

General Permit for the Discharge of Low Flow Water Treatment Wastewater



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Bureau of Materials Management and Compliance Assurance
Water Permitting and Enforcement Division
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General Permit for the Discharge of Low Flow Water Treatment Wastewater

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Section 1. Authority

This general permit is issued in accordance with section 1421 of the Federal Safe Drinking Water Act 42 USC 300h et. seq. and section 22a-430b of the General Statutes.

Section 2. Definitions

As used in this general permit:

"Authorized activity" means any activity authorized by this general permit.

"Commissioner" means commissioner as defined by section 22a-2(a) of the General Statutes.

"Department" means the Department of Energy and Environmental Protection.

"Individual permit" means a permit issued to a named permittee under section 22a-430 of the General Statutes.

"Low Flow Water Treatment Wastewater" or "LFWTW" for the purpose of this general permit means a maximum of 500 gallons per day of wastewater generated by a point of entry water treatment device for the treatment of well water used to supply potable water to a residential building or institution or a non-residential building and where the treated water is not purchased by another party but does not include discharges from treatment system components for the removal of radionuclides.

"Maximum contaminant level" or "MCL" means the maximum permissible level of a contaminant in water that is delivered to any consumer of a private water supply system or public water system as determined by sections 19-13-B101 and 19-13-B102 of the Regulations of Connecticut State Agencies.

"Municipality" means a city, town or borough of the state.

"Nonresidential building" means any commercial, industrial, institutional, public or other building not occupied as a dwelling, including transient hotels and motels.

"Permittee" means any person or municipality who initiates, creates, originates or maintains a discharge in accordance with Section 3 of this General Permit.

"Person" means person as defined by section 22a-2(b) of the General Statutes.

"Point of Entry Water Treatment Device or POEWTW" means a device for the treatment of potable water which is located at the water service entry of a building.

“Private Water Supply System” means private water supply system as defined by section 19-13-B101 (a) of the Regulations of Connecticut State Agencies.

“Public water system” means public water system as defined by section 19-13-B102 (a) of the Regulations of Connecticut State Agencies.

“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 Regulations of Connecticut State Agencies and which discharges to the waters of the state and which is owned by a municipality or the state.

“Residential building” means any house, apartment, trailer or mobile home, or other structure occupied by individuals permanently or temporarily as a dwelling place but not including residential institutions.

“Residential institution” means any institutional or commercial building occupied by individuals permanently or temporarily as a dwelling, including dormitories, boarding houses, hospitals, nursing homes, jails, and residential hotels or motels.

“Site” means a lot as defined by section 22a-430-1 of the Regulations of Connecticut State Agencies, and non-contiguous land or water owned by the same person and connected by a right-of-way which such person controls or for which an easement has been granted and to which the public does not have access rights.

“Source water” means raw water before any kind or type of treatment at the source of supply.

“Subsurface sewage disposal system” means a system consisting of a building sewer, a septic tank followed by a leaching system, any necessary pumps or siphons, and any groundwater control system on which the operation of the leaching system is dependent.

“Water supply well” means an artificial excavation, constructed by any method, for the purpose of getting water for drinking or other domestic use.

“Water Treatment Wastewater Dispersal Structure” means a structure, excavation or other facility designed to direct low flow water treatment wastewater to percolate into the underlying soil. Water treatment wastewater dispersal structures include but are not limited to stone filled excavations, leaching trenches, plastic leaching chambers, leaching galleries, leaching pits, etc.

“Water Treatment Wastewater Disposal System,” means a subsurface disposal system, other than a subsurface sewage disposal system, consisting of a solid, non-perforated conveyance pipe and possible enclosed settling structure followed by a water treatment wastewater dispersal structure.

“Watercourse” means rivers, streams, brooks, waterways, lakes, ponds, marshes, swamps, bogs and all other bodies of water, natural or artificial, vernal or intermittent, public or private, which are contained within, flow through or border upon this state or any portion

thereof, not regulated pursuant to sections 22a-28 to 22a-35 of the General Statutes, inclusive. Intermittent watercourses shall be delineated by a defined permanent channel and bank and the occurrence of two or more of the following characteristics: (A) Evidence of scour or deposits of recent alluvium or detritus, (B) the presence of standing or flowing water for a duration longer than a particular storm incident, and (C) the presence of hydrophytic vegetation (section 22a-38 of the General Statutes).

Section 3. Authorization Under This General Permit

(a) Eligible Activities

Provided the requirements of Section 3(b) of this general permit are satisfied, this general permit authorizes, without the need for registration, the discharge of Low Flow Water Treatment Wastewater:

- (1) to a POTW, or
- (2) to groundwater on site by means of a water treatment wastewater disposal system.

Any discharge of water, substance or material into the waters of the state other than the one specified in this section is not authorized by this general permit, and any person who or municipality which initiates, creates, originates or maintains such a discharge must first apply for and obtain authorization under section 22a-430 of the General Statutes.

(b) Requirements for Authorization

This general permit authorizes the activities listed in Section 3(a) of this general permit provided:

(1) Coastal Area Management

Such activity is consistent with all applicable goals and policies in section 22a-92 of the General Statutes, and will not cause adverse impacts to coastal resources as defined in section 22a-93 of the General Statutes.

(2) 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 as endangered or threatened and will not result in the destruction or adverse modification of habitat designated as essential to such species.

(3) Such activity, if discharging to a POTW, shall comply with any relevant municipal sewer use ordinance.

(4) Such activity conforms to the requirements of Section 4 of this general permit.

(c) Geographic Area

This general permit applies throughout the State of Connecticut.

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

This general permit is effective on the date it is issued by the commissioner and expires ten (10) years from such date of issuance.

(e) *Effective Date of Authorization*

An activity is authorized by this general permit on the date the general permit becomes effective or on the date the activity commences, whichever is later.

(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 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 to the commissioner. However, any such surrender shall not take effect, and such permittee's individual permit shall continue to apply, until the effective date of authorization of this general permit.
- (2) *Transition from Authorization under this General Permit to an Individual Permit.*
If an activity 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 4. Conditions of this General Permit

The permittee shall at all times continue to meet the requirements for authorization set forth in Section 3 of this general permit. In addition, a permittee shall assure that activities authorized by this general permit are conducted in accordance with the following conditions:

(a) *Operating Conditions*

- (1) LFWTW shall not be discharged to any open floor drain, floor trench, sump or drainage system which is designed to receive chemical spillage or other wastewaters not authorized by this general permit.
- (2) No discharge of LFWTW to any watercourse is authorized by this general permit.
- (3) Activated carbon backwash and regeneration wastewaters for filters which treat for volatile organic compounds shall only discharge to a POTW.
- (4) No discharge of wastewater shall contain arsenic or other substances in concentrations greater than any MCL (excluding chlorides). Such prohibition shall not apply to naturally occurring substances originating in the source water, excluding arsenic.

- (5) Discharges of LFWTW to a site shall be by means of a water treatment wastewater disposal system which meets the following requirements:
- (A) The water treatment wastewater dispersal structure shall have a storage volume that is at least one and a half (1.5) times the volume of the maximum daily discharge of LFWTW;
 - (B) There shall be a minimum of twenty-four (24) inches between the bottom of the water treatment wastewater dispersal structure and any underlying bedrock surface, and a minimum of twelve (12) inches between the bottom of the water treatment wastewater dispersal structure and the seasonal high groundwater level at the site, unless the source water requires treatment for pathogen removal, in which case such separation distance shall be a minimum of twenty-four (24) inches;
 - (C) The discharge of LFWTW to a site shall not create or maintain a condition which will interfere with the operation and effectiveness of a subsurface sewage disposal system, permitted in accordance with section 19a-36 or 22a-430 of the General Statutes and the regulations adopted thereunder. Permittees should consult the local Director of Health if soil or groundwater conditions provide uncertainty about placement of the water treatment wastewater dispersal structure;
 - (D) Minimum horizontal separating distances between the water treatment wastewater dispersal structure and other items shall be as prescribed in Table 4.1 below.

Table 4.1 – Minimum Horizontal Separating Distances⁽¹⁾

Item	Separating Distance (feet)
Public or private water supply well with required withdrawal rate of:	
< 10 gal. per minute	75
10 to 50 gal. per minute	150
> 50 gal. per minute	200
Watercourse	50
Public Water Supply Reservoir	100
Property Line	15
Subsurface Sewage Disposal System	10 ⁽²⁾

⁽¹⁾The local Director of Health may allow a separating distance reduction to a private water supply well, watercourse, or property line in the event site limitations or lot size prevents compliance with Table 4.1. Such separating distance reductions shall only be granted on existing developed properties and not for new construction. The separating distance to a private water supply well shall not be reduced to less than 25 feet and shall be consistent with any Connecticut Department of Public Health requirements.

⁽²⁾Greater separation distances may be required in accordance with the Technical Standards for Subsurface Sewage Disposal Systems pursuant to section 19-13-B103 of the Regulations of Connecticut State Agencies.

- (6) For discharges to a POTW:

The discharge shall conform to any relevant municipal sewer use ordinance.

(b) Record Keeping and Reporting Requirements

Within thirty (30) days following the installation of a water treatment wastewater disposal system, the permittee shall submit an installation report to the local health department. If the system is part of a public water system, the report shall also be submitted to: CT Department of Public Health (CTDPH); Drinking Water Section (DWS); MS#51WAT; 410 Capitol Avenue; Hartford, CT 06134. Such report shall, at a minimum, include the following details:

- (1) The name of the installer of the water treatment wastewater disposal system;
- (2) Site location of the discharge including street address and town;
- (3) An as-built drawing showing the description and location of each such water treatment wastewater disposal system. At a minimum, the drawing shall include:
 - (A) written description of the water treatment wastewater dispersal structure installed including dimensions and storage volume;
 - (B) separating distances to water supply wells, public water supply reservoirs, subsurface sewage disposal system(s), watercourses, property lines, and buildings;
 - (C) horizontal distances from at least two fixed objects (i.e. survey monument, building foundation, etc.) to each system component;
 - (D) vertical distances from original grade to the underlying bedrock surface and seasonal high groundwater level;
 - (E) vertical distance from original grade to the bottom of the water treatment wastewater dispersal structure;
- (4) The date of installation;
- (5) A description of the water treatment system including the maximum daily discharge volume, any chemicals utilized, and any anti-freeze provisions included in the installation. Additionally, written notification shall be made to the local health department if any changes are made to the treatment system that results in the use of a different treatment technology or different treatment chemicals;
- (6) Copies of any authorizations granted by a Municipal Water Pollution Control Authority for a discharge to a POTW;
- (7) Certification by the installer that the water treatment wastewater disposal system conforms to the conditions in Section 4(a) of this general permit.

(c) *Regulations of Connecticut State Agencies Incorporated into this General Permit*

The permittee shall comply with all applicable laws including, without limitation, the following Regulations of Connecticut State Agencies:

(1) Section 22a-430-3:

Subsection (b) General - subparagraph (1)(D) and subdivisions (2) Signatory Requirements, (3) Duty to Provide Information, (5) Confidentiality, and Subsection (c) Inspection and Entry

(2) Section 22a-430-4:

Subsection (t) – Discharges to POTWs - Prohibitions

(d) *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(s) to determine the cause of such violation, correct such violation and mitigate its results, prevent further such violation, and report in writing such violation and such corrective action to the commissioner within five (5) days of the permittee's learning of such violation. Such report shall be certified in accordance with Section 4(f) of this general permit.

(e) *Duty to Provide Information*

If the commissioner requests any information pertinent to the authorized activity or to compliance with this general permit, the permittee shall provide such information in writing within thirty (30) days of such request. Such information shall be certified in accordance with Section 4(f) of this general permit.

(f) *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, 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.”

(g) *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 thereafter.

(h) *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, under section 53a-157b of the General Statutes.

(i) *Correction of Inaccuracies*

Within fifteen 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 4(f) of this general permit.

(j) *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.

(k) *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 5. 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, inclusive, of the Regulations of Connecticut State Agencies. 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 or the environment.

(c) *Filing of an Individual 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.

Issued Date: 1/30/2014

MACKY MCCLEARY

Deputy Commissioner

This is a true and accurate copy of the general permit executed on January 30, 2014 by the Department of Energy and Environmental Protection.