

DRAFT



STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION
Bureau of Materials Management and Compliance Assurance
Water Permitting and Enforcement Division
860-424-3018

General Permit to Discharge from Subsurface Sewage Disposal Systems Serving Existing Facilities

Issuance Date:
Expiration Date:

Printed on recycled paper

General Permit to Discharge from Subsurface Sewage Disposal Systems Serving Existing Facilities

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General Permit to Discharge from Subsurface Sewage Disposal Systems serving Existing Facilities

Section 1. Authority

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

Section 2. Definitions

Terms used in this general permit shall have the same definitions as contained in section 22a-423 of the General Statutes and section 22a-430-3(a) of the Regulations of Connecticut State Agencies. As used in this general permit, the following definitions shall apply:

“Accessory Structure” means a permanent non-habitable structure which is not served by a water supply and is used incidental to residential or nonresidential buildings. Accessory structures include, but are not limited to, attached and detached garages, covered entranceways, screened and enclosed three-season (non-winterized) porches/sunrooms, open decks, tool and lawn equipment storage sheds, gazebos, and barns, etc. Small (<200 square feet), portable structures such as sheds without permanent support foundation are not accessory structures.

“Approval of registration” means an approval of registration issued under Section 4 of this general permit.

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

“Bedroom” means those areas within a residential building that have the potential to be utilized as a sleeping area on a consistent basis. In order to be deemed a bedroom the room must meet all of the following standards: be a habitable or planned habitable space per Building Code requirements; planned habitable spaces would include those areas which contain the appropriate “roughed-in” mechanicals, such as, heating ducts, hot water lines, or plumbing waste lines, etc., but are not currently “finished” to meet Building Code requirements for habitable space; provide privacy to the occupants (large minimum 5 feet width openings or archways can be utilized to eliminate room privacy); full bathroom facilities (containing either a bathtub or shower) are conveniently located to the bedroom served (convenience in this case means on the same floor as the bedroom or directly accessed from a stairway) and entry is from a common area, not through a room already deemed a bedroom.

“Building addition” means any structural modification or alteration that results in an increase in habitable floor area of the building served that does not increase the design flow or required effective leaching area of the subsurface sewage disposal system, including, but not limited to, the modification of attic, basement or garage space into habitable space or the addition of dormers.

“Building conversion” means the act of winterizing a seasonal use building or portion thereof into year-round use by providing one or more of the following: a positive heating supply to the converted area; a potable water supply which is protected from freezing; or energy conservation in the form of insulation to protect from heat loss.

“Building served” means the physical structure that contains the habitable/interior portion of the building connected to the subsurface sewage disposal system. The building served includes any portion of the habitable structure permanently attached to the structure including but not limited to basements and 4-season (winterized) porches/sunrooms. The building served does not include attached accessory structures.

“Change in use” means any structural, mechanical or physical change to a building which allows the occupancy to increase; or any change in the activities within a building to expand or alter such building or the use thereof such that, when the building is fully utilized, the design flow or required effective leaching area of the subsurface sewage disposal system will increase. A "change in use" also includes any internal change to a building which, while not increasing the square footage of habitable space, changes the configuration in such a way that there is an increase in design flow of the subsurface sewage disposal system.

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

“Community Sewerage System” means any sewerage system serving two or more residences in separate structures.

“Construction” means any of the following activities: building addition, or accessory structure; teardown/rebuild; or any structural development on a site which has not occurred before the issuance date of this general permit.

“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.

“Department” means the Department of Environmental Protection.

“Design Flow” means the flow on which the design of a particular subsurface sewage disposal system or part thereof is based, in order to allow compliance with chapter 446k of the Connecticut General Statutes, this general permit and section 22a-430 of the Regulations of Connecticut State Agencies.

“Domestic Sewage” means sewage that consists of water and human excretions or other waterborne wastes incidental to the occupancy of a residential building or a non-residential building but not including manufacturing process water, cooling water, wastewater from water softening equipment, commercial laundry wastewater, blow down from heating or cooling equipment, water from cellar or floor drains or surface water from roofs, paved surfaces or yard drains.

“*Effective leaching area*” means a measure, in square feet, of the relative size of a leaching system or product that takes into account the amount of infiltrative area and type of infiltrative interface.

“*Existing System*” means any subsurface sewage disposal system or any other systems utilized for sewage disposal in existence on or before the issuance date of this general permit.

“*Expansion*” means modification of an existing subsurface sewage disposal system or installation of a new subsurface sewage disposal system required by any activity resulting in an increase in design flow or increase in required effective leaching area.

“*Existing Facilities*” means any site with (1) discharges of domestic sewage with design flows of 5,000 gallons per day or greater through one or more subsurface sewage disposal systems or any other systems utilized for sewage disposal or (2) discharges of domestic sewage through a community sewerage system; and which was in existence on or before the issuance date of this general permit.

“*Failed System*” means any subsurface sewage disposal system or system that allows wastewater to discharge or flow from it into the interior of any building served or into any storm drain, stream, water body, gutter, street, roadway or public place, or if wastewater discharges from said system to the surface or subsurface of any property and creates a nuisance or condition detrimental to health and the environment as determined by the commissioner, the local Director of Health or as designated by the Public Health Code.

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

“*Leaching System*” means a structure, excavation or other facility designed to allow effluent from a septic tank to percolate into the underlying soil without overflow and to mix with the groundwater.

“*Malfunctioning System*” means any subsurface sewage disposal system that exhibits a condition or conditions which, if not timely corrected, will, in the judgment of the commissioner, result in a failed system. Backflow from leaching system into septic tank, wastewater overflowing the outlet baffle, back-up into the building sewer or riser, or evidence that the system is not performing as designed, is an indication of a "malfunctioning system."

“*Municipality*” means a city, town or borough of the state.

“*Permittee*” means any person or municipality to whom or which the commissioner has issued an approval of registration under this general permit.

Comment [DU1]: Boilerplate language

“*Permittee*” means any person who or municipality which has filed a registration with the commissioner and 1) has received a written receipt from the commissioner of such registration or 2) if required by this general permit, the commissioner has issued an approval of such registration.

Comment [a2]: Bea knows

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

“*Publicly Owned Treatment Works (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 which discharges to the waters of the state and which is owned by a municipality or the state.

“*POTW Authority*” means the chairperson or responsible official of the Water Pollution Control Authority which owns or operates a Publicly Owned Treatment Works.

“*Registrant*” means the property owner or a duly authorized agent who files a registration pursuant to Section 4 of this general permit.

“*Registration*” means a registration form filed with the commissioner pursuant to Section 4 of this general permit.

“*Repair*” means the restoration or replacement of a failed or malfunctioning existing subsurface sewage disposal system or any other system utilized for sewage disposal to meet the needs of the existing facility including system relocation and voluntary upgrades.

“*Residential Building*” means any house, apartment, trailer or mobile home or other structure occupied by individuals permanently or temporarily as a dwelling place.

“*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.

“*Sewerage System*” means any device, equipment, appurtenance, facility and method for collecting, transporting, receiving, treating, disposing of or discharging sewage, including, but not limited to, decentralized systems within a decentralized wastewater management district when such district is established by municipal ordinance pursuant to section 7-247.

“*Saturated Zone*” The soil zone in which all easily drained voids between soil particles are temporarily or permanently filled with water.

“*Seasonal High Water Table*” The upper limit of the seasonally high saturated zone.

“*Site*” means geographically contiguous land or water, under common ownership, 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 or for which an easement has been granted and to which the public does not have access shall be deemed the same site.

Comment [AD3]: Site vs. Lot – need to check with Ozzie

“*Site Investigation*” means the gathering of information at a site, including but not limited to, deep test hole soil descriptions, groundwater depth, restrictive layer depth, redoximorphic features and permeability samples or all time and measurement readings of percolation test(s).

“*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. A subsurface sewage disposal system does not include an alternative sewage treatment system as defined by “section 7-245(2) of the CGS.”

“*Tear Down/Rebuild*” means any tearing down and rebuilding of all or a portion of a structure, or the repair, replacement or rebuilding of a damaged structure.

“*Technical Plan*” (*Plan*) means the plan for a repair or expansion of a subsurface sewage disposal system.

“*Technical Standards*” means those standards established by the Commissioner of Public Health in the most recent revision of the publication entitled “Technical Standards for Subsurface Sewage Disposal Systems” prepared pursuant to section 19-13-B103d (d) of the Regulations of Connecticut State Agencies.

“*Wastewater Management Plan*” (*WMP*) means an evaluation of a site, including but not limited to, a comprehensive inventory and evaluation of existing subsurface sewage disposal systems and recommendations for short-term and long-term strategies, objectives and actions to be implemented for wastewater management, as well as, the schedule for their implementation.

Section 3. Authorization Under This General Permit

(a) *Eligible Activities*

Provided the requirements of Section 3(b) of this general permit are satisfied and the authorized activity is conducted in accordance with the conditions listed in Section 5 of this general permit, this general permit authorizes:

The discharges of domestic sewage from subsurface sewage disposal systems serving existing facilities, as defined in this general permit, to groundwater, or to a holding tank meeting the requirements of Section 5(a)(4) of this general permit, from which holding tank the wastewater is transported to a POTW.

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 apply for and obtain authorization under section 22a-430 of the General Statutes prior to the occurrence of such discharge.

(b) *Requirements for Authorization*

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

(1) Registration.

- (A) For initial registration and/or modification of an initial registration of an existing facility, a completed registration, with respect to such activity has been filed with the commissioner and the commissioner has issued an approval of registration with respect to such activity.
- (B) For existing facilities, where *only* construction as defined in this general permit, is being proposed, provided there is no increase in design flow, or no impact to the area available for subsurface sewage and disposal system repair *and* such facilities have been previously registered with the department, no additional registration or notification is required, to be authorized by this general permit. However, compliance with all other applicable conditions of this general permit and all applicable local, state and federal requirements must be maintained.

Comment [AD4]: Bea suggested we put language in the approval stating: The approval is granted with the condition that Technical Plan or WMP will be submitted in a timely manner otherwise the approval will be revoked or rejected and the facility must reapply. In approval - must revoke the individual permit if applicable. Can we put the language in the standard template approval?

(2) Coastal Area Management

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

(3) Endangered and Threatened Species

Such activities shall not threaten the continued existence of any species listed pursuant to section 26-306 of the Connecticut General Statutes as endangered, threatened, or species of special concern and shall not result in the destruction or adverse modification of habitat essential to such species.

(4) Aquifer Protection

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

(5) Conservation and Preservation Restrictions

Such activities, if 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.

(6) Sources of Drinking Water

Such activities shall not affect an underground source of drinking water or a watercourse, or any tributary thereto, which is or contributes to a source of drinking water supply; unless the discharge is necessary and, to the maximum extent practical, the discharge does not impair public health or the environment.

(7) Connecticut Water Quality Standards

Such activities resulting in a discharge to groundwater shall comply with the Connecticut Water Quality Standards.

(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

(1) For any person or municipality required to submit a registration *and* receive approval of authorization from the commissioner, pursuant to Section 3(b)(1)(A) of this general permit, the effective date of authorization of this general permit is the date the commissioner issues a written approval of registration.

An activity is authorized by this general permit on the date the commissioner issues a written approval of registration with respect to such activity.

(2) For any person or municipality not required to submit a registration, pursuant to Section 3(b)(1)(B) of this general permit, the effective date of authorization under this general permit is the same as the effective date of the general permit or the date the subject activity is initiated, whichever is later.

(f) Revocation of an Individual Permit

If an activity meets the requirements of authorization of this general permit and such activity is presently authorized by an individual permit, the existing individual permit may be revoked by the commissioner upon a written request by the permittee. If the commissioner revokes such individual permit in writing, such revocation shall take effect on the effective date of authorization of such activity by this general permit. A permittee shall not operate under an individual permit and a general permit for the same activity.

(g) Issuance of an Individual Permit

If the commissioner issues an approval of registration for this general permit, and subsequently issues an individual permit for the same activity, then the approval of registration for the general permit shall be revoked by the commissioner. The effective date of such revocation shall be the same date as the issuance date of the individual permit. A permittee shall not operate under an individual permit and a general permit for the same activity.

Section 4. Registration Requirements

(a) Who Must File a Registration

Any person or municipality seeking under the authority of this general permit to discharge domestic sewage from a subsurface sewage disposal system serving an existing facility as defined in Section 3(a) of this general permit, shall file with the commissioner:

- (1) A registration form which meets the requirements of Section 4 of this general permit and
- (2) The applicable fee.

(b) Scope of Registration

A registrant shall submit one registration form for each existing facility for which the registrant seeks authorization under this general permit.

(c) Contents of Registration

- (1) Fees

Fees for municipalities shall be 50% of the fees stated herein.

(A) Initial Registration

- a. For initial registration of an existing **site** generating a design flow equal or less than 5,000 gallons per day from all the systems, a registration fee of \$100 shall be submitted with the registration form.
- b. For initial registration of an existing **site** generating a design flow greater than 5,000 gallons per day and less than 10,000 gallons per day from all the systems, a registration fee of \$1,500 shall be submitted with the registration form.
- c. For initial registration of an existing **site** generating a design flow greater than 10,000 gallons per day from all the systems, a registration fee of \$3,000 shall be submitted with the registration form.

Comment [AD5]: Or Facility?

(B) Modification of an initial registration *with* proposals for expansions or repairs without the necessity to modify an approved WMP

- a. For modification of an initial registration with proposals for expansions or repairs without the necessity to modify an approved WMP, a registration fee of \$100 for one or more systems with individual design flow equal or less than 5,000 gallons per day shall be submitted with a registration form.

- b. For modification of an initial registration with proposals for expansions or repairs without the necessity to modify an approved WMP, a registration fee of \$150 for **one or more systems with individual** design flow greater than 5,000 gallons per day and less than 10,000 gallons per day, shall be submitted with a registration form.
 - c. For modification of an initial registration with proposals for expansions or repairs without the necessity to modify an approved WMP, a registration fee of \$300 **for one or more systems with individual** design flow greater than 10,000 gallons per day, shall be submitted with a registration form.
 - d. **For modification of an initial registration with proposals for expansions or repairs, for more than one system with different design flows, without the necessity to modify an approved WMP, the fee shall be based on the largest individual system design flow requirement.**
- (C) Modification of an initial registration of an existing site **with** proposals for expansions or repairs with the necessity to modify an approved WMP.
- a. For modification of an initial registration of an existing **site** generating a design flow equal or less than 5,000 gallons per day from all the systems and with proposals for modification of an approved WMP, a registration fee of \$200 shall be submitted with the registration form.
 - b. For modification of an initial registration of an existing **site** generating a design flow greater than 5,000 gallons per day and less than 10,000 gallons per day from all the systems and with proposals for modification of an approved WMP, a registration fee of \$375 shall be submitted with the registration form.
 - c. For modification of an initial registration of an existing **site** generating a design flow greater than 10,000 gallons per day from all the systems and with proposals for modification of an approved WMP, a registration fee of \$750 shall be submitted with the registration form.
- (D) 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.
- (E) The registration fee shall be paid by check or money order payable to the **Department of Environmental Protection**.
- (F) The registration fee is non-refundable.

Comment [AD6]: This is to accommodate cases where more than one systems with different flows come in under one plan.

Comment [AD7]: Facility, Lot ?

(2) Registration Form

A registration 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 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, 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 registrant's attorney or other representative, if applicable.
- (D) Legal name, address, and telephone number of any consultant(s) or engineer(s) retained by the registrant to prepare the registration or to design or construct the subject activity.
- (E) Location address of the site with respect to which the registration is submitted.
- (F) A detailed description of the subject activity.
- (G) An 8 1/2" by 11" copy of the relevant portion or a full-sized original of a United States Geological Survey (USGS) quadrangle map, with a scale of 1:24,000, showing the exact location of the site and the area within a one mile radius of the site, unless previously submitted. Identify the quadrangle name and number on such copy.
- (J) The signature of the registrant and of the individual or individuals responsible for actually preparing the registration, 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 the 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 general permit registration is on complete and accurate forms as prescribed by the commissioner without alteration of the text.

I certify that once my **Plan** and WMP is approved I will comply with all conditions of that approval and if there is not an approved **Plan or WMP** in place that I will comply with the required schedule to prepare a **Plan or WMP** for approval. Once approved, I will file the approved WMP for the site on the local land records.

I also certify that a copy of the registration, including supporting documents, has been provided to the local health department and the State Department of Public Health and for community systems, to the water pollution control authority.

I also certify that, other than what is being proposed through this registration, there are no failed or malfunctioning systems on the site.

If applicable, I certify that I am registering to revoke my individual permit which authorizes the discharge(s) which are the subject of this registration.

Comment [AD8]: New

I understand that a false statement 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.”

“I certify that I have read the *General Permit to Discharge from Subsurface Sewage Disposal Systems Serving Existing Facilities* issued by the Commissioner of the Connecticut Department of Environmental Protection; and that the discharge from the subsurface sewage disposal system(s) which are the subject of this registration are eligible for authorization under such permit; that all applicable requirements of such permit are being met or on an assigned schedule to be met; and that a functioning and effective system is in place or will be in place to assure that all such requirements are met so long as the discharge(s) which are the subject of this registration continue.”

3. Required Supporting Documents

(A) Technical Plan

For each expansion and repair proposed, including building conversions and change in use a Plan must be completed and submitted for approval. Prior to preparation of such plan, the registrant must contact the Department and the Local Director of Health to schedule a site investigation to be observed by the Department and Local Health Department staff.

(1) *Technical Plan Submittal Requirements*

- For each expansion and repair proposed, a technical plan, prepared in accordance with Section 3(A)(2) of this general permit must be submitted within one (1) year of the date of receipt of registration under this general permit.
- The Plan shall be submitted to the commissioner at the following address:

Comment [AD9]: Bea's suggestion. One year is too much for repairs. Other suggestions?

Subsurface Group

Bureau of Materials Management and Compliance Assurance
Department of Environmental Protection
79 Elm Street
Hartford, CT 06106-5127

A copy of the plan shall be submitted to the local health department and **an electronic copy shall be submitted to the State Department of Public Health.**

Comment [AD10]: New - electronic copy? Bob's Email address? Or a general email?

(2) **Technical Plan Requirements**

The Plan shall be prepared by a Professional Engineer licensed in the State of Connecticut. The Plan shall be prepared in accordance with sound engineering practices and shall be consistent with the existing approved and/or proposed WMP that in Commissioner's judgment adequately addresses and incorporates the requirements of Section 4(B)(2). The original signature and seal of the design engineer shall be on each copy of plans (Blue print of seal and signature is unacceptable). The Plan shall include the mailing address of the engineer and the date of preparation and any revision dates (revisions should be clearly flagged).

The Plan shall include the following certification signed by the professional engineer, who prepared the Plan:

"I certify that, in my professional judgment, proper operation and maintenance of the subsurface sewage disposal system installed to treat the wastewater which is the subject of this registration will ensure that the discharge of such wastewater meets all conditions in the **General Permit to Discharge from Subsurface Sewage Disposal Systems Serving Existing Facilities**. This certification is based in part on my review of the Plan of such wastewater and on my review of past and current uses of the site at which such wastewater is generated, and on my review of detailed and reliable information about subsurface sewage disposal systems located on the subject site. I understand that any false statement in this certification is punishable as a criminal offence under Section 53a-157b of the General Statutes and under any other applicable law."

The Plan shall be drawn to scale; 1" = 20' or 30' for residential lots; 1" = 40' or 50' for large projects such as schools, shopping centers.

At a minimum, the Plan shall include the following items:

- i. North arrow shall be shown on all plans (may be true, magnetic or assumed, note on plan).
- ii. "Key" or location maps may be inserted on large residential, industrial or commercial properties with proper scale addressing building and sewage disposal areas only.

- iii. A stable bench mark shall be established and clearly identified on the Plan. If the bench mark is disturbed prior to construction, the engineer should set another one for construction purposes.
- iv. Lot size with dimensions of property lines;
- v. A legend to identify various indicators of stone walls, test pits, wells, hay bales etc.
- vi. Existing and proposed contours of building(s) and leaching areas (including 25-50' downgrade), showing fill extensions, cuts, and all other topography alteration activities.
- vii. Site Investigation Information

The Plan shall contain all information gathered during the site investigation. Test pit locations, including percolation test holes, boring locations, monitoring wells, ledge rock outcrops and wet surface areas, old bury holes and filled-in foundations shall be identified on the plan.

- viii. Subsurface Sewage Disposal System Design

Subsurface sewage disposal systems shall meet the minimum requirements set forth in Section 5(a)(2) of this general permit.

The Plan shall include existing subsurface sewage disposal systems and clearly distinguish between existing and proposed subsurface sewage disposal systems.

The Plan shall include the basis of wastewater design flows. Example: light manufacturing, 30 employees @ 25 GPD = 750 GPD; residential @ 150 gpd/bedroom.

A written description of existing and proposed leaching systems indicating the effective area provided shall be included. Example: 3 rows of leaching trench, 75' long, 3.0' wide = 675 sq.ft.

The Plan shall clearly show the building sewer line(s) to septic tank(s), septic tank location(s), pump chamber location(s), effluent distribution piping, distribution boxes, leaching system layout (trenches, pits, or galleries) with dimensions on center, invert elevations at foundation wall, inlet and outlet of septic tank, inlets and outlets at distribution boxes and at all leaching structures (including bottom elevations of such structures), dimensions, leaching system lengths, distances from tank to building, system to

building, system to walls, embankments, drains, etc.

The Plan shall show building footing drain discharges, and water service line to building.

Within a 200 foot radius of the proposed subsurface sewage disposal system, the plan shall show all storm drains, drainage swales, public water lines, and streams, brooks, swamps, ponds and other watercourses. The Plan shall also show, within that same 200 foot radius, well locations with protective radius, septic systems, location of buried oil tanks, other potential sources of pollution (if none exist, note on plan), and existing structures with identified use.

For systems with design flows ≥ 2000 gallons per day, the Plan shall include a phosphorus sorption analysis.

ix. Cross section

The Plan shall include representative cross sections of the proposed subsurface sewage disposal system including but not limited to leaching structure(s), elevations of system(s), fill, ledge, curtain drain(s), and ground water elevations.

x. Specifications

The plan shall include details of the proposed subsurface sewage disposal system including but not limited to the leaching system, curtain drain and specifications for materials to be used such as fill, force main piping, collection piping, septic tanks and grease traps, pump chamber showing manhole, float controls and discharge volume, pump model and manufacturer, H-20 wheel loading for pits or galleries under pavement, curtain drain backfill, and manhole frames and covers.

(B) Wastewater Management Plan

The registrant/permittee shall develop such plan for each site or facility authorized by this general permit. Prior to preparation of such plan, registrant must contact the Department and the Local Director of Health to schedule a site investigation to be observed by Department and Local Health Department staff.

(1) ***WMP Submittal Requirements***

- For initial registrations which ***do not include*** a repair or expansion, a WMP must be submitted within two (2) years of the date of receipt of registration under this general permit.
- For initial registrations or modifications of an initial registration

of an existing facility, which *include* repairs or expansions of inadequate systems, a WMP must be submitted within one (1) year of the date of receipt of registration under this general permit, if such plan has not previously been submitted and approved.

- For initial registrations or modifications of an initial registration of an existing facility which includes expansions caused by a design flow increase, a WMP shall be submitted with the technical plan.
- The permittee shall amend and submit the WMP whenever: (1) there is a change at the site which has an effect on the potential to cause pollution of the waters of the state; (2) the actions required by the WMP fail to ensure or adequately protect against pollution of the waters of the state; or (3) the commissioner requests modification of the plan.
- The WMP shall be submitted to the commissioner at the following address:

Subsurface Group
Bureau of Materials Management and Compliance Assurance
Department of Environmental Protection
79 Elm Street
Hartford, CT 06106-5127

- A copy of the WMP shall be submitted to the local health department and an electronic copy shall be submitted to the State Department of Public Health.

Comment [AD11]: New – I think we need it.

Comment [AD12]: New electronic copy – Bob's email or general email?

Note: In no event shall failure to complete or update a WMP in accordance with this general permit relieve a permittee of responsibility to implement actions required to protect the waters of the state, complete any actions that would have been required by such WMP, and to comply with all conditions of the permit.

(2) ***Wastewater Management Plan Contents***

The permittee shall prepare, implement and maintain a WMP for the site which shall consist of all records, schedules, narrative, mapping, data gathering, testing results, instructions or other materials in accordance with the provisions of this general permit.

The WMP shall be prepared by a Professional Engineer licensed in the State of Connecticut. The WMP shall be prepared in accordance with sound engineering practices. The original signature and seal of the design engineer shall be on the WMP and on each copy of the plan. Any drawings included with the WMP, shall follow the Plan requirements in Section 4(c)(3)(A) of this general permit.

The WMP shall include the following certification signed by a professional engineer, who prepared the WMP:

“I certify that, in my professional judgment, proper operation and maintenance of the subsurface sewage disposal system installed to treat the wastewater which is the subject of this registration will ensure that the discharge of such wastewater meets all conditions in the *General Permit to Discharge from Subsurface Sewage Disposal Systems Serving Existing Facilities*. This certification is based in part on my review of the WMP of such wastewater and on my review of past and current uses of the site at which such wastewater is generated, and on my review of detailed and reliable information about subsurface sewage disposal systems located on the subject site. I understand that any false statement in this certification is punishable as a criminal offence under Section 53a-157b of the General Statutes and under any other applicable law.”

At a minimum, the WMP shall contain the following:

i. Description of the Site

A general brief description of the site including the site location, property size, property ownership, a location map, a narrative of the proposed activity or activities resulting in the preparation of the plan, and a summary of recommendations.

ii. Inventory of Current Site Conditions

- A narrative description of the current site conditions including but not limited to: community history and uses, wastewater sources and flows, wastewater system maintenance practices and history, state and/or local permitting and enforcement history, results of site investigation, identification of common interest and limited common interest areas, soil conditions, groundwater depth and direction, and bedrock conditions.
- Mapping of the current site conditions including but not limited to boundaries, wetlands and watercourses, topography, structures, roads, subsurface sewage disposal system locations, test pits, wells, utilities.

iii. Analysis of Current Conditions and Future Needs

- The WMP shall include a comparison of the condition of existing system(s) to the minimum technical requirements outlined in Section 5(a) of this general permit to identify site limitations and all necessary system repairs.
- The WMP shall include a site-wide nitrogen dilution analysis to demonstrate compliance with Water Quality Standards.

- The WMP shall include a summary of future wastewater needs such as expansions and modifications of facilities which will result in increase in wastewater discharge.

iv. Comprehensive Wastewater Management Strategy

The WMP shall include a summary of the ability of the existing system(s) to handle current and future discharges including but not limited to, a conceptual design of any proposed alternatives for repair or expansion of the existing systems(s), a cost benefit analysis of all proposed alternatives for repair or expansion of the existing system(s), a ground water monitoring plan as may be required by the commissioner and an implementation plan and schedule including all inspection, monitoring and maintenance requirements in accordance with Section 5(a) of this general permit.

(d) Where to File a Registration

A registration shall be filed with the commissioner at the following address:

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

A copy of the completed registration, included supporting documents, shall also be submitted to:

- (1) local health department;
- (2) the water pollution control authority (only for discharges from community systems);
- (3) and an **electronic copy shall be submitted to the the State Department of Public Health.**
- (4) If the proposed activity or zone of influence is within any part of an aquifer protection area as defined in CGS Section 22a-354h, a public drinking water supply watershed or a public drinking water supply well separating distance to a system for disposal of sewage as defined in the Regulation of Connecticut State Agencies (RCSA) Section 19-13-B51d(or the most current update of the Public Health Code), or if the proposed activity is on land owned by a public water system as defined in RCSA Section 19-13-B102(a)(65) or on land on which a public water supply is located an electronic copy of all documents filed with the department be shall be filed with the Department of Public Health.

Comment [AD13]: Bob's comment 23 electronic copies unless access to information on-line???

Comment [AD14]: Drinking water section comment

(e) Additional Information

The commissioner may require a registrant 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.

(f) Action by Commissioner

- (1) The commissioner may reject without prejudice a registration 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 registrant submit additional information or the required fee and the registrant has not submitted such information or fee. Any registration 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 registration 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 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.
- (4) The commissioner may approve a registration with reasonable conditions. If the commissioner approves a registration 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 registration shall be in writing.

Section 5. 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) Required Plans

- (A) The permittee shall at all times adhere to the Plan and/or the WMP approved by the commissioner.
 - (i) The Plan shall be written in accordance with Section 4(c) (3)(A) of this general permit.
 - (ii) The WMP shall be written in accordance with Section 4(c)(3)(B) of this general permit.

In addition:

- If there is not an approved WMP in place the permittee must comply with the required schedule to prepare a WMP for

approval.

- An approved WMP shall be filed in local land records and shall be included in the public offering statement, condominium instruments, and rules and regulations adopted pursuant thereto.

(2) Minimum Requirements for Subsurface Sewage Disposal Systems

Prior to designing a subsurface sewage disposal system, a site investigation shall be performed at the location of the proposed leaching system to determine that the site has sufficient hydraulic capacity, including an appropriate hydraulic reserve capacity, to transmit the wastewater for a sufficient distance to permit renovation of the wastewater before it reaches the closest point of concern.

All subsurface sewage disposal systems included in a Plan, WMP, or otherwise authorized by this general permit must meet the following requirements, unless otherwise approved by the commissioner in writing.

(A) Design Flow

The proposed subsurface sewage disposal system shall be sized on the basis of approved conservative wastewater design flows and wastewater characteristics (including proposed use of building). Example: light manufacturing, 30 employees @ 25 GPD = 750 GPD; residential @ 150 gpd/bedroom.

(B) Site conditions

Nitrogen concentrations shall comply with Water Quality Standards as demonstrated through a nitrogen dilution analysis required under WMP.

(C) Systems serving single residences and systems with design flows < 2,000 gallons per day

- (1) Minimum vertical separating distance between the bottom of the leaching structure and the seasonal high groundwater table shall be 18 inches.
- (2) Minimum horizontal separating distances shall meet the distances set in the Connecticut Public Health Code (“CTPHC”) Technical Standards Table Number 1.
- (3) System size shall meet the required effective leaching area required by CTPHC Section VIII F of the Technical Standards.

(D) Systems with design flows \geq 2,000 gallons per day

- (1) Minimum vertical separating distance between the bottom of the leaching structure and the mounded seasonal high groundwater table shall be 24 inches determined by a hydraulic analysis required under the Plan.

(2) Minimum horizontal separating distance shall be the distance required to provide 21 days time of travel to any sensitive receptor as determined by calculating the groundwater velocity. If a sensitive receptor is a public drinking water supply well, the minimum horizontal separating distance shall not be less than the separating distance to a system for the disposal of sewage as defined in RCSA Section 19-13-B51d [or the most current update of the Public Health Code] or shall be the distance required to provide 56 days time of travel to any sensitive receptor as determined by calculating the groundwater velocity, whichever is the greater distance.

(3) System must provide minimum effective leaching area as determined in accordance with the following:

$$ELA/l_f = [1.5 \times \text{inside clear (unmasked) bottom area of leaching unit}] + [1.0 \times \text{effective stone-masked bottom area}] + [1.0 \times \text{effective height of stone masked sidewall areas of leaching units}]$$

Where stone-masked ELA, $sf/l_f = \text{contact area of stone placed beneath or on sides of Leaching Unit}$

(4) The soil must have the capacity to treat phosphorus as evidenced by a 6 (six) months absorption capacity and demonstrated by a phosphorus sorption analysis required under the Plan.

Comment [AD15]: Dave Potts' suggestion

(E) The sewage collection and treatment system shall be installed by a subsurface sewage disposal system installer licensed under the provisions of Chapter 393a, section 20-341(f) of the Connecticut General Statutes.

Comment [AD16]: Licensed installer requirement from the approvals – need to check with Ozzie.

(3) Minimum Inspection, Monitoring and Maintenance Requirements

The Permittee shall operate and maintain all subsurface sewage disposal systems in accordance with any approved plans and specifications and in accordance with the minimum requirements outlined here.

(A) Septic Tanks and Grease Traps

- Septic tanks serving single residential dwellings shall be pumped at least once every five years, or more frequently if needed.
- Septic tanks serving multiple residential dwellings or non-residential buildings shall be pumped annually.
- Grease traps shall be pumped quarterly.
- All baffles and effluent filters shall be inspected during pump-out and filters cleaned as necessary.

(B) Pump Stations

- Pump stations shall have audible and visual alarms, shall be inspected annually, and shall be pumped as necessary.

(C) Leaching Systems

- Leaching systems shall be inspected quarterly for evidence of ponding or surfacing of effluent.
- Leaching field areas shall be maintained appropriately, including but not limited to mowing grass three times between May and November, brush clearing if necessary, and prohibition of the planting or growth of trees over the leaching systems.

(D) Ground Water Monitoring

- If required under an approved Plan or WMP, groundwater monitoring wells shall be sampled for the parameters in Table 1 of this general permit. Monitoring requirements shall be included in the Public Offering Statement, Condominium Bylaws, and the rules and regulations adopted thereto.
- Chemical analyses to determine compliance with effluent limits and conditions established in the approval of registration shall employ methods approved by the Environmental Protection Agency pursuant to 40 CFR 136 unless an alternative method has been approved in writing in accordance with 40 CFR 136.4.

Table 1

PARAMETER	UNITS	MINIMUM FREQUENCY OF SAMPLING	SAMPLE TYPE
Coliform, Fecal	col/100ml	Quarterly	Grab
Groundwater Depth	Ft, in	Quarterly	Instantaneous
Nitrogen, Ammonia	mg/l	Quarterly	Grab
Nitrogen, Nitrate	mg/l	Quarterly	Grab
Nitrogen, Nitrite	mg/l	Quarterly	Grab
Nitrogen, Total Kjeldahl	mg/l	Quarterly	Grab
Nitrogen, Total	mg/l	Quarterly	Grab
pH	S.U.	Quarterly	Instantaneous
Phosphorus, Total Dissolved	mg/l	Quarterly	Grab

- (E) The use of sewage system additives, as defined in section 22a-460(g) of the Connecticut General Statutes, are prohibited unless such additive is registered with the commissioner in accordance with section 22a-462-3 of the Regulations of Connecticut State Agencies. The commissioner in no way certifies the safety or effectiveness of any registered additive. The Permittee(s) shall include in the public offering statement, condominium instruments, rules and regulations adopted pursuant thereto, and any management agreement for the facility the requirement that no sewage system additive shall be used in the subject treatment system unless such additives is registered with the commissioner, in accordance with section 22a-462-3 of the Regulations of Connecticut State Agencies.

- (F) Oils, greases, industrial or commercial wastes, toxic chemicals, wastes from water treatment systems, or other substances, that will adversely affect the operation of the subsurface sewage disposal system, or, which may pollute ground or surface water, shall not be discharged to the subsurface sewage disposal system. The Permittee(s) shall include in the public offering statement, condominium instruments, and rules and regulations adopted pursuant thereto, and any management agreement for community sewerage system the requirement that no oils, greases, industrial or commercial wastes, toxic chemicals, wastes from water treatment systems or other liquids that will adversely affect the operation of the subsurface sewage disposal system or which may pollute ground or surface water shall be discharged to the subsurface sewage disposal system.

(4) Collection and Transport of Wastewater from a Subsurface Sewage Disposal System

Any permittee who is authorized to discharge wastewater from a subsurface sewage disposal system under this general permit, and cannot meet the minimum requirements set forth in Section 5(a)(2) of this permit for the discharge of such wastewater shall 1) install appropriate facilities to store such wastewater, 2) provide for the conveyance of such wastewater to a POTW by means of a properly licensed subsurface sewage disposal system cleaner and 3) provided that no flow generating additions are proposed.

If a holding tank is constructed to store such wastewater, the permittee shall comply with the following:

- (A) Holding tanks shall be constructed of either fiberglass reinforced plastic or concrete. Such tank shall be verified to have been tested and certified to be watertight.
- (B) Holding tanks shall have sufficient liquid storage capacity to hold volume of sewage expected to be discharged from the building served over the period of one week.
- (C) Any holding tank shall be equipped with a high level alarm system clearly audible in the normal working range of responding personnel, which alarm system shall indicate when the volume of wastewater in such holding tank has reached 50% of its holding capacity.
- (D) The property owner must enter into a written contract with a licensed subsurface sewage disposal system cleaner for the regular pumping of the tank. Such contract shall be furnished to the local health department and the DEP upon request.
- (5) The permittee shall ensure that discharges authorized by this general permit are in conformance with the sewer use ordinance of the municipality receiving the discharge, and that all required local permits and approvals have been obtained

for the discharges authorized by this general permit.

(b) Reporting and Record Keeping Requirements

- (1) The results of chemical analysis and treatment facilities monitoring required by Section 5(a)(3) of this general permit and the approval of registration shall be entered on the Discharge Monitoring Report (DMR), provided by this office, and reported to the Bureau of Materials Management and Compliance Assurance, at the following address, by the end of the month following the month in which the samples are taken. **If required by the Commissioner approval of the WMP, the Permittee shall report average daily and maximum monthly water usage on the discharge monitoring report.** The report shall also include a detailed explanation of any violations of the limitations specified and corrective actions performed, and a schedule for the completion of any corrective actions remaining.

Bureau of Materials Management and Compliance Assurance
Water Permitting and Enforcement Division (Attn: DMR Processing)
Connecticut Department of Environmental Protection
79 Elm Street
Hartford, CT 06106-5127

For community systems, copies of all DMRs shall be submitted concurrently to the local Water Pollution Control Authority (hereinafter "WPCA").

Copies of all DMRs shall be submitted concurrently to the local Health Department.

- (2) Except as otherwise specified in writing by the commissioner, each analytical result of a wastewater sample taken and all data generated by any other monitoring conducted under this general permit shall be retained at the subject site for at least five years from the date such result or data was generated or received by the permittee, whichever is later. The commissioner may specify a longer retention period as he reasonably deems necessary upon written notice to the permittee stating the reasons for such longer period. If during the retention period required by this subdivision the commissioner, under chapter 446k of the General Statutes, issues an order or commences a civil action against the permittee, such retention period shall be extended as necessary until such order or action is finally disposed of.

(c) Recording and Reporting Violations

- (1) **If an analytical result of a wastewater sample taken or data generated by any other monitoring conducted under this general permit indicates that a violation or other condition of this general permit has occurred, the permittee shall immediately take all appropriate actions to abate such violation and prevent its recurrence. Within 48 hours of its occurrence, a written notification shall be submitted to the commissioner. Upon completing such notification, the**

Comment [AD17]: Mike, can you check this?

permittee shall retain it for a period of at least three years at the subject site.

- (2) Written notifications required by this general permit shall in letter form identifying the Permittee name, site name, site location, street address, town, and date of certificate of coverage or approval of registration, if such certificate or approval was issued; monitoring location triggering notification, date(s) of sampling and analysis, monitored constituent(s) triggering notification, and reported concentration(s); a summary of any response action taken or planned; and the name and telephone number of a person the Department may contact for further information.
- (3) The permittee shall also submit a copy of any notification required under this subsection to the local health department and the local WPCA.

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

The permittee shall comply with all laws applicable to the subject discharge, including but not limited to the following Regulations of Connecticut State Agencies which are hereby incorporated into this general permit, as if fully set forth herein:

(1) Section 22a-430-3:

Subsection (b) - General-subparagraph (1)(D) and subdivisions (2), (3), (4) and (5)

Subsection (c) - Inspection and Entry

Subsection (d) - Effect of a Permit - subdivisions (1) and (4)

Subsection (e) - Duty to Comply

Subsection (f) - Proper Operation and Maintenance

Subsection (g) - Sludge Disposal

Subsection (h) - Duty to Mitigate

Subsection (i) - Facility Modifications, Notification - subdivisions (1) and (4)

Subsection (j) - Monitoring, Records and Reporting Requirements - subdivisions (1), (6), (7), (8), (9) and (11) (except subparagraphs (9)(A)(2), and (9)(C))

Subsection (k) - Bypass

Subsection (m) - Effluent Limitation Violations

Subsection (n) - Enforcement

Subsection (o) - Resource Conservation

Subsection (p) - Spill Prevention and Control

Subsection (q) - Instrumentation, Alarms, Flow Recorders

Subsection (r) - Equalization

(2) Section 22a-430-4:

Subsection (p) - Revocation, Denial, Modification

Subsection (q) - Variances

Subsection (t) - Prohibitions

Section 6. General Conditions

(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 such violation and such corrective action to the commissioner, in accordance with Section 5 (d) of this general permit. Such report shall be certified in accordance with Section 6(d) 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 registration, 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.

(f) *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 General Statutes, pursuant to section 53a-157b of the General Statutes, and in accordance with any other applicable statute.

(g) *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 6(d) of this general permit. The provisions of this subsection shall apply both while a request for approval of registration is pending and after the commissioner has approved such request.

(h) *Transfer of Authorization*

An approval of registration under this general permit is transferable only in accordance with the provisions of section 22a-60 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, 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 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]

Amey W. Marrella
Commissioner