



Connecticut Department of

**ENERGY &  
ENVIRONMENTAL  
PROTECTION**

# **General Permit for Water Resource Construction Activities**

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# General Permit for Water Resource Construction Activities

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# General Permit for Water Resource Construction Activities

## Section 1. Authority

This general permit is issued under the authority of sections 22a-6, 22a-45a and 22a-378a of the General Statutes. For the purposes of this general permit, authorization under 22a-45a is limited to any proposed regulated activity conducted by any department, agency or instrumentality of the state, except any local or regional board of education.

## Section 2. Definitions

As used in this general permit the following definitions shall apply:

*“Authorized activity”* means a regulated activity, including erection, placement, or maintenance of a structure or other facility, conducted or maintained under the authority of section 3 of this general permit.

*“Beach Maintenance Plan”* means a written plan for maintaining beach facilities. Such plan describes the location of any such facilities, describes in detail maintenance activities to be carried out and typical design specifications and plans for such activities, estimates of the quantities of material to be placed or removed in connection with such maintenance activities, describes procedures for disposal of excess material and solid waste generated in connection with such maintenance activities, and the best management practices to be implemented while conducting such maintenance activities, including measures to ensure fish passage and minimize damage to habitat for fish, wildlife, or stream invertebrates.

*“Best management practice”* means a practice, procedure, activity, structure or facility designed to prevent or minimize pollution or other environmental damage or to maintain or enhance existing environmental quality. Best management practices include, but are not limited to: erosion and sedimentation controls; restrictions on land use or development; construction setbacks from wetlands and watercourses; proper disposal of waste materials; procedures for equipment maintenance that prevent fuel spillage; construction methods to prevent flooding or disturbance of wetlands and watercourses; construction methods to maintain continuous stream flow; confining construction that must take place in a watercourse to occur when water flows are low and fish and wildlife will not be adversely affected.

*“Boat Launch Maintenance Plan”* means a written plan for maintaining boat launch facilities. Such plan describes the location of any such facilities, describes in detail maintenance activities to be carried out and typical design specifications and plans for such activities, estimates of the quantities of material to be placed or removed in connection with such maintenance activities, describes procedures for disposal of excess material and solid waste generated in connection with such maintenance activities, and the best management practices to be implemented while conducting such maintenance activities, including measures to ensure fish passage and minimize damage to habitat for fish, wildlife, or stream invertebrates.

“*CFR*” means Code of Federal Regulations.

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

“*Consumptive use*” means any withdrawal or removal of water from the waters of the State, including but not limited to any withdrawal or removal from public or private water supply for industrial use, irrigation, hydropower generation, flood management, water quality management, recreation,

landscaping ponds and decorative water fountains, or any other purpose or use.

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

“*Diversion*” means diversion as defined in section 22a-367 of the General Statutes.

“*Divert*” means divert as defined in section 22a-367 of the General Statutes.

“*Drainage Maintenance Plan*” means a written plan for maintaining drainage facilities, and may include without limitation provision for channels, basins, bridges, culverts or pipes. Such plan describes the location of any such facilities, describes in detail maintenance activities to be carried out and typical design specifications and plans for such activities, estimates of the quantities of material to be placed or removed in connection with such maintenance activities, describes procedures for disposal of excess material and solid waste generated in connection with such maintenance activities, and the best management practices to be implemented while conducting such maintenance activities, including measures to ensure fish passage and minimize damage to habitat for fish, wildlife, or stream invertebrates. Where the subject activity involves the construction, erection or maintenance of a structure or other facility, other than a highway or bridge, owned or operated by the State of Connecticut, such plan incorporates the applicable requirements for drainage basin stormwater management plans in section 25-68h-3 of the Regulations of Connecticut State Agencies.

“*Excess material*” means material such as soil, sand, gravel, stone, or debris, produced by the construction of an authorized activity which material is not utilized in such construction.

“*FEMA*” means the Federal Emergency Management Agency.

“*Floodplain*” means floodplain as defined in section 25-68b of the General Statutes.

“*Floodway*” means the regulatory floodway as defined in 44 CFR Chapter 1, Part 59.1 for a particular watercourse and delineated on a map titled *Floodway & Flood Boundary Map* or *Flood Insurance Rate Map* issued by the FEMA for the municipality wherein such watercourse is located.

“*Groundwater*” means that portion of waters, as the term waters is defined in section 22a-367 of the General Statutes, located at or below the ground surface.

“*Hydrologic and hydraulic design report*” means a report consisting of engineering studies,

design computations and other documentation as appropriate to fully and clearly describe the design of the proposed activity and the hydrologic and hydraulic effects thereof.

*"Individual permit"* means a permit issued by the commissioner to a named permittee pursuant to section 22a-39, 22a-342 or 22a-368 of the General Statutes.

*"Material"* means material as defined in section 22a-38 of the General Statutes.

*"Non-consumptive use"* means any diversion of waters of the State due to channelizing, damming, collecting, piping, culverting, filling, relocating or dredging such waters or the detaining of stormwater for the purpose of stormwater management.

*"Permittee"* means any person or municipality whose request for authorization has been approved by the commissioner.

*"Person"* means person as defined in section 22a-2 of the General Statutes.

*"Pollution"* means pollution as defined in section 22a-423 of the General Statutes.

*"Power loading"* means the use of a boat's motor to assist in loading such boat onto a trailer.

*"Regulated activity"* means any activity regulated by the commissioner under sections 22a-39 or 22a-368 of the General Statutes.

*"Requester"* means the person who submits to the commissioner a request for authorization.

*"Request for authorization"* means a request for authorization submitted under Section 4 of this general permit.

*"Solid waste"* means solid waste as defined in section 22a-207 of the General Statutes.

*"Structure"* means any man-made object erected or placed above, on, or in the ground or under water.

*"Surface water"* means that portion of waters as defined in section 22a-367 of the General Statutes located above the ground surface.

*"Trail Maintenance Plan"* means a written plan for maintaining recreational trails. Such plan describes the location of any such facilities, describes in detail maintenance activities to be carried out and typical design specifications and plans for such activities, estimates of the quantities of material to be placed or removed in connection with such maintenance activities, describes procedures for disposal of excess material and solid waste generated in connection with such maintenance activities, and the best management practices to be implemented while conducting such maintenance activities, including measures to ensure fish passage and minimize damage to habitat for fish, wildlife, or stream invertebrates.

*"Watercourses"* means watercourses as defined in section 22a-38 of the General Statutes.

"Waters" means waters as defined in section 22a-367 of the General Statutes.

"Wetlands" means wetlands as defined in section 22a-38 of the General Statutes.

### **Section 3. Authorization Under This General Permit**

**(a) Eligible Activities**

**(1) Drainage Maintenance**

Excavation of accumulated sediment or removal of brush or debris from an area not greater than fifty (50) feet in length from the inlet and outlet sides of a drainage pipe, culvert or bridge; cleaning or reshaping a man-made drainage way or sediment basin; installation or repair of the end wall of a culvert or bridge; repair of erosion damage; repair of a drainage pipe, culvert or bridge; and replacement of a culvert or bridge which receives drainage from a watershed of one (1) square mile or less provided: 1) any such activities are performed pursuant to a drainage maintenance plan approved, in writing, by the commissioner under Section 4 of this general permit and 2) any such activity does not involve placement of more than fifty (50) cubic yards of fill in wetlands, watercourses or floodplains.

**(2) Trail Maintenance**

Repair or replacement of existing nature access structures; repair or replacement of footings, foundations, piers, structural piles, posts or supports for a boardwalk; grading and placement of fill for the installation of landscape timbers and / or stone walls; placement or removal of fill for the maintenance of an existing path or trail provided any such activities are performed pursuant to a trail maintenance plan approved in writing by the commissioner under Section 4 of this general permit.

**(3) Boat Launch Maintenance**

Repair or in-kind replacement of existing boat launch ramps; removal of accumulated sediment; filling of in-water scour holes caused by power loading or other disturbance; repair or in-kind replacement to docks, pilings, and associated structures provided any such activities are performed pursuant to a boat maintenance plan approved, in writing, by the commissioner under Section 4 of this general permit.

**(4) Beach Maintenance for Inland Beaches**

Re-grading existing beaches; and replacement of sand on existing beaches to fill sink holes or eroded areas provided such activities are performed pursuant to a beach maintenance plan approved, in writing, by the commissioner under Section 4 of this general permit. This general permit is not intended to authorize the expansion of any beach area beyond existing limits.

(5) Infrastructure Repairs

Repair or replacement of a bridge; placement, repair, or replacement of cables, conduits or pipelines; placement of fill or disturbance to wetlands, watercourses or flood plains for roadway reconstruction provided that such repairs do not impact more than 0.10 acres of wetlands, watercourses or floodplains.

(6) Public Works Projects

Building additions, parking lot expansions or general facility upgrades (including but not limited to sidewalks, drainage improvements to existing stormwater drainage systems or embankment repairs) that do not impact more than 0.10 acres of wetlands, watercourses or floodplains.

(7) Trail Construction

Construction of a new boardwalk or trail; Expansion or extension of an existing boardwalk or trail; nature access structure; footings, foundations, piers, structural piles, posts or supports for a boardwalk or trail; grading and placement of fill for the installation of landscape timbers and / or stone walls associated with a trail provided any such activity does not involve placement of more than fifty (50) cubic yards of fill or impact more than 0.10 acres of wetlands, watercourses or floodplains.

(8) Activities Authorized Under a Department of Army (US Army Corps of Engineers) General Permit, and Activities Authorized Under a General Section 401 Water Quality Certification Issue by the Department.

Any activity for which an authorization has been granted under a Department of Army (US Army Corps of Engineers) General Permit provided 1) the commissioner has granted a section 401 water quality certification for such Department of the Army General Permit, 2) the activity is consistent with the section 401 water quality certification granted by the commissioner for such Department of the Army General Permit, and 3) the conditions of Section 3(b) of this general permit have been satisfied. *The issuance of a provisional permit or authorization by the Army Corps of Engineers for an activity does not satisfy the requirements for authorization under this general permit.*

Any activity for which a General Section 401 Water Quality Certification has been granted by the commissioner provided the activity is consistent with such section 401 water quality certification and the conditions of Section 3(b) of this general permit have been satisfied.

(9) Conservation Activities

Practices or activities for the purposes of conservation of soil, vegetation, water,

fish, shellfish and wildlife, including installation and maintenance of aquatic and fish habitat improvement structures.

**(b) Requirements for Authorization**

This general permit authorizes a regulated activity listed in Section 3(a) of this general permit, provided:

- (1) For those activities identified under Section 3(a) (8) and (9) of this general permit, a completed Request for Authorization form and designated fee have been filed with the commissioner.
- (2) For those activities identified under Section 3(a) (1), (2), (3), (4), (5), (6) and (7) of this general permit, a completed Request for Authorization Form and designated fee has been filed with the commissioner **and** the commissioner subsequently issues a written approval.

**(3) Flood Management Certification by State Agency**

If such activity is maintained or proposed by a Connecticut state agency, such agency has complied with and obtained approval from the commissioner from sections 25-68b through 25-68h, inclusive, of the General Statutes, and sections 25-68h-1 through 25-68h-3 of the Regulations of Connecticut State Agencies, inclusive.

**(4) Floodplain Management**

Such activity does not and will not cause or contribute to flooding or flood hazards, permanently obstruct a floodway, or interfere with federal, state or local flood management efforts, and does and will comply with 44 CFR Chapter 1, Parts 59 through 79, inclusive.

**(5) Coastal Permits**

If such activity is located, wholly or in part, waterward of the coastal jurisdiction line in tidal, coastal or navigable waters of the State or in tidal wetlands, the activity has been authorized pursuant to sections 22a-359 through 22a-363f, inclusive, or 22a-28 through 22a-35, inclusive, or 22a-92, of the General Statutes.

**(6) Endangered and Threatened Species**

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



(7) Aquifer Protection

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

(8) Conservation and Preservation Restrictions

If such activities are located on or may affect property subject to a conservation or preservation restriction, pursuant to section 47-42d of the Connecticut General Statutes, 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 shall have been provided to the commissioner.

(c) *Geographic Area*

This general permit shall apply throughout the State of Connecticut.

(d) *Effective Date and Expiration Date of This General Permit*

This general permit shall be effective on the date it is issued and shall expire on the date ten (10) years thereafter.

(e) *Effective Date of Authorization*

- (1) For those activities eligible for authorization under Section 3(a) (8) and (9) of this general permit, where written approval from the commissioner is **not** required, the effective date of authorization of such activity shall be the date the commissioner receives the filing fee and a completed request for authorization for such activity.
- (2) For those activities eligible for authorization under Section 3(a) (1), (2), (3), (4), (5), (6) and (7) of this general permit, where an approval from the commissioner is required, the effective date of authorization of such activity shall be the date the commissioner issues a written approval of such request for authorization for such activity.

(f) *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:

- (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 entity to whom any such individual permit has been issued ("the

Permittee”) may surrender the right to operate or conduct any activity under such individual permit. The Permittee shall acknowledge its intention to surrender its permit in writing on a form prescribed by the commissioner. However, any such surrender shall not take effect, and such Permittee’s individual permit shall continue to apply, until the date that the commissioner issues an authorization for such operation or activity under this General Permit.

- (2) *Transition from Authorization under this General Permit to an Individual Permit.* If the commissioner approves a request for authorization under this General Permit and 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.

**(g) *Activities Not Authorized by This General Permit***

A regulated activity may not lawfully be conducted or maintained unless it is authorized under this general permit or authorized by an individual permit.

- (1) The diversion of water for consumptive use is not authorized by this general permit.
- (2) Any activity for which the commissioner has denied eligibility for federal Clean Water Act section 401 Water Quality Certification under Category 1 or Category 2 of the Connecticut General Permit (US Army Corps of Engineers) is not authorized by this general permit.

**Section 4. Request for Authorization**

**(a) *Who Must File a Request for Authorization***

Any person or municipality seeking under the authority of this general permit to undertake a regulated activity, shall file with the commissioner: 1) a request for authorization form which meets the requirements of Section 4 of this general permit; and 2) the applicable fee.

Note: Activities that previously received authorization under the *General Permit for Minor Structures (DEP-IWRD-006)*, *General Permit for Minor Grading (DEP-IWRD-007)*, *General Permit for Placement of Utilities and Drainage (DEP-IWRD-005)*, *General Permit for Habitat Conservation (DEP-IWRD-003)* and *General Permit for Lakes, Ponds and Basin Dredging (DEP-IWRD-004)* shall remain authorized for a period of three years from the date of authorization regardless of the expiration of the general permit itself.

**(b) *Scope of Request for Authorization***

A requester shall file a Request for Authorization Form for each site where an activity or activities are proposed. Where activities are proposed to be conducted at more than one site, a separate Request for Authorization Form shall be filed for each site.

*(c) Contents of Request for Authorization*

(1) Fees

(A) The filing fee of \$ 5,000 shall be submitted with each approval of request for authorization for activities pursuant to Sections 3(a) (1), (2), (3), (4), (5), (6) and (7) of this general permit except: 1) the approval of request for authorization fee for a municipality for such activities shall be discounted 50% or 2) the request for authorization fee shall be discounted 50% if the filing is done electronically.

(B) The filing fee of \$ 2,500 shall be submitted with each request for authorization for activities pursuant to Sections 3(a) (8) and (9) of this general permit except: 1) the request for authorization fee for a municipality for such activities shall be discounted 50% or 2) the request for authorization fee shall be discounted 50% if the filing is done electronically.

(C) In accordance with 22a-6f of the Connecticut General Statutes no fee shall be required from any agency, board, commission, council or department of the state, provided that the agency, board, commission, council or department of the state has compensated the Department in an amount equal to such fee pursuant to a written agreement.

(D) The filing of any request shall not be deemed complete and no activity shall be authorized by this general permit unless the filing fee has been paid in full.

(E) The fee shall be paid by check or money order payable to the Department of Energy and Environmental Protection. Fees paid by state agencies may be paid by means of a service transfer or invoice.

(F) All request for authorization fees are non-refundable.

(2) Information Requirements and Request for Authorization Form

A request for authorization shall be filed on forms prescribed and provided by the commissioner and shall include but not be limited to the following:

(A) Legal name, address, and telephone number of the requester. If the requester 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, address, and telephone number of the owner of the property on which the subject activity is to take place.

- (C) Legal name, address, and telephone number of the requester's attorney or other representative, if applicable.
- (D) Legal name, address, and telephone number of any consultant(s) or engineer(s) retained by the requester to prepare the request for authorization or to design or construct the subject activity.
- (E) Location address of the site with respect to which the request for authorization is submitted.
- (F) Location Map - A depiction, on an 8.5" x 11" copy of the relevant portion of the most recent version of the United States Geologic Survey topographic map (Scale 1:24,000), of the exact location of the property at which such activity will be conducted.
- (G) A description of the present and intended use(s) of the property at which such activity will be conducted and the reason for conducting such activity.
- (H) A description of all natural and manmade features, including wetlands, watercourses, fish and wildlife habitat, floodplains, and structures and appurtenances thereto, potentially affected by the subject activity.
- (I) Site Plan - the site ("site plan") showing its boundaries, the location of the subject activity and section views, as appropriate, of the property at which such activity will be conducted, depicting the location and design of such activity, existing and proposed topography, the legal boundaries of such property, the location of wetland soil types, the location of tidal wetlands, watercourses, vernal pools, and coastal resources on and immediately adjacent to such property, the sequence of construction or other actions associated with the proposed activities, including placement and removal of any temporary fill or structures, the location of all erosion and sedimentation control measures, the location on such property where any excess materials resulting from construction at such property may be placed, a north arrow and distance scale, and a title block indicating the name of the requester, the name of the individual who prepared the plan, and the date(s) such plan was prepared or revised. If such property is located in a floodplain, the plan shall also depict the location of any floodway, the elevation of the base flood, and, where applicable, the location of the stream channel encroachment line(s). The plan may incorporate existing natural resource maps and shall be of sufficient scale and detail to adequately depict the existing and proposed conditions of such property.
- (J) The signature of the requester and of the individual or individuals responsible for actually preparing the request for authorization, each of whom shall certify in writing as follows:

“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 certify that this request for authorization is on complete and accurate forms as prescribed by the commissioner without alteration of their text. I certify that a complete copy of this request for authorization, including all documents attached thereto, was sent by regular or certified mail or was hand delivered to the municipal wetlands agency, zoning commission, planning commission or combined planning and zoning commission, and conservation commission of each municipality which is or may be affected by the subject activity. 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 General Statutes, pursuant to section 53a-157b of the General Statutes, and in accordance with any other applicable statute.”

***(d) Where to File a Request for Authorization***

The original and one copy of a request for authorization shall be filed with the commissioner at the following address:

CENTRAL PERMIT PROCESSING UNIT  
DEPARTMENT OF ENERGY & ENVIRONMENTAL PROTECTION  
79 ELM STREET  
HARTFORD, CT 06106-5127

***(e) Copy to Municipality***

A copy of such request for authorization shall be filed before the date that the activity is proposed to be initiated with the inland wetlands agency, zoning commission, planning commission or combined planning and zoning commission, and conservation commission of each municipality which is or may be affected by the subject activity.

***(f) Additional Information***

The commissioner may require a requester 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.

***(g) Action by Commissioner***

- (1) The commissioner may reject without prejudice a request for authorization if it is determined that it does not satisfy the requirements of Section 4(c) of this general permit or more than thirty (30) days have elapsed since the commissioner requested that the requester submit additional information or the required fee and the requester has not submitted such information or fee. Any request for

authorization refiled after such a rejection shall be accompanied by the fee specified in Section 4(c)(1) of this general permit.

- (2) The commissioner may disapprove a request for authorization if it is found that the subject activity is inconsistent with the requirements for authorization under Section 3 of this general permit, or for any other reason provided by law.
- (3) Disapproval of a request for authorization under this subsection shall constitute notice to the requester that the subject activity may not lawfully be conducted or maintained without the issuance of an individual permit.
- (4) The commissioner may approve a request for authorization with reasonable conditions. If the commissioner approves a request for authorization with conditions, the permittee shall be bound by such conditions as if they were a part of this general permit.
- (5) Rejection, disapproval, or approval of a request for authorization shall be in writing.

## **Section 5. Conditions of This General Permit**

### ***(a) Operating Conditions***

- (1) A permittee shall assure that each action with respect to the authorization under this general permit is, as applicable, constructed and maintained in accordance with the *Connecticut Guidelines for Soil Erosion and Sediment Control*, published by the Connecticut Council on Soil and Water Conservation pursuant to section 22a-328 of the General Statutes and in accordance with the 2004 Connecticut Stormwater Quality Manual.
- (2) All excavated or dredged material shall be staged and managed in accordance with all applicable laws including but not limited to the provisions of the General Permit for Contaminated Soil and/or Sediment Management (Staging and Transfer) (DEP-SW-GP-001).

### ***(b) Reporting and Record Keeping Requirements***

#### **(1) Contractor Notification**

If the authorized activity will be constructed by a person(s) under contract to the permittee, the permittee shall (A) give a copy of this general permit and of permittee's approval of authorization hereunder to such contractor(s) prior to the start of construction, and (B) for one year after completion of the authorized activity, retain a written receipt for such copy, signed and dated by such contractor(s).

#### **(2) Record Keeping and Reporting of Maintenance Activities**

With respect to maintenance plans as described in Section 3(a) (1), (2), (3), and (4) of this general permit and authorized hereunder, the permittee shall maintain a record of each action undertaken pursuant to such plan. Such record shall include the date(s) each such action was undertaken, a brief description thereof, the quantities of any material placed or removed in connection therewith, and the location of such activity. The permittee shall submit a copy of such record to the commissioner on January 30th of the year after the date the commissioner approved permittee's request for authorization, and shall continue every January 30th thereafter to submit to the commissioner a copy of such record, as it applies, to the preceding twelve months.

***(c) Recording and Reporting Violations***

Within 48 hours after the permittee learns of a violation of this general permit, the permittee shall report same in writing to the commissioner. Such report shall be sent to the following address:

INLAND WATER RESOURCES DIVISION  
DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION  
79 ELM STREET  
HARTFORD, CT 06106-5127

And include the following information:

- (1) the provision(s) of this general permit that has been violated;
- (2) the date and time the violation(s) was first discovered and by whom;
- (3) the cause of the violation(s), if known;
- (4) if the violation(s) has ceased, the duration of the violation(s) including exact date(s) and time(s) it was corrected;
- (5) if the violation(s) has not ceased, the anticipated date when it will be corrected;
- (6) steps taken and steps planned to prevent a reoccurrence of the violation(s) and the date(s) such steps were implemented or will be implemented;
- (7) the signature of the permittee and of the individual(s) responsible for actually preparing such report, each of whom shall certify as follows:

“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 this document or its attachments may be punishable as a criminal offense, in accordance with section 22a-6 of the General Statutes, pursuant to section 53a-157b of the General Statutes, and in accordance with any other applicable statute.”

***(d) Modification of Authorized Activity***

In conducting and maintaining the activity authorized by this general permit, the permittee shall not make any alteration, except a de minimis alteration which does not change the footprint, character and nature of the regulated impacts.

***(e) Completion of Authorized Activity***

If the permittee does not complete the authorized activity within five years after the date of the applicable authorization, said authorization shall be null and void.

**Section 6. Conditions of This General Permit**

***(a) 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.

***(b) Duty to Correct and Report Violations***

Upon learning of a violation of a condition of this general permit, a permittee shall immediately take all reasonable action to determine the cause of such violation, correct such violation and mitigate its results, prevent further such violation, and report in writing in accordance with Section 5(c) of this general permit.

***(c) Duty to Provide Information***

If the commissioner requests any information pertinent to the authorized activity or to determine compliance with this general permit or with the permittee's approval of request for authorization, the permittee shall provide such information in writing within thirty (30) days of such request. Such information shall be certified in accordance with Section 6(d) of this general permit.

***(d) Certification of Documents***

Any document, including but not limited to any notice, which is submitted to the commissioner under this general permit shall be signed by, as applicable, the registrant or the permittee in accordance with section 22a-430-3(b)(2) of the Regulations of Connecticut State Agencies, and by the individual or individuals responsible for actually preparing such document, each of whom shall certify in



writing as follows:

“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 General Statutes, pursuant to section 53a-157b of the General Statutes, and in accordance with any other applicable statute.”

***(e) 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. The word "day" as used in this general permit 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.

***(f) False Statements***

Any false statement in any information submitted pursuant to this general permit or the request for authorization may be punishable as a criminal offense, in accordance with section 22a-6, under section 53a-157b of the General Statutes.

***(g) Correction of Inaccuracies***

Within fifteen (15) days after the date a permittee becomes aware of a change in any information in any material submitted pursuant to this general permit, or 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 6(d) of this general permit. The provisions of this subsection shall apply both while a request for approval of request for authorization is pending and after the commissioner has approved such request.

***(h) Transfer of Authorization***

Authorization under this general permit is transferable only in accordance with the provisions of section 22a-6o of the General Statutes.

***(i) 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.

***(j) 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.

**Section 7. Commissioner's Powers**

***(a) 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 of the Regulations of Connecticut State Agencies, inclusive. Nothing herein shall be construed to affect any remedy available to the commissioner by law.

***(b) 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 and the environment.

***(c) 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 and the subject approval of registration. Nothing herein shall affect the commissioner's power to revoke a permittee's authorization under this general permit at any time.

Issued Date: April 2, 2014

Susan Whalen Deputy Commissioner for  
Macky McCleary  
Deputy Commissioner