



**STATE OF CONNECTICUT**  
**DEPARTMENT OF CORRECTION**  
**FACILITIES MANAGEMENT & ENGINEERING**  
**24 WOLCOTT HILL ROAD**  
**WETHERSFIELD, CONNECTICUT 06109**

**Rich Pease**  
**(860) 692-7562**  
**FAX: (860) 692-7556**

January 24, 2012

Mr. James Creighton  
Department of Energy and Environmental Protection  
WPED Bureau of Materials Management and Compliance Assurance  
79 Elm Street  
Hartford, CT 06106 – 5127

**RE: Proposed General Permit for Miscellaneous Discharges of Sewer Compatible Wastewater**

Dear Mr. Creighton:

The Department of Correction (DOC) appreciates the opportunity to comment on the proposed General Permit for Miscellaneous Discharges of Sewer Compatible Wastewater.

1. Under the proposed General Permit (GP), please clarify how air compressor condensate (wastewater which accumulates on the exterior of electrical or mechanical air compressor equipment due to condensation), and fire suppression system testwater will be regulated. It is DOCs understanding, based on the attached DEEP policy memo, that these wastewaters are allowed to be discharged to lawn surfaces without a permit. Requiring the collection and discharge of these wastewaters to the sanitary sewer does not seem practical and would represent a substantial financial burden for many organizations.
2. With regard to "Building maintenance wastewater", it is DOCs understanding that building maintenance wastewater is included under the definition of "Domestic sewage" and is therefore covered under the GP for the Discharge of Domestic Sewage and not the Miscellaneous GP. Please provide clarification on these definitions and how building maintenance wastewater discharges are regulated.

Thank you for the opportunity to comment on the proposed GP for Miscellaneous Discharges of Sewer Compatible Wastewater. If you have any questions, please contact me at (860) 692-7562.

Sincerely Yours,

Richard Pease  
Environmental Analyst 3

c: Tim Carey  
file

## Creighton, James

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**From:** Dave Monz [DMonz@uks.com]  
**Sent:** Wednesday, February 01, 2012 6:12 PM  
**To:** Creighton, James  
**Subject:** RE: Draft Modified MISC Permit

Jim -

One more. Section 5.(e)(2) requires an O&M Plan and Spill Prevention and Control Plan for certain discharges. However, the lead in paragraph that determines applicability is a bit confusing -- If the total maximum daily flow of the discharge is greater than 25,000gpd or the discharge requires registration (excluding non-contact cooling water) and a treatment system to comply with the effluent limits of Section 5(a). The confusion is how the "or" and the "and" are applied. For example, does the phrase "and a treatment system to comply with the effluent limits of Section 5(a)" modify both of the previous two clauses? The Section can be read in two ways: (1) all discharges greater than 25,000gpd are subject to the requirement (regardless of whether treatment is required to comply with the effluent limits); or (2) only discharges greater than 25,000gpd that require treatment to comply with the effluent limits are subject to the requirement.

Thanks//

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**From:** Creighton, James [<mailto:James.Creighton@ct.gov>]  
**Sent:** Wednesday, February 01, 2012 5:51 PM  
**To:** Dave Monz  
**Subject:** RE: Draft Modified MISC Permit  
**Importance:** Low

Dave-

Please see answers embedded below following your questions.

Feel free to call or email if you have further questions.

Regards-

-Jim

James Creighton  
Water Permitting & Enforcement  
Bureau of Materials Management and  
Compliance Assurance  
CT Department of Energy and Environmental Protection  
79 Elm Street  
Hartford, CT 06106-5127

(Ph) 860-424-3681  
(FAX) 860-424-4074  
[james.creighton@ct.gov](mailto:james.creighton@ct.gov)

---

**From:** Dave Monz [<mailto:DMonz@uks.com>]  
**Sent:** Wednesday, February 01, 2012 12:55 PM  
**To:** Creighton, James  
**Subject:** Draft Modified MISC Permit

James -

As a follow-up to my voicemail, several questions about the subject MISC General Permit:

1) Are the Total Maximum Daily Flow Thresholds on Table 4-1 the maximum per Discharge Group authorized under the GP. In other words, if an entity discharges non-contact cooling water (a Group II Discharge) at a volume greater than 25,000 gpd is coverage under the GP authorized? It appears that such discharge would be covered provided a variance for the maximum daily flow is sought by a qualified professional engineer, correct? Would you envision that a discharge of non-contact cooling water above 100,000 gpd would be approved?

As proposed, the draft revised MISC GP has no flow thresholds as opposed to the current MISC GP which has a 50,000 gpd threshold. However, approval of the discharge by the receiving POTW is key to the answer to your question.

2) Food processing wastewater is covered as a Group II Discharge; however, I do not see any coverage for food preparation wastewater (e.g., associated with the operation of a dining hall). Am I reading that correct? That is, no coverage at all for food preparation wastewater.

Yes, you are correct. The General Permit for the Discharge of Wastewater Associated with Food Preparation Establishments, a.k.a. the Fats, Oils, and Grease GP or just FOG GP has not been incorporated into the MISC GP. The two permits cover separate groups of dischargers. Our Municipal Facilities Group within the Bureau of Water Permitting and Land Reuse administers the FOG GP.

Thanks//

Best regards,  
Dave

David J. Monz  
Updike, Kelly & Spellacy, P.C  
One Century Tower  
265 Church Street  
New Haven, CT 06510  
Tel: (203) 786-8303 (direct)  
Fax: (203) 772-2037



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February 1, 2012

James Creighton  
Water Permitting and Enforcement  
Bureau of Materials Management and Compliance Assurance  
CT Department of Energy and Environmental Protection  
79 Elm Street  
Hartford, CT 06106-5127

Dear Mr. Creighton,

Re: Comments on Miscellaneous General Permit for Sewer Compatible Wastewater

On behalf of the nearly 100 retail photo processing Photo Marketing Association International member locations in Connecticut, we want to thank you for the opportunity to provide comments on the proposed Miscellaneous General Permits for Sewer Compatible Wastewater.

The following comments are a compilation of responses from Connecticut retail members that have photo processing operations:

- The General Permit concept is much more acceptable than individual permits.
- The industry supports "no registration" requirements for Group I dischargers - photo processing labs.
- Section 5(b)(1) provides Parameter Monitoring requirements which states that each permittee must monitor parameters specified in Tables 5-2(a) and (b) at defined frequency in accordance with methods specified in 40 CFR Part 136. Table 5-2(a) specifies parameters for photo processing with footnotes that monitoring for silver and pH are only applicable to photo processing discharges. This language generates confusion if this should be understood that all silver monitoring must be done in accordance with 40 CFR Part 136. We suggest that this footnote be amended to include a reference to the Section 5(b)5 requirements. This will clarify that the monitoring for photo processors follows the requirements called out in this section, if that is indeed the case.
- We suggest that section 5(b)(5)(B) provide specific monitoring requirements such as use of silver test strips. The current language implies that this would be the method of monitoring on a monthly basis but it doesn't specifically state that. Without it being specific as to the use of silver test strips it could be interpreted that a sample must be collected and analyzed in a laboratory on a monthly basis. This would be very economically burdensome on the industry.

*President | Allen Showalter, King Photo/Showalter Imaging Group, 889 E. Market St., Harrisonburg, VA 22801-4334 USA*

*President-Elect | Gabrielle Mullinax, Fullerton Photo, 908 N. Harbor Blvd., Fullerton, CA 92832-1524 USA*

*Vice President | Mark Klostermeyer, MCPF, Design Frames LLC, 101 Rowell Court, Falls Church, VA 22046-3126 USA*

*Treasurer | Robert L. Hanson, Harold's Photo Center, P.O. Box 2614, Sioux Falls, SD 57101-2614 USA*

*Executive Director | Jim Esp, PMA, 3000 Picture Place, Jackson, MI 49201 USA*

- Section 5(b)(5)(B)(i) states “discharges from silver recovery systems must be monitored monthly to assure compliance with the silver effluent limit.” Silver test strips do not have the sensitivity to demonstrate compliance with 5.0 or 2.0 mg/l limit. We suggest that this section be changed to read: “. . .discharges from silver recovery systems must be monitored monthly to assure proper operation of the silver recovery system and the silver effluent limits provided in Table 5-1.”

There is strong support for these changes with some minimal clarification. PMA, on behalf of its Connecticut members, encourages the Department to adopt this language with the suggested changes.

We also express our appreciation for this opportunity to comment on these matters. If you have any questions please direct them through Mr. Chris Smith at Rome Smith and Lutz, or to our technical representative, Mr. Steve Noble. Steve can be reached at 517-206-0654 or Steven.Noble820@gmail.com and Chris can be reached at 860-478-3855 or csmith@romesmithlutz.com.

Sincerely,

A handwritten signature in black ink that reads "James A. Esp". The signature is fluid and cursive, with the first letters of each name being capitalized and prominent.

James A. Esp  
Executive Director  
Photo Marketing Association International  
3000 Picture Place  
Jackson , MI 49201



University of Connecticut  
Health Center

Office of Research Safety  
263 Farmington Avenue  
Farmington, CT 06030

Mr. James Creighton  
CT Department of Energy and Environmental Protection  
79 Elm Street  
Hartford, CT 06106-5127

February 6, 2012

Re: Notice of Tentative Determination to Issue a General Permit for Miscellaneous Discharges of Sewer Compatible (MISC) Wastewasters

Dear Mr. Creighton,

The University of Connecticut Health Center (UCHC) in Farmington respectfully submits the following comments regarding the CT Department of Energy and Environmental Protection's (DEEP) notice to issue a General Permit for Miscellaneous Discharges of Sewer Compatible (MISC) Wastewater.

**Issue 1: Certification by a Professional Engineer (PE) or Qualified Professional Engineer - Section 3(b)(8)**

Comment: The DEEP's desire to ensure compliance is reasonable and appropriate. However, the benefit of PE evaluation and certification of simple wastewater discharges is not readily apparent particularly when other, in-house professionals can perform the same task. It seems more reasonable to require PE involvement when a structural change to a system is required, including the installation of a wastewater neutralization system.

**Issue 2: Action by the Commissioner - Section 4(g)(1)**

Comment: It is not clear if a registrant must submit a second fee if the initial submittal has been rejected for reasons other than lack of fee submittal. Please clarify.

**Issue 3: Flow Monitoring - Section 5(b) (3)**

Comment: Please confirm that the requirement to monitor a single source, authorized discharge with maximum daily flow of greater than 5,000 gpd applies to a single discharge point rather than the aggregate of multiple, small discharge volumes.

**Issue 4: pH Monitoring - Section 5(b)(4 & 5)**

Comment: The requirement to perform continuous pH evaluation and recording for discharges of  $\geq 5,000$  gallons per day, including audio and visual alarms with automatic shutdown if the pH spikes beyond the specified range, is potentially expensive and problematic. For many of the included wastewater streams, a significant spike is extremely unlikely. Moreover, in a health care setting, it is

conceivable that an unexpected shutdown would affect patient care. It is therefore highly preferable the pH monitoring be required for only those discharges for which pH spike is feasible, and the alarm cause an immediate attention rather than shutdown so that patient care can continue without interruption.

The University of CT Health Care Center greatly appreciates the CT DEEP's attempt to streamline and expedite the permit application and issuance process. It is also recognizes and appreciates the opportunity to participate in the process of permit development.

If you have questions or would like to discuss any of the information in this letter, please do not hesitate to contact the UCHC Office of Research Safety at (860) 679-2250.

Regards,

Martin Costello, MPH, CHMM  
Office of Research Safety

(860) 679-3512



# AQUARION

Water Company

*Stewards of the Environment*

January 31, 2012  
**RECEIVED**

**FEB - 6 2012**

**BUREAU OF MATERIALS MANAGEMENT  
& COMPLIANCE ASSURANCE**

Mr. James Creighton  
Bureau of Materials Management and Compliance Assurance  
Department of Energy and Environmental Protection  
79 Elm Street  
Hartford, CT 06106-5127

Re: Draft General Permit for Miscellaneous Discharges of Sewer Compatible Wastewater

Dear Mr. Creighton:

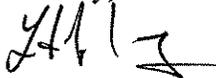
Aquarion Water Company of Connecticut (AWC) appreciates the opportunity to review the Department of Energy and Environmental Protection's (DEEP) Draft General Permit for Miscellaneous Discharges of Sewer Compatible Wastewater (MISC). By your proposed streamlined permitting process and by encouraging us to review and comment on the MISC, you send a positive signal to all those involved in the regulatory process that DEEP understands the needs of those that it regulates. We do, however, have a substantial concern that the inclusion of water treatment wastewater within the MISC, as written, will have unattainable compliance requirements and major cost impacts for AWC and water utilities throughout Connecticut that rely on the ability to discharge either directly or by transport to a Publicly Owned Treatment Works (POTW). Specifically, I offer the following for your consideration:

- The MISC will eliminate the ability of drinking water utilities presently regulated by the Water Treatment Wastewater General Permit (WTWGP) to discharge alum sludge to a POTW due to the proposed effluent limits (specifically, aluminum [2.0 mg/l] and total suspended solids [600 mg/l]) as described in Section 5(a)(1). The WTWGP does not have such compliance limits placed on our discharges. AWC has historically negotiated with POTWs to accept this material which has provided AWC with a most critical pathway for its treatment plant discharges. Changes in our ability to do so, as presented in the MISC, will result in unattainable compliance and/or significant costs to our customers.
- The MISC includes the discharge of "potable water storage tank draining for maintenance purposes" in the definition of Water Treatment Wastewaters (WTW) whereas the WTWGP permit does not include potable water storage tank discharges. DEEP has indicated that the existing WTWGP will remain in effect until it expires in 2015, and registrants will have the option to register WTW sewer discharges under the MISC or the WTWGP until that time. However, because of the differing definitions of WTW under the two general permits, potable water storage tank discharges to POTWs will not be eligible for the WTWGP, and must be registered under the MISC.

- The MISC includes the definition of a “Qualified Professional Engineer”(QPE) to be used by Group I registrants (which includes water treatment wastewater) and by Group II dischargers with flows greater than or equal to 25,000 gallons per day. AWC believes that this requirement is not needed. AWC successfully utilizes the services of many environmental consultants who are highly respected professional engineers in their field. The use of QPEs will add significant costs to all registrations that require such certifications.
- The MISC specifies fees in Table 4.1 associated with total maximum daily flow thresholds. AWC believes that one fee should be charged per site independent of the volume or discharge location. DEEP may be inadvertently charging one fee for a groundwater or surface water discharge and a second fee for a POTW discharge.
- MISC Section 5(b)(4) requires continuous monitoring of pH for flows greater than 5,000 gallons per day (with some exceptions). AWC discharges are from in-line analyzers and possess the same characteristics as non-contact cooling water (which will be exempt from continuous monitoring requirements). AWC recommends eliminating this requirement for sites with existing WTWGP permits or WTWGP 4(A) permit by rule exemptions. Installation of continuous monitoring equipment will add significant expense to compliance monitoring.
- MISC Section 5(b)(7) requires that samples collected from discharges greater than 10,000 gallons per day be a composite sample. AWC facilities are monitored but most are not continuously manned. Composite sampling will also add significant costs.
- MISC Section 5(C) requires electronic reporting on a Discharge Monitoring Report (DMR) for certain discharges (including WTW) with flows greater than 5,000 gallons per day. DMRs are currently not required under most existing general permits, and the addition of this requirement may be seen in conflict with the self-governing intent of general permits.
- The MISC requires the preparation of an Operations and Maintenance Plan and a Spill Prevention and Control Plan for each site that discharges greater than 25,000 gallons per day. Since non-contact cooling water discharges are exempt, consideration should be given to also exempt WTWGP discharges.

AWC again congratulates the DEEP for its proposed MISC streamlining and permitting process and putting forth such a positive initiative. It is our hope that DEEP will further consider the items outlined above. Please do not hesitate to contact me at 203-452-3504 or AWC’s Environmental Coordinator (Ian Karasik) at 203-452-3512 if we can answer any questions.

Sincerely,



Leendert T. DeJong  
 Manager of Watershed and Environment Management

c. Ian Karasik - AWC



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## Global Research & Development

February 7, 2012

Mr. James Creighton  
Bureau of Materials Management and Compliance Assurance  
Water Permitting and Enforcement Division  
Department of Energy and Environmental Protection  
79 Elm Street  
Hartford, Connecticut 06106-5127

RE: **Proposed Revisions**  
**General Permit for Miscellaneous Discharges of Sewer Compatible (MISC) Wastewater**

Dear Mr. Creighton:

Pfizer Worldwide Research & Development Groton Laboratories (Pfizer) has reviewed the Connecticut Department of Energy and Environmental Protection's (CTDEEP's) proposed revisions to the General Permit for Miscellaneous Discharges of Sewer Compatible (MISC) Wastewater (MISC GP) and offers the following comments and suggested edits:

- a.) **Section 3(b)(9)(C) "Certification Requirements for Registrants and other Individuals"** – The certification contains the following statement "I certify that our facility does not use products or chemicals or discharge wastewater that contain mercury." Pfizer recommends removing this statement as no facility would be able make this certification due to the ubiquitous use of products such as fluorescent light bulbs, thermostats, and thermometers which contain mercury. Furthermore, the MISC General Permit, current and proposed revisions, contains a limit for mercury of 0.0002 mg/L.
- b.) **Section 4 "Registration Requirements" and Section 5 "Conditions of This General Permit"** – The proposed revisions use different language identifying the basis or qualifier for compliance requirements. The terms "Discharge Group", "Discharge", "Category of Wastewater", "each authorized discharge", "continuous discharge", "any discharge" and "the discharge" are used at various places throughout Sections 4 & 5. However, these terms are never defined and it isn't clear if the aggregate flow of a category, a single group or all groups should be used to assess applicability of specific requirements. Furthermore, it is unclear if "discharge" and "each authorized discharge" refer to the aggregate site discharge covered by the registration, the aggregate discharge of Discharge Group I, II, or III, or the aggregate discharge of a category of wastewater.

### Example

A facility has 500 gpd of air compressor blowdown/condensate, 1,500 gpd of boiler blowdown, 2,000 gpd of water treatment wastewater, 500 gpd of "other wastewater A", and 2,000 gpd of "other wastewater B".

Does the facility sample all of these “categories of wastewater” quarterly, install continuous flow and pH metering on all sources of wastewater and submit NetDMR reports since the aggregate flow is 5,500 gpd (i.e., greater than 5,000 gpd), **OR** does the facility sample only boiler blowdown, water treatment wastewater and “other wastewater B” quarterly since the flow for each of these categories of wastewater is greater than 1,000 gpd and NOT install metering or submit NetDMR because each of those categories have flow less than 5,000 gpd?

### Proposal

Pfizer contends that the basis or qualifier for specific compliance requirements needs to be clearly defined keeping in mind the need to protect the environment while providing the regulated community with the ability to implement. Pfizer proposes that the compliance requirements should at times be tied to the combined flow of a discharge group (e.g., registration), to a discharge category (e.g., monitoring frequency) and to a specific discharge unit (e.g., pH and flow monitoring). Pfizer specifically recommends:

- 1.) Define “Discharge Group” flow to equal the aggregate of the “categories of wastewaters” within a specific group (i.e., Group 1, Group 2 **or** Group 3);
- 2.) Define “category of wastewater” to equal a distinct type of wastewater, e.g., air compressor blowdown, boiler blowdown or “other wastewater” as described in the registration;
- 3.) Define “each authorized discharge” to equal a specific, distinct discharge unit;
- 4.) Define “specific discharge unit”; and
- 5.) Modify general permit sections to reflect the changes in the attached table.

Should you have any questions or need additional information with regard to our comments, please contact me at (860) 715-0088.

Sincerely,



Eric C. Watters  
Senior Manager, Environmental  
Pfizer Global Operations R&D CT

Section	Current		Proposal
	Basis or Qualifier	Compliance Applicability	
4(a)(2) Registration	Discharge Group	"Cumulative maximum daily flow of all wastewaters in each discharge group"	Provide clarity that each Discharge Group is viewed separately. That is, if Group I > 1,000 gpd and Group II is <5,000 gpd, then registration references only Group I wastewaters
5(a)(1)(B) POTW Specific Effluent Limits	Discharge	"maximum total daily flow greater than 5,000 gpd"	Clarify whether this is per Group, category or aggregate of groups
5(b)(1)(A) Monitoring - Parameters	Category of Wastewater	Sample each category for parameters in tables 5-2 and 5-1, if present	Good, no change
Monitoring - Frequency	Table 5-3: Discharge Group	Determine frequency of monitoring based on Table 5-3 which ties frequency to Discharge Group flow	Clarify that each category of wastewater is sampled based on the category's aggregate flow per the frequency identified for a Discharge Group <i>{Rather than sample each category of wastewater at the frequency based on the aggregate Group flow}</i>
5(b)(3)(B) Monitoring - Flow	each authorized discharge	continuous flow monitoring for "each authorized discharge" >5,000 gpd	Change such that continuous flow monitoring is required only for a specific, discreet discharge unit with flow exceeding 5,000 gpd
Monitoring - pH	continuous discharges	continuous pH monitoring and alarms for "continuous discharges" >5,000 gpd	Change such that continuous pH monitoring is required only for a specific, discreet discharge unit with continuous flow exceeding 5,000 gpd
5(8)(A) Recordkeeping	each authorized discharge		Clarify whether "each authorized discharge" equals a category of wastewater or a discreet discharge unit
5(c)(1) Reporting	any discharge	Use NetDMR for "any discharge" with total flow >5,000 gpd	Clarify such that reporting is required for each "category of wastewater" with flow > 5,000 gpd
5(e)(2) Plans	the discharge	O&M and SPC Plans required if total maximum daily flow of "the discharge" is >25,000 gpd	
5(e)(3) Modifications	the discharge	Notification of modifications if total maximum daily flow of "the discharge" is >25,000 gpd	Clarify such that these requirements are for each "category" or at the very least each Group



D30930

February 7, 2012

Mr. James Creighton  
Department of Energy and Environmental Protection  
WPED/Bureau of Materials Management and Compliance Assurance  
79 Elm Street  
Hartford, CT 06106-5127

**RECEIVED**

**FEB - 8 2012**

**BUREAU OF MATERIALS MANAGEMENT  
& COMPLIANCE ASSURANCE**

**RE: Public Comments on the Notice of Tentative Determination to modify the General Permit for Miscellaneous Discharges of Sewer Compatible (MISC) Wastewaters**

Dear Mr. Creighton:

Northeast Utilities Service Company (NUSCO), on behalf of its affiliates, The Connecticut Light and Power Company (CL&P) and Yankee Gas Services Company (YG), hereby submits comments on the proposed changes to the Connecticut Department of Energy and Environmental Protection (CTDEEP) General Permit (GP) for Miscellaneous Discharge of Sewer Compatible (MISC) Wastewaters. Both CL&P and YG have discharges covered under this GP at almost all of their facilities.

Specifically, NUSCO is requesting the following clarifications/modifications to the DRAFT MISC GP:

- **Monitoring and Reporting Frequency:** Clarify Sampling Requirements for Category I Discharges less than 1,000 gallons per day (gpd)
- **Variances:** Consider honoring Variance issued under the previous MISC General Permit
- **Effluent Limits:** Explain reasoning behind lowering the Total Fats, Oil and Grease Limit
- **Registration Requirements:** Clarify that the registration requirement for cumulative maximum daily flow applies to each individual discharge group
- **Continuous Flow Monitoring:** Retain current permit allowance for estimating flows
- **Flow Monitoring Frequency:** Clarify the flow monitoring frequency
- **Definition:** Add fire suppression system testwater in MISC wastewater definition;

I. Monitoring and Reporting Frequency: Please clarify that Category I Discharges less than 1,000 gpd do not have any requirement to sample on a routine basis. It is unclear what, if any, requirements there are to collect and analyze samples on a routine basis.

II. Variances: CTDEEP indicated during the informational session that the modifications to the MISC permit came out of National Pollution Discharge Elimination System (NPDES) Lean Process Refinements and Public Act 10-158, the intent of which was to streamline the permit

process to decrease workloads for the reduced number of staff at the CTDEEP. NUSCO questions how requiring registrants who have existing variances under the current MISC GP, to reapply for and CTDEEP to reapprove the same variances conforms with the intent of the Lean Process and PA 10-158. In fact, this repetitive process requires more work for both the registrants and the CTDEEP. NUSCO suggests that variances issued under the current MISC GP be carried forward under the new modified MISC GP. In addition, NUSCO further requests that variances be allowed for conditions beyond effluent limits, for example, where compliance with a permit requirement is deemed impractical.

III. Effluent Limits: While most of the effluent limits presented in the modified MISC GP appear to be the same as those found in the previously issued permits, it is worth noting that the Maximum Instantaneous Concentration for Total Fats, Oils and Grease has been reduced from 150 mg/L to 100 mg/L. NUSCO requests CTDEEP to provide the basis for the reduction in the allowable Total Fats, Oil and Grease Maximum Instantaneous Concentration.

IV. Registration Requirements: Please clarify that the registration requirement for cumulative maximum daily flow applies to each individual discharge group and there are no requirements to add together the discharges from the Categories I, II and III to determine registration requirements. Thus, please confirm that, if Total Maximum Daily Flow is below the thresholds for registration for each of the three Categories (say, less than 900 gpd (Group I), less than 4,000 gpd (Group II) and less than 10,000 gpd (Group III), registration is not required.

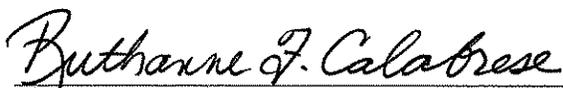
V. Continuous Flow Monitoring: Consider allowing other means to estimate flow. The additional costs for installing and maintaining continuous flow monitoring systems can be significant. Methods allowed under previously issued GP's for estimating flow should be maintained and allowed under the new MISC GP.

VI. Flow Monitoring Frequency: Please clarify the discrepancies between the requirements of Section 5(b)(3)(A) and (B) and the frequency of monitoring listed in Table 5-3.

VII. Definition: Please add fire suppression system testwater to the definition of miscellaneous sewer compatible wastewater.

NUSCO appreciates your time and consideration of these above listed concerns; and continues to support the CTDEEP's goals for streamlining permitting. If you should have any questions please contact Ms. Amy Voisine-Shea at 860.665.2301.

Sincerely,  
Northeast Utilities Service Company *as agent for The Connecticut Light and Power Company  
and Yankee Gas Services Company*



Ruthanne F. Calabrese  
Manager, Environmental Management



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Mr. James Creighton  
Connecticut Department of Energy and Environmental Protection  
Bureau of Materials Management of Compliance Assurance  
Water permitting and Enforcement Division  
79 Elm Street  
Hartford, CT 06106

Federal Division

Subject:  
Miscellaneous General Permit  
Sections 3 (b)(8) and Appendix A

Date:  
February 8, 2012

Dear Mr. Creighton:

These comments (attached) are being submitted with respect to the referenced general permit sections concerning the definition of a “qualified professional engineer” (QPE) and certification by a QPE. We believe the requested amendments to these elements of the permit are warranted and consistent with the practice of professional engineering. These comments and requested changes are consistent with those provided by the Connecticut Society of Professional Engineers with regard to the general permit for stormwater associated with construction activities. We look forward to your review of these comments and specific response to them in the public record, and inclusion in the issued permit.

Contact:  
Mr. Jay Kulowiec

Phone:  
860-613-7430

Email:  
[Jay.kulowiec@arcadis-us.com](mailto:Jay.kulowiec@arcadis-us.com)

Thank you for your attention.

Sincerely,

ARCADIS U.S., Inc.  
Jay Kulowiec  
Principal Environmental Engineer  
CT P.E. No. 9409

Copies:  
Gerald Cavaluzzi, ARCAIDS  
Paul Brady, CSPE

Imagine the result

## Qualified Professional Engineer

The definition of “Qualified Professional Engineer” (Appendix A) is unduly burdensome to both the professional engineering profession and permittees. DEEP has not provided the rationale for the exclusion of licensed professional engineers who have been included in the planning, design and operational assessment of a permittee’s treatment system while the discharge has been regulated by an individual permit from registration and certification pursuant to this general permit.

To our knowledge, there is no precedent for specifying the 8 years of experience and a mandatory exclusion because of previous involvement in a permittee’s wastewater treatment system. Professional engineers are bound by their license and the professions code of ethics to only provide services in areas of their demonstrated competency.

Further, a permittee will have the burden of additional expense if the permittee is required to engage and pay a professional engineer unfamiliar with the specific conditions of its facility in preparing the registration and certification pursuant to this general permit.

By virtue of the code of ethics, management controls and specific requirements of professional liability insurance policies, professional engineering practices limit professional engineering certifications to those individuals who are duly licensed and in responsible charge of projects.

The following amended language is requested for the subject definition:

“Qualified Professional Engineer” means a Professional Engineer with a currently effective license issued in accordance with chapter 391 of the general statutes and who has, for a minimum of four years, engaged in the planning, designing of and operational assessment (troubleshooting, O & M plans, spill control plan, solvent management plans) of engineered systems to treat commercial and industrial wastewater for such discharges including experience in responsible charge of the planning, designing and operational assessment of such systems consistent with the standard of care for such activities.

### Qualified Professional Engineer Certification (Section 3 (b)(8)(D), (E) and (G)(ii))

#### Section 3 (b)(8)(D)

Requested amended language for this section is shown below:

(D) the qualified professional engineer signing the certification has made an affirmative determination, based on the review described in section 3(b)(8)(C) of this general permit that the

Design, Operation and Maintenance Plan, the Spill Prevention and Control Plan and the Solvent Management Plan, if applicable, are adequate to assure that the activity to authorized under this general permit will comply with the terms and conditions of such general permit and all wastewater collection and treatment systems and monitoring equipment: (i) have been designed and installed in accordance with the standard of care for such systems, (ii) are functioning properly, and (iii) are adequate to ensure compliance with the terms and conditions of this general permit.

Provision (iv) has been deleted, since the DEEP has already made the finding and determination that once the conditions of the permit are complied with, the waters of the state are protected from pollution. The DEEP has established these conditions, not the certifying qualified professional engineer. This “protection from pollution” is a consequence of complying with the permit conditions, not a certification that a qualified professional engineer should be required to make. This distinction is consistent with the types of certification that are made by licensed environmental professionals (LEP) pursuant to Connecticut’s Transfer Act and Remediation Standards Regulations (RSRs)

Section 3(b)(8)(E): Certification Statement

Requested language amendments are limited to replacing the term “**on my best professional judgment**” with “**the standard of care for such projects**”. The term “standard of care” is consistent with the liability language contained in professional services contracts between engineers and client, and consistent with the requirements in “errors and omissions” insurance policies that professional engineers are required to have in force by clients.

Section 3(b)(8)(G)(ii)

The DEEP has not provided in the GP fact sheet an explanation of the authority of DEEP to take disciplinary action against a professional engineer beyond actions pursuant to Chapter 391 of the General Statutes. The specific authority cited in Section 4-182 of the general statutes should be provided in the fact sheet

8 February 2012

Regarding: Modification of the General Permit for  
Miscellaneous Discharges of Sewer Compatible  
(MISC) Wastewater

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

Dear Madam/Sir,

Yale University ("Yale" or the "University") is pleased to submit the following comments on the Revised General Permit for Miscellaneous Discharges of Sewer Compatible (MISC) Wastewater (the "MISC General Permit"). The University supports the efforts of the Connecticut Department of Energy & Environmental Protection ("DEEP") to consolidate numerous existing wastewater general permits into the MISC General Permit. Not only will this effort streamline the wastewater discharge permitting process throughout the State, but, in cases in which individual sewer discharge permits are supplanted by the MISC General Permit, it should also reduce the regulatory burdens and costs associated with maintaining such permits.

Although the DEEP has obviously devoted a substantial amount of time and energy to the development of the MISC General Permit, and should be commended for its efforts, the current draft contains a number of requirements that may be impracticable to implement in a large, decentralized campus with multiple buildings that have separate points of discharge. For example, due to the permit's grouping of similar discharge types, decentralized facilities with numerous wastewater discharge types (such as Yale) would be required to monitor numerous discharge points, even though the discharge volume at each point may be quite low. In addition, some of the technical requirements may be difficult to implement in any setting—particularly those requirements related to pH monitoring and automated process shutdown. Please consider the following comments.

#### Certification of No Mercury Use

Section 3. (b)(9)(C) contains a requirement that a registrant certify that the facility does not use products or chemicals, or discharge wastewaters, that contain mercury. However, given the presence of trace amounts of mercury in numerous common products, such as fluorescent light bulbs, thermometers and vaccines, virtually no facility will be able to make this certification. We believe that this issue is better addressed through the maximum instantaneous concentration for mercury listed in Section 5.

### Registration Certification Requirements

Table 4.I establishes the certification requirements for registrations based upon volume of Group Discharges and treatment requirements. We understand the rationale for requiring an independent "qualified professional engineer" review for engineered wastewater treatment systems. However, we do not believe that this requirement is either necessary or appropriate for decentralized facilities with numerous small discharge units that only collectively exceed Discharge Group volume limits, as well as facilities that contain standard treatment systems, such as oil-water separators or silver recovery cartridges.

We suggest eliminating the volume-based (25,000 gpd and greater) requirement for an independent qualified professional engineer certification and instead require this certification only for site-specific engineered treatment systems. Further, we suggest that professional certification be required only for those individual discharges that exceed the 25,000 gpd volume limit. These changes will impact Table 4.I and Sections 4. (c)(2)(Q) and (R).

### Flow Monitoring

Section 5. (b)(3)(B) requires flow meter monitoring for "each authorized discharge having a maximum daily flow of greater than 5,000 gpd." However, it is unclear whether several smaller discharges within the same Discharge Group that collectively discharge greater than 5,000 gpd would trigger the requirement to install recording flow meters at each discharge point. For facilities with numerous points of small discharge volume, such an approach would be very costly and unduly burdensome. We suggest that flow meter installation be required only for discharges  $\geq$  5,000 gpd at any particular discharge point.

### pH Monitoring

Sections 5. (b)(4)(A) and 5. (b)(4)(B) pertain to installation, maintenance, and calibration of pH monitoring and recording equipment, and automatic shutdown of discharge. Although we believe that these requirements are appropriate for discharges for which pH neutralization is provided, we do not think that the requirements should attach to other discharge categories, where pH range does not need to be controlled through use of an automated system. Discharges without pH neutralization systems typically discharge directly to sewer, without the use of a holding tank. The measurement of pH taken from continually flowing water in pipes may not be accurate. We suggest that the MISC General Permit be modified to require pH monitoring and recording equipment only for discharges with pH neutralization systems. We also suggest that the MISC General Permit be revised to eliminate the requirement that the alarm system "automatically discontinue

discharge during alarm conditions,” and instead provide for manual shutdown by the registrant in the event of an alarm condition. This will allow for, if required, the safe shutdown of process equipment, and prevent overflow of treatment system tanks.

### Parameter Monitoring

Table 5-3 establishes parameter monitoring frequency and reporting based upon flow threshold by Discharge Group. As currently proposed, this structure may require that a particular low flow discharge category be sampled monthly simply because of the presence of another high flow discharge category within the same Group. We believe that a more appropriate structure would base monitoring frequency on the volume of each specific discharge category. (We support DEEP's allowances for representative sampling from one source, when multiple sources of a specific category exist.)

Section 5. (b)(7)(B), for discharges greater than 10,000 gpd, requires a composite sample with aliquots taken at intervals of no less than four hours, but does not specify a sampling period. We suggest that this be an eight (8) hour composite sample. A longer compositing period will likely require registrants to sample during off-shift periods, which may require staffing for the sole purpose of sampling. Such an outcome would be undesirable and burdensome. If the DEEP does not feel that 3 aliquots over an 8-hour period is sufficiently representative, please consider reducing the sampling interval to “no less than two hours” over an 8-hour period. Also, please note that the compositing requirement as it applies under the MISC General Permit for fats, oils and grease is inconsistent with the requirement in the prescribed EPA Method 1664-A (Section 8.3), which requires grab samples and does not allow for field compositing.

### Operation and Maintenance and Spill Prevention and Control Plans

Section 5. (e)(2) requires an Operating and Maintenance Plan, and Spill Prevention and Control Plan, for discharges that either exceed 25,000 gpd, or that require registration and utilize a treatment system for compliance. We believe that these Plans are appropriate for individual discharge points from which greater than 25,000 gpd of MISC wastewater is discharged; however, we do not believe that such Plans should be required for decentralized facilities with numerous smaller discharge points from which 25,000 gpd is discharged only on a cumulative basis. Such discharges simply do not present the same risks as those that exceed the 25,000 gpd threshold. Accordingly, we suggest that the MISC General Permit be modified to require these Plans only for large individual discharge points from which greater than 25,000 gpd is discharged, and those discharges that require registration and utilize a treatment system for compliance.

Photo-processing silver recovery

Section 5. (f)(4)(C)(iv) requires a weekly inspection of each silver recovery system. In our experience, monthly inspections are sufficient to properly maintain these units and ensure 99% silver recovery. As a result, photo-processor service contracts typically specify monthly servicing of these recovery units. Accordingly, in an effort to make the MISC General Permit terms consistent with standard industry practice, we suggest that this inspection requirement be changed to monthly.

Thank you for considering these comments. If you have any questions or comments, please contact me at 203-737-2123.

Respectfully submitted,

Sincerely,

A handwritten signature in black ink that reads "Peter A. Reinhardt". The signature is written in a cursive, flowing style.

Peter A. Reinhardt  
Director, Environmental Health and Safety

Mr. James Creighton  
Connecticut Department of Energy and Environmental Protection  
Bureau of Materials Management and Compliance Assurance  
Water Permitting and Enforcement Division  
79 Elm Street  
Hartford, CT 06106

Re: Notice of Determination Dated December 9, 2011 to Modify the General Permit for Miscellaneous Discharges of Sewer Compatible (MISC) Wastewaters

Dear Mr. Creighton:

On December 9, 2011, the Connecticut Department of Energy and Environmental Protection (“DEEP” or the “Department”) published its notice of tentative determination to issue a General Permit for Miscellaneous Discharges of Sewer Compatible Wastewaters (MISC) (“General Permit”). The Department is accepting written comments on the draft General Permit on or before February 9, 2012. In this regard, the Connecticut Business and Industry Association (“CBIA”) offers the following comments for consideration by the Department.

## I. General Comments

CBIA welcomes the opportunity to submit comments on the above referenced General Permit on behalf of its roughly 10,000 members comprised of large and small businesses throughout Connecticut, including many facilities directly impacted by the proposed General Permit. These comments were prepared through the Water Quality Task Force of CBIA’s Environmental Policies Council.

CBIA believes that the DEEP, like many state agencies, plays a pivotal role in promoting sustainable economic growth in Connecticut. A critical component of DEEP’s specific role is developing and administering permitting programs which are efficient, timely and provide certainty to the business community. CBIA has been and continues to be a major proponent of efforts to streamline DEEP’s environmental permitting processes. In this regard, CBIA commends the DEEP’s commitment, through LEAN and other initiatives, to improve the way it reviews and issues permits.

In 2010, the Connecticut legislature enacted Public Act 10-158 which, in part, directed DEEP to study ways in which it could streamline and expedite its permitting processes. CBIA was instrumental in the development of this legislation and we appreciate the DEEP’s rigorous and

collaborative efforts to implement Public Act 10-158. The draft General Permit seeks to consolidate ten general permits into one and to provide general permit coverage for certain discharges that likely would be required to obtain an individual water discharge permit. CBIA recognizes that the draft General Permit is part of DEEP's various initiatives to address Public Act 10-158. CBIA supports DEEP's overall approach and it is in this spirit that we offer the below comments in an effort to address the concerns of our members.

## **II. Specific Comments Regarding the Draft General Permit for the Discharge Wastewaters from Categorical Industrial Users to a POTW**

As regards the draft General Permit, CBIA provides the Department with the following specific comments:

### **1. Qualified Professional Engineer**

This is a significant issue for our members, as we know it is for the Department. We understand that the Department feels it is entrusting professional engineers with duties that may otherwise have been entirely performed by DEEP staff under the current permit scheme. We appreciate the Department's and the public's need for assurance that this shifting of duties will be protective of the environment and public health. However, we believe there are alternative approaches that will provide this assurance but in a much more efficient manner. To that end, we offer the following specific comments on this aspect of the general permit:

- a. Appendix I to the General Permit defines a "Qualified Professional Engineer" ("QPE") as follows:

*"Qualified Professional Engineer"* means a professional engineer who: (1) has, for a minimum of eight years, engaged in the planning or designing of engineered systems for the treatment of industrial and commercial wastewaters including, but not limited to, a minimum of four years in responsible charge of the planning or designing of engineered systems for such discharges; (2) is not an employee, as defined by the Internal Revenue Service of the Internal Revenue Code of 1986, of the registrant for the general permit; (3) does not have a financial interest, of any kind, in the activity for which a certification is being submitted; (4) has not engaged in any activities associated with the preparation, planning, design or engineering of the plans and specifications for the engineered treatment systems for which a certification is being submitted; and (5) is not under the same employ as any person who engaged in any activities associated with the preparation, planning, design or engineering of the plans and specifications for the engineered treatment systems for which a certification is being submitted.

As defined, the DEEP is requiring an individual not only to be a licensed professional engineer but to also possess a minimum of 8 years of experience in the planning or design of wastewater treatment systems including a minimum of 4 years “in responsible charge” of the planning or design of such systems. The amount of experience being required fails to recognize that professional engineers, in order to obtain their license, undergo rigorous training and are bound by their license to only provide services in areas of demonstrated competence.

Further, the definition requires that such individual not be engaged in any activities associated with the preparation, planning, design or engineering of the plans and specifications for the engineered treatment systems for which a certification is being submitted. It is our view that the engineer involved with the facility, whether be permitting or system design, would best know the characteristics of the wastewater treatment system and facility operations. We do not believe that a QPE needs to be an independent third-party. To require a permittee to hire a “third-party” engineer to review and approve the system also places an unnecessary financial burden on a facility. The use of a third party engineer could result in an additional cost of at least \$10,000 in addition to the significant cost that is already incurred by a small to mid-sized industrial facility to prepare an application package. A third-party engineer would essentially repeat work already done by a professional engineer in order to make the certifications required by the General Permit.

Based on the above, we suggest the following definition for the DEEP’s consideration:

*“Qualified Professional Engineer”* means a Professional Engineer with a currently effective license issued in accordance with Chapter 391 of the Connecticut General Statutes and who has, for a minimum of four years, engaged in the planning, designing of and operational assessment of engineered systems to treat commercial and industrial wastewater for such discharges consistent with the standard of care for such activities.

- b. Section 3(b)(8)(C) of the General Permit requires that the QPE who signs the certification, at a minimum, completely and thoroughly review the General Permit and six specific areas of the registration package. We recommend that items (ii) and (vi) expressly allow for the QPE’s agent to conduct inspections and document reviews on his or her behalf.
- c. Section 3(b)(8)(D)(i) requires the QPE to certify that all wastewater collection and treatment systems and monitoring equipment . . . “have been designed and installed in accordance with *best engineering practice*. . .”. The term “best engineering practice” is not further defined in the General Permit and as a result, is vague and ambiguous. Further, the use of the phrase best engineering practice has warranty implications that are typically not covered under engineer’s professional liability

insurance. As such, we recommend that “best engineering practice” be changed to “generally accepted engineering practice.”

- d. Section 3(b)(8)(D)(ii) indicates that the qualified professional engineer must certify that all wastewater collection and treatment systems and monitoring equipment “are functioning properly” . . . We recommend that this provision be revised as follows:  
*(ii) will function properly as determined through visual inspection and review of available records.*
- e. Section 3(b)(8)(D)(iv) requires the QPE to certify that all wastewater collection and treatment systems and monitoring equipment be protective of the waters of the state. This requirement is beyond the scope of the duties and responsibilities of a P.E. We request that Section 3(b)(8)(D)(iv) be removed.
- f. Section 3(b)(8)(F) of the General Permit indicates that the Commissioner may require that any information prepared in accordance with the General Permit be independently certified by a QPE acting as a third party. We do not believe that it is necessary to impose this requirement over and above the certification requirements required of a licensed Professional Engineer. A Professional Engineers, by certifying and stamping documents, attests that the document(s) are accurate and correct to the best of his or her knowledge. Further, this requirement is not required by regulation. Finally, this requirement would be unduly financially burdensome. For the reason stated here and in 1.a above, we request that this potential requirement be removed.
- g. Section 3(b)(8)(G) of the General Permit states that DEEP may pursue disciplinary actions against Qualified Professional Engineers. A regulatory process is already in place through the Department of Consumer Protection (DCP) to address licensing complaints. This process may be the appropriate avenue to address the DEEP’s concerns.

## 2. **Permittee Certification (Section 3(b)(9) and Section 3(b)(9)(C))**

As a general matter, we request that the phrase “and any other individual or individuals responsible for preparing the registration” be deleted. A certification by the registrant is sufficient in our opinion in that there may be a whole host of individuals tangentially involved with preparing an application and it would not appear to be the DEEP’s intention to require a certification by each and every individual involved with the preparation of an application.

Section 3(b)(9)(C) requires that the registrant and any other individuals responsible for preparing the registration certify that “. . .our facility does not use products or chemicals. . .that contain mercury”. As there may be materials or items, such as fluorescent light bulbs, incidental to operations at the facility that contain mercury, we suggest that this statement be removed from the General Permit.

3. **DMR Reporting – Section 4(c)(2)(R) and Section 5(c)(1)(A)**

Section 4(c)(2)(R) and Section 5(c)(1)(A) requires registrants to submit Discharge Monitoring Reports (DMRs). Under the current pretreatment general permits that this general permit will replace, permittees are not required to submit results to DEEP unless there is an exceedance or at the request of the Commissioner. We request that this General Permit continue to maintain this approach.

Additionally, the General Permit requires the use of NetDMR. We are aware of clients who are responsible for the environmental affairs of the company who may not have the required technical resources. Therefore, we request that the DEEP provide the option for a registrant to file a NetDMR Opt-Out request similar to provisions found in individual wastewater permits.

4. **Effluent Limit for Aluminum**

Table 5-1 of the General Permit includes an effluent limitation for aluminum of 2.0 mg/l. The concentration of aluminum was not limited in the previous general permits that this General Permit will replace. This limit is of concern for two primary reasons. First, aluminum may be a primary metal that is processed in tumbling and cleaning operations and, therefore, may be generated during these operations. Second, aluminum is often used as a flocculent in water and wastewater treatment chemicals in the form of alum. As such, a number of affected facilities may not be able to meet the proposed limit. We therefore request that a higher limit be considered by the Department.

5. **Continuous pH Monitoring (Section 5(b)(4))**

Section 5(b)(4) of the General Permit requires the permittee, under most circumstances, for discharges of greater than 5,000 gallons per day (gpd) to monitor their discharges continuously for pH. Many wastewater discharges of this magnitude are “neutral”; in effect, the chemistry of the discharge is unaltered in the process they are used. In these cases, it does not make sense that the discharge be equipped with the means of a continuous pH monitoring system. Such systems are expensive and require routine operation and maintenance. We recommend that the DEEP modify this section to require continuous pH monitoring for discharges greater than 5,000 gpd only if the wastewater requires pH adjustment prior to discharge.

6. **pH Monitoring Interlock (Section 5(b)(5)(B))**

Section 5(b)(5)(B) contains a requirement that the discharge system be equipped with audio and visual pH alarms to alert personnel to incidents when the pH approaches the limits stated in the General Permit. However, we do not believe that installation of an automatic

shutdown system is appropriate. First, such a system could add significant expense to the wastewater treatment system. Few current metal finishing treatment systems are currently equipped with such a system. Second, without adequate storage capacity, an automatic shutdown system could result in system overflows and subsequent discharges or releases to the environment. As such, we request that the automatic shutdown system requirement be removed from the Draft General Permit.

7. **Flow Monitoring (Section 5(b)(3)(B))**

The General Permit requires a flow meter for each “authorized discharge” having a maximum daily flow of greater than 5,000 gallons per day. We believe that the intent is to require a flow meter for each individual discharge with a maximum daily flow of greater than 5,000 gallons per day. Therefore, we request that this section be revised to indicate each such discharge rather than “authorized discharge.” (See comment 8 below.)

8. **Clarification of Discharge Category Requirements**

The proposed General Permit uses different language to identify the basis or qualifier for compliance requirements. The terms “discharge group”, “discharge”, “category of wastewater”, “each authorized discharge”, “continuous discharge”, “any discharge”, and “discharge” are used under various requirements of the General Permit; however, they are not defined in the General Permit. This language makes the intent of the specific requirements ambiguous. We therefore request that clarification and consistency in the use of these terms be incorporated into the proposed General Permit.

9. **Composite Sampling (Section 5(b)(7)(B))**

Section 5(b)(7)(B) requires that composite samples be collected for discharges of greater than 10,000 gpd. Composite sampling is not required in the current General Permit nor is it required in seven of the other General Permits that this permit is intended to replace. Composite samples are much more challenging to collect than grab samples and, therefore, will add to the cost and complexity of complying with this General Permit. We request that this requirement be removed.

10. **O&M Plan (Section 5(e)(2))**

For discharges greater than 25,000 gpd, Section 5(e)(2) requires that the permittee prepare and maintain an Operation & Maintenance (O&M) Plan for the wastewater collection and treatment system, regardless of whether the discharge requires treatment. The current Misc. General Permit does not include this provision. Therefore, we request that this requirement be removed.

**11. Spill Prevention and Control (SPC) Plan (Section 5(e)(2))**

For discharges greater than 25,000 gpd, Section 5(e)(2) requires that the permittee prepare and maintain an SPC Plan for the facility. The current Misc. General Permit does not include this provision. Therefore, we request that this requirement be removed.

**12. Silver Recovery System (Section (5)(f)(4)(C))**

The requirement for silver treatment to achieve a 99 percent reduction will be challenging for many small silver recovery systems. The current photoprocessing General Permit requires a 90 percent silver reduction. We suggest DEEP adopt language similar to that in the current Printing & Publishing General Permit which includes a graduated scale for silver recovery based on flow. Specifically, for smaller discharges (< 10 gpd) the requirement is for 90 percent recovery; for medium-sized discharges (10 to 100 gpd) the requirement is for 95 percent recovery; and for discharges of greater than 100 gpd, the requirement is for 99 percent recovery.

**13. Commercial Laundries (Section 5(f)(10)(B))**

The proposed General Permit bans commercial laundries from the use of detergents that contain Alkylphenol Ethoxylates or any of its derivatives. As water quality criteria for this chemical has not been established under the Connecticut water quality standards nor is it identified as a toxic or hazardous substance under RCSA 22a-430, we request that this restriction be removed.

**14. Collection & Transport (Section 5(e)(4)(A))**

We believe that permittees should be provided the option of hauling certain wastewaters regardless of whether their facility is connected to the sanitary sewer system. Section 5(e)(4)(A) provides that only those permittees that do not have direct access to the sanitary sewer are authorized to haul wastewaters. We suggest modifying the language to read: "Any permittee who is authorized to discharge wastewater to a sanitary sewer under this general permit via a collection and transport system shall..."

**15. Definition of Miscellaneous Wastewater**

We understand that DEEP intends for this General Permit to include laboratory discharges and that DEEP does not intend to issue a separate general permit for laboratory discharges. Therefore, we suggest that the definition of Miscellaneous Wastewater be expanded to include laboratory wastewater.

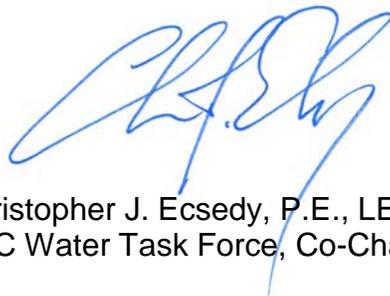
Lastly, based on the proposed changes, we request that a transition period be included in the issuance of this General Permit to provide time for permittees to transition from the current applicable general permit to the revised/reissued Miscellaneous General Permit. Specifically, we request that the permittees be provided a grace period, such as six months following issuance of this General Permit, to transition from the existing general permit conditions to the revised conditions proposed in the General Permit.

Thank you again for the opportunity to comment on this proposal.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric Brown", with a long horizontal flourish extending to the right.

Eric J. Brown  
Associate Counsel

A handwritten signature in blue ink, appearing to read "Chris Ecsedy", with a long vertical flourish extending downwards.

Christopher J. Ecsedy, P.E., LEP  
EPC Water Task Force, Co-Chair



# Connecticut Society of Professional Engineers

*A state society of the National Society of Professional Engineers*

February 9, 2012

Kevin Barrett and James Creighton  
Connecticut Department of Energy and Environmental Protection  
79 Elm Street  
Hartford, CT 06106-5127

**Subject:** Comments on the following Draft General Permits:

- *General Permit for the Discharge of Wastewaters from Categorical Industrial Users to a Publically Owned Treatment Works (POTW) (the “Categorical GP”)*
- *General Permit for Miscellaneous Discharges of Sewer Compatible (MISC) Wastewater (the “MISC GP”)*

To Messrs. Barrett and Creighton,

The Connecticut Society of Professional Engineers (CSPE) has reviewed the above draft General Permits and offers the following comments:

1. Definitions: “Qualified Professional Engineer”  
Categorical GP Appendix I  
MISC GP Appendix A

The proposed definition includes two requirements (1 and 4 in the definition) that will be onerous and difficult to practice and administer.

Requirement (1): It is not explained who will decide and approve of the “eight years, engaged in the planning or designing of engineered systems for the treatment of industrial and commercial wastewaters including, but not limited to, a minimum of four years in responsible charge of the planning or designing of engineered systems for such discharges”. A Professional Engineer must already meet a requirement for experience to be licensed as required by state statute and administered by the Connecticut Department of Consumer Protection. Existing regulations require that Professional Engineers only practice within their areas of competence (refer to Regulations of Connecticut State Agencies Sec. 20-300-12). It is not clear how this separate qualification will be administered, juried, policed, or that such an administrative burden is necessary in addition to the existing requirements to become a licensed Professional Engineer.

Requirement (4): A Professional Engineer's certification indicates that they have been in Responsible Charge of the work and have the institutional knowledge and control over the work to attest to its applicability. The requirement that the Qualified Professional Engineer be a Professional Engineer that "has not engaged in any activities associated with the preparation, planning, design or engineering of the plans and specifications for the engineered treatment systems for which a certification is being submitted" is in direct contradiction to the concept that the certifying Professional Engineer is in Responsible Charge (refer to Connecticut General Statutes Ch. 391 Sec. 20-299(1)). Creating circumstances that mandate two Professional Engineers, one in Responsible Charge and one to certify the design, dilutes the roles of both without clear responsibility.

2. Certification Requirements for Professional Engineers and Qualified Professional Engineers

Categorical GP 3(b)(8)(D) and (E)  
MISC GP 3(b)(8)(D) and (E)

Professional Engineers would have trouble with signing the certification because their professional liability insurance policies will not cover such language. We propose that references to "best professional judgment" be omitted from the cited sections.

3. Certification Requirements for Registrants and other Individuals

Categorical GP 3(b)(9)(B) and (C), 4(c)(2)(Q)  
MISC GP 3(b)(9)(B) and (C), 4(c)(2)(S)

Unless you are the Permittee or Owner, you do not have the financial or supervisory authority to make the stated affirmative determination and certification in the referenced sections. Individual or individuals simply responsible for "preparing the registration" should be directed to the certification in Section 6(d).

4. Action by Commissioner: Time to Submit Additional Information

Categorical GP 4(g)(1)  
MISC GP 4(g)(1)

Thirty days is a relatively short time frame to respond with additional information; please consider sixty (60) days to respond with additional information.

Comments on the *General Permit for the Discharge of Wastewaters from Categorical Industrial Users to a Publically Owned Treatment Works (POTW)* and the *General Permit for Miscellaneous Discharges of Sewer Compatible (MISC) Wastewater*  
February 9, 2012

Thank you for your time and consideration.

Sincerely,



Anne E. Proctor, PE  
Vice President at Large  
Connecticut Society of Professional Engineers

Copy: P. Brady, Executive Director, CSPE



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February 9, 2012

Mr. Jim Creighton  
Connecticut Department of Energy and Environmental Protection  
Bureau of Materials Management and Compliance Assurance  
Water Permitting and Enforcement Division  
79 Elm Street  
Hartford, CT 06106

Re: Comments Regarding Notice of Tentative Determination to Modify the General Permit for Miscellaneous Discharges of Sewer Compatible (MISC) Wastewaters

Dear Mr. Creighton:

Thank you for the opportunity to comment on the Connecticut Department of Energy and Environmental Protection (DEEP) notice of tentative determination to modify the General Permit for Miscellaneous Discharges of Sewer Compatible (MISC) Wastewaters ("General Permit"). Our comments regard the requirements for a Professional Engineer or Qualified Professional Engineer and the associated certification language as these requirements could have a significant impact on the affected facilities and consulting engineers' ability to provide professional services to these facilities.

To that end, we offer the following specific comments on this aspect of the General Permit:

1. Appendix A to the General Permit contains a definition of a "Qualified Professional Engineer" ("QPE") and includes a requirement that such individual not be engaged in any activities associated with the preparation, planning, design or engineering of the plans and specifications for the engineered treatment systems for which a certification is being submitted. We believe that the engineer involved with the facility from a permitting or design perspective would best know the characteristics of the wastewater treatment system and facility operations. It is our view that the QPE does not need to be an independent third party. A third party engineer would essentially repeat work already done by a professional engineer in order to make the certifications required by the General Permit and potentially raise issues on matters open to interpretation and opinion which would hold up the permitting process. This would be counter to the purpose of the General Permit program. We request that parts (2), (3), (4) and (5) of the definition be removed in their entirety.

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Mr. Jim Creighton

February 9, 2012

Page 2

2. Section 3(b)(8)(C) of the General Permit requires that the “Professional Engineer” (“P.E.”) or QPE who signs the certification, at a minimum, completely and thoroughly review the General Permit and six specific areas of the registration package. We recommend that this section allows for the P.E.’s or QPE’s agent to conduct such inspections and reviews and document their investigations on his or her behalf.
3. Section 3(b)(8)(D)(i) requires the P.E. or QPE to certify that all wastewater collection and treatment systems and monitoring equipment . . . “have been designed and installed in accordance with *best engineering practice*. . .”. The use of the term best engineering practice is inappropriate in that it implies that the systems referred to are in fact the best available, not just appropriate to meet the requirements. Further, the use of the phrase best engineering practice has warranty implications that are typically not covered under engineer’s professional liability insurance. As such, we recommend that “best engineering practice” be changed to “generally accepted engineering practice.”
4. Section 3(b)(8)(D)(ii) indicates that the P.E. or QPE must certify that all wastewater collection and treatment systems and monitoring equipment “are functioning properly” . . . We recommend that this provision be revised as follows: (ii) *will function properly as determined through visual inspection and review of available records*.
5. Section 3(b)(8)(D)(iv) requires the P.E. or QPE to certify that all wastewater collection and treatment systems and monitoring equipment be protective of the waters of the state. This requirement is unduly broad, open to interpretation, and beyond the scope of the duties and responsibilities of a P.E. We request that Section 3(b)(8)(D)(iv) be removed.
6. Section 3(b)(8)(F) of the General Permit indicates that the Commissioner may require that any information prepared in accordance with the General Permit be independently certified by a P.E. or QPE acting as a third party. We do not believe that it is necessary to impose this requirement over and above the certification requirements required of a P.E. P.E.’s, by certifying and stamping documents, attest that the document(s) are accurate and correct to the best of his or her knowledge. Further, this requirement is not required by regulation and would result in delaying the permitting process which is counter to the goals of the General Permit program. For the reason stated here and in item 1 above, we request that this potential requirement be removed.
7. Section 3(b)(8)(G) of the General Permit states that DEEP may pursue disciplinary actions against P.E.s and QPEs. We believe that this section should be removed in its entirety. Concerns regarding conduct should continue to be addressed by the

Mr. Jim Creighton  
February 9, 2012  
Page 3

Department of Consumer Protection (DCP). In the event that DEEP is concerned with the conduct of a Professional Engineer, the appropriate avenue would be for the DEEP to issue a complaint to the DCP.

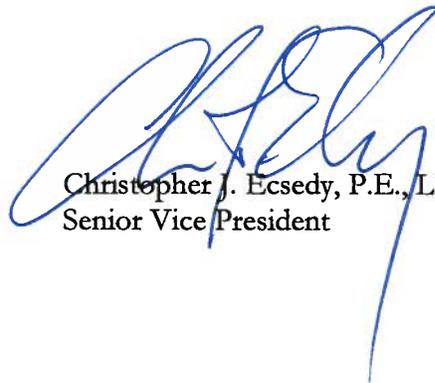
8. Section 5(d)(5) of the General Permit states that within 60 days after the deadline for submitting the report specified in Section 5(d)(4), the permittee must submit to commissioner a certification signed by a P.E. certifying that all discharges comply with all conditions of the General Permit. We believe that this is too rigorous and inclusive and, in the case of a large facility, would involve conducting a costly, large-scale audit and investigation for the P.E. to feel confident in signing this certification. Therefore, we recommend that the certification be revised to read "I certify that in my professional judgment *and reasonable investigation by myself or my agent that all...*"

Again, thank you for the opportunity to comment on this General Permit and we look forward to your response and final issuance of the General Permit.

Sincerely,



Adam M. Barbash, P.E., CHMM  
Associate



Christopher J. Ecsedy, P.E., LEP  
Senior Vice President



**DEPARTMENT OF THE NAVY**

COMMANDER  
NAVY REGION, MID-ATLANTIC  
1510 GILBERT ST.  
NORFOLK, VA 23511-2737

IN REPLY REFER TO:  
5090  
EVN40/09/RE101

FEB 9 012

Mr. James Creighton  
CT Department of Energy and Environmental Protection  
WPED/Bureau of Materials Management and Compliance Assurance  
79 Elm Street  
Hartford, CT 06106-5127

Dear Mr. Creighton:

SUBJECT: DEPARTMENT OF DEFENSE (DOD) COMMENTS ON THE PROPOSED  
CONNECTICUT GENERAL PERMIT FOR MISCELLANEOUS  
DISCHARGES OF SEWER COMPATIBLE (MISC) WASTEWATER

As the Department of Defense (DoD) Regional Environmental Coordinator (REC) for U.S. Environmental Protection Agency (EPA) Region I and on behalf of the military services, the Commander, Navy Region Mid-Atlantic is responsible for coordinating responses to environmental policies and regulatory matters of interest. We appreciate the opportunity to provide comments for your consideration on Connecticut's Notice of Tentative Determination (NTR) to modify the General Permit for MISC Water. In general, we commend the Department of Energy and Environmental Protection for their initiative to expedite processing and reduce the burden of applying for NPDES permits, while continuing to insure protection of State waters. With respect to the subject NTR we have minimal comments and only related to pH monitoring. As discussed on the enclosed submission, new requirements for pH monitoring may increase costs for the permittee but not result in a significant benefit.

5090  
EVN40/09/RE101  
FEB 9 02

If you have any questions, the technical point contact for this matter is Mr. William Bullard, Senior Water Program Manager, at (757) 341-0429 or [william.bullard1@navy.mil](mailto:william.bullard1@navy.mil). The legal point of contact for this matter is Commander Gatha Manns, Regional Environmental Counsel, at (757) 322-2938 or [gatha.manns@navy.mil](mailto:gatha.manns@navy.mil).

Sincerely,



CHRISTINE H. PORTER  
Director for Regional  
Environmental Coordination  
By direction of the Commander

Enclosure: 1. Department of Defense Comments

Copy to:  
U.S. Army REC, Region I & II (Mr. Robert Muhly)  
USAF REC, Region I (Mr. David Glass)

DEPARTMENT OF DEFENSE (DOD) COMMENTS ON THE PROPOSED  
CONNECTICUT GENERAL PERMIT FOR MISCELLANEOUS DISCHARGES OF  
SEWER COMPATIBLE WASTEWATER

1. Continuous pH Monitoring

**Proposed Requirement:** General Permit Section 5 (4) (A) requires continuous pH monitoring for continuous discharges exceeding 5,000 gallons per day (except for discharges which occur less than once per week or discharges consisting solely of non-contact cooling water).

**Comment:** We agree that discharges occurring less than once per week and discharges consisting solely of non-contact cooling water should be exempted from continuous pH monitoring. However, applying the 5,000 GPD exemption criteria to all other continuous discharges appears arbitrary. We suggest this exemption would be appropriate for additional discharges authorized under the proposed General Permit. Examples would include:

a. Discharge from any process where there is little to no chance the pH would ever violate the permit limits of < 5 or > 12 SU. This might include situations where the pH is inherently stable, well within limits and there is no reason for a significant pH variation based on existing data or process knowledge.

b. Discharge from any process where there is some potential to violate limits, but the pH deviation from permit limitations would be minor. This might include situations where only small pH adjustments are required and the method of pH adjustment and the strength of the acid or base is relatively weak.

c. Discharges where the percentage of process water flow to the total influent wastewater treatment plant flow is so low that the possibility of a plant upset is remote or non-existent.

In these instances, it's unlikely the benefit received would warrant the cost to operate and maintain continuous pH monitoring equipment.

**Recommendation:** Recommend CT DEEP allow additional exemptions from continuous pH monitoring in situations where there is little chance to violate pH limits or upset treatment at the receiving wastewater treatment facility.

Enclosure (1)

## 2. pH Alarms

**Proposed Requirement:** General Permit Section 5 (4) (B) requires all discharges continuously monitored for pH to also have both audio and visual alarms alerting appropriate personnel capable of responding to incidents when the pH of the discharge goes below 5.0 or above 12.0 standard units. In addition, the alarm system must automatically stop the effluent discharge during alarm conditions until the effluent pH is within permit limits.

**Comment:** It is doubtful the benefit to the wastewater treatment plant, any piping, or the environment would warrant the cost of the alarm and discharge shutoff system for any flow greater than 5,000 GPD. An additional cost to consider would be lost production time. We suggest there would be numerous situations where plant personnel could easily manually correct an alarm condition, including stopping the discharge, prior to any harm resulting at the process or the receiving wastewater treatment plant.

**Recommendation:** Recommend the CT DEEP establish criteria and a process for allowing manual response to an alarm condition in situations where the benefit from automatic shutoff controls would not justify the cost of installing and maintaining such a system.

Enclosure (1)



**STATE OF CONNECTICUT**  
**DEPARTMENT OF CORRECTION**  
**FACILITIES MANAGEMENT & ENGINEERING**  
**24 WOLCOTT HILL ROAD**  
**WETHERSFIELD, CONNECTICUT 06109**

February 9, 2012

Mr. James Creighton  
Department of Energy and Environmental Protection  
WPED Bureau of Materials Management and Compliance Assurance  
79 Elm Street  
Hartford, CT 06106 – 5127

**RE: Proposed General Permit for Miscellaneous Discharges of Sewer Compatible Wastewater**

The Notice of Tentative Determination to Issue... posted on the DEEP website and your PowerPoint slides are the source of some confusion. I would also like to offer additional comments.

1. The notice states that the GHT, GBB, GCW, and GTC are scheduled to expire June 11, 2012. The notice also states that the GHT and GCW will continue in effect until June 11, 2013. Your PowerPoint slide says that the GHT and GCW will remain in effect until 2015.
2. The GHT and GCW are proposed to be issued for a five-year term. I assume that the five-year term will begin upon issuance as opposed to five years from the GHT and GCW 2015 expiration dates.
3. In the final Misc GP I would suggest a table of the affected GPs with expiration dates. It should also be clarified in the table which type of discharge (POTW, surface water, groundwater) the permits cover.
4. Please clarify the status of existing Water Treatment Wastewater GPs. How will these GPs be affected by the proposed Misc GP?
5. The notice and proposed Misc GP do not mention anything about existing Photographic Processing, Printing and Publishing and Water Treatment GPs. It should be clarified that these existing permits will remain in effect until they expire. This could also be included in the table. It should also be clarified that even though these permits remain in effect for several more years, once the new, final Misc GP is issued permittees will have the option of switching coverage to the Misc GP.
6. After the new, final Misc GP is issued if a permittee decides to continue operation under an existing photo processing, printing/publishing, GHT, GCW or water treatment wastewater GP it should be clarified that these discharges are not counted with other Group I or II Discharges in determining the proposed Misc GP requirements. Also, if a permittee decides to continue operation under these existing GPs the conditions of the existing GPs are to be followed. The new Misc GP would only apply to new discharges and discharges for which permits have expired. Existing permitted discharges would be covered under the new Misc GP only after any existing permits/extensions have expired.
7. We have several Photographic Processing Wastewater GPs for medical and dental x-ray discharges through silver recovery systems, yet the proposed Misc GP makes no mention of this type of discharge. The proposed definition of Printing and photographic processing wastewater should be expanded to include x-ray discharges so that it is clear that x-ray discharges are also covered.

Sincerely Yours,  
Richard Pease, Environmental Analyst 3

**South Central Connecticut Regional Water Authority**  
90 Sargent Drive, New Haven, Connecticut 06511-5966 203.562.4020  
<http://www.nwater.com>

February 9, 2012

Mr. James Creighton  
Bureau of Materials Management and Compliance Assurance  
Department of Energy and Environmental Protection (DEEP)  
79 Elm Street Owned Treatment  
Hartford, CT 06106-5127

**RE: Comments on Draft General Permit for Miscellaneous Discharges of Sewer Compatible (MISC) Wastewater**

Dear Mr. Creighton:

The South Central Connecticut Regional Water Authority (SCCRWA) is a non-profit public corporation and political subdivision of the State. Within the 20 member towns of our water district, we own and operate a public water system that includes 10 active reservoirs, four surface water treatment plants and seven ground water treatment plants. We serve an estimated 430,000 water consumers an average of about 51 million gallons of water per day and provide fire protection throughout our service area. The source of this water is a system of watershed and aquifer areas that cover approximately 120 square miles in the south central Connecticut region.

The SCCRWA appreciates this opportunity to comment on the Connecticut Department of Energy and Environmental Protection's (CTDEEP) draft General Permit for Miscellaneous Discharges of Sewer Compatible (MISC) Wastewater. However, we have significant concerns with the General Permit as proposed. The SCCRWA's comments are as follows:

- The draft MISC permit establishes effluent limits for aluminum and total suspended solids (TSS) at 2.0 mg/l and 600.0 mg/l, respectively. The existing General Permit for the Discharge of Water Treatment Wastewaters (WTWGP) does not include such limits for discharges to POTWs. The SCCRWA uses aluminum sulfate as the primary coagulant in the water treatment process which results in a significant amount of aluminum and TSS in water treatment residuals (WTR) as well as their dewatering wastewaters. The SCCRWA discharges dewatering wastewaters directly to a POTW, and transports liquid WTR via tanker truck to a POTW where they are dewatered and incinerated. Such discharges would not be able to meet these effluent limits and would thus not be eligible for the MISC general permit. The SCCRWA recommends providing an exemption to allow such discharges to POTWs or allowing effluent limits to be individually established by POTWs.
- Under the draft MISC permit, registrations for Group I (which includes water treatment wastewater) and Group II discharges with flows greater than or equal to 25,000 gallons per day must be certified by a "Qualified" Professional Engineer. This requirement to obtain certification from a third-party professional engineer who has not engaged in any design or engineering work at the site, or is not employed by the permittee or the engineering firm engaged in any design or engineering work, will add significant costs and inefficiencies to preparing registrations that require such certifications. We believe that certification by an engineer intimately familiar with the design of the site and its facilities best serves the CTDEEP's interests and that current Professional Engineer licensing requirements will adequately ensure the integrity of the general permit registration process. The SCCRWA recommends the removal of the Qualified Professional Engineer certification requirement.

- The draft MISC permit requires continuous pH monitoring for continuous discharges of greater than 5,000 gallons per day. The pH of water treatment wastewaters (WTW) does not typically fall below 5 or exceed 12 standard units. As such, installation of continuous pH monitoring equipment for water treatment wastewaters is unnecessary and will add significant expense (est. \$15,000-\$20,000 per discharge) to compliance monitoring. The SCCRWA recommends that this requirement be eliminated for water treatment wastewater discharges.
- The draft MISC permit requires submittal of Discharge Monitoring Reports (DMRs) for certain discharges with total flows greater than 5,000 gallons per day. DMRs are currently not required under most existing general permits, and the addition of this requirement is in conflict with the self-governing intent of general permits. Furthermore, most general permits include self-reporting requirements for violations, which the SCCRWA feels are sufficient. The SCCRWA recommends that the DMR requirement be eliminated.
- The draft MISC permit's definition of WTW includes "potable water storage tank draining for maintenance purposes," which is not included in the definition under the existing WTWGP. These conflicting definitions could be confusing for registrants given that the existing WTWGP will remain in effect until 2015. The SCCRWA recommends that the definition of WTW remain consistent in the two general permits until the existing WTWGP is revised.
- The draft MISC permit requires the preparation of an Operations and Maintenance Plan and a Spill Prevention and Control Plan for each site that discharges greater than 25,000 gallons per day. The SCCRWA feels these requirements are excessive and their objectives are already met under other existing regulatory programs (e.g., EPA's SPCC Rule, OSHA HAZWOPER, stormwater permitting, etc.). As such, these requirements should be eliminated.
- The SCCRWA understands that the existing WTWGP will remain in effect until it is scheduled to expire in 2015. Water treatment facilities will have the option to register WTW sewer discharges under either the MISC permit or WTWGP until that time. However, after 2015 water treatment facilities will have to register WTW sewer discharges under the MISC permit, and all other WTW discharges under a modified WTWGP. As such, two separate general permits and two registration fees will be required for such facilities, whereas currently there is only a requirement for one general permit and one fee for all WTW discharges. The SCCRWA recommends that the CTDEEP take into consideration the additional costs and complications that will arise in 2015 for water treatment facilities.

The SCCRWA supports the efforts of the CTDEEP to streamline its general permitting process. However, absent of the changes outlined above, we believe that the proposed MISC permit will result in significantly increased compliance costs that are not justified by the potential benefits.

Thank you for the opportunity to comment. If you have any questions, please do not hesitate to contact me at [dleiper@rwater.com](mailto:dleiper@rwater.com) or call (203) 401-2734.

Sincerely,

**REGIONAL WATER AUTHORITY**



David M. Leiper  
Environmental Compliance Analyst



February 9, 2012

*Transmitted electronically*

Mr. James Creighton  
Bureau of Materials Management and Compliance Assurance  
Department of Energy and Environmental Protection (DEEP)  
79 Elm Street Owned Treatment  
Hartford, CT 06106-5127

Re: Draft General Permit for Miscellaneous Discharges of Sewer Compatible (MISC)  
Wastewater

Dear Mr. Creighton:

The Connecticut Water Works Association (CWWA), an association of private, regional and municipal public water suppliers, respectfully submits the following comments relative to the Department of Energy and Environmental Protection's (DEEP) draft MISC Wastewater Permit.

CWWA applauds the Department's initiative in working with stakeholders to continue to build more efficiency, flexibility and certainty into the general permit process. However, there are some issues that we would like to bring to your attention, as follows.

1. **Effluent Limits** – We share concerns raised by Aquarion Water Company and the CT Section AWWA Residuals Committee that the proposed effluent limits in the draft MISC permit will prohibit water companies presently regulated by the General Permit for the Discharge of Water Treatment Wastewater (WTW) from discharging alum sludge to a Publicly Owned Treatment Works (POTW). Currently, discharges under the WTW permit are not subject to such effluent limits. Because aluminum sulfate is often the primary coagulant in the water treatment process, water treatment residuals and dewatering wastewaters generally contain a significant amount of aluminum. While other coagulant aids, such as ferric chloride, have some applicability, they are not generally considered viable alternatives for aluminum sulfate. Recognizing this, discharges under the existing WTW permit are not subject to alum sludge discharge limits. POTWs have negotiated user fees with water companies to accept water treatment plant discharges in an arrangement that has been mutually beneficial. CWWA recommends that this issue be addressed, either by grandfathering those facilities with existing WTW permits to enable them to continue to discharge to a POTW or by modifying the proposed effluent limits to accommodate such discharges.

2. **Discharge of Potable Water Storage Tank** – As currently drafted, the MISC GP includes the discharge of “potable water storage tank draining for maintenance purposes” in the definition of WTW. However, the existing WTW permit does not include this change in its definition. Given that the WTW permit will remain in effect until 2015 and registrants may register WTW sewer discharges under the MISC General Permit or the WTW permit until 2015, this creates some confusion. CWWA therefore recommends deleting the discharge of potable water storage tank draining for maintenance purposes from the definition of WTW to make it consistent with the existing WTW permit. DEEP also needs to clarify water treatment plant wastewaters being discharged to the sanitary sewer and those being trucked to a POTW via the 454 program. Under the 454 program, residuals should be allowed to exceed TSS and aluminum values. Limited POTWs have 454 programs and are set-up to accept higher strength wastewaters.
3. **Qualified Professional Engineer** – CWWA supports the use of professional engineers as a critical tool in ensuring that permits are processed quickly and efficiently, particularly in view of the Department’s ongoing staffing constraints. However, CWWA recommends that the requirement to use a qualified professional engineer for registering discharges greater than 25,000 gallons per day be removed in order to recognize the qualifications and integrity of professional engineers who we have been relied on to prepare such applications. In addition, there are certain circumstances where a certification from a professional engineer will simply add unnecessary costs to the application process. For example, certain public water suppliers will have to retain a Qualified Professional Engineer to obtain a permit to perform tank maintenance on a storage tank, which is unnecessary. CWWA therefore recommends that these provisions be removed to provide applicants with greater flexibility to choose professional engineers and reduce unnecessary cost burdens. Years ago, the CEEP Industrial Stormwater General Permit was revised in draft form to require that the P.E. providing the two necessary P.E. stamps not be in the regular employ of the facility. There was such an outcry that this was changed. A P.E. who certifies a permit without proper review, etc. runs the risk of losing his/her license.
4. **Continuous pH Monitoring** – Continuous monitoring of pH for flows greater than 5,000 gallons per day is unnecessary inasmuch as water company discharges are generally from in-line analyzers and, as such, have characteristics that are consistent with non-contact cooling water which *is* exempt from such monitoring requirements. Moreover, the pH for water treatment wastewater does not fall below 5.0 or above 12.0 standard units. This requirement also adds unnecessary costs because the installation of continuous pH monitoring equipment is estimated at \$15,000-\$20,000 per discharge. CWWA supports Aquarion’s recommendation to eliminate this requirement for sites with existing WTW permits or WTW 4(A) permit by rule exemptions.
5. **Collection of Composite Samples** – As drafted, Section 5(b)(7) of the MISC GP requires composite samples from discharges greater than 10,000 gallons per day. This requirement would impose unnecessary costs on water company facilities to purchase

automatic samplers for each site because such sites, although monitored, are generally not continuously staffed. CWWA therefore recommends that this provision be deleted.

6. **Table 4.1 Fees** – Water companies are already subject to numerous state and federal permit fees and other regulatory costs, which are becoming increasingly burdensome in view of declining revenues. CWWA therefore recommends that the fees should be limited to one fee per site regardless of the volume or discharge location.
7. **Electronic Reporting on a Discharge Monitoring Report** - Section 5(C) of the draft MISC permit requires electronic reporting on a Discharge Monitoring Report for flows greater than 5,000 gallons per day. Again, such discharges should be treated similarly to non-contact cooling water and be exempt from such reporting for existing WTW discharges.
8. **Operations and Maintenance Plan/Spill Prevention and Control Plan** – Provisions requiring the preparation of an Operation and Maintenance Plan and a Spill Prevention and Control Plan for each site that discharges greater than 25,000 gallons per day should be deleted. Again, such discharges should be treated similarly to non-contact cooling water which is exempt from such requirements.

Again, CWWA applauds DEEP's efforts to streamline the permitting process to eliminate delays and efficiencies while continuing to provide strong protections for the state's environment and water resources.

Thank you for the opportunity to comment. Please contact me at 860-841-7350 or [gara@gmlobbying.com](mailto:gara@gmlobbying.com) if you have any questions.

## Elizabeth Gara

Elizabeth Gara  
Executive Director  
CWWA  
1245 Farmington Ave., Suite 103  
West Hartford, CT 06107  
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[gara@gmlobbying.com](mailto:gara@gmlobbying.com)

Mr. James Creighton  
Department of Energy and Environmental Protection,  
WPED/Bureau of Materials Management and Compliance Assurance,  
79 Elm Street  
Hartford, CT, 06106-5127

February 24, 2012

**Re: Comments on Proposed General Permit for Miscellaneous Discharges of Sewer Compatible (MISC) Wastewater Revision**

Dear Mr. Creighton:

Boehringer Ingelheim Pharmaceuticals Inc. (BIPI), located in Ridgefield, CT, has reviewed the Connecticut Department of Energy and Environmental Protection's (DEEP) proposed Revised General Permit for Miscellaneous Discharges of Sewer Compatible Wastewater (MISC). BIPI appreciates the DEEP's effort to streamline the permit process and reduce the regulatory burden while providing protection to the waters of Connecticut. The general concept proposed by DEEP would result an improved permitting process. There are, however, issues related to the proposal that would prohibit BIPI from taking full advantage of the concept. BIPI offers the following comments on the proposed general permit.

Jason Masi  
[jason.masi@boehringer-  
ingelheim.com](mailto:jason.masi@boehringer-ingelheim.com)

900 Ridgebury Rd/P.O. Box 368  
Ridgefield, CT 06877-0368  
Telephone (203) 798-5664

The Boehringer Ingelheim group is one of the world's 20 leading pharmaceutical companies. Headquartered in Ingelheim, Germany, it operates globally with 145 affiliates and more than 42,000 employees. Since it was founded in 1885, the family-owned company has been committed to researching, developing, manufacturing and marketing novel products of high therapeutic value for human and veterinary medicine.

As a central element of its culture, Boehringer Ingelheim pledges to act socially responsible. Involvement in social projects, caring for employees and their families, and providing equal opportunities for all employees form the foundation of the global operations. Mutual cooperation and respect, as well as environmental protection and sustainability are intrinsic factors in all of Boehringer Ingelheim's endeavors.

**Intent of the Proposed Permit to Incorporate Multiple Individual Permits into One General Permit**

DEEP's intent in creating this new MISC Permit is to reduce a facility's overall number of individual discharge permits by providing a general permit that would encompass many discharges that currently require individual permits. Ideally the majority of industrial users could register under one general permit instead of multiple individual permits. Combining a number of general permits under this one permit would reduce a site's compliance burden by reducing the total number of general permits a site would have to manage. BIPI believes the concept has the potential to reduce the compliance burden on industry while continuing to effectively protect the environment. BIPI also believes that many of the changes

proposed under the MISC Permit to the existing general permits are great improvements. However, the proposed general permit will not result in one permit for the BIPI facility in Connecticut. While BIPI would be able to consolidate some of its general permit registrations under this MISC Permit, it would not address all and therefore multiple permits would still be required.

#### **The Proposed General Permit Improves Existing Permits**

The proposed general permit will improve several existing permits. BIPI's experience with some of these permits and details of the expected improvements are detailed below.

BIPI is registered under the Hydrostatic Pressure Testing General Permit. The current permit seems to have been written for tank testing and does not work well for ongoing operations that are very different in nature such as hydrostatic pressure testing of new and modified piping systems, which can routinely be expected during construction projects. A strict interpretation of the current permit requires a Professional Engineer to certify each pipe test. While the volumes can range greatly, the current permit has no de-minimus volume. With the exception of clear guidance on quarterly sampling of one-time, discreet discharges, as described below, this new permit addresses these concerns.

Furthermore, fire suppression system test water and building maintenance wastewater are welcomed additions to the MISC Permit.

#### **Discharges Subject to Federal Effluent Guidelines are not Covered**

As a research-based pharmaceutical company, BIPI is subject to Federal Categorical Pretreatment Standards on this discharge under 40 CFR 439 subparts D and E. BIPI currently holds an Individual Pretreatment Permit SP000021 that incorporates these federal requirements. BIPI's final discharge point (DSN-001) contains domestic sewage combined with process wastewaters which are discharged to the municipal POTW. In order for BIPI to replace the current individual permit with the proposed MISC permit, DEEP would have to incorporate aspects of the Federal Categorical Pretreatment Standards, referenced above, into this MISC Permit and make an allowance for combined domestic sewage and process wastewater discharges under the MISC Permit. Furthermore, BIPI has process discharges upstream of this final discharge point that are covered by this same individual permit. These discharges are also subject to Federal Categorical Pretreatment Standards. In order for BIPI to register these upstream discharge points under MISC permit as a replacement to our individual site permit, DEEP would have to incorporate aspects of the Federal Categorical Pretreatment Standards referenced above into this MISC Permit.

Therefore, since the BIPI facility is subject to a Federal Effluent Guideline and discharges combined process wastewater and domestic sewage, the MISC would not cover all discharges at the facility and the facility would still require multiple permits.

#### **Monitoring and Recordkeeping Requirements Require Further Clarification**

The proposed general permit is unclear on flow monitoring requirements for discharges from multiple units with similar discharges. A few examples are presented below.

BIPI is registered under the Minor Non-Contact Cooling and Heat Pump Water General Permit to discharge wastewater from multiple cooling towers to the final discharge point DSN-001. The proposed general permit is unclear on the flow monitoring requirement for multiple units discharging to a single outfall. If the volume of discharge is cumulative, this new permit places an increased regulatory burden on BIPI including; certification by a PE, discharge monitoring quarterly, development of a SPCP and an O&M plan. This increased regulatory burden would not result in a corresponding improvement to the environment.

BIPI is registered under the Water Treatment Wastewater General Permit. BIPI operates three reverse osmosis (RO) systems that are located in different buildings and discharge to the site's final discharge point DSN-001. Flow monitoring requirements are not clearly defined. If the volume of discharge is cumulative, this new permit places an increased regulatory burden on BIPI in the form of quarterly reporting via NetDMR.

Further clarification of flow monitoring from hydrostatic testing is still needed. As proposed, large non routine discharges, for example from pipe modifications, have a requirement for quarterly monitoring. The DEEP needs to clarify the monitoring of these one time, discrete or intermittent discharges, from greater than 5000 gallon per discharge tests, of piping systems. The quarterly monitoring model does not fit these discharges. If the intent of this part of the permit is for tanks and not pipes, then that needs to be clarified. Also please clarify in the BMP where the water used to clean the pipe prior to testing should be discharged.

Many of BIPIs other MISC discharges are intermittent and discrete. A quarterly sampling model will not work well. The DEEP needs to clarify sampling requirements for these intermittent and discrete discharges.

Finally, further clarification is needed for discharges of less than 5000 GPD. These discharges have no required monitoring. DEEP needs to clarify the expectation for recordkeeping to demonstrate compliance with permit parameters when no monitoring is required.

In general, flow monitoring requirements for sites with multiple units of similar type should be clarified and should not increase the regulatory burden without demonstrating a corresponding environmental improvement.

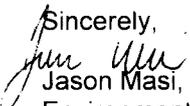
#### **Over the Road Transport of Group IV Wastewaters**

The current MISC general permit allows for over-the-road transport of combined wastewaters, classified as Group IV Wastewater, to an appropriate receiving facility. This capability is needed periodically, typically in cases of routine and non-routine maintenance.

The proposed permit indicates that over the road transport of MISC Sewer Compatible Wastewater are covered in the MISC general permit as Group IV Wastewater. However, as already discussed, combined discharges containing both domestic sewage and process water discharges would not be covered by the proposed MISC general permit. Therefore it is unclear if Categorical wastewater containing domestic sewage could be considered a Group IV discharge under the proposed general permit. Clarification of this point is needed.

#### **Conclusion**

Boehringer Ingelheim Pharmaceuticals Inc. greatly appreciates the opportunity to provide comments on this proposed revision to the MISC Permit. While BIPI will not be able to register all site discharges under this MISC Permit in its proposed form, BIPI hopes that the comments provided will help the DEEP to understand the obstacles to one MISC Permit registration and help the DEEP to clarify the permit requirements where needed. BIPI would be pleased to provide additional information needed to help in this effort.

Sincerely,  
  
Jason Masi, CHMM  
Environmental Manager  
Boehringer Ingelheim Pharmaceuticals Inc.

**Connecticut Chapter  
of the  
Academy of Certified Hazardous Materials Managers**  
MAILING ADDRESS: CT ACHMM P.O. BOX 228 EAST GLASTONBURY, CT 06025-0228  
WWW.CTACHMM.ORG



January 12, 2012

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

**RE: Modification of the General Permit for Miscellaneous Discharges of Sewer Compatible (MISC) Wastewater, Reissuance of Certain Other General Permits**

Dear Madam/Sir:

I am writing to you as the President of the Connecticut Chapter of ACHMM, Inc. to request that the Certified Hazardous Material Manager (CHMM) credential be included as authorized certifying parties for wastewater discharges without engineered treatment systems, for the following proposed or re-issued wastewater General Permits:

- General Permit for Sewer Compatible Wastewater
- General Permit for the Discharge of Minor Boiler Blowdown Wastewater (GBB)
- General Permit for the Discharge of Minor Tumbling or Cleaning of Parts Wastewater (GTC)

As you may know, CHMMs are authorized as certifying agents in numerous existing wastewater General Permits (several of which will be incorporated into the newly proposed General Permit for Miscellaneous Sewer Compatible Wastewater), including:

- General Permit for the Discharge of Stormwater Associated with Industrial Activity,
- General Permit for the Discharge of Groundwater Remediation Wastewater Directly to Surface Water,
- General Permit for the Discharge of Vehicle Maintenance Wastewater,
- General Permit for the Discharge of Minor Printing and Publishing Wastewater,
- General Permit for the Discharge of Groundwater Remediation Wastewater to a Sanitary Sewer,
- General Permit for the Discharge of Food Processing Wastewater, and;
- The Existing General Permit for Miscellaneous Sewer Compatible Wastewater.

CHMMs have been included within these General Permits going back over ten (10) years, and as recently as 2007 their inclusion was upheld in revisions to the General Permit for the Discharge of Minor Printing and Publishing Wastewater and General Permit for the Discharge of Groundwater Remediation Wastewater to a Sanitary Sewer. At that time several letters were sent to the Department regarding the history of the original inclusion of the CHMM credential within General Permits, the engineering considerations of the certification to be signed, the regulatory requirements allowing CHMM inclusion, and the initial and reoccurring qualifications of the CHMM credential. Included as Attachment 1 please find:

- July 12, 2007 letter to Mr. James Creighton, from Gene Metti, Chapter President
- July 31, 2007 letter to the Office of Adjudications, from Dominick Zackeo, Director at Large
- September 24, 2007 Written Testimony to the Office of Adjudications, by Gene Metti, Chapter President

As stated in the July 12, 2007 letter “The CHMM credentialing organization, the Institute of Hazardous Materials Management (IHMM), is accredited by the Council of Engineering and Scientific Specialty Boards (CESB). CHMMs must be re-certified every 5 years through attainment of certification maintenance points. The CHMM exam is rigorous and require knowledge in a broad range of environmental subjects, including environmental laws and regulation, major environmental regulatory programs, science and technology including engineering technology and treatment methods, data collection and analysis, statistical methods, waste stream management for air, water, hazardous waste, toxics and resource recovery. To sit for the exam, a bachelor’s degree in a field related to hazardous materials management/engineering plus 7 years experience to attain the master level or 3 years experience for the Senior level is required (see [www.ihmm.org](http://www.ihmm.org) or [www.ctachmm.org](http://www.ctachmm.org)).”

After the public hearing regarding inclusion of the CHMM credential in the above-referenced general permits, the DEEP Hearing Officer wrote:

“The certifications in both general permits do not require judgements exclusive to the specific expertise and services of a PE. Signing a statement that asserts it is the professional judgement of the certifying party that the treatment system, or appropriate modifications and additions to that system, will treat the subject discharges to comply with the conditions of the GP, is not an assurance that only a professional engineer can or should make.”

This ruling was accepted by the commissioner and the general permits were issued with both PEs and CHMMs included as certifying parties.

We are not requesting that CHMMs be authorized to certify those permits requiring a review of engineered wastewater treatment systems, which would be more appropriately reviewed by a “qualified professional engineer,” as defined in the proposed “MISC” General Permit. Therefore we are not requesting inclusion of CHMMs

as authorizing agents for the proposed Categorical General Permit [Electroplating Point Source Category and Metal Finishing Point Source Category].

It is requested that CHMMs, along with PEs, be authorized to review permits for those wastewaters that do not require treatment, or are treated by only pre-manufactured (off-the-shelf) systems, such as silver recovery canisters for photo-processing discharges, or commercially available oil/water separators.

The Connecticut Chapter of ACHMM Inc. believes that CHMMs are qualified to perform the applicable certifications within these General Permits. Our detailed comments for inclusion of this credential on each permit follows. CTACHMM welcomes the opportunity to discuss this matter further. If you have any questions or concerns, please feel free to contact me directly at 203-731-6427, or via email at [zadrick.lj@pg.com](mailto:zadrick.lj@pg.com), or our Board of Directors at [contactus@ctachmm.org](mailto:contactus@ctachmm.org).

Sincerely,

  
Laura Zadrick, CHMM  
President, CTACHMM

Specific Comments for inclusion of CHMMs as Certifying Agents in the proposed General Permit for Miscellaneous Discharges of Sewer Compatible (MISC) Wastewater

To include CHMMs as certifying agents, change Section 3(b)(8) to read as follows:

Certifications by a Professional Engineer, Certified Hazardous Material Manager, or Qualified Professional Engineer.

And for all sections with references to “professional engineer” including but not limited to Sections 3(b)(8)(A), (C), (D), (E), (F), (G) and (H), as well as Section 3(a)(9)(C), Section 4. (a)(2) [Table 4-1], Section 4(c)(2)(Q), Section 5(d)(4) and (5) , and Section (5)(e)(3)(B)(v):

Any and all references to “professional engineer” be changed to “professional engineer or certified hazardous material manager.”

It is suggested that a “qualified professional engineer” certification be required only for wastewater discharges which require review of engineered treatment systems. This will allow professional engineers or certified hazardous material managers to certify all volumes of discharges that do not require treatment or are treated by only pre-manufactured (“off-the-shelf”) treatment systems.

The following definition should be added to **Appendix A, General Definitions**:

*“Certified Hazardous Material Manager”* means a person who has gained recognition as a certified hazardous material manager in accordance with the requirements developed and administered by the Institute of Hazardous Materials Management.

Specific Comments for inclusion of CHMMs as Certifying Agents in the reissued General Permit for the Discharge of Minor Boiler Blowdown Wastewater (GBB)

For all sections, including but not limited to Part IX. B. 1. and 2.

Any and all references to “professional engineer” be changed to “professional engineer or certified hazardous material manager.”

Specific Comments for inclusion of CHMMs as Certifying Agents in the reissued General Permit for the Discharge of Minor Tumbling or Cleaning of Parts Wastewater (GTC)

For all sections, including but not limited to Part V. C. 7., Part IX B. 1. and 2, and Registration Form Part V 1. and 2.

Any and all references to “professional engineer” be changed to “professional engineer or certified hazardous material manager.”

Attachment 1



**Connecticut Chapter  
of the  
Academy of Certified Hazardous Materials Managers**

MAILING ADDRESS: CT ACHMM P.O. BOX 228 EAST GLASTONBURY, CT 06025-0228  
WWW.CTACHMM.ORG



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July 12, 2007

Mr. James Creighton  
Department of Environmental Protection  
79 Elm Street  
Hartford, CT 06106

Re: Status Conference of June 21, 2007 regarding two Draft General Permits:  
A) Discharge of Groundwater Remediation Wastewater to a Sanitary Sewer  
B) Discharge of Minor Printing and Publishing Wastewater

**Letter in Support of the Certifications in the Draft General Permits**

Dear Mr. Creighton:

We understand that CT DEP is in the process of re-issuing two general wastewater discharge permits which have expired. The general permits are Discharge of Groundwater Remediation Wastewater to a Sanitary Sewer and Discharge of Minor Printing and Publishing Wastewater.

Further to the Status Conference held at the DEP offices in Hartford, CT on June 21, 2007 we are writing to inform you that the CT Academy of Certified Hazardous Materials Managers (CT ACHMM) is in full support of the inclusion of CHMM's in the certification language as written in the draft general permits referenced above and as detailed in our comments below.

CT ACHMM will be in attendance at the Pre-hearing conference scheduled for Thursday August 16, 2007 at 1:00 PM in the Russell hearing room, 79 Elm Street, Hartford, CT and at the Public Hearing scheduled for Monday, September 10 at 9AM at the same location to support the draft permits and certification language as written.

CT ACHMM will be supplying a further letter supporting the certification language before the August 16, 2007 Pre-hearing. We will be recommending among other things, that the definition of a CHMM be incorporated into both draft permits in the same manner as it is currently included in several other existing general permits.

Very truly yours,

Gene Metti, CHMM  
Chapter President

Comments:

CT ACHMM believes that CHMM's are qualified to perform the certifications as written in the draft general wastewater discharge permits regarding Discharge of Groundwater Remediation Wastewater to a Sanitary Sewer and Discharge of Minor Printing and Publishing Wastewater. CHMM's are currently performing similar certifications in other general permits.

The CHMM credentialing organization, the Institute of Hazardous Materials Management (IHMM), is accredited by the Council of Engineering and Scientific Specialty Boards (CESB). CHMM's must be re-certified every 5 years through attainment of certification maintenance points. The CHMM exam is rigorous and requires knowledge in a broad range of environmental subjects, including environmental laws and regulations, major environmental regulatory programs, science and technology including engineering technology and treatment methods, data collection and analysis, statistical methods, waste stream management for air, water, hazardous waste, toxics and resource recovery. To sit for the exam, a bachelors degree in a field related to hazardous materials management/engineering plus 7 years experience to attain the Master level or 3 years experience for the Senior level is required (see [www.ihmm.org](http://www.ihmm.org) and [www.ctachmm.org](http://www.ctachmm.org))

We understand that some professional engineers have taken issue with the inclusion of CHMM's and other entities, other than themselves, into the draft general permits referenced above to perform the certifications as written, and have requested a public hearing.

We further understand from the PE comments dated March 27, 2007 that PE's believe that acts of evaluation, specification, design, installation or modification can only be performed by PE's and that certifying documents for the proposed general permits can only be performed by PE's.

The certifications included in the general permits deal with certifying that proper **operation and maintenance** and/or that **appropriate modifications** to existing previously designed systems will meet permit conditions, or certifying that the discharge as well as any other authorized discharges generated at the subject site, comply with effluent limitations and other conditions of the *General Permit*. CT ACHMM believes CHMM's can make these certifications based on their education, training and experience and their review of applicable screening forms, historic land use, water and chemical analyses, engineering and/or hydro-geologic reports, plans and specifications, and actions taken to prevent further violations.

The detailed certification language in the draft permits is as follows:

**A) Draft General Permit for the Discharge of Groundwater Remediation Wastewater to a Sanitary Sewer**

**Certification in Section 5: Registration Requirements**

(c) Contents of Registration

(2) Registration Form

(R)

For any discharge, the following certification, signed by a professional engineer, licensed to practice in Connecticut, a **certified hazardous materials manager, or a licensed environmental professional**:

"I certify that in my professional judgment, proper operation and maintenance of any system installed to treat the discharges which are the subject of this registration will ensure that all effluent limitations and other conditions in the *General Permit for the Discharge of Groundwater Remediation Wastewater to a Sanitary Sewer* issued on August 13, 1996 and reissued on Month XX, 2007 will be met. This certification is based in part on my review of the information contained in the screening requirement form completed for the discharges and attached to this registration and, if applicable, a review of the historic land use of the site, and on any other water analyses associated with the discharges, and on engineering and/or hydro-geologic reports and/or plans and specifications describing (1) the proposed activities and (2) any proposed treatment facilities for the wastewater to be discharged. I am aware that there are significant penalties for false statements in this certification, including the possibility of fine and imprisonment for knowingly making false statements."

#### **Certification in Section 6: Permit Terms and Conditions**

##### **(e) Recording and Reporting Violations**

(3) Immediately after the third simultaneous or consecutive, or fourth annual violation, as applicable, the discharge shall be stopped and shall not be resumed until the permittee submits a report prepared by a professional engineer licensed to practice in Connecticut, a **certified hazardous materials manager, or a licensed environmental professional**. Such report shall describe actions which have been taken to prevent further violations of this general permit. The report shall contain the following certification signed by a professional engineer licensed to practice in Connecticut, a **certified hazardous materials manager, or a licensed environmental professional**:

"I certify that in my professional judgment that appropriate modifications and/or additions have been made to the system designed to treat the discharges of groundwater remediation wastewater at the site, and that all discharges of groundwater remediation wastewater at the site comply with all conditions of said permit, including but not limited to all effluent limitations in Sections 6(a) and 6(b) and Attachment A of the *General Permit for the Discharge of Groundwater Remediation Wastewater to a Sanitary Sewer*, and proper operation and maintenance of any system installed to treat such discharges will insure that all effluent limitations and other conditions in such general permit are met, or if there is no treatment system for such discharges, that appropriate modifications have been made to the operations at the site and the discharges will meet all effluent limitations and conditions of such general permit without treatment. I am aware that there are significant penalties for false statements in this certification, including the possibility of fine and imprisonment for knowingly making false statements."

#### **B) Draft General Permit for the Discharge of Minor Printing and Publishing Wastewater**

##### **Certification in Section 4: Registration Requirements**

###### **(c) Contents of Registration**

###### **(2) Registration Form**

(1)

The following certification, for any facility discharging treated silver rich photo processing wastewater, signed by a silver recovery equipment manufacturer or vender, silver or photo processing trade association, **certified hazardous materials manager**, professional engineer licensed to practice in Connecticut, registered environmental professional or registered environmental manager listed with the National Registry of Environmental Professionals:

"I certify that in my professional judgment the proper operation and maintenance of any treatment system, including any silver recovery system, installed to treat photo processing wastewater will ensure that all silver effluent limitations specified in Section 5(b) and silver recovery system performance/removal rates specified in the *General Permit For The Discharge Of Minor Printing and Publishing Wastewater* issued on month dd, 2007 are met. This certification is based on my review of engineering reports and/or plans and specifications describing (1) the proposed activities and (2) the proposed treatment system for the wastewaters to be discharged. This certification is also based on any available wastewater sampling data associated with this discharge. I am aware that there are significant penalties for false statements in this certification, including the possibility of fine and imprisonment for knowingly making false statements."

#### **Certification in Section 5: Conditions of General Permit**

##### (e) Recording and Reporting Violations

(2) If analysis of a single sample shows three or more violations of any of the requirements of this general permit, or cumulatively three or more such violations are shown by successive sampling events, or four or more such violations occur during any calendar year, within 60 days of this determination the permittee shall deliver to the applicable POTW Authority and to the commissioner, a written report **prepared by a certified hazardous materials manager** or a professional engineer licensed to practice in Connecticut. Such report shall describe in detail all actions that have been taken with respect to the subject discharge and/or subject site to prevent any further violations of this general permit. Such report shall include the following certification by **such manager** or engineer:

"I certify that in my professional judgment the discharge which is the subject of this report, as well as any other authorized discharges generated at the subject site, comply with all effluent limitations and other conditions of the *General Permit for the Discharge of Minor Printing and Publishing Wastewater*, and that proper operation and maintenance of any equipment or system to treat each discharge will ensure that all such conditions are met or, if there is no such equipment or system, each such discharge will meet all such conditions without treatment. This certification is based in part on my review of chemical analyses of at least three grab samples collected, handled, and analyzed in accordance with 40 CFR Part 136, where the samples were representative of such discharge during routine operating conditions and were taken at least one week apart following the implementation of measures to correct any violations of the requirements of this general permit. I understand that a false statement made in this report, including all attachments thereto, or in this certification may, pursuant to Section 22a-6 of the General Statutes, be punishable as a criminal offense under Section 53a-157b of the General Statutes, and may also be punishable under Section 22a-438 of the General Statutes and any other applicable law."

DEP Adjudications  
July 31, 2007



**Connecticut Chapter  
of the  
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July 31, 2007

TO: [dep.adjudications@po.state.ct.us](mailto:dep.adjudications@po.state.ct.us)

CC: [james.creighton@po.state.ct.us](mailto:james.creighton@po.state.ct.us), [donald.gonyea@po.state.ct.us](mailto:donald.gonyea@po.state.ct.us)

RE: Comments - Draft General Permit  
Groundwater Remediation Wastewater to Sanitary Sewer  
Minor Printing and Publishing Wastewaters

To Whom It May Concern:

I am writing in support of the inclusion of Certified Hazardous Materials Managers (CHMMs) as certifying parties in General Permits. I understand that certain Professional Engineers have protested the inclusion of the CHMM credential on the grounds that the certification requires engineering expertise. I've prepared this letter to discuss three points in support of the inclusion of the CHMM certification on these permits:

1. A review of the history behind the original inclusion of the CHMM credential;
2. A discussion of the engineering considerations of the proposed certification; and,
3. The regulatory background for certifications with regard to General Permits.

**History**

As an active member of the Board of Directors of the Connecticut Chapter of the Academy of Certified Hazardous Materials Managers ("CTACHMM"), I have the experience of several years discussing the CHMM credential with the CT DEP and feel that I can shed some light on CT DEP's initial inclusion of the credential in General Permits.

The CTACHMM originally met with Assistant Director Dick Mason and Randy May to discuss the inclusion of the credential as a certifying body in 1999. We held follow-up meetings that included Director Harder and Mr. Grier in 2000. During these meetings we discussed:

- The credential itself and the requirements necessary to be certified;
- The certifying process including the education, experience, references, code of ethics and testing process;
- The continuing education, recertification process and decertification process;
- The Institute of Hazardous Materials Management (IHMM) and their role as the independent certifying body responsible for certification, disciplinary actions, and decertification; and,
- The accreditation of the CHMM program by the Council of Engineering and Scientific Specialty Boards (CESB).

During these meetings it was made clear to CTACHMM representatives that the CT DEP would support the inclusion of CHMMs in permits provided that we could demonstrate that CT DEP had some avenue to pursue disciplinary actions for abusers of the certification. At that time Mr. Mason described difficulties with inaction resulting from referrals to the Professional Engineer Review Board. Mr. Robert Tietler, the Executive Director of the IHMM, reviewed the disciplinary and decertification processes in detail, including up-to-date statistics describing those individuals who had been 'decertified.'

Since those meetings the CHMM credential has been included on the following General Permits and regulatory programs:

- Aquifer Protection Regulations
- General Permit for the Discharge of Stormwater Associated with Industrial Activity
- General Permit for Miscellaneous Sewer Compatible Wastewater
- General Permit for the Discharge of Groundwater Remediation Wastewater Directly to Surface Water
- General Permit for the Discharge of Vehicle Maintenance Wastewater
- DRAFT Underground Storage Tank Petroleum Clean-Up Account (USTPCA) Compliance Evaluation Forms (annual submission)

It is my understanding that inclusion of the CHMM certification in these instances has been successful and without incident.

To help clarify the term CHMM, we are recommending that the term Certified Hazardous Materials Manager (CHMM) be included in the definition section of these permits in a similar manner as has been included in other General Permits. For example, the definition of CHMM in the General Permit for Miscellaneous Sewer Compatible Wastewater is as follows: "*Certified Hazardous Materials Manager*" or "*CHMM*" means a person who has gained recognition as a certified hazardous materials manager in accordance with the requirements developed and administered by the Institute of Hazardous Materials Management."

### **Engineering Considerations**

As outlined by the current CTACHMM Chapter President Mr. Gene Metti in the comment section of his letter dated July 12, 2007 to James Creighton, these General Permit certifications are focused on operation and maintenance, modifications to wastewater treatment systems and certifying discharges are in compliance with permit conditions. These are not certifications of engineering design and therefore should not require engineering certifications to the exclusion of other environmental professionals.

Furthermore, it should be noted that the CHMM code of ethics prohibits members of the ACHMM to provide certification to those programs which they deem to be out of their particular practice area or area of expertise, such as engineering design. Such a certification would subject the certifier to disciplinary actions or decertification.

Additionally, we note that CT DEP does not require engineering certifications when permit modification requests are made relative to permitted wastewater treatment systems which have been issued.

### **Regulatory Considerations**

The State of Connecticut wastewater regulations reference Professional Engineers in that the Commissioner "may require" submitting engineered drawings with applications for individual permits (drawings for collection and treatment systems) for discharges.

Regulations of Connecticut State Agencies (RCSA) 22a-430-4(c)(16) reads as follows: "A complete description of all collection and treatment facilities proposed or provided, including drawings to scale, describing in detail the existing or proposed means of complying with the applicable effluent limitations and conditions in subsection (1) of this section and section 22a-430-3 of the Regulations of Connecticut State Agencies. The commissioner may require that such drawings be prepared by an engineer licensed to practice in the State of Connecticut. Plans and specifications previously submitted and approved by the commissioner may be incorporated by reference, and shall be deemed to be a part of the current application."

The General Permits in question reference sections of RCSA which are incorporated into the General Permits. Upon review of several of the existing General Permits, there is no reference to the section which incorporates Professional Engineers. These General Permits reference sections in 22a-430-4 are Subsections (t) and (p).

Furthermore, the statute (22a-430 b. General Permits) that authorizes the Commissioner of the DEP to create General Permits does not contemplate Professional Engineers or any other certifying body. As such, based on the Connecticut General Statutes and the RCSA regulations, there appears to be no legal obligation on the part of the CT DEP to include only Professional Engineers in the process of certifying General Permits.

In conclusion, the CHMM credential is both appropriate and successful as a certifying party for Connecticut General Permits. Engineered drawings are not contemplated nor required for the two draft General Permits in question. And, finally, contrary to the supposition put forth by several Professional Engineers, the CT DEP is in no way obligated to use Professional Engineers as a certifying party on these permits.

I look forward to discussing this further at any public hearing that may be held. In the mean time, feel free to contact me in my office at 860.306.6700.

Sincerely,



Dominick Zackeo, CHMM  
Director at Large  
Connecticut Chapter of ACHMM Inc.

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August 28, 2007

Ms. JANICE B. DESHAIS, DIRECTOR  
HEARING OFFICER,  
OFFICE OF ADJUDICATIONS  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
79 ELM STREET  
HARTFORD, CT 06106

RE: COMMENTS – REVISED DRAFT GENERAL PERMITS, ISSUED AUGUST 21, 2007  
Discharge Of Groundwater Remediation Wastewater To A Sanitary Sewer  
Discharge Of Minor Printing And Publishing Wastewaters

Dear Ms. Deshais:

I am writing on behalf of the Connecticut Chapter of ACHMM Inc., (CTACHMM Inc.) that represents Certified Hazardous Materials Managers (CHMMs) in Connecticut.

We have a few recommendations regarding the suggested “common ground language” changes proposed by CT DEP to the draft permits on August 21 following the short working session associated with the pre-hearing of August 16, 2007.

While we continue to support the language as originally proposed by CT DEP in the draft permits, in an effort to support a resolution of outstanding issues, we suggest that the common ground language proposed in the Contents of Registration for the Minor Printing and Publishing Wastewater General Permit (Section 4, Paragraph (c) 3 (I)) incorporate the proposed modifications underlined below:

For any facility discharging treated silver rich photo processing wastewater through a pre-engineered treatment system integrated with a packaged photo-development system employing common silver recovery technology such as electrolysis, metallic replacement (using metallic recovery cartridges) or precipitation the following certification signed by a silver recovery equipment manufacturer or ~~vendor~~vendor, silver or photo processing trade association, certified hazardous materials manager, professional engineer licensed to practice in Connecticut, registered environmental professional or registered environmental manager listed with the National Registry of Environmental Professionals.

It is our opinion that both of the proposed General Permits will continue to be a quicker and more cost effective way to regulate minor activities for both the Connecticut Department of Environmental Protection (CTDEP) and the applicant. According to the American Council of Engineers<sup>1</sup>, there is a shortage of engineers in the country and it is becoming "more difficult ... to find qualified engineers." The incorporation of licenses and certifications from the environmental profession with comparable levels of competency in the proper management of hazardous materials ensures that a greater body of qualified professionals are available to be called upon to assist the state and regulated community as needed in certifying compliance so that aspects of the proposed permitting process will function expeditiously, as intended.

It is also our opinion that these permits meet the CTDEP's primary responsibility of conserving, improving and protecting the natural resources and environment and controlling pollution in order to enhance the health, safety and welfare of the people of the State. The General Permits have set terms and conditions for conducting an activity that, when complied with, meet the above standard. In addition, the permits require approval prior to initiation of the regulated activity, and CTDEP has the opportunity to review and incorporate site-specific conditions in addition to those already contained in the general permit, as necessary and appropriate. It is also important to note that CTDEP can regulate the discharge under an individual permit if they feel additional review is necessary. Furthermore, CTDEP may require the submission of engineered drawings with individual permit applications. Since CTDEP ultimately is responsible for the review and approval of any individual engineered system; they should be considered qualified to make the determination whether a regulated discharge has the appropriate level of treatment under the general permit program.

By definition, the CTDEP has determined that these regulated discharges are minor in nature; consequently, the use of pre-engineered components, if necessary, will be sufficient to meet the permit requirements. We disagree with the idea that the use of pre-engineered treatment components rises to the level of designing a treatment system or practicing engineering. The components have been designed and constructed under the supervision of an engineer to meet specific performance criteria. The permit certifications contemplate that the certifying party will review any available information, which would include representations from the pre-engineered component manufacturer and its design engineer. As such, the placement and operation of a pre-engineered system is not, in itself, practicing engineering.

We also disagree with the idea that these permit certifications authorize engineering by unlicensed individuals. Although an appropriately designed system can be regulated under these General Permits, a designed treatment system is not required. These General Permits can be used to regulate minor discharges that do not require treatment by a system designed by a professional engineer. As previously stated, we do not believe the

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<sup>1</sup> American Council of Engineers Testimony Before The Governor's Commission On The Reorganization Of The Department Of Transportation, Presented By Paul W. Brady, ACEC Executive Director, August 11, 2007

use of pre-engineered systems meets the standard of practicing engineering. Therefore, it is our opinion that these General Permits do not conflict with Connecticut General Statutes (CGS) Section 20-302 that prohibits design of a treatment system by unlicensed individuals.

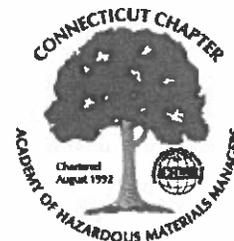
In summary, the members of CTACHMM Inc. believe that the subject General Permits are a quicker, more cost effective way to regulate minor activities while controlling pollution in order to enhance the health, safety and welfare of the people of the State. As such, these permits should be approved.

Respectfully Submitted,

Stuart S. Manley, LEP, CHMM  
Connecticut Chapter of ACHMM Inc.

**Connecticut Chapter  
of the  
Academy of Certified Hazardous Materials Managers**

MAILING ADDRESS: CT ACHMM P.O. Box 228 EAST GLASTONBURY, CT 06025-0228  
WWW.CTACHMM.ORG



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(860) 243-7258

September 24, 2007

MS. JANICE B. DESHAIS, DIRECTOR  
HEARING OFFICER,  
OFFICE OF ADJUDICATIONS  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
79 ELM STREET  
HARTFORD, CT 06106

RE: PUBLIC HEARING ON DRAFT GENERAL PERMITS  
STATEMENT OF GENE METTI

Discharge Of Groundwater Remediation Wastewater To A Sanitary Sewer  
Discharge Of Minor Printing And Publishing Wastewaters

Dear Ms. Deshais:

Good morning, my name is Gene Metti and I am the President of the CT Chapter of the Academy of Certified Hazardous Materials Managers (CT ACHMM for short). I live in Danbury CT and work out of Shelton, CT.

Certified Hazardous Materials Managers (CHMM's) are EHS professionals credentialed through the Institute of Hazardous Materials Management (IHMM). The CHMM credential is accredited by the Council of Engineering and Scientific Specialty Boards (CESB). CHMM's must be re-certified every 5 years through attainment of re-certification maintenance points.

The Academy of Certified Hazardous Materials Managers is an organization of professionals with expertise in environmental, health and safety (EHS) management and science. CT ACHMM is the local affiliate of the Academy. The CT Chapter currently has 70 active members and our chapter mailing address is in East Glastonbury, CT.

CT ACHMM is in attendance today to support the draft general wastewater permits that are the subject of this hearing.

We believe that the draft general permits meet the DEP's primary responsibility of conserving, improving and protecting natural resources and the environment and controlling pollution in order to enhance the health, safety and welfare of the people of the State of CT.

The CT ACHMM has been present at each of the meetings associated with the re-issuance of the draft general permits including the status conference on June 21, 2007, the pre-hearing on August 16, 2007 and we are here today to demonstrate our continued support of the permits, as proposed. I'm accompanied by several of our board members and chapter members who are here to assist in answering any questions.

We have sent three letters to the Office of Adjudications with our comments on the subject permits dated July 12, 2007 from myself, July 31, 2007 from Nick Zackeo, and on August 31, 2007 from Stuart Manley. All three of us are here today. Our members statewide are in support of the general permits and have also sent in their own emails to indicate their support.

To very briefly touch on some of the key points we raised in our letters:

We noted that the certifications in the draft wastewater permits are focused on certifying that proper operation and maintenance of a system will meet permit conditions, or certifying that discharges generated at a subject site will comply with effluent limitations. It is our opinion that these are not certifications of engineering design. The certifications can be carried out by qualified environmental professionals through a review of applicable screening forms, historic land use, water and chemical analyses, existing reports, plans and specifications, maintenance plans, and actions taken to prevent further violations.

The permit certifications contemplate that the certifying party will review any available information, which would include for example, representations from a pre-engineered component manufacturer and its design engineer, the components having been designed and constructed under the supervision of an engineer to meet certain specific performance criteria. As such, the placement and operation of a pre-engineered system is not, in itself, practicing engineering.

We noted that our code of ethics precludes us from certifying programs that are out of our area of expertise such as engineering design.

We believe it is impractical to think that only a licensed Professional Engineer can inspect and review to determine that a system which has already been designed by an engineer is being properly operated and maintained and that the discharge generated at a site will meet environmental permit conditions. If this was the case, only licensed PE's would be allowed to perform operation and maintenance reviews and inspections to determine that existing systems such as building foundations, roads, electrical systems, plumbing systems, plant manufacturing systems, etc. are being operated and maintained properly and comply with applicable regulations or permits. Inspectors qualified and competent in their areas of expertise who are not licensed PE's can and do perform these functions.

The incorporation of licenses and certifications from the environmental profession with comparable levels of competency in the proper management of hazardous materials ensures that a greater body of qualified professionals are available to be called upon to assist the state and regulated community as needed in certifying compliance so that aspects of the proposed permitting process will function expeditiously, as intended.

It is our understanding that the inclusion of the CHMM credential in other general permits such as Discharge of Storm water from Industrial activities, the permit on Miscellaneous sewer compatible wastewater, the Discharge of Groundwater remediation wastewater directly to surface water permit and other permits has been in place for several years and has been successful and without issue.

Regarding the qualifications of CHMM's, CHMM's have the knowledge and skill to make the certifications as currently written in the two draft general permits that are the subject of this hearing.

To summarize, our main interest is in facilitating that a qualified body of professionals is available to be called upon to assist the state and regulated community as needed in certifying compliance so that aspects of the proposed permitting process will function practically and expeditiously, as intended.

Thank you for the opportunity to make this statement in support of the draft wastewater discharge permits.

Very truly yours



Gene P. Metti, CHMM  
Chapter President  
CT ACHMM





## PETITION FOR HEARING

We, the undersigned, request that the Commissioner of the Department of Energy and Environmental Protection (DEEP) hold a public hearing on the tentative determination to modify the General Permit for Miscellaneous Discharges of Sewer Compatible (MISC) Wastewater (Miscellaneous General Permit)

We also designate and authorize Laura Zadrick, whose signature and address appear below, to engage in discussions regarding this application and, if resolution is reached, to withdraw this petition on our behalf.

CONTACT PERSON*			
Name (sign and print)	Street Address	City/Town	State
1. Laura Zadrick	14 Research Drive	Bethel	CT
	Email: zadrick.lj@pg.com		

Name (sign & print)	Street Address	City/town	State
1. <i>Paul Samareta</i> Paul Samareta	385 Church Street	Guilford	CT
2. <i>Maryt Longobardi</i> Maryt Longobardi	885 Church St	Guilford	CT
3. <i>Conor Shea</i> Conor Shea	385 Church St	Guilford	CT
4. <i>Andrew Roseman</i> Andrew Roseman	385 Church St.	Guilford	CT
5. <i>Carl Spivack</i> Carl Spivack	385 Church St.	Guilford	CT
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Name (sign and print)	Street Address	City/Town	State
1. Laura Zadrick	14 Research Drive	Bethel	CT
Email: zadrick.lj@pg.com			

## PETITION FOR HEARING

Name (sign & print)	Street Address	City/town	State
1. <del>Jan L. Marnicki</del> DOMINICK ZACKO	160 CHAPEL ROAD	MANCHESTER	CT
2. <del>Tracy Sargent</del>	160 Chapel Road	Manchester	CT
3. <del>Jan L. Marnicki</del> Jan L. Marnicki	160 Chapel Road	Manchester	CT
4. <del>Tracy Sargent</del> Tracy Sargent	160 Chapel Road	Manchester	CT
5. <del>Allison Hoffman</del> Allison Hoffman	160 Chapel Road	Manchester	CT
6. <del>Laura Zadrick</del> Laura Zadrick	14 Research Dr	Bethel	CT
7. <del>Mark Ashbolt</del> BRUCE CONKLING	14 Research Drive	Bethel	CT
8. <del>Sean P. Doran</del> Sean P. Doran	14 Research Drive	Bethel	CT
9. <del>Mark Ashbolt</del> MARK ASHBOLT	— " —	— " —	— " —
10. <del>Steven Wicelinski</del> STEVEN WICELINSKI	14 Research Drive	Bethel	CT
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CONTACT PERSON*			
Name (sign and print)	Street Address	City/Town	State
1. Laura Zadrick	14 Research Drive	Bethel	CT
Email: zadrick.lj@pg.com			

## PETITION FOR HEARING

Name (sign & print)	Street Address	City/town	State
1. Whyndam Abrams	85 Trotters Way	Torrington	CT
2. Brenda Armstrong	12 Lovig Ln	Hampden	CT
3. JoAnn Farrell	39 Taylor Place	Branford	CT
4. Sal Aurelia	85 Goldbach Drive	Stratford	CT
5. Fain Kinella	217 Sharon Trpkc	Goshen	CT
6. JAMES WATKINS	53 ROSEWOOD AVE	HANDEN	CT
7. Mique) Berrias	200 Lake Av	Bristol	CT
8. Robert Marques	73 Roberts St	Newington	CT
9. JAMES DADDIO	81 WINDMILL HILL ROAD	BRANFORD	CT
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**PETITION FOR HEARING**

We, the undersigned, request that the Commissioner of the Department of Energy and Environmental Protection (DEEP) hold a public hearing on the tentative determination to modify the General Permit for Miscellaneous Discharges of Sewer Compatible (MISC) Wastewater (Miscellaneous General Permit)

We also designate and authorize Laura Zadrick, whose signature and address appear below, to engage in discussions regarding this application and, if resolution is reached, to withdraw this petition on our behalf.

<b>CONTACT PERSON*</b>			
Name (sign and print)	Street Address	City/Town	State
1. Laura Zadrick	14 Research Drive	Bethel	CT
	Email: zadrick.lj@pg.com		

**PETITION FOR HEARING**

Name (sign & print)	Street Address	City/town	State
1. <i>Gen P Metti Gene P. Metti</i>	<i>28 Charcoal Ridge Drive</i>	<i>Danbury</i>	<i>CT</i>
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*Connecticut Chapter  
of the  
Academy of Certified Hazardous Materials Managers*  
MAILING ADDRESS: CT ACHMM P.O. BOX 228 EAST GLASTONBURY, CT 06025-0228  
WWW.CTACHMM.ORG



March 8, 2012

Attn: Oswald Inglese  
Department of Energy and Environmental Protection  
WPED/Bureau of Materials Management and Compliance Assurance  
79 Elm Street  
Hartford, CT 06106-5127

**RE: Follow-up comments on Modification of the General Permit for  
Miscellaneous Discharges of Sewer Compatible (MISC) Wastewater,  
Reissuance of Certain Other General Permits**

Dear Mr. Inglese:

I would like to extend our thanks, from all members of the Connecticut Chapter of the Academy of Certified Hazardous Materials Managers (CTACHMM), to you, James Creighton, and Art Mauger, for meeting on February 23, 2012 with our representatives on the above-referenced issue. It was a very productive meeting and we hope that we were able to explain our positions adequately.

Based upon our discussion, we hereby withdraw our January 12, 2012 request for a public hearing for the two below General Permits:

- General Permit for the Discharge of Minor Boiler Blowdown Wastewater (GBB)
- General Permit for the Discharge of Minor Tumbling or Cleaning of Parts Wastewater (GTC)

This is based upon the understanding that the boiler blowdown permit will be to groundwater only, and that testing (and professional review of certain exceedances) will not be required, and that the tumbling and cleaning permit will be reissued to expire on June 11, 2013.

Regarding the draft General Permit for Miscellaneous Discharges of Sewer Compatible (MISC) Wastewater, based upon our discussions, Certified Hazardous Materials Managers ("CHMMs") will be authorized to certify the following MISC Permit registrations:

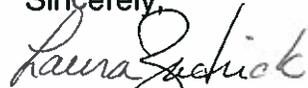
- Printing and photo processing wastewater with pre-manufactured silver recovery filter treatment
- Air compressor condensate & blowdown, cutting and grinding wastewater, and food processing wastewater with pre-manufactured oil/water separators

For registrations requiring 3<sup>rd</sup> party certification because of Discharge Group I and II daily volume  $\geq$  25,000 gpd, unless treatment other than as referenced above is required (or if no treatment is required), "Qualified CHMMs" (with a definition similar to Qualified PE) will be added to the permit. Please note that non-contact cooling water is excluded from the federal definition of "Significant Industrial User," (see 40 CFR § 403.3) and as we discussed, could be categorized as Discharge Group III.

CHMMs will also be added to Section 5. (d)(4) and (5), as authorized to prepare and certify violation reports, other than when engineering redesign of treatment systems is required.

We look forward to reviewing the DEEP's incorporation of these changes within the MISC General permit and the eventual withdrawal of our hearing request. CTACHMM welcomes the opportunity to discuss this matter further, including any working meetings on how best to word the permit. If you have any questions or concerns, please feel free to contact me directly at 203-731-6427, or via email at [zadrack.lj@pg.com](mailto:zadrack.lj@pg.com), or our Board of Directors at [contactus@ctachmm.org](mailto:contactus@ctachmm.org).

Sincerely,



Laura Zadrack, CHMM  
President, CTACHMM

C: Janice B. Deshais

*Connecticut Chapter  
of the  
Academy of Certified Hazardous Materials Managers*

MAILING ADDRESS: CTACHMM P.O. Box 604 PLAINVILLE, CT 06062  
WWW.CTACHMM.ORG



October 17, 2013

Attn: Janice B. Deshais, Director  
Hearing Officer  
Office of Adjudications  
Department of Energy and Environmental Protection  
79 Elm Street  
Hartford, CT 06106-5127

**RE: Withdrawal of Petition for Hearing on the Modification of the General Permit for Miscellaneous Discharges of Sewer Compatible (MISC) Wastewater**

Dear Ms. Deshais:

A petition had been filed for a request for a public hearing on the tentative determination to modify the *General Permit for Miscellaneous Discharges of Sewer Compatible (MISC) Wastewater*, draft dated December 5, 2011, as well as the *General Permit for the Discharge of Minor Boiler Blowdown Wastewater*, and the *General Permit for the Discharge of Minor Tumbling or Cleaning of Parts Wastewater*. The public hearing request was withdrawn for the latter two permits by letter dated March 8, 2012 to Oswald Inglese.

Subsequently, the Connecticut Chapter of the Academy of Certified Hazardous Materials Managers (CTACHMM) has received "Excerpts from the Proposed Revised General Permit for Miscellaneous Discharges of Sewer Compatible Wastewater Containing References to CHMMs" from Mr. Inglese, and have been informed that paragraphs (F), (G) and (H) of Section 3(b)(8) have been eliminated from the Permit. The revisions incorporated in that document have been reviewed, and along with the elimination of the aforementioned paragraphs, are satisfactory to us. Based on these changes, I am withdrawing the request for a public hearing on the tentative determination to modify the *General Permit for Miscellaneous Discharges of Sewer Compatible (MISC) Wastewater*. Laura Zadrick, President of CTACHMM, who was the delegated authority on the petition, has authorized me to withdraw this petition on her behalf.

We would like to thank you, as well as Oswald Inglese, Art Mauger, and James Creighton of the Permitting and Enforcement Division, Bureau of Materials Management for your assistance in this matter. If you have any questions or concerns, please feel free to contact me directly at 203-432-2093, or via email at [whyndam.abrams@yale.edu](mailto:whyndam.abrams@yale.edu), or our Board of Directors at [contactus@ctachmm.org](mailto:contactus@ctachmm.org).

Sincerely,



Whyndam Abrams, CHMM  
Secretary, CTACHMM

C: Oswald Inglese  
James Creighton



OFFICE OF ADJUDICATIONS

*Email Attachment*

***IN THE MATTER OF***

:

***GENERAL PERMITS  
DEEP-WPED-GP-012  
DEEP-PERD-GP-017  
DEEP-PERD-GP-001***

***MISCELLANEOUS DISCHARGES  
OF SEWER COMPATIBLE (MISC)  
WASTEWATER;  
DISCHARGE OF MINOR  
BOILER BLOWDOWN WASTEWATER;  
DISCHARGE OF MINOR TUMBLING  
OR CLEANING OF PARTS WASTEWATER***

:

***OCTOBER 18, 2013***

***NOTICE OF TERMINATION***

The Connecticut Chapter of the Academy of Hazardous Materials Managers (CTACHMM) filed a request for a hearing on the above-listed three general permits on December 5, 2011. By letter dated March 8, 2012, CTACHMM withdrew its request for a hearing regarding the second and third-listed general permits. By letter dated October 17, 2013, the CTACHMM withdrew its request for a hearing on the first-listed and remaining general permit. Accordingly, further proceedings are terminated and this matter is withdrawn from the docket of this office.

Janice B. Deshais, Hearing Officer

cc: Whyndam Abrams, CTACHMM  
Oswald Inglese, DEEP  
James Creighton, DEEP