- de-icing material storage areas.
- storage areas, including used pallets.
- areas with the potential for erosion that may impact surface waters or wetlands or may have off-site impacts.
- any other known potential pollutant sources.

#### 4.2.2.4 Potential Pollutant Sources

##### a. Inventory of Potential Pollutant Sources

The permittee shall provide an inventory of non-gaseous materials (e.g., pallets, products for sale, solid and liquid fertilizers, deicing materials, etc.) at the site for the following areas:

- loading and unloading operations.
- roof areas.
- outdoor storage activities (including lawn and garden centers).

This inventory shall include a description of potential pollutants associated with such materials and shall include all such materials that may be exposed to stormwater.

##### b. Management of Potential Pollutant Sources

For each of the potential pollutant sources identified in Section 4.2.2.4.a, the permittee shall provide a narrative summary which shall include each of the following:

- method and location of on-site storage or disposal.
- materials management practices employed to minimize contact of materials with stormwater run-on and run-off (i.e., temporary or permanent cover of materials, berthing of storage areas, etc.).
- location and a description of existing structural and non-structural control measures to reduce pollutants in stormwater run-off.
- description of any treatment the stormwater receives.

#### 4.2.2.5 Spills and Leaks

The permittee shall maintain in the Stormwater Management Plan a list of spills and leaks of five (5) gallons or more of petroleum products, or of toxic or hazardous substances which could affect stormwater, as listed in section 22a-430-4 (Appendix B Tables II, III, and V, and Appendix D) of the Regs. Conn. State Agencies, and 40 CFR 116.4.

#### 4.2.2.6 Control Measures

The permittee shall document the location and type of the Control Measures installed and implemented at the site pursuant to Section 4.3, "Stormwater Control Measures," in the Stormwater Management Plan. For each Control Measure described in Section 4.3, the permittee shall provide a discussion of the appropriateness of each Control Measure which may be implemented to address the requirement and of the Control Measure which one the permittee has chosen to implement in order to comply with

the requirement. The SMP shall include a schedule for implementing such Control Measure at the site if they cannot be implemented immediately.

#### 4.2.2.7 Non-stormwater Discharges

The permittee shall provide a description of allowable non-stormwater discharges that occur or are likely to occur at the site which have the potential to commingle with stormwater run-off. Such description shall include the:

- source of the discharge.
- location of the discharge.

A list of allowable non-stormwater discharges is described in Section 2.1.1.

#### 4.2.3 Keeping Plan Current

The permittee shall amend the Stormwater Management Plan whenever any of the following occurs:

- there is a change at the site which has an effect on the potential to cause pollution of the waters of the state.
- the actions required by the SMP fail to ensure or adequately protect against pollution of waters of the state.
- the Commissioner requests modification of the SMP.
- it is necessary to address any significant sources or potential sources of pollution identified as a result of any inspection or visual monitoring.
- a TMDL has been established for the receiving water to which the commercial activity discharges.

If significant changes are made to the site or to the SMP in accordance with list above, the SMP shall be recertified in accordance with Section 4.2.6 of this general permit. The permittee shall maintain compliance with such SMP thereafter.

#### 4.2.4 Failure to Prepare or Amend Plan

In no event shall failure to complete, update, or maintain a Stormwater Management Plan in accordance with Section 4.2 of this general permit relieve a permittee of responsibility to implement actions required to protect the waters of the State, including inland wetlands and watercourses, complete any actions that would have been required by such SMP, and to comply with all conditions of this general permit.

#### 4.2.5 Consistency with Other Plans and Permits

The Stormwater Management Plan may reference requirements contained in a Spill Prevention Control and Countermeasure (“SPCC”) plan or a plan prepared or approved under the Resource Conservation and Recovery Act (“RCRA”) and other plans required by state, federal or local law. A copy of the pertinent sections of any referenced plan must be kept with the SMP. The SMP shall identify all general and individual permits issued by the DEEP for which the site is authorized.

#### 4.2.6 Certifications and Plan Review

The Stormwater Management Plan and any certifications shall be signed in accordance with Section 7.21. When a SMP or certification is signed by a duly authorized representative, a statement of authorization shall be included in the SMP.

##### 4.2.6.1 Permittee Certification of Stormwater Management Plan

The permittee shall certify as follows:

*"I certify under penalty of law that I have read and understand all conditions of the General Permit for the Discharge of Stormwater Associated with Commercial Activity issued on MONTH DD, YYYY. This Stormwater Management Plan and all attachments were prepared under my direction or*

supervision in accordance with a system designed to ensure that the information submitted has been properly gathered and evaluated. The Stormwater Management Plan has been prepared and implemented in accordance with the requirements of this general permit. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information contained in this Stormwater Management Plan is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are penalties for submitting false information, including the possibility of fine and imprisonment for knowingly making false statements."

#### 4.2.6.2 Other Certification of Stormwater Management Plan

For sites in the possession of or operated by a person or municipality other than the permittee, the permittee is responsible for providing a copy of the registration and the Stormwater Management Plan to such individual(s). Such individual(s) is/are then responsible for signing the following Certification:

"I certify under penalty of the law that I have read and understand the terms and conditions of *the General Permit for the Discharge of Stormwater Associated with Commercial Activity* issued on MONTH DD, YYYY and the Stormwater Management Plan certified in accordance with the "Certifications and Plan Review" (4.2.6), section of this general permit at the time of registration for this general permit. The permittee shall maintain compliance with such Stormwater Management Plan thereafter. I understand that I am authorized by this general permit, and must comply with the terms and conditions of this permit, including but not limited to the requirements of the Stormwater Management Plan prepared for this site."

#### 4.2.6.3 Notification by Commissioner

The Commissioner may notify the permittee at any time that the Stormwater Management Plan does not meet one or more of the requirements of Section 4.2 of this general permit. Unless otherwise notified by the Commissioner in writing, the permittee shall, within thirty (30) days of the date of such notification, revise the SMP and perform all actions required by the revised SMP. Information confirming that the necessary revisions have been made and implemented shall be filed with the Commissioner in accordance with the certification requirements prescribed in Section 3.7 or 4.2.6 of this general permit.

### 4.3 Stormwater Control Measures

Control Measures are required Best Management Practices ("BMPs") that the permittee must implement in order to minimize the discharge of pollutants from the permitted site. The term "minimize" means reduce and/or eliminate to the extent achievable using Control Measures that are technologically available and economically practicable and achievable in light of best engineering practice and that, where applicable, conform to those in the Guidelines and the Connecticut Stormwater Quality Manual.

#### 4.3.1 Control Measures Applicable to All Sites

The Control Measures in this Section must be implemented by all permittees.

##### 4.3.1.1 Good Housekeeping

The permittee shall maintain a clean, orderly site (e.g., sweeping at regular intervals, appropriate storage practices, proper garbage and waste management, dust control measures, etc.) in all areas that are exposed to rainfall and are potential sources of pollutants.

##### 4.3.1.2 Wash Water

No water resulting from washing, cleaning, or rinsing of any raw materials, intermediate products, by-products, final products, products for sale, waste materials (including compactors, dumpsters, grease hoods, filters, mats, etc.), accessories, vehicles, equipment (including rental) storage areas, buildings, outside sales/garden areas, loading docks, parking areas, sidewalks, or vehicles (including non-profit or charity carwashes) shall be discharged to a stormwater conveyance system or waters of the state except in accordance with a permit issued by the DEEP pursuant to Section 22a-430 or 22a-430b of

the Connecticut General Statutes. For any vehicle and equipment cleaning practices, the permittee shall minimize contamination of stormwater run-off from all areas used for vehicle/equipment cleaning.

DEEP recommends the diversion of contaminated wash water to a holding tank for proper disposal.

#### 4.3.1.3 Floor Drains

The permittee shall ensure that all floor drains located within buildings have been sealed, authorized by a local authority to discharge to sanitary sewer, or otherwise authorized by a permit issued by the Commissioner pursuant to Section 22a-430 or 22a-430b of the Connecticut General Statutes.

#### 4.3.1.4 Roof Areas

The permittee shall identify roof areas that may be subject to drippage, dust, or particulates from exhausts or vents, or other sources of pollution. The permittee must inspect such areas to determine if any potential sources of pollution are present. If pollution is present, the permittee must take appropriate actions to minimize such sources or potential sources of pollution.

#### 4.3.1.5 Minimize Exposure

The permittee shall minimize exposure to stormwater of materials identified pursuant to Section 4.2.2.4.a of this general permit through adherence to management of such materials established in 4.2.2.4.b.

#### 4.3.1.6 Sediment and Erosion Control

The permittee shall identify areas that have a potential for soil erosion due to topography, activities, or other factors, and shall implement measures to limit erosion and stabilize such areas. All construction activities on site shall be conducted in accordance with the Connecticut Guidelines for Soil Erosion and Sediment Control and Section 4.1.5 "Future Construction," of this general permit.

#### 4.3.1.7 Management of Run-off

The permittee shall evaluate the need for stormwater management and treatment practices that shall be used to divert, infiltrate, reuse, or treat stormwater run-off in a manner that minimizes pollutants in stormwater discharges from the site. Any evaluation, construction, or modification of the design of a stormwater drainage system requires certification by a professional engineer licensed to practice in the State of Connecticut. The permittee shall consider implementation of stormwater management or treatment measures determined to be reasonable and appropriate to minimize the discharge of pollutants from the site.

In implementing infiltration practices, care must be taken to avoid groundwater contamination in accordance with Appendix B of this general permit. Any stormwater infiltration measures implemented by the permittee and located within an aquifer protection area as mapped under Section 22a-354b of the Connecticut General Statutes shall be conducted pursuant to Sections 8(c) and 9(b) of the Aquifer Protection Regulations in Section 22a-354i(1)-(10) of REGS. CONN. STATE AGENCIES. The permittee must ensure that stormwater run-off generated from the regulated activity is managed in a manner so as to prevent pollution of groundwater and comply with all the requirements of this permit.

The permittee shall consider the potential of various sources at the site that contribute pollutants to stormwater discharges associated with the commercial activities when determining reasonable and appropriate control measures. Where feasible, the permittee shall divert uncontaminated run-on to avoid areas that may contribute pollutants. Other appropriate stormwater management or treatment measures may include, but are not limited to, vegetative swales or buffer strips, reuse of collected stormwater (such as for process water, cooling water or as an irrigation source), treatment technologies (e.g., swirl concentrators, sand filters, etc.), bioretention cells, green roofs, pervious pavement, and wet detention/retention basins. The permittee shall ensure that such measures are properly designed, implemented, and maintained in accordance with the Stormwater Quality Manual, as amended.

#### 4.3.1.8 Preventative Measures Program

The permittee shall implement a Preventive Maintenance Program, which includes but is not limited to scheduled inspection and maintenance of stormwater management devices, visual inspection, testing and maintenance of on-site equipment, and any other means to identify potential equipment malfunctions or circumstances that result in discharges of pollutants. Records and logs shall be maintained in the Stormwater Management Plan.

#### 4.3.1.9 Impervious Surface Sweeping

All parking areas, sidewalks, driveways, and other impervious surfaces (except roofs) shall be swept clean of trash, sand, salt, soil, plant debris, and any other possible pollutants at least four (4) times a year; twice in the fall (September 1 to December 31) and twice in the spring (March 1 to May 30). Additional sweepings shall be performed as needed based on the results of visual inspections conducted pursuant to Section 4.4. Records of sweeping shall be maintained in the Stormwater Management Plan.

#### 4.3.1.10 Catch Basin Cleaning Program

The permittee shall develop, maintain, and implement a plan and schedule to maintain catch basins located on the site; such to ensure that no catch basin becomes excessively loaded. A catch basin is considered excessively loaded when the catch basin sump is more than fifty percent (50%) full. Catch basin cleanings shall be performed as needed based on the results of the visual inspections conducted pursuant to Section 4.4. Material removed from the catch basins must be properly disposed of. Records of the catch basin cleanings, such as the date, time, name of individual or contract service provider, disposal location, and weight of material shall be maintained in the Stormwater Management Plan.

#### 4.3.1.11 Outside Storage

Any raw materials, intermediate products, by-products, final products, waste materials (including cardboard), pallets, deicing materials, accessories, or equipment (except those on display for sale or rent) stored outside (except for wood products or materials displayed in minimal quantities and exposed during loading/unloading operations) shall be covered, stored inside, or maintained in such a manner as to avoid the risk of any of these materials or their residue passing to a stormwater discharge.

#### 4.3.1.12 Winter Maintenance Activities

The permittee shall develop a Winter Maintenance Management Program to address winter weather events and to optimize the application of de-icing materials (e.g., road salt and de-icing material) and reduce the impact of associated pollutants such as chlorides to waters of the state. The program shall include, at minimum, the standard procedures for the following:

- any actions to be taken before a storm, including:
  - application of de-icing material to roads and sidewalks (e.g., under what conditions is it deemed necessary, when is it applied in relation to an anticipated storm, how is it applied, who is it applied by, etc.).
  - covering or bringing under cover materials stored outdoors.
- any actions to be taken during a storm, such as plowing or additional application of de-icing material.
- any actions to be taken after the storm, such as street sweeping or additional application of de-icing material.
- any actions to be taken regarding management of plowed snow, including the storage location of snow pile(s) and management of run-off and snow melt.

For each winter storm resulting in de-icing material application, the permittee shall maintain record of the type of de-icing material used, the amount of de-icing material applied at the site (by either weight or volume), and the date, temperature, and intensity of the storm (i.e., depth of snow fall).

The permittee is responsible for the actions performed by contractors at their site on their behalf.

DEEP recommends all private contractors responsible for winter maintenance activities at the site including, but not limited to, snow plowing and deicing material application, receive Green Snow Pro training provided by the CT Training and Technical Assistance Center (“T2 Center”) or alternative training(s) as directed by the Commissioner.

#### 4.3.1.13 Spill Prevention and Response

The permittee shall develop, maintain, and implement spill prevention and response procedures to minimize the potential for leaks, spills, and other unplanned or uncontrolled releases, which may cause or contribute to pollution of stormwater, surface waters, or ground water. Such procedures shall include but are not limited to:

- identifying areas of potential spills and corresponding drainage points.
- clearly labeling containers susceptible to leakage.
- establishing dry spill cleanup, containment, reporting, and emergency response procedures.

The permittee shall provide the necessary equipment to implement such procedures and shall ensure that all appropriate personnel (e.g., contractors, operators, office staff, etc.) are trained in these procedures in accordance with Employee Training described in Section 4.3.1.16.

In the event of any spill, leak, release, or discharge of non-stormwater not authorized by this permit or another permit, the operator must report it orally as soon as there is knowledge of the event by contacting CT DEEP Emergency Response and Spill Prevention:

**CT DEEP Emergency Response and Spill Prevention**  
**860-424-3338 or Toll Free at 1-866-DEP-SPIL (1-866-337-7745)**  
<https://portal.ct.gov/DEEP/Emergency-Response-and-Spill-Prevention/Emergency-Response-and-Spill-Prevention>

The CT DEEP Emergency Response and Spill Prevention contact information must be in locations that are readily accessible and available to the appropriate staff.

#### 4.3.1.14 Dumpsters and Other Temporary Waste Storage

The permittee must ensure that all temporary waste storage containers, such as dumpsters, trash compactors, “roll-off” containers, and grease disposal containers used to store waste or recyclable materials are in sound watertight condition, have covers and drain plugs intact and properly used, or are in covered/roofed areas that will prevent exposure to rainfall and will not allow any leakage to enter any stormwater drainage system or waters of the state. All covers on containers not under a roof must be closed when the container is not being loaded or unloaded.

#### 4.3.1.15 Loading Docks

The permittee shall ensure that stormwater collection and drainage facilities adjacent to the loading dock be designed and maintained in a way that prevents any materials spilled or released at the loading dock from discharging to the stormwater conveyance system and waters of the state. DEEP recommends that loading docks (excluding those that allow a vehicle to enter the building) be protected with a permanent roof or other structure that protects the loading dock from direct rainfall.

#### 4.3.1.16 Employee Training

The permittee shall ensure that all employees (including those of occupants) whose activities may affect stormwater quality receive training within ninety (90) days of employment and at least once a year thereafter to make them familiar with the components and requirements of the Stormwater Management Plan and all control measures therein. All employees shall receive training addressing the following topics, when applicable to the site:

- contents of the Stormwater Management Plan.
- spill response and management.

- location of emergency spill equipment.
- site-specific control measures.
- good housekeeping measures.
- materials management practices.

Employees with specific responsibilities shall receive additional training specific to such responsibilities (e.g., employees responsible for conducting site inspections shall receive training on how to conduct such inspections in accordance with the Stormwater Management Plan).

A written record of completed training including the date(s), employee identification, employee responsibility, and training agenda shall be maintained in the SMP.

#### 4.3.1.17 Awareness of Flood Hazards

DEEP recommends all permittees identify areas of their sites prone to frequent flooding or which are located within a floodplain or a flood hazard area. Awareness of these areas can be beneficial in evaluating risk factors and can be used to advise responsible site management and safety practices, such as selecting appropriate staging areas or informing employees of safety hazards associated with flooding.

### 4.3.2 Control Measures Applicable to Sites with Certain Activities

The Control Measures in this section are applicable to sites with the specified activity.

#### 4.3.2.1 Solid De-icing Material Storage

For sites which store solid de-icing materials (including pure salt, salt alternatives, or either of these mixed with other materials) outdoors for any reason, including sale or on-site application, the permittee shall implement the following additional Control Measures:

- the permittee must ensure that storage piles of deicing materials that are in place for more than one-hundred-eighty (180) days per year shall be enclosed or covered by a rigid or flexible roof or other structural means. Such structure shall not allow for the migration or release of material outside of the structure through its sidewalls.
- for temporary storage piles of de-icing materials in place for less than one-hundred-eighty (180) days per year, a waterproof cover must be used to prevent exposure to precipitation except for exposure necessary to add or remove materials from the pile. Such cover shall not allow for the migration or release of material outside of the structure through its sidewalls.
- an impervious liner shall be utilized under all de-icing material pile(s) to prevent groundwater pollution for all storage piles located in an area with a groundwater classification of GA or GAA, within 250 feet of a public or private groundwater well utilized for potable drinking water supply, or within a Level A aquifer protection area as defined by mapping pursuant to section 22a-354c of the Connecticut General Statutes.

#### 4.3.2.2 Fueling

For sites where fueling of vehicles and/or equipment (whether for public or private use) occurs outdoors, the permittee shall:

- provide accessible spill kits.
- utilize dry clean-up methods and prohibit wet clean-up practices where these practices would result in a discharge to a storm sewer system, surface water, wetland, or groundwater.
- minimize discharge of pollutants to nearby stormwater infrastructure or catch basins.

DEEP recommends that the fueling area be covered and run-on to or run-off from the area be minimized.

#### 4.3.2.3 Vehicle and Equipment Maintenance

Discharges of vehicle or equipment fluids to storm sewer systems, surface waters, wetlands, or groundwaters are prohibited under this permit. For sites which vehicle and/or equipment maintenance is performed outdoors, the permittee shall:

- utilize dry clean-up methods and prohibit wet clean-up practices where these practices would result in a discharge to a storm sewer system, surface water, wetland, or groundwater.
- utilize drip pans.
- collect, treat, and/or recycle collected stormwater run-off from areas where outdoor maintenance occurs.
- minimize discharge of pollutants to nearby stormwater infrastructure or catch basins.

DEEP recommends maintenance be performed indoors whenever possible. Where maintenance is performed outdoors, DEEP recommends run-on to the maintenance area be minimized.

#### 4.3.2.4 Outdoor Storage of Liquid Materials

For sites which store liquid materials outdoors, the following additional Control Measures must be implemented:

For the purposes of this subsection, the following definitions apply:

- “storage” means any above-ground tank or container used for the storage of liquid chemicals or the storage, collection, or treatment of wastewater.
- “storage area” means an exterior area, which is or has the potential to be exposed to stormwater, that contains one or more tanks or containers used for the storage of liquid chemicals or for the collection, storage, or treatment of wastewater.
- “relevant pollutant” means a pollutant associated with the contents of a tank or container stored in a storage area.

##### a. Stationary Storage

Any stationary storage or storage area shall, at minimum, employ one of the following types of secondary containment:

- a double-walled above-ground tank or container.
- an impermeable secondary containment area which will hold at least one-hundred ten percent (110%) of the volume of the largest storage or ten percent (10%) of the total volume of all storage in the area, whichever is larger, without overflow from such secondary containment area.

If discharges from specific stationary storage or storage areas are authorized by a permit pursuant to CGS Sections 22a-430 or 22a-430b, then the abovementioned secondary containment requirements above do not apply to such storage or storage areas. The name, permit number, permit issuance and permit expiration date must be recorded in the SMP.

Where impermeable secondary containment is required, such areas shall be roofed to minimize stormwater entry to the containment area, except for a containment area which stores tanks or containers of one-hundred (100) gallon capacity or more, in which case a roof is not required.

Stormwater that may accumulate in a containment area may be discharged only after the permittee conducts testing to confirm that it does not contain any of the relevant pollutants stored therein. For petroleum storage containment areas, visual inspection for a sheen fulfills this requirement. If testing is not conducted or if it indicates the presence of a relevant pollutant, this containment water must be treated and/or disposed of in accordance with local, state, and federal regulations. The permittee must maintain all records of inspections, analysis, hauling records, volume, and ultimate disposal in the SMP.

b. Mobile or Portable Storage

Any mobile or portable storage shall employ the above secondary containment requirements, unless the following requirements are met:

- such mobile or portable storage and its control fixtures (e.g., piping, fittings, valves, gauges, alarms, switches, etc.) are designed, operated, and maintained in order to prevent releases as a result of physical or chemical damage, tampering, vandalism, or freezing and thawing; and
- in addition to the above requirements, for any mobile or portable storage and control fixtures that are affixed to a trailer, such trailer shall be a registered motor vehicle that is designed, operated, and maintained to be capable of transporting any released material.

c. Containment exemption for certain stationary above-ground storage tanks, containers, and areas:

The secondary containment requirements of Section 4.3.2.4.a above do not apply to stationary above-ground storage and treatment tanks and containers, and storage areas if such tanks, containers, and storage areas are associated with a discharge(s) authorized by a permit issued pursuant to Section 22a-430 or 22a-430b of the Connecticut General Statutes.

4.3.2.5 Lawn and Garden Centers

Discharges associated with the watering of plants or floor washing are prohibited under this permit. For sites which store lawn and garden supplies and materials (including plants, fertilizers, mulch, and other landscaping supplies and materials) outdoors, either on a permanent or temporary basis, the permittee shall implement the following Control Measures and consider the recommendations provided:

a. Floor drains

The permittee shall identify the ultimate discharge location of floor drains in lawn and garden areas. The permittee shall ensure that discharges from such floor drains are appropriately authorized by a local authority to discharge to sanitary sewer, or otherwise authorized by a permit issued by the Commissioner pursuant to Section 22a-430 or 22a-430b of the Connecticut General Statutes.

DEEP recommends new lawn and garden areas (i.e., those constructed after the issuance of this general permit) be designed without floor drains and that existing floor drains be plugged to limit the discharge of pesticides, fertilizers, and amended soils into waters of the state.

b. Housekeeping

The permittee shall utilize dry clean-up methods and prohibit wet clean-up practices where these practices would result in a discharge to a storm sewer system, surface water, groundwater, or wetland.

c. Material storage

For lawn and garden materials stored outdoors, the permittee shall:

- store all liquid chemicals, fertilizers, pesticides, and salt inside under permanent cover.
- store all powdered chemicals, fertilizers, pesticides, and salt under permanent cover to ensure the material does not enter the stormwater sewer system. Spilled material must be swept up immediately.
- store all soil, amended soil, bark, mulch, stone, concrete, pavers, potted plants, and trees under permanent or semi-permanent cover or maintained in waterproof packaging (such as plastic- or shrink-wrap) until needed for sale. Spilled material must be swept up immediately. Materials shall be stored away from floor drains, storm drains, or catch basins, or within secondary containment.
  - Damaged packaging must be repaired or replaced immediately, covered with impermeable material, or the materials moved under cover. Tarps or other impermeable

material may be used for temporary cover but must move towards a permanent solution such as a tent or portable greenhouse by the end of the business day.

DEEP recommends that new lawn and garden areas (constructed after the issuance of this general permit) be graded such that spills of liquid, powder, or solid materials area are contained under cover, are not exposed to stormwater, and cannot access floor drains, storm drains, stormwater sewer conveyance systems, or catch basins.

d. Plants stored outdoors

For plants stored outdoors for sale, the permittee shall:

- water plants in such a way to prevent discharge of water to floor drains, storm drains, stormwater sewer conveyance systems, or catch basins.
- sweep spilled soil immediately utilizing dry clean-up methods.

DEEP recommends the permittee store plants away from floor drains, storm drains, stormwater sewer conveyance systems, or catch basins to minimize the potential discharge of water and soil.

## 4.4 Inspections and Maintenance

The permittee shall establish an inspection and response procedure to regularly evaluate the condition of the site pursuant to the requirements of Section 4.3. Such procedure shall ensure that inspections are performed at the frequencies set forth in this section and the timely response to issues observed as a result of such inspections. All inspection records must follow the recordkeeping requirements found in Section 4.6 of this general permit.

### 4.4.1 Routine Site Inspections

The permittee shall perform routine site inspections to assess the condition of the site and the implementation of all Control Measures. Routine inspections shall be conducted according to the following schedules. Record of inspections, including the date of the inspection, personnel conducting the inspection, and weather conditions during the inspection, shall be maintained in the Stormwater Management Plan.

#### 4.4.1.1 Daily Inspections

The permittee shall, at minimum, perform daily inspections of battery storage areas, garden centers, vehicle maintenance facilities, vehicle fueling areas, outside chemical, material, or other storage and containment areas, and any other areas where materials may be exposed to rainfall or run-off for indicators of containment issues, such as spills or damaged cover.

#### 4.4.1.2 Weekly Inspections

The permittee shall, at minimum, perform weekly inspections of the site for surface debris such as litter, oil, grease, or sediment accumulation.

#### 4.4.1.3 Monthly Inspections

The permittee shall, at minimum, perform monthly inspections of all areas covered by the SMP to assess implementation of the Control Measures outlined in Section 4.3. Such inspections shall, in addition to the areas covered by the SMP, include visual inspection of all stormwater catch basins, structures, and outfalls on the site for floating or surface debris, oil, and sediment.

### 4.4.2 Comprehensive Site Inspections

The permittee shall conduct comprehensive site inspections to assess the implementation and effectiveness of control measures. Such comprehensive site inspections shall be performed at appropriate intervals specified in the Stormwater Management Plan, but in no event less frequently than semi-annually. Such evaluations shall, at minimum, include the following elements:

#### 4.4.2.1 Visual Inspection

The permittee shall perform a visual inspection of all areas covered by the SMP to assess the potential for pollutants entering the stormwater conveyance system or waters of the state. Visual inspection shall include, at minimum:

- condition of all observable aspects of Control Measures implemented pursuant to Section 4.3.
- condition of all stormwater structures, including catch basins, outfalls, and other conveyances.
- condition of all equipment needed to implement the SMP, such as spill kits or legible signs.
- condition of dumpsters and other temporary waste storage.
- condition of secondary containment measures.
- general housekeeping and cleanliness of each area of the site.
- need for additional Control Measures to prevent pollutants from entering the stormwater conveyance system or waters of the state.

#### 4.4.2.2 Document Review

The permittee shall review all documents related to Section 4 required since completion of the previous comprehensive site inspection for completeness and incorporation into the SMP.

#### 4.4.2.3 Inspection Report

The permittee shall prepare a report summarizing the scope of the inspection, personnel conducting the inspection, the start and end date(s) and times of the inspection, weather conditions during the inspection, major observations related to each Control Measure and the SMP, actions taken or to be taken, and updates made to the SMP. Such report shall be made, signed by a responsible official, and retained in accordance with Section 4.6 of this general permit as part of the Stormwater Management Plan for at least five (5) years from the date of inspection.

### 4.5 Monitoring Requirements

#### 4.5.1 Outfall Monitoring

All permittees must conduct stormwater outfall monitoring under this general permit. Permittees may be required to modify their SMP and Control Measures based on the monitoring results. All permittees are required to monitor for the standard parameters as specified in this subsection.

##### 4.5.1.1 Analytical Monitoring Requirements

Stormwater monitoring must be conducted at least annually (i.e., once a calendar year) for the entire permit term. Analytical monitoring may be conducted in conjunction with the quarterly “visual monitoring” (conducted in accordance with Section 4.5.1.2), if there is a discharge. Samples for analytical monitoring shall be collected in accordance with Section 4.5.2, below.

Analytical monitoring shall be conducted for the parameters listed below:

Table 4-1: Monitoring Parameters

Monitoring Parameters					
Parameter	Unit	Benchmark	Frequency	Sample Type	NetDMR Code
Total Oil and Grease (O&G)	mg/L	Report Only	Annual	Grab	00556
pH	s.u.	Report Only	Annual	Grab	00400
Conductivity	umhos/cm	Report Only	Annual	Grab	00094
Hardness	mg/L	Report Only	Annual	Grab	00900
Total Copper	mg/L	Report Only	Annual	Grab	01042
Total Lead	mg/L	Report Only	Annual	Grab	01051
Total Zinc	mg/L	Report Only	Annual	Grab	01092
Total Aluminum	mg/L	Report Only	Annual	Grab	01105
Iron	mg/L	Report Only	Annual	Grab	01045
Chemical Oxygen Demand (COD)	mg/L	Report Only	Annual	Grab	81017
Total Suspended Solids (TSS)	mg/L	Report Only	Annual	Grab	00530
Total Dissolved Solids (TDS)	mg/L	Report Only	Annual	Grab	70296
Total Phosphorous (TP)	mg/L	Report Only	Annual	Grab	00665
Total Kjeldahl Nitrogen (TKN)	mg/L	Report Only	Annual	Grab	00625
Nitrate as Nitrogen	mg/L	Report Only	Annual	Grab	00620
Nitrite as Nitrogen	mg/L	Report Only	Annual	Grab	00615
Ammonia as Nitrogen	mg/L	Report Only	Annual	Grab	00610
Chloride	mg/L	Report Only	Annual	Grab	46225
Bacteria <sup>1</sup>	CFU/100 ml	Report Only	Annual	Grab	47006
Temperature	°F	Report Only	Annual	Grab	00011

<sup>1</sup> Samples collected for discharges to fresh water must sample for Escherichia Coli (E-coli) and Total Coliform. Samples collected for discharges to salt water or estuary (brackish) must sample for Enterococci and Fecal Coliform.

#### 4.5.1.2 Visual Monitoring

Once each quarter, as defined in this general permit, for the entire permit term, the permittee must collect a stormwater sample from each outfall (or a representative outfall pursuant to Section 4.5.2.2) and conduct a visual assessment of each of these samples. These samples should be collected in such a manner that the samples are representative of the stormwater discharge.

If, based on the indicators below, the visual assessment indicates the Control Measures for the site are inadequate or are not being properly maintained, the permittee must review and revise the Control Measure selection, design, installation, and implementation of the Control Measure to ensure that the condition is remediated and will not be repeated in the future. The permittee shall maintain documentation of these procedures in the Stormwater Management Plan.

The sample for visual assessment must be collected in a clean, clear glass or plastic container, and examined in a well-lit area. The permittee must visually assess the sample for the presence of the following water quality characteristics:

Table 4-2: Visual Monitoring Parameters

Visual Monitoring		
Parameter	Monitoring Frequency	Sample Type
Color	Quarterly	Grab
Odor	Quarterly	Grab
Clarity	Quarterly	Grab
Floating solids	Quarterly	Grab
Settled solids	Quarterly	Grab
Suspended solids	Quarterly	Grab
Foam	Quarterly	Grab
Oil sheen	Quarterly	Grab
Other obvious indicators of stormwater pollution	Quarterly	Grab

#### 4.5.2 Stormwater Monitoring Procedures

##### 4.5.2.1 Sampling Conditions

All samples shall be collected from discharges resulting from a storm event that occurs at least seventy-two (72) hours after any previous storm event generating a stormwater discharge. Any sample containing snow or ice melt must be identified on the Stormwater Monitoring Report form.

For sites that discharge through a detention basin or other stormwater management structure, the sample shall be taken at the discharge location of the basin or structure.

Grab samples shall be representative of the discharge, collected after all treatment, prior to mixing with any other waters, and before discharged to waters of the state. Collection of grab samples shall begin during the first thirty (30) minutes of a storm event discharge (flow at sampling location). Samples shall be taken at the outfall or nearest feasible location representative of the discharge. All discharge samples at a site must be collected during the same storm event, if feasible.

##### 4.5.2.2 Representative Discharge

When a site has two (2) or more outfalls that, based on a consideration of features (e.g., grass vs. pavement, slopes, catch basins vs. swales, etc.) and activities within the drainage area of the outfall, the permittee reasonably believes discharge substantially identical effluents, the permittee may test the effluent of one such outfall and report that the quantitative data is representative of the substantially identical outfalls.

The Stormwater Management Plan shall include a narrative of the rationale for designating outfalls as representative discharges, and, for each outfall that the permittee believes is representative, an estimate of the size of the drainage area (in square feet), an estimate of the run-off coefficient of the drainage area and a description of the substantially identical activities contributing to the discharge shall be provided in the SMP. In no case shall one (1) outfall test be substituted for more than three (3) outfalls.

##### 4.5.2.3 Storm Event Information

The following information shall be collected for the storm events monitored:

- date, discharge temperature, time of the start of the discharge, time of sampling, and magnitude (in inches) of the storm event sampled.
- pH of the uncontaminated rainfall (before it contacts the ground).
- duration between the storm event sampled and the end of the most recent storm event that produced a discharge.

#### 4.5.2.4 Test Procedures

All samples shall be collected, handled, and analyzed in accordance with the methods approved under 40 CFR 136, unless another method is required under 40 CFR subchapter N or unless an alternative method has been approved in writing pursuant to 40 CFR 136.5 or as provided in section 22a-430-3(j)(7). To determine compliance with limits and conditions established in this permit, monitoring must be performed using sufficiently sensitive methods approved pursuant to 40 CFR 136 for the analysis of pollutants having approved methods under that part, unless a method is required under 40 CFR subchapter N or unless an alternative method has been approved. Chemicals which do not have methods of analysis defined in 40 CFR 136 shall be analyzed in accordance with methods specified by the Commissioner. Such analyses shall be performed by a laboratory certified by the Connecticut Department of Public Health, using sufficiently sensitive methods in accordance with 40 CFR Part 122.44(i)(1)(iv).

It is a violation of this permit for a permittee or his/her designated agent, to manipulate test samples in any manner, to delay sample shipment, or to terminate or to cause to terminate a toxicity test. Once initiated, all toxicity tests must be completed.

#### 4.5.2.5 Inability to Collect a Sample

If a permittee is unable to collect a sample, the permittee shall submit the Discharge Monitoring Report form in accordance with the “Reporting” in Section 4.6.3 with a notation of “NO DISCHARGE” and the appropriate No Data Indicator (“NODI”) code, and an explanation of the limitations restricting the collection of an appropriate sample. Reasons may include the absence of a seventy-two (72) hour period of dry weather, the absence of a rain event that produces a stormwater discharge, the absence of a discharge from a detention or retention basin, or safety considerations preventing access to a stormwater discharge location.

Timing of a rain event is not an acceptable reason to fail to sample unless it precludes the analysis of a parameter within the acceptable hold time specified by a laboratory.

### 4.6 Recordkeeping & Reporting Requirements

#### 4.6.1 Recordkeeping & Retention

The permittee shall retain copies of all application documents, laboratory analysis, calibration records, reports required by the permit, and documents required under the Stormwater Management Plan; including but not limited to inspection records, the site map, the spill control and response plan for each activity at the site, sweeping schedule and records, stormwater structure cleaning schedule and records, and employee training schedule for a period five (5) years following the expiration date of the general permit.

Records required by this general permit shall be retained on-site, or at the permittee’s principal place of business in Connecticut, as required by section 22a-430-3(j). Records shall be made available to the Commissioner for inspection immediately (within five (5) business days) upon request.

The Commissioner may extend this period as he or she deems necessary upon written notice to the permittee, and this period is automatically extended for as long as a permittee is under an active order from the Commissioner under Chapter 446K of the Connecticut General Statutes or if the permittee is in litigation for any violation of any permit or order issued by the Commissioner under Chapter 446K of the Connecticut General Statutes.

#### 4.6.2 Recording of Results

For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall record, or maintain records of, all of the following information:

- place, date, and time of sampling and the time the discharge started.
- person(s) collecting samples.
- dates and times the analyses were initiated.

- person(s) or laboratory who performed the analyses.
- analytical techniques or methods used.
- results of all analyses.

#### **4.6.3 Reporting**

##### **4.6.3.1 NetDMR Reporting Requirements**

###### **a. Electronic reporting**

The permittee shall report electronically using NetDMR, a web-based tool that allows permittees to electronically submit Discharge Monitoring Reports (“DMRs”) and other required reports through a secure internet portal. All reports required under the permit, including any additional monitoring conducted in accordance with 40 CFR 136, shall be submitted to DEEP as an attachment to the DMR in NetDMR.

###### **b. Submittal of reports using NetDMR**

The permittee and/or signatory shall electronically submit DMRs and reports required under this permit to the DEEP using NetDMR. DMRs shall be submitted electronically to DEEP no later than the last day of the month following the month during which the samples are collected.

##### **4.6.3.2 Noncompliance During Monitoring Period**

If permit noncompliance occurred in the monitoring period, the report required by this general permit detailing the violation of any limitation or permit condition must be included as an attachment to the DMR.

##### **4.6.3.3 No Discharge During Monitoring Period**

Should a qualifying rain event not occur during a monitoring period, the permittee must submit the DMR as scheduled indicating “NO DISCHARGE” and using the appropriate No Data Indicator (“NODI”) code.

##### **4.6.3.4 Additional Notification**

In the case of stormwater discharges through a municipal separate storm sewer system, these results shall also be made available to the owner and operator of that system.

## Section 5 Duty to Correct, Record, and Report Violations

### 5.1 Corrective Actions

Immediately upon learning of a violation of a condition of this general permit, the permittee shall immediately take all reasonable actions to determine the cause of the violation, correct the violation, mitigate the impact of the violation, and prevent its recurrence.

### 5.2 Reporting Violations

#### 5.2.1 Noncompliance with Permit Terms or Conditions

In accordance with Section 22a-430-3(j)(8), 22a-430-3(j)(11)(D), 22a-430-3(k)(4), and 22a-430-3(i)(3) of the RSCA, the Permittee shall notify the Commissioner of the following actual or anticipated noncompliance with the terms or conditions of this permit within two hours of becoming aware of the circumstances. All other actual or anticipated violations of the permit shall be reported to the Commissioner within 24 hours of becoming aware of the circumstances:

- a noncompliance that is greater than two times an effluent limitation.
- a noncompliance of any minimum or maximum daily limitation or excursion beyond a minimum or maximum daily range.
- any condition that may endanger human health or the environment.
- a failure or malfunction of monitoring equipment used to comply with the monitoring requirements of this permit.
- any actual or potential bypass of the Permittee's collection system or treatment facilities.
- expansions or significant alterations of any wastewater collection, treatment components, or its method of operation for the purpose of correcting or avoiding a permit violation.

Notifications shall be submitted via the Commissioner's online Noncompliance Notification Form:

<https://portal.ct.gov/deep/water-regulating-and-discharges/industrial-wastewater/compliance-assistance/notification-requirements>.

#### 5.2.2 Five-Day Follow Up Report

Within five (5) days of any notification of noncompliance in accordance with Section 5.2.1 of this permit, the Permittee shall submit a follow-up report using the Commissioner's online Noncompliance Follow-up Report Form:

<https://portal.ct.gov/deep/water-regulating-and-discharges/industrial-wastewater/compliance-assistance/notification-requirements>.

The follow-up report shall contain, at minimum, the following information:

- a description of the noncompliance and its cause.
- the period of noncompliance, including exact dates and times.
- if the noncompliance has not been corrected, the anticipated time it is expected to continue.
- steps taken or planned to correct the noncompliance and reduce, eliminate and prevent recurrence of the noncompliance.

Notification of an actual or anticipated noncompliance or site modification does not stay any term or condition of this permit.

### **5.2.3 Additional Notification Requirements**

In accordance with Section 22a-430-3(j)(11)(ED) of the RSCA, the Permittee shall notify the Commissioner within seventy-two (72) hours and in writing within 30 days when he or she knows or has reason to believe that the concentration in the discharge of any substance listed in the application, or any toxic substance as listed in Appendix B or D of RSCA Section 22a-430-4, has exceeded or will exceed the highest of the following levels:

- one hundred micrograms per liter.
- two hundred micrograms per liter for acrolein and acrylonitrile, five hundred micrograms per liter for 2,4-dinitrophenol and for 2-methyl-4, 6-dinitrophenol; and one milligram per liter for antimony.
- an alternative level specified by the Commissioner, provided such level shall not exceed the level which can be achieved by the permittee's treatment system.

The 72-hour initial notifications and thirty (30) day follow-up reports shall be submitted via the Commissioner's online Noncompliance Follow-up Report Form. The Forms are available on the DEEP website here:

<https://portal.ct.gov/deep/water-regulating-and-discharges/industrial-wastewater/compliance-assistance/notification-requirements>.

## **Section 6 Regs. Conn. State Agencies Incorporated into this General Permit**

Unless specific conditions, terms or limitations within this general permit are more restrictive, the permittee shall comply with the following Regs. Conn. State Agencies which are hereby incorporated into this general permit, as if fully set forth herein:

### **6.1 Section 22a-430-3**

- Subsection (b) General
- Subsection (c) Inspection and Entry
- Subsection (d) Effect of a Permit
- Subsection (e) Duty to Comply
- Subsection (f) Proper Operation and Maintenance
- Subsection (g) Sludge Disposal
- Subsection (h) Duty to Mitigate
- Subsection (i) Facility (Site) Modifications, Notification
- Subsection (j) Monitoring, Records and Reporting Requirements
- Subsection (k) Bypass
- Subsection (m) Effluent Limit Violations
- Subsection (n) Enforcement
- Subsection (o) Resource Conservation
- Subsection (p) Spill Prevention and Control
- Subsection (q) Instrumentation, Alarms, Flow Recorders
- Subsection (r) Equalization

### **6.2 Section 22a-430-4**

- Subsection (a) Duty to Apply
- Subsection (b) Duty to Reapply
- Subsection (c) Application Requirements
- Subsection (0) Permit or Application Transfer
- Subsection (p) Revocation, Denial, Modification
- Subsection (q) Variances
- Subsection (t) Prohibitions

## **Section 7 Standard Conditions**

The following standard conditions have been included in this general permit for the convenience of the permittee and are generally duplicative of the incorporated regulations in Section 6 of this general permit. If there are conflicting requirements, the regulations in section 22a-430 take precedence.

### **7.1 Inspection and Entry**

The Commissioner or his or her authorized representative may take any actions authorized by sections 22a-6 (5), 22a-425, or 22a-336 of the CGS as amended.

### **7.2 Reliance on Registration**

When evaluating a registration, the Commissioner relies on information provided by the registrant. If such information proves to be false or incomplete, the authorization issued under this general permit may be suspended or revoked in accordance with law, and the Commissioner may take any other legal action provided by law.

### **7.3 Submission of Documents**

Any document, other than a DMR, required to be submitted to the Commissioner under this section of the permit will, unless otherwise specified in writing by the Commissioner or through this general permit, be directed to Deep.stormwatercommercial@ct.gov with the subject line: "ATTN: Commercial Stormwater GP".

### **7.4 Violations**

Violations of any of the terms, conditions, or limitations contained in this permit may subject the permittee to enforcement action including, but not limited to, seeking penalties, injunctions and/or forfeitures pursuant to applicable sections of the Connecticut General Statutes and Regs. Conn. State Agencies.

### **7.5 Enforcement**

The Commissioner may take any enforcement action provided by law, including but not limited to seeking injunctions, penalties and forfeitures as provided in sections 22a-6, 22a-7, 22a-430, 22a-432, 22a-435, 22a-438 and 22a-471 of the Connecticut General Statutes as amended, for any violations or acts of noncompliance with chapter 446k of the Connecticut General Statutes or any regulation, order, permit or approval issued there under.

### **7.6 Need to Halt or Reduce Activity Not a Defense**

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit.

### **7.7 No Assurance**

No provision of this permit and no action or inaction by the Commissioner shall be construed to constitute an assurance by the Commissioner that the actions taken by the permittee pursuant to this permit will result in compliance or prevent or abate pollution.

### **7.8 Relief**

Nothing in this permit shall relieve the permittee of other obligations under applicable federal, state, and local law.

### **7.9 Duty to Provide Information**

The Commissioner may require any permittee to provide within a reasonable time (30 days) any information which the Commissioner may request to determine whether cause exists for modifying or revoking the permit or to determine compliance with the permit, including but not limited to copies of records required to be kept by the permittee.

## **7.10 Duty to Comply**

The permittee shall comply with all terms and conditions of the permit. Any permit noncompliance constitutes a violation of Chapter 446k of the Connecticut General Statutes. Permit noncompliance is grounds for enforcement action, permit revocation or modification, or denial of a permit renewal application.

The permittee shall comply with effluent limitations, standards or prohibitions established under section 307 (a) CWA which are adopted in subsection (l) of section 22a- 430-4 of the Regs. Conn. State Agencies for toxic substances upon adoption, even if the permit has not yet been modified to incorporate the requirement.

Except for any toxic effluent standards and prohibitions imposed under section 307 CWA, compliance with a permit during its term shall constitute compliance, for purposes of enforcement, with sections 301, 302, 306, 307, 318, 403 and 405 of the Clean Water Act.

The Commissioner may modify or revoke a permit during its term for cause as provided in section 22a-430-4 of the Regs. Conn. State Agencies.

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit.

## **7.11 Duty to Mitigate**

The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of the permit or any discharge which has a reasonable likelihood of adversely affecting human health or the environment.

## **7.12 Sludge Disposal**

The permittee shall dispose of screenings, sludges, chemicals, and oils and any solid or liquid wastes resulting from the wastewater treatment processes at locations approved by the Commissioner for disposal of such materials, or by means of a waste hauler licensed under the provisions of the Connecticut General Statutes.

## **7.13 Resource Conservation**

All permittees shall implement and maintain practices and/or facilities which, to the maximum extent practicable, result in the minimum amount of wastewater discharged. Such results may be achieved by methods including but not limited to water conservation, resource recovery, waste recycling, wastewater reuse, and material or product substitution. Excessive use of water or the addition of water to dilute an effluent in order to meet any permit limitations or conditions is prohibited.

## **7.14 Spill Prevention and Control**

The permittee shall maintain practices, procedures and facilities designed to prevent, minimize and control spills, leaks, or such other unplanned releases of all toxic or hazardous substances and any other substances as the Commissioner deems necessary to prevent pollution of the waters of the state. Such requirements shall, unless otherwise allowed by the Commissioner, apply to all facilities used for storing, handling transferring, loading, or unloading such substances, including manufacturing areas.

The requirements of this section do not apply to site 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.

## **7.15 Duty to Reapply**

The permit shall be effective for a fixed term not to exceed five (5) years unless administratively extended. The general permit will provide instructions on how and when to reapply.

## **7.16 Equalization**

All treatment facilities shall be designed to prevent upsets, malfunctions or instances of noncompliance resulting from variations in wastewater strength or flow rate, and shall include, as the Commissioner deems necessary, equalization facilities separate from the treatment facilities.

## **7.17 Effect of an Upset**

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. In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof.

A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

- an upset occurred and that the permittee can identify the cause(s) of the upset;
- the permitted site was at the time being properly operated;
- the permittee submitted notice of the upset timely as required in Section 5.2 of this general permit; and
- the permittee complied with all remedial measures.

## **7.18 Bypass**

The permittee shall not at any time bypass the collection system or treatment facilities or any part thereof unless such bypass is unanticipated, unavoidable, and necessary to prevent loss of life, personal injury or severe property damage, and there were no feasible alternatives to the bypass, including but not limited to the use of auxiliary or back-up treatment facilities, retention of untreated wastes, stopping the discharges, or maintenance during normal periods of equipment downtime; or the permittee receives prior written approval of the bypass from the Commissioner in order to perform essential maintenance, and the bypass does not cause effluent limitations to be exceeded.

### **7.18.1 Necessary Bypass**

In the event such a bypass is necessary, the permittee shall to the extent possible minimize or halt production and/or all discharges until the site is restored or an alternative method of treatment is provided.

### **7.18.2 Bypass Prevention**

In order to prevent a bypass, the permittee may schedule maintenance during periods when no discharge is occurring or employ any necessary means, including but not limited to duplicate units and systems or alternative collection and treatment or pretreatment schemes. Any such means shall ensure that the effluent limitations specified in the permit are achieved; be approved by DEEP in writing prior to its use, which approval shall include an alternative schedule for monitoring if appropriate; and be discontinued upon completion of the performance of the essential maintenance.

### **7.18.3 Notification to DEEP**

7.18.3.1 The permittee shall provide notice to DEEP not less than twenty-four (24) hours prior to the use of any alternative scheme and monitor and record the quality and quantity of the discharge in accordance with permit terms and conditions or an approved alternative schedule. Such monitoring shall be submitted with the next monitoring report required by the permit and shall not be used to meet routine scheduled monitoring report requirements of the permit.

7.18.3.2 If any bypass occurs or may occur, the permittee shall, within two hours of becoming aware of such condition or need, notify DEEP 24-hour Emergency Response Unit at 860-424-3338 or 866-337-7745 and submit within five days a written report including the cause of the problem, duration including dates and times and corrective action taken or planned to prevent other such occurrences. Information about incident reporting can be found on DEEP's Emergency Response and Spill Prevention website <https://portal.ct.gov/deep/emergency-response-and-spill-prevention/emergency-response-and-spill-prevention>.

7.18.3.3 If the permittee has reason to believe that any effluent limitation specified in the permit may be violated, the permittee shall immediately take steps to prevent or correct such violation, including but not limited to employing an alternative scheme of collection or treatment, and/or control the production of the wastewater and shall monitor and record the quality and quantity of the discharge in accordance with the permit terms and conditions or an approved alternative schedule. Such monitoring shall be submitted with the next monitoring report required by the permit and shall not be used to meet the routine monitoring requirements of the permit.

## **7.19 Proper Operation and Maintenance**

The permittee shall at all times properly operate and maintain all facilities and systems and parts thereof for wastewater collection, storage, treatment, and control which are installed or used by the permittee to achieve compliance with the terms and conditions of the permit. Proper operation and maintenance includes, but is not limited to, effective performance, adequate funding, and adequate operator staffing and training, including the employment of certified operators as may be required by the Commissioner pursuant to sections 22a-416-1 through 22a-416-10 of the Regs. Conn. State Agencies, as amended, and adequate laboratory and process controls, including appropriate quality assurance procedures.

In accordance with sections 22a-416 through 22a-471 of the Connecticut General Statutes as amended, the permittee is required to install and operate a back-up or auxiliary facilities or similar systems or the inventory of spare parts and appurtenances.

## **7.20 Instrumentation, Alarms, and Flow Records**

Except for batch treatment systems unless required by the Commissioner, process wastewater treatment systems shall include instrumentation to automatically and continuously indicate, record and/or control those functions of the system and characteristics of the discharge which the Commissioner deems necessary to assure protection of the waters of the state.

## **7.21 Signatory Requirements**

### **7.21.1 Signatory**

All permit applications and permit modification requests submitted to the Commissioner shall be signed as follows:

7.21.1.1 For a corporation the signatory shall be a responsible corporate officer.

For the purposes of this section, a responsible corporate officer means a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function; any other person who performs similar policy-or decision-making functions for the corporation; or the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding twenty-five million dollars (in second quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

7.21.1.2 For a partnership or sole proprietorship the signatory shall be a general partner or the proprietor, respectively.

7.21.1.3 For a municipality, State, Federal, or other public agency the signatory shall be either a principal executive officer or a ranking elected official.

For purposes of this section, a principal executive officer of a federal agency includes the chief executive officer of the agency, or a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.

### **7.21.2 Duly Authorized Representative**

All reports required by permits, and other information submitted to the Commissioner shall be signed by a person described in Section 7.21.1 of this general permit or by a duly authorized representative of that person. A person is a duly authorized representative only if:

- the authorization is made in writing by a person described in Section 7.21.1 of this general permit,
- the authorization specifies either an individual or a position having responsibility for the overall operation of the regulated site or activity, such as the position of plant manager, operator of a well or well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. A duly authorized representative may thus be either a named individual or any individual occupying a named position; and
- the written authorization is submitted to the Commissioner.

#### **7.21.3 Notification to DEEP**

If an authorization under this subsection is no longer accurate because a different individual or position has assumed the applicable responsibility, a new authorization satisfying the requirements of this section must be submitted to the Commissioner prior to or together with any reports or other information to be signed by an authorized representative.

#### **7.21.4 Certification**

Any person signing a document under this section shall make the following certifications:

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

“I have personally examined and am familiar with the information submitted in this document and all attachments thereto, and I certify that, based on reasonable investigation, including my inquiry of those individuals responsible for obtaining the information, the submitted information is true, accurate and complete to the best of my knowledge and belief. I understand that a false statement made in the submitted information may be punishable as a criminal offense, in accordance with section 22a-6 of the Connecticut General Statutes, pursuant to section 53a-157b of the Connecticut General Statutes, and in accordance with any other applicable statute.”

#### **7.22 Date of Filing**

For purposes of this general permit, the date of filing with the Commissioner of any document is the date such document is received by the Commissioner.

#### **7.23 False Statements**

Any false statement in any information submitted pursuant to this general permit may be punishable as a criminal offense, in accordance with section 22a-6 of the Connecticut General Statutes, pursuant to section 53a-157b of the Connecticut General Statutes, and in accordance with any other applicable statute.

#### **7.24 Correction of Inaccuracies**

Within fifteen (15) days after the date a permittee becomes aware of a change in any of the information submitted pursuant to this general permit, becomes aware that any such information is inaccurate or misleading, or that any relevant information has been omitted, such permittee shall correct the inaccurate or misleading information or supply the omitted information in writing to the Commissioner. Such information shall be certified in accordance with Section 7.21.4 of this general permit.

#### **7.25 Transfer of Authorization**

Any authorization under this general permit shall not be transferable.

#### **7.26 Other Applicable Law**

Nothing in this general permit shall relieve the permittee of the obligation to comply with any other applicable federal, state, and local law, including but not limited to the obligation to obtain any other authorizations required by such law.

#### **7.27 Other Rights**

This general permit is subject to and does not derogate any present or future rights or powers of the State of Connecticut and conveys no rights in real or personal property nor any exclusive privileges and is subject to all public and private rights and to any federal, state, and local laws pertinent to the property or activity affected by such general permit. In conducting any activity authorized hereunder, the permittee may not cause pollution, impairment, or destruction of the air, water, or other natural resources of this state. The issuance of this general permit shall not create any presumption that this general permit should or will be renewed.

#### **7.28 Effect of a Permit**

The issuance of a permit does not convey any property rights of any sort, or any exclusive privilege, authorize any injury to persons or property or invasion of other private rights, authorize any infringement of the Connecticut General Statutes, Regs. Conn. State Agencies or municipal ordinances, or affect the responsibility of the permittee to obtain all applicable federal, State and municipal authorizations or permits for the discharge and activities which generate the discharge.

## **Section 8 Commissioner's Powers**

### **8.1 Abatement of Violations**

The Commissioner may take any action provided by law to abate a violation of this general permit, including the commencement of proceedings to collect penalties for such violation. The Commissioner may, by summary proceedings or otherwise and for any reason provided by law, including violation of this general permit, revoke a permittee's authorization hereunder in accordance with sections 22a-3a-2 through 22a-3a-6, inclusive, of the Regs. Conn. State Agencies. Nothing herein shall be construed to affect any remedy available to the Commissioner by law.

### **8.2 General Permit Revocation, Suspension, or Modification**

The Commissioner may, for any reason provided by law, by summary proceedings or otherwise, revoke or suspend this general permit or modify it to establish any appropriate conditions, schedules of compliance, or other provisions which may be necessary to protect human health or the environment.

### **8.3 Filing of an Individual Permit Application**

If the Commissioner notifies a permittee in writing that such permittee must obtain an individual permit to continue lawfully conducting the activity authorized by this general permit, the permittee may continue conducting such activity only if the permittee files an application for an individual permit within sixty (60) days of receiving the Commissioner's notice. While such application is pending before the Commissioner, the permittee shall comply with the terms and conditions of this general permit. Nothing herein shall affect the Commissioner's power to revoke a permittee's authorization under this general permit at any time.

## Section 9 Definitions

The definitions of terms used in this general permit shall be the same as the definitions contained in Section 22a-423 of the General Statutes and Section 22a- 430- 3(a) of the Regs. Conn. State Agencies. In addition, the following definitions shall apply:

*“Approval of Registration” or “Notice of Coverage”* means an approval of registration issued under Section 3 of this general permit.

*“Aquifer Protection Area”* means that term as defined in Section 22a-354 of the General Statutes.

*“Authorized Activity”* means any activity authorized by this general permit.

*“Best Management Practice” or “BMP”* means a schedule of activities, practice (and prohibitions of practices), structure, vegetation, maintenance procedure, and other management practices to prevent or reduce the discharge of pollutants to waters of the state consistent with state, federal or other equivalent and technically supported guidance. BMPs also include treatment requirements, operating procedures, and practices to control site run-off, spillage or leaks, sludge or waste disposal, or drainage from material storage.

*“Calendar Year”* means the period of time beginning January 1.

*“Clean Water”* means water which in the judgment of the Commissioner is of a quality substantially similar to that occurring naturally in the receiving stream under consideration. Clean water may include minor cooling waters, residential swimming pool water, and stormwater.

*“Coastal Jurisdiction Line” or “JDL”* means coastal jurisdiction line as defined in Section 22a-359(c) of the Connecticut General Statutes.

*“Coastal Waters”* means those waters of Long Island Sound and its harbors, embayments, tidal rivers, streams and creeks which contain a salinity concentration of at least five hundred parts per million under low flow conditions.

*“Commercial Activity”* means any activity, site, or facility under the Standard Industrial Classifications (“SIC”) and/or under the North American Industry Classification System (“NAICS”) codes identified in Appendix A of this general permit.

*“Commissioner”* means Commissioner as defined by Section 22a-2(b) of the Connecticut General Statutes.

*“Contiguous”* means, as it is used in this permit, refers to a site that is not separated by a public right-of-way.

*“Control Measures”* means any BMPs, or other methods used to prevent or reduce the discharge of pollutants to waters of the state.

*“Day”* means the calendar day; if any date specified in the general permit falls on a Saturday, Sunday, or legal holiday, such deadline shall be the next business day thereafter.

*“DEEP” or “Department”* means the Department of Energy and Environmental Protection.

*“Discharge”* means the emission of any water, substance, or material into the waters of the state, whether or not such substance causes pollution as defined in section 22a-423 of the Connecticut General Statutes.

*“Discharge of Stormwater from or Associated with Commercial Activity”* means the stormwater discharge from a point source, including all stormwater structures, treatment devices and conveyances, which discharge is related to the commercial activity, access thereto or parking therefor, including but not limited to stormwater discharged from: roofs, ground surfaces within or immediately adjacent to said activity and its access and parking areas; material handling areas; refuse storage or disposal areas; areas used for the storage and

maintenance of material handling equipment; shipping and receiving areas; manufacturing areas; storage areas for raw materials, intermediate products and finished products and products for sale; and areas where industrial or commercial activity has taken place in the past and where materials remain and are exposed to stormwater.

“*DOT*” means the Connecticut Department of Transportation.

“*DOT MS4*” means conveyances for stormwater including, but not limited to, roads with drainage systems, streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains owned or operated by the Connecticut Department of Transportation and discharging directly to surface waters of the state.

“*DMR*” means Discharge Monitoring Report.

“*Facility*” means any facility at which a discharge may originate.

“*Fresh-Tidal Wetland*” means a tidal wetland located outside of coastal waters.

“*Grab Sample*” means an individual sample collected in less than fifteen (15) minutes.

“*Guidelines*” means the Connecticut Guidelines for Soil Erosion and Sediment Control, as amended, established pursuant to section 22a-328 of the Connecticut General Statutes.

“*High Quality Waters*” means surface waters where the water quality is better than necessary to meet the minimum criteria established in the Connecticut Water Quality Standards for the applicable classification and related designated uses.

“*Hydrant Flushing*” means potable water generated from the flushing of municipally owned or operated hydrants to maintain pipes and water mains, assess water flow and pressure, and to examine conditions of the water distribution system to determine any needed improvements.

“*Illicit Discharge*” means any unpermitted discharge to waters of the state that does not consist entirely of stormwater or uncontaminated ground water except those discharges identified in Section 2.1.1 of this general permit provided such non-stormwater discharges are not significant contributors of pollution.

“*Impaired Water(s)*,” for the purposes of this permit, means any waterbody that does not meet applicable water quality standards, including but not limited to waters listed in categories 5 or 4b on the Connecticut Integrated Report of waters listed pursuant to Clean Water Act section 303(d) and 305(b). Impaired Waters are also known as “Water Quality Limited Waters.”

“*Impervious Surface*” means hard surfaces which prevent or impede the infiltration of water. Such surfaces include, but are not limited to, roof areas, compacted gravel, paved walkways, paved parking areas, paved driveways, and other paved surfaces.

“*Individual Permit*” means a permit issued to a named permittee under Section 22a-430 of the Connecticut General Statutes.

“*Inland Wetland*” means a wetland as that term is defined in section 22a-38 of the General Statutes.

“*Interconnection*” means the point (excluding sheet flow over impervious surfaces) where the permittee’s discharges to an MS4 or other storm sewer system, through which the discharge is eventually conveyed to a waters of the state. Interconnections shall be treated similarly to outfalls throughout the permit.

“*Low Impact Development*” or “*LID*” means a site design strategy that maintains, mimics, or replicates pre-development hydrology through the use of numerous site design principles and small-scale treatment practices distributed throughout a site to manage run-off volume and water quality at the source.

*“Municipal Separate Storm Sewer System”* or *“MS4”* means conveyances for stormwater (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) owned or operated by any municipality and discharging directly to surface waters of the state.

*“Municipality”* means any metropolitan district, town, consolidated town and city, consolidated town and borough, city, borough, village, fire and sewer district, sewer district and each municipal organization having authority to levy and collect taxes or make charges for its authorized function as defined by section 22a-423 of the Connecticut General Statutes.

*“New Discharger”* means any building, structure, facility, or installation:

- (a) from which there is or may be a “discharge of pollutants;”
- (b) that did not commence the “discharge of pollutants” at a particular “site” prior to August 13, 1979;
- (c) which is not a “new source;” and
- (d) which has never received a finally effective NPDES permit for discharges at that “site.”

*“New or Increased Discharge”* means new discharge or activity as defined in section 22a-426-8(b)(3) and increased discharge or activity as defined in section 22a-426-8(b)(2), as referenced to the Regs. Conn. State Agencies.

*“New Source”* means any building, structure, facility, or installation from which there is or may be a “discharge of pollutants,” the construction of which commenced:

- (a) after promulgation of standards of performance under section 306 of CWA which are applicable to such source; or
- (b) after proposal of standards of performance in accordance with section 306 of CWA which are applicable to such source, but only if the standards are promulgated in accordance with section 306 within 120 days of their proposal.

*“North American Industry Classification System Code”* or *“NAICS Code”* means those codes provided in the *North American Industry Classification System Manual*, as amended.

*“NPDES Permit”* means a permit authorizing a discharge to the surface waters of the state either directly, or indirectly by means other than through a POTW or the ground waters, which is issued by the Commissioner pursuant to section 22a-430 of the Connecticut General Statutes.

*“Operate”* means to conduct business or activity.

*“Permittee”* unless the context indicates otherwise, means any person who or municipality which initiates, creates, originates, or maintains a discharge of stormwater under the authority of this general permit.

*“Person”* means person as defined by Section 22a-2(c) of the Connecticut General Statutes.

*“Point Source”* means any man-made or natural discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged. Point source does not include agricultural stormwater discharges and return flows from irrigated agriculture.

*“Possession”* means the right to use or occupy real property, including, but not limited to rights to possess or occupy pursuant to a lease or license.

*“Primary Activity”* means the activity most indicative of the nature of the activities conducted on the site on a daily basis.

*“Publicly Owned Treatment Works” or “POTW”* means a system used for the collection, treatment, and/or disposal of sewage from more than one lot as defined in section 22a-430-1 of the Regs. Conn. State Agencies which discharges to the waters of the state and which is owned by a municipality or the state.

*“Qualified Professional”* means a professional engineer who has, for a minimum of eight (8) years, engaged in the planning and designing of engineered systems for the collection and treatment of sanitary, industrial, and commercial wastewaters including, but not limited to, a minimum of four years in responsible charge of the planning and designing of such engineered systems.

*“Qualifying Storm Event”* means a storm event that results in an actual discharge that follows the preceding qualifying storm event by at least 72 hours (three days).

*“Quarterly”* means a calendar quarter. When used as a sampling or monitoring frequency in this permit, it means that sampling or monitoring will be performed from January 1st to March 30th, April 1st to June 30th, July 1st to September 30th, and October 1st to December 31st.

*“Regs. Conn. State Agencies”* means the Regulations of Connecticut State Agencies.

*“Registrant” or “Applicant”* means a person who or municipality which files a complete registration.

*“Registration” or “Applicantion” or “Notice of Intent”* means a registration form filed with the Commissioner pursuant to Section 3 of this general permit.

*“Retain”* means to hold run-off on-site to promote vegetative uptake and groundwater recharge through the use of run-off reduction or LID practices or other measures. In addition, it means there shall be no subsequent point source release to surface waters from a storm event defined in this general permit or as approved by the Commissioner.

*“Semi-annual”* means the periods of time starting January 1 and July 1.

*“Site”* means geographically contiguous land or water on which an authorized activity takes place or on which an activity for which authorization is sought under this general permit is proposed to take place. Non-contiguous land or water owned by the same person and connected by a right-of-way which such person controls and to which the public does not have access shall be deemed the same site.

*“Standard Industrial Classification Code” or “SIC Code”* means those codes provided in the *Standard Industrial Classification Manual*, Executive Office of the President, Office of Management and Budget 1987.

*“Stormwater”* means storm water runoff, snow melt runoff, and surface runoff and drainage.

*“Stormwater Quality Manual”* means the *Connecticut Stormwater Quality Manual* published by the Connecticut Department of Energy & Environmental Protection, as amended, and maintained at <http://www.ct.gov/deep/stormwaterqualitymanual>.

*“Sufficiently Sensitive”* means using a sufficiently sensitive analytical method as defined in 40 CFR §122.44(i)(1)(iv).

*“Surface Waters”* means surface waters as that term is defined in Sections 22a-426-1 and 22a-430-3 of the Regs. Conn. State Agencies.

*“Tidal Wetland”* means a wetland as that term is defined in section 22a-29(2) of the General Statutes.

*“Total Maximum Daily Load” or “TMDL”* means a calculation of the maximum amount of a pollutant that a waterbody can receive and still meet water quality standards, and an allocation of that amount to the pollutant’s sources. A TMDL includes wasteload allocations (“WLAs”) for point source discharges, load allocations

(“LAs”) for nonpoint sources and/or natural background, and must include a margin of safety (“MOS”) and account for seasonal variations.

“*Vehicle and Equipment Rinse Water*” means wastewater generated from rinsing the exterior surfaces of vehicles or equipment without the use of detergents or other added chemicals. Vehicle rinse water includes wastewater generated from the rinsing of all exterior surfaces, including the vehicles tires, but excludes any areas of the vehicle which may reasonably be expected to be exposed to oil or other pollutants, including but not limited to engine compartments, steering, braking, lubrication and suspension systems, heating and cooling systems, and hydraulic systems. Equipment rinse water includes wastewater generated from the rinsing of all exterior surfaces but excludes any part of the equipment which may reasonably be expected to be exposed to oil or other pollutants, including but not limited to engine compartments, mechanical systems, lubrication systems, heating and cooling systems and hydraulic systems.

“*Water Quality Standards or Classifications*” means those water quality standards or classifications contained in Sections 22a-426-1 through 22a-426-9, inclusive, of the Regs. Conn. State Agencies and the Classification Maps adopted pursuant to Section 22a-426 of the Connecticut General Statutes, which together constitute the Connecticut Water Quality Standards., as may be amended.

“*Watercourse*” means a watercourse as that term is defined in section 22a-38 of the General Statutes.

“*Water Quality Volume*” or “*WQV*” means the volume of run-off generated on a site by the Water Quality Storm as defined in the Connecticut Stormwater Quality Manual, as amended.

## APPENDIX A: Applicable SIC & NAICS Codes

Discharges of stormwater from sites associated with the activities listed in this appendix are eligible for authorization under this general permit. Site upon which the primary activity can most accurately be described by one of the industry group codes listed in this appendix for either classification system which meet the conditions set forth in Section 3.1 (“Who Must File a Registration”) of this general permit, a registration must be submitted pursuant to Section 3 of this general permit.

### A.1 SIC Codes for Coverage Under this General Permit

The following SIC Groups and their subsequent subgroups are authorized under this general permit unless otherwise noted in the “except” column. For more detailed descriptions of these industries, refer to the 1987 SIC Manual.

SIC Code	Except	Description
<b>SIC Division A: Agriculture, Forestry, and Fishing</b>		
078		Landscape and Horticultural Services
<b>SIC Division F: Wholesale Trade</b>		
50		Wholesale Trade (Durable Goods)
	5015	Motor Vehicle Parts, Used
	5093	Scrap and Waste Materials
51		Wholesale Trade (Durable Goods)
	5171	Petroleum Bulk Stations and Terminals
<b>SIC Division G: Retail Trade</b>		
52		Building Materials, Hardware, Garden Supply, and Mobile Home Dealers
53		General Merchandise Stores
54		Food Stores
55		Automotive Dealers and Gasoline Service Stations
	5551	Boat Dealers
56		Apparel and Accessory Stores
57		Home Furniture, Furnishings, and Equipment Stores
58		Eating and Drinking Places
59		Miscellaneous Retail
<b>SIC Division H: Finance, Insurance, and Real Estate</b>		
60		Depository Institutions
61		Non-depository Institutions
62		Security and Commodity Brokers, Dealers, Exchanges, and Services
63		Insurance Carriers
6512		Operators of Nonresidential Buildings
6531		Real Estate Agents and Managers
<b>SIC Division I: Services</b>		
70		Hotels, Rooming Houses, Camps, and Other Lodging Places
72		Personal Services
73		Business Services
75		Automotive Repair, Services, and Parking
76		Miscellaneous Repair Services
78		Motion Pictures
79		Amusement and Recreation Services
80		Health Services
81		Legal Services
82		Educational Services
83		Social Services
84		Museums, Art Galleries, and Botanical and Zoological Gardens
86		Membership Organizations
87		Engineering, Accounting, Research, Management, and Related Services

## A.2 NAICS Codes for Coverage Under this General Permit

The following NAICS Sectors and their subsequent subsectors are authorized under this general permit unless otherwise noted in the “except” column. For more information and more detailed descriptions of these industries, refer to the 2022 NAICS Manual.

NAICS Code	Except	Description
<b>NAICS Sector 42: Wholesale Trade</b>		
423		Merchant Wholesalers, Durable Goods
	423140	Motor Vehicle Parts (Used) Merchant Wholesalers
424		Merchant Wholesalers, Nondurable Goods
	424710	Petroleum Bulk Stations and Terminals
<b>NAICS Sector 44-45: Retail Trade</b>		
441		Motor Vehicle and Parts Dealers
444		Building Material and Garden Equipment and Supplies Dealers
445		Food and Beverage Retailers
449		Furniture, Home Furnishings, Electronics, and Appliance Retailers
455		General Merchandise Retailers
456		Health and Personal Care Retailers
457		Gasoline Stations and Fuel Dealers
458		Clothing, Clothing Accessories, Shoe, and Jewelry Retailers
459		Sporting Goods, Hobby, Musical Instrument, Book, and Miscellaneous Retailers
<b>NAICS Sector 51: Information</b>		
512		Motion Picture and Sound Recording Industries
513		Publishing Industries
516		Broadcasting and Content Providers
517		Telecommunications
518		Computing Infrastructure Providers, Data Processing, Web Hosting, and Related Services
519		Web Search Portals, Libraries, Archives, and Other Information Services
<b>NAICS Sector 52: Finance and Insurance</b>		
521		Monetary Authorities-Central Bank
522		Credit Intermediation and Related Activities
523		Securities, Commodity Contracts, and Other Financial Investments and Related Activities
524		Insurance Carriers and Related Activities
525		Funds, Trusts, and Other Financial Vehicles
<b>NAICS Sector 53: Real Estate and Rental and Leasing</b>		
531120		Lessors of Nonresidential Buildings (except Miniwarehouses)
531130		Lessors of Miniwarehouses and Self-Storage Units
531190		Lessors of Other Real Estate Property
531312		Nonresidential Property Managers
532		Rental and Leasing Services
<b>NAICS Sector 54: Professional, Scientific, and Technical Services</b>		
541		Professional, Scientific, and Technical Services
<b>NAICS Sector 55: Management of Companies and Enterprises</b>		
551		Management of Companies and Enterprises
<b>NAICS Sector 61: Educational Services</b>		
611		Educational Services
<b>NAICS Sector 62: Health Care and Social Assistance</b>		
621		Ambulatory Health Care Services
622		Hospitals
623		Nursing and Residential Care Facilities
624		Social Assistance

NAICS Code	Except	Description
<b>NAICS Sector 71: Arts, Entertainment, and Recreation</b>		
711		Performing Arts, Spectator Sports, and Related Industries
712		Museums, Historical Sites, and Similar Institutions
713		Amusement, Gambling, and Recreation Industries
	713930	Marinas
<b>NAICS Sector 72: Accommodation and Food Services</b>		
721		Accommodation
722		Food Services and Drinking Places
<b>NAICS Sector 81: Other Services (except Public Administration)</b>		
811		Repair and Maintenance
812		Personal and Laundry Services

## APPENDIX B: Aquifer Protection Areas and Other Groundwater Drinking Supply Areas

In considering the use of stormwater infiltration, the Stormwater Management Plan should consider measures to reduce or mitigate potential impacts to both ground water (“aquifers”) and surface waters, taking into consideration both quantity and quality of the run-off. The emphasis should be to minimize, to the extent possible, changes between pre-development and post-development run-off rates and volumes.

The basic stormwater principles for Aquifer Protection Areas (and other groundwater drinking supply areas) are to prevent inadvertent pollution discharges/releases to the ground, while encouraging recharge of stormwater where it does not endanger groundwater quality. Measures include:

- prevent illicit discharges to storm water, including fuel/chemical pollution releases to the ground.
- minimize impervious coverage and disconnect large impervious areas with natural or landscape areas.
- direct paved surface run-off to aboveground type land treatment structures – sheet flow, surface swales, depressed grass islands, detention/retention and infiltration basins, and wet basins. These provide an opportunity for volatilization of volatile organic compounds to the extent possible before the stormwater can infiltrate into the ground.
- provide necessary impervious pavement in high potential pollutant release areas. These “stormwater hot spots” include certain lands use types or storage and loading areas, fueling areas, intensive parking areas and roadways (see below).
- only use subsurface recharge structures such as dry wells, galleries, or leaching trenches, to directly infiltrate clean run-off such as rooftops, or other clean surfaces. These structures do not adequately allow for attenuation of salts, solvents, fuels, or other soluble compounds in groundwater that may be contained in run-off.
- restrict pavement deicing chemicals or use an environmentally suitable substitute such as sand only, or alternative de-icing agents such as calcium chloride or calcium magnesium.

**Infiltration** of stormwater should be restricted under the following site conditions:

- ***Land Uses or Activities with Potential for Higher Pollutant Loads:*** Infiltration of stormwater from these land uses or activities, also referred to as stormwater “hotspots,” can contaminate public and private groundwater supplies. Infiltration of stormwater from these land uses, or activities may be allowed by the review authority with appropriate pretreatment. Pretreatment could consist of one or a combination of the primary or secondary treatment practices described in the Stormwater Quality Manual provided that the treatment practice is designed to remove the stormwater contaminants of concern. Examples of these land uses or activities include:
  - vehicle fueling.
  - vehicle servicing.
  - fleet storage areas.
  - commercial parking lots with high usage (such as shopping malls, fast food restaurants, and supermarkets).
  - road salt storage.
  - commercial nurseries.
  - facilities with outdoor storage and loading/unloading of hazardous substances or materials, regardless of the primary land use of the facility, site, or development.
  - any other activity as identified in the most current version of the Stormwater Quality Manual.
- ***Subsurface Contamination:*** Infiltration of stormwater in areas with soil or groundwater contamination such as brownfield sites and urban redevelopment areas can mobilize contaminants.
- ***Groundwater Supply and Wellhead Areas:*** Infiltration of stormwater can potentially contaminate groundwater drinking water supplies in immediate public drinking water wellhead areas.

## APPENDIX C: Certifications

### **Applicant Certification:**

I hereby certify that I am making this certification in connection with a registration under such general permit, submitted to the Commissioner by INSERT NAME OF REGISTRANT for an activity located at INSERT ADDRESS OF PROJECT OR ACTIVITY and that such activity is eligible for authorization under such permit. I certify that the registration filed pursuant to this general permit is on complete and accurate forms as prescribed by the Commissioner without alteration of their text. I certify that I have personally examined and am familiar with the information that provides the basis for this certification, including but not limited to all information described in Section 3 of such general permit, and, based on reasonable investigation, including my inquiry of those individuals responsible for obtaining such information, that the information upon which this certification is based is true, accurate and complete to the best of my knowledge and belief. I further certify that I have made the affirmative determination required in accordance with Section 3 of this general permit and that my signing this certification constitutes conclusive evidence of my having made such affirmative determination.

I also understand that knowingly making any false statement in the submitted information and in this certification may be punishable as a criminal offense, including the possibility of fine and imprisonment, under section 53a-157b of the Connecticut General Statutes and any other applicable law.

<b>Applicant Name:</b>	<a href="#">Click or tap here to enter text.</a>	<b>Title:</b>	<a href="#">Click or tap here to enter text.</a>
<b>Applicant Signature:</b>		<b>Date:</b>	
<b>Phone Number:</b>	<a href="#">Click or tap here to enter text.</a>	<b>Email Address:</b>	<a href="#">Click or tap here to enter text.</a>

**Preparer Certification:**

Any other individual or individuals responsible for preparing the registration certifies to the following statement:

I hereby certify that I am making this certification in connection with a registration under such general permit, submitted to the Commissioner by INSERT NAME OF REGISTRANT for an activity located at INSERT ADDRESS OF PROJECT OR ACTIVITY and that such activity is eligible for authorization under such permit. I certify that the registration filed pursuant to this general permit is on complete and accurate forms as prescribed by the Commissioner without alteration of their text. I certify that I have personally examined and am familiar with the information that provides the basis for this certification, including but not limited to all information described in Section 3 of such general permit, and I certify, based on reasonable investigation, including my inquiry of those individuals responsible for obtaining such information, that the information upon which this certification is based is true, accurate and complete to the best of my knowledge and belief. I understand that the registration filed in connection with such general permit may be denied, revoked, or suspended for engaging in professional misconduct, including but not limited to the submission of false or misleading information, or making a false or inaccurate certification. I understand that knowingly making any false statement in the submitted information and in this certification may be punishable as a criminal offense, including the possibility of fine and imprisonment, under section 53a-157b of the Connecticut General Statutes and any other applicable law.

<b>Applicant Name:</b>	<a href="#">Click or tap here to enter text.</a>	<b>Title:</b>	<a href="#">Click or tap here to enter text.</a>
<b>Applicant Signature:</b>		<b>Date:</b>	
<b>Phone Number:</b>	<a href="#">Click or tap here to enter text.</a>	<b>Email Address:</b>	<a href="#">Click or tap here to enter text.</a>

### **Certification of Stormwater Management Plan**

For sites in the possession of or operated by a person or municipality other than the permittee, the permittee is responsible for providing a copy of the registration and the Stormwater Management Plan to such individual(s).

Such individual(s) is/are responsible for signing the following Certification:

I certify under penalty of the law that I have read and understand the terms and conditions of the General Permit for the Discharge of Stormwater Associated with Commercial Activity issued in 2025 and the Stormwater Management Plan certified in accordance with the "Certifications and Plan Review", section of this general permit at the time of registration for this general permit. The permittee shall maintain compliance with such Stormwater Management Plan thereafter. I understand that I am authorized by this general permit, and must comply with the terms and conditions of this permit, including but not limited to the requirements of the Stormwater Management Plan prepared for this site.

<b>Applicant Name:</b>	<a href="#">Click or tap here to enter text.</a>	<b>Title:</b>	<a href="#">Click or tap here to enter text.</a>
<b>Applicant Signature:</b>		<b>Date:</b>	
<b>Phone Number:</b>	<a href="#">Click or tap here to enter text.</a>	<b>Email Address:</b>	<a href="#">Click or tap here to enter text.</a>