

General Permit for the Discharge of Domestic Sewage

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General Permit for the Discharge of Domestic Sewage

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General Permit for the Discharge of Domestic Sewage

Section 1. Authority

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

Section 2. Definitions

The definitions of terms used in this general permit shall be the same as the definitions contained in section 22a-423 of the General Statutes and section 22a-430-3(a) of the Regulations of Connecticut State Agencies except as otherwise defined herein. In addition, the following definitions shall apply:

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

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

“Community Sewerage System” means any sewerage system serving one or more residences in separate structures which is not connected to a municipal sewerage system or which is connected to a municipal sewerage system as a distinct and separately managed district or segment of such system.

“Community Sewerage System Agreement” means a written agreement between the municipality receiving the discharge, and the person or municipality named in the registration required by this permit, signed by both parties, clearly indicating who is responsible for all maintenance of the community sewerage system and indicating that the municipality receiving the discharge is aware of its responsibility to ensure effective management of the system under section 7-246f of the General Statutes.

“Department” means the Department of Energy & Environmental Protection.

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

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

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

"*Permittee*" means any person who or municipality which initiates, creates originates or maintains a discharge to the waters of the state which is covered under this-general permit in accordance with Section 3(e) of this general permit.

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

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

"*Registrant*" means a person who or municipality which files a registration pursuant to Section 4 of this general permit.

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

"*Site*" means the same or geographically contiguous property which may be divided by public or private right(s)-of-way, provided the entrance and exit between the properties is at cross-roads intersection, and access is by crossing as opposed to going along, the right(s)-of-way. Non-contiguous land or water owned by the same person and connected by a right-of-way which such person controls and to which the public does not have access shall be deemed the same site.

Section 3. Authorization Under This General Permit

(a) *Eligible Activities*

All discharges of domestic sewage from a community sewerage system not owned by a municipality to a Publicly Owned Treatment Works.

(b) *Requirements for Authorization*

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

- (1) For any discharge from a community sewerage system, a registration has been submitted in accordance with the provisions of Section 4 of this general permit, and includes all information specified therein.
- (2) Any new pump station used to convey the discharge from a community sewerage system to the POTW is designed, constructed and operated to meet the technical guidance of the New England Interstate Water Pollution Control Commission [NEIWPC], heretofore referred to as TR-16: Guides for Design of Wastewater Treatment Works, 2011 Edition and approved under section 22a-416 of the General Statutes.

(3) Coastal Area Management

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

(4) Endangered and Threatened Species

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

(5) Aquifer Protection

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

(6) Conservation and Preservation Restrictions

Such activities, if located on or may affect property subject to a conservation or preservation restriction, pursuant to section 47-42d of the General Statutes, proof of written notice to the holder of such restriction of the proposed activity's registration pursuant to this general permit or a letter from the holder of such restriction verifying that the proposed activity is in compliance with the terms of the restriction shall have been provided to the commissioner.

(7) Stream Channel Encroachment

Such activity shall not create an obstruction or hindrance riverward of Stream Channel Encroachment Lines that will have an adverse effect on the flood heights, flood carrying and water capacity of the waterways and floodplains.

(8) Flood Management

Such activity shall be consistent with all applicable standards and criteria established in sections 25-68d(b) of the General Statutes and sections 25-68h-1 through 25-68h-3, inclusive, of the Regulations of Connecticut State Agencies.

(c) *Geographic Area*

This general permit applies throughout the State of Connecticut.

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

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

(e) ***Effective Date of Authorization***

- (1) For those persons not required to submit a registration, pursuant to Section 4(a)(1) of this general permit, the effective date of authorization under this general permit is the same as the effective date of the general permit or the date the subject discharge is initiated, whichever is later.
- (2) For those persons required to submit a registration, pursuant to Section 4(a)(2) of this general permit, the effective date of authorization under this general permit is the date a registration which meets the requirements of Section 4 of this general permit is received by the commissioner.

(f) ***Issuance of an Individual Permit***

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

Section 4. Registration Requirements

(a) ***Who Must File a Registration***

- (1) If a site has been previously registered under the General Permit for the Discharge of Domestic Sewage issued on June 11, 1992 and reissued on June 12, 2002, the permittee does *not* need to submit a renewal registration under this general permit, unless ownership of the site has changed.
- (2) Any person seeking to initiate, create, originate or maintain a discharge of domestic sewage wastewater from a community sewerage system as defined in Section 2 of this general permit, who has not previously registered, shall file with the commissioner:
 - (A) A registration form which meets the requirements of Section 4 of this general permit and
 - (B) The applicable fee.

(b) ***Scope of Registration***

A registrant shall submit one registration form for all activities taking place at a single site for which the registrant seeks authorization under this general permit. Activities taking place at more than one site may not be consolidated on one registration form.

(c) *Contents of Registration*

(1) Fees

- (A) The registration fee of \$625.00 established by section 22a-6f of the General Statutes shall be submitted with a registration form. A registration shall not be deemed complete and no activity shall be authorized by this general permit unless the registration fee has been paid in full.
- (B) The registration fee shall be paid by check or money order payable to the **Department of Energy & Environmental Protection**.
- (C) The registration fee is non-refundable.

(2) Registration Form

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

- (A) Legal name, address, and telephone number of the registrant. If the registrant is an entity transacting business in Connecticut and is required to register with the Connecticut Secretary of the State, provide the exact name as registered with the Connecticut Secretary of the State.
- (B) The average daily flow of domestic sewage anticipated from the site, including a calculation showing how this value was determined.
- (C) For discharges from a community sewerage system, a community sewerage system agreement, as defined in this general permit, shall be included.
- (D) Legal name, address, and telephone number of the owner of the property on which the subject activity is to take place.
- (E) Legal name, address, and telephone number of the registrant's attorney or other representative, if applicable.
- (F) Legal name, address, and telephone number of any consultant(s) or engineer(s) retained by the registrant to prepare the registration or to design or construct the subject activity.
- (G) Location address of the site with respect to which the registration is submitted.

- (H) The signature of the registrant and of the individual or individuals responsible for actually preparing the registration, each of whom shall certify in writing as follows:

“I have personally examined and am familiar with the information submitted in this document and all attachments thereto, and I certify that, based on reasonable investigation, including my inquiry of those individuals responsible for obtaining the information, the submitted information is true, accurate and complete to the best of my knowledge and belief. I certify that this general permit registration is on complete and accurate forms as prescribed by the commissioner without alteration of their text. I understand that a false statement made in the submitted information may be punishable as a criminal offense, in accordance with section 22a-6 of the General Statutes, pursuant to section 53a-157b of the General Statutes, and in accordance with any other applicable statute.

(d) *Where to File a Registration*

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

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

(e) *Additional Information*

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

(f) *Action by Commissioner*

- (1) The commissioner may reject without prejudice a registration if it is determined that it does not satisfy the requirements of Section 4 of this general permit or more than thirty days (30) have elapsed since the commissioner requested that the registrant submit additional information or the required fee and the registrant has not submitted such information or fee. Any registration refiled after such a rejection shall be accompanied by a new fee specified in Section 4 of this general permit.
- (2) The commissioner may disapprove a registration if it is found that the subject activity is inconsistent with the requirements for authorization under Section 3 of this general permit, or for any other reason provided by law.

- (3) Disapproval of a registration under this subsection shall constitute notice to the registrant that the subject activity may not lawfully be conducted or maintained without the issuance of an individual permit.
- (4) The commissioner may approve a registration with reasonable conditions. If the commissioner approves a registration with conditions, the permittee shall be bound by such conditions as if they were a part of this general permit.
- (5) Rejection or disapproval of a registration shall be in writing.

Section 5. Conditions of This General Permit

- (a) The permittee shall at all times continue to meet the requirements for authorization set forth in Section 3 of this general permit.
- (b) For discharges from a community sewerage system, a community sewerage system agreement, as defined in this general permit, must be in place, valid, and in effect as required by section 7-246f of the General Statutes.
- (c) For discharges from a community sewerage system, the permittee shall certify to the water pollution control authority and the building official of the municipality that a permit to discharge has been obtained as required by section 7-246f of the General Statutes, and include a copy of the registration filed pursuant to this general permit.

Section 6. General Conditions

(a) *Duty to Provide Information*

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

(b) *Certification of Documents*

Any document, including but not limited to any notice, information or report, which is submitted to the commissioner under this general permit shall be signed by the permittee, or a duly authorized representative of the permittee, and by the individual or individuals responsible for actually preparing such document, each of whom shall certify in writing as follows: "I have personally examined and am familiar with the information submitted in this document and all attachments thereto, and I certify that, based on reasonable investigation, including my inquiry of those individuals responsible for obtaining the information, the submitted information is true, accurate and complete to the

best of my knowledge and belief. I understand that a false statement made in the submitted information may be punishable as a criminal offense, in accordance with section 22a-6 of the General Statutes, pursuant to section 53a-157b of the General Statutes, and in accordance with any other applicable statute.”

(c) *Date of Filing*

For purposes of this general permit, the date of filing with the commissioner of any document is the date such document is received by the commissioner. The word “day” as used in this general permit means the calendar day; if any date specified in the general permit falls on a Saturday, Sunday, or legal holiday, such deadline shall be the next business day thereafter.

(d) *False Statements*

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

(e) *Transfer of Authorization*

Any authorization under this general permit shall be non-transferrable.

(f) *Other Applicable Law*

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

(g) *Other Rights*

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

Section 7. Commissioner's Powers

(a) Abatement of Violations

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

(b) General Permit Revocation, Suspension, or Modification

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

(c) Filing of an Individual Permit Application

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

Issued Date: October 9, 2012

MACKY MCCLEARY

Deputy Commissioner

This is a true and accurate copy of the general permit executed on October 9, 2012 by the Department of Energy and Environmental Protection.