

Public Hearing for Renewal of the General Permit for the Discharge of Stormwater Associated with Industrial Activity

DEP Modifications (not in response to hearing comments)

Since 5/18/09 Public Notice

(Additions, deletions and modifications are in *bold italics*)

- (1) ***Added*** “...or a primary activity described in narrative form below” to the definition of “Industrial activity” in Section 2. Added for clarification.
- (2) ***Added*** definition for “Benchmark” in Section 2. Added for clarification.
- (3) ***Deleted*** definition for “Composting Facility” in Section 2. Eliminated in lieu of item (4)
- (4) ***Added*** definitions for “Compost” and “Composting” in Section 2. Added for clarification.
- (5) ***Added*** definition for “Grab sample” in Section 2. Added for clarification.
- (6) ***Modified*** Category 14 in Section 2 to add “...where composting is the primary activity, business, or purpose of the facility”. Modified for clarification.
- (7) ***Modified*** definition of “Small scale composting” to refer to farming operations and the use of source separated organic materials. Modified for clarification.
- (8) ***Added*** definition of “Source separated organic materials” in Section 2. Added for clarification of the definition of “small scale composting” per item (7).
- (9) ***Deleted*** first bullet item from Section 4(g) regarding effective date of authorization. Deleted to maintain consistency with Section 4(a) regarding the timelines for who must file a registration.
- (10) ***Deleted*** “...composting horse manure and bedding” from Section 4(c)(1)(A)(i). Deleted to provide consistency for all small composting operations.
- (11) ***Modified*** the containment requirements in Section 5(b)(9)(A). Modified to provide clarification of containment requirements for mobile versus stationary wastewater containers.
- (12) ***Deleted*** “...(except small-scale composting facilities as specified in Section 5(f)(10)(C))” and ***added*** “...(or at an alternate frequency as may be specified in “Additional Requirements for Certain Sectors” (Section 5(f))” in General Monitoring Requirements in Section 5(e)(1)(A)(ii). Modified for clarification and to maintain consistency within the permit.
- (13) ***Modified*** benchmarks for copper, lead and zinc in Section 5(e)(1)(B)(ii). Modified to correct an error in the permit that was public noticed.
- (14) ***Modified*** laboratory reporting protocols and procedures in Section 5(e)(1)(B)(iii). Modified language originally from EPA’s MSGP to make it consistent with DEP reporting protocols and procedures.

- (15) ***Modified the language in Section 5(e)(1)(B)(iv) regarding time allowance to modify the control measures and Plan from 90 days to 120 days.*** Modified the time allowance to maintain consistency with the time allowance in “Keeping Plan Current” (Section 5(c)(5)).
- (16) ***Added an additional bullet to Section 5(e)(1)(B)(v) stating “The commissioner issues a written approval of the permittee’s documentation demonstrating that the benchmark exceedances are attributable solely to natural background or off-site pollutant levels.”*** Added bullet to require DEP approval for a determination that a benchmark exceedance is due solely to natural or background levels of the benchmark pollutant. This type of determination can be very complex and DEP review and approval must be conducted.
- (17) ***Modified Sections 5(f)(5)(B)(v) and (vii) regarding containment requirements for scrap recycling facilities.*** Modified to maintain consistency with containment requirements in Section 5(b)(9)(A).
- (18) ***Modified Sections 5(f)(7)(D)(i) and (E)(i) regarding monitoring and benchmarks to provide distinction between small and large airports.*** Modified following clarification from DOT regarding differences in the de-icing practices at small and large airports.
- (19) ***Added the language “If the discharge location for this sample is already included in the facility’s general monitoring program, these additional parameters may be included in that sample” to Sections 5(f)(7)(D)(ii) and (iv) regarding monitoring at federal, state, or municipal facilities with incidental solid de-icing material storage.*** Added to provide clarification and avoid possible duplicate sampling.
- (20) ***Modified the language regarding containment at ship and boat building repair facilities in Section 5(f)(9)(C)(iv).*** Modified to maintain consistency with containment requirements in Section 5(b)(9)(A).
- (21) ***Modified the language regarding impaired waters in Sections 3(b)(9), 5(c)(5), 5(e)(1)(D) and 5(g).*** Modified to clarify that the State of Connecticut Water Quality Report identifies waterbodies as impaired for its designated uses, not for a specific pollutant. Subsequently, the impairment is then associated with a pollutant(s) or surrogate identified as an indicator of the impairment that must be controlled to support the waterbody’s designated use. Also, added reference to the most recent State of Connecticut Integrated Water Quality Report as a source of the listing of impaired waters. Additionally, Section 3(b)(9) was revised to include language to address new discharges to an impaired water that does not have an indicator or surrogate pollutant designated, but for which stormwater discharges are a potential cause of the impairment. In such instances, the stormwater discharge(s) will not be eligible for authorization under this general permit.