

Water Task Force Status Summary

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Program	Status	Comments
DEEP Programs		
Proposed change to the Pretreatment Program: DEEP will continue regulating all SIUs (including Individual Permits and SIU (Metal finishing wastewater and/or Process and non-process wastewater that is <u>not</u> subject to Categorical Pretreatment Standards) GP) while Non-SIUs covered by the MISC GP will be regulated by the WPCAs. Feedback since Ozzie's recent outreach to the WPCAs indicate there will be significant interest/concern among the WPCAs given that they will not be able to rely on DEEP to review and administer registrations under the proposed MISC GP. The SIU GP and MISC GP were public noticed on January 14, 2019 to allow time for public participation and for WPCAs to prepare and budget for any potential changes. The Department held an informational meeting regarding the two proposed general permits on January 23, 2019. Written comments were due by February 14, 2019. A hearing has been requested regarding the above-noted general permits. General Statutes §22a-430b (b). The pre-hearing process will begin with a status conference was held on March 19, 2019. A working group was convened after the status conference to determine if resolution can be obtained prior to a hearing (April 2 & 23). A hearing date of May 16, 2019 has been set.		
Program	Status	Comments
Wastewater Permits		
Comprehensive General Permit for Discharges to Surface Water and Groundwater	NO CHANGE Effective 3/30/18 Expires 3/29/2023	<p>The purpose of the Comprehensive General Permit is to provide a single general permit that will encompass discharges from the General Permit for the Discharge of Water Treatment Wastewater, General Permit for the Discharge of Minor Non-contact Cooling and Heat Pump Water, and the General Permit for the Discharge of Hydrostatic Pressure Testing Water. The Comprehensive General Permit will also include coverage for discharges of <i>fire suppression testing wastewater</i>, hydrant flushing wastewater, potable water system tank and pipeline draining wastewater, and boiler blowdown wastewater (to groundwater only).</p> <p>DEEP has included a renewal registration timeline in the GP. If your facility has an existing authorization under the GPs that expire in March 2018, you must file a registration (if a registration is required to be submitted) within 90 days (by 6/28/18).</p>
Misc. Wastewater General Permit	NO CHANGE Reissued through October 2020. No renewal registration is necessary.	<p>Reissued Without Modification the General Permit: The purpose of the general permit is to provide a legal means of discharging many common industrial and commercial wastewaters (e.g. contact and noncontact cooling water, boiler blowdown, tumbling and cleaning wastewater, water treatment wastewater, etc.) to the sanitary sewer. The Miscellaneous General Permit was first issued in 2001 and revised in 2013 and 2017. DEEP has public noticed a revised MISC GP.</p>

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General Permit for the Discharge of Wastewaters from Categorical Industrial Users to a Publicly Owned Treatment Works (POTW)	NO CHANGE Reissued through October 2020. No renewal registration is necessary.	Reissued Without Modification the General Permit: The Categorical General Permit authorizes discharges of wastewater subject to the provisions of 40 CFR 413 (Electroplating Point Source Category) or 40 CFR 433 (Metal Finishing Point Source Category). The Environmental Protection Agency promulgated a streamlining rule, effective November 14, 2005, which allows the use of a general permit for these and other wastewaters subject to categorical provisions. The general permit requires all facilities seeking coverage to register and receive an Approval of Registration. The general permit also requires regular monitoring of discharges and submittal of monthly Discharge Monitoring Reports to demonstrate compliance with applicable effluent limitations. The general permit is a streamlined approach to permitting through which DEEP has reduced the amount of resources necessary to apply for and obtain a wastewater discharge permit for the metal finishing industry while continuing to assure a high level of environmental protection. This GP will be modified and become the Significant Industrial User (SIU) GP. DEEP has public noticed the SIU GP.
Stormwater Permits	NO CHANGE REMINDER to set up user accounts in ezFile and subscriber agreements for both ezFile and NetDMR.	Construction and Industrial Stormwater General Permits - Effective January 20, 2016, DEEP's ezFile on-line system should be used to submit stormwater construction and industrial general permit registration(s). Please refer to the Construction Stormwater web page or the Industrial Stormwater web page for details on using ezFile.
Industrial Stormwater General Permit	Likely to be reissued without modifications for another 2 years	Public notice of the reissuance expected in the next 3 months. Renewal registration is not necessary for permittees currently registered under this general permit DEEP is working on modifications to make the General Permit more closely aligned with EPA's multi-sector General Permit, with CT-specific requirements. The public notice for the proposed reissuance/modification of the Industrial GP is expected to follow later this year or early next year.

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Stormwater and Dewatering Wastewaters from Construction Activities	Reissuance without mods expected through 2020	Renewal registration is not necessary for permittees currently registered under this general permit. The proposed reissuance/modification of the Construction GP is still being planned to go out to public notice this year, but will be done in phases over the coming months. NOTE: EPA's 2017 Construction General Permit (CGP), which provides coverage to eligible stormwater discharges from certain construction activities where EPA is the permitting authority. The CGP became effective on February 16, 2017. Shortly after EPA issued the 2017 CGP, both the National Association of Home Builders and the Chesapeake Bay Foundation filed petitions for review of the permit in the D.C. Circuit. EPA intends to pursue through notice and comment proceedings a permit modification to the 2017 CGP to provide clarification of certain permit conditions.
Water Diversion Program	CTDEEP is revising applicable reporting forms and instructions	Any water diversions whether consumptive or non-consumptive in nature that are not exempt or registered require permitting if over applicable thresholds. Work group has been established on this topic. Meeting with stakeholder to gather feedback has been held on 10/04/2018. DEEP finalized the annual reporting forms and instructions based on latest stakeholder feedback. Final forms shared with stakeholder group for final feedback. Comment period ended 04/05/2019. DEEP is expected to post the forms and instructions soon. For more information, goto https://www.ct.gov/deep/waterdiversion
Water Quality Standards	Triennial Review Process underway	Public Comment Opportunity: CT DEEP is seeking comments identifying any aspects of the CT Water Quality Standards which should be considered for revision. A Public Meeting was held March 13 to discuss this triennial review process. Comments were due by April 5, 2019. Topics under Consideration for Revision within the WQS Regulations include Updates to Numeric Water Quality Criteria, Revise the Low Flow Statistic Applicable to Fresh Waters, Extended Disinfection Period, Define Highest Attainable Use, Downstream Protection, and Water Quality Classification Maps. More information including the public comments can be found at https://www.ct.gov/deep/cwp/view.asp?a=2719&q=325618&deepNav_GID=1654 or by searching the DEEP website for "water quality standards".
Stream Flow Standards and Regulations	Notice of Adopted Stream Flow Classifications Housatonic, Hudson & Southwest Coastal River Basins	With the finalization of stream flow classifications for the Housatonic, Hudson and Southwest Coastal River Basin, classifications for all streams across the state are now complete. Additional information on the Stream Flow Standards and Classifications is available on the Department's website at: www.ct.gov/deep/streamflow . Anyone requiring more information may contact the Department by email at deep.streamflowclass@ct.gov or by phone at 860-424-3020. Please review the Stream Flow Reporting Form for Dams to determine whether your site is subject to reporting requirements if you have not done so already.

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CT State Water Plan (Public Act 14-163)	NO CHANGE 02/06/2019 -- View the utility company acquisitions and mergers presentation from the February 5, 2019 WPC meeting. Download the plan at www.ct.gov/water	The draft plan recommends a framework for managing Connecticut's water into the future and for achieving balance with our many human and environmental needs as climate trends emerge and new needs develop. It addresses the quality and quantity of water for drinking, ecology, recreation, business, industry, agriculture, energy, and wastewater assimilation. The creation of the State Water Plan was required following the adoption of a new state law, Public Act 14-163, which directed the Water Planning Council (WPC) to formulate a plan that will help planners, regulators, and lawmakers make decisions about managing Connecticut's water in a manner that is consistent throughout the state. The group's draft plan reflects the input of various stakeholders, committee members and public participants. The public comment period on the draft State Water Plan closed on November 20, 2017. Comments have been reviewed and addressed by the Water Planning Council. The Water Planning Council voted on 1/23/2018 to approve the Final Draft State Water Plan for submission to the Connecticut General Assembly. They intend to present a final document to the Governor and various legislative committees in 2018.
LIS Blue Plan	The completed draft of the Long Island Sound Blue Plan is now available for public review and comment; The formal 90-day public comment period runs from March 20, 2019 to June 21, 2019.	<p>The Blue Plan Map Viewer is a mapping tool that contains all of the Blue Plan's data layers in an interactive format. Developed in collaboration with the University of Connecticut's Center for Land Use Education and Research (CLEAR), the viewer lets you explore the Blue Plan's maps in more detail.</p> <p>The first draft of the policies proposed to be included in the Long Island Sound Blue Plan is available on the Blue Plan Policy webpage. The LIS Blue Plan is a State of Connecticut initiative to protect the ecological resources and traditional human uses of Long Island Sound while allowing for compatible future uses. The policies of the Blue Plan will provide greater clarity and enforceable guidance for how future permitting decisions are to be made in relation to Ecologically Significant Areas as well as Significant Human Use Areas, under existing state regulatory programs. Public meetings were held in December 2018 and January 2019. More can be found on the Blue Plan at www.ct.gov/deep/lisblueplan.</p>
EPA Programs		
PFOA, PFOS and Other PFASs	Vermont's health advisory level for the sum of five PFAS should not exceed 20 ppt	EPA Testifies Before Senate on PFAS - The US Senate's Committee on Environmental and Public Works (EPW) held a hearing on March 28, entitled "Examining the Federal Response to the Risks Associated with Per- and Polyfluoroalkyl Substances (PFAS)." David Ross, Assistant Administrator for EPA's Office of Water, testified along with Maureen Sullivan, Dr. Patrick Breysse, and Dr. Linda

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	(parts per trillion) in drinking water. Legislation Introduced to Designate PFAS as Hazardous Substances	Birnbaum with the Department of Defense, Centers for Disease Control and Prevention, and the National Institute of Health, respectively. Ross stated that “despite [PFAS] everyday use, the body of science necessary to fully understand and regulate these chemicals is not yet as robust as it needs to be.” Recognizing the shortcomings with the current science available, Ross noted “EPA is using and developing cutting edge research and moving forward with regulating mechanisms designed to protect public health and the environment.” Further, he noted that PFAS is a “multidimensional problem that requires multidimensional solutions.” Senator Ben Cardin (D-MD) specifically pressed Ross on how EPA plans to address remedial activities and hold those responsible for PFAS contamination accountable rather than putting additional burdens on local governments and ratepayers that already face aging infrastructure and affordability challenges. Ross acknowledged the affordability issue and how the Agency needs to look at drinking water, wastewater, and stormwater holistically through cumulative cost burdens on a single ratepayer. Ross also mentioned clean-up costs can be leveraged by designating PFOA and PFOS—two of the more prevalent PFAS constituents—as hazardous substances under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), but he did not mention how the water sector is to address the high costs associated with advanced treatment when they are not the source.
Waters of the United States (WOTUS) Rulemaking	No Extension for WOTUS Comment Deadline	The U.S. EPA proposed new definition of Waters of the U.S. has been published in the federal register and is now open for public comment. Much of the definition remains unchanged from the 2015 rule, with a few notable exceptions: <ul style="list-style-type: none"> - The new rule combines "Traditional Navigable Waters" and territorial seas into a single category. - It excludes ephemeral flows (ones that only flow in response to precipitation) from the "tributaries" category. - It defines the term "ditch" as an artificial channel used to convey water and it excludes ditches from WOTUS unless they meet the specific criteria for a jurisdictional water. The new rule also excludes groundwater -- even when channelized through drainage -- as well as stormwater runoff, such as sheet flow over upland. The public comment period is open until April 15. Please visit epa.gov/wotus-rule for more information.
Drinking Water	EPA Releases Drinking Water Risk Assessment	EPA has released a pre-publication version of its requirements for the new risk assessment and emergency response plans required of drinking water utilities in the America’s Water Infrastructure Act

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	Requirements	<p>of 2018, which was signed by President Trump last year. The Act revised a 2002 Safe Drinking Water Act amendment, which required one-time vulnerability assessments for drinking water utilities. There are currently no requirements for wastewater utilities to complete a risk assessment or emergency response plan, and wastewater utilities are not impacted by these proposed requirements. Under the new legislation, drinking water utilities serving more than 3,300 people must conduct a new assessment of risk and resilience related to natural hazards and malevolent acts; all physical and electronic systems; financial infrastructure; the use and handling of chemicals; and the operation and maintenance of the system. Drinking water utilities must also prepare an emergency response plan based on the risk assessment. The plan should include strategies and resources to improve both physical and cyber-security resilience, procedures for recovering from natural hazards and malevolent acts, and strategies for detecting problems that threaten the security or resilience of the system. Utilities must certify to EPA that they have completed the risk assessment and emergency response plan, but the assessment and plan do not need to be submitted to the Agency. The certification deadline depends on utility size, with the first deadline being March 31, 2020 for utilities serving a population of 100,000 or more. Emergency response plans are due six months after completion of the risk assessment. There are no penalties for missing the deadlines, but EPA will be working with the states to achieve full compliance.</p> <p>EPA is developing a comprehensive training schedule and tools, resources, and procedures that drinking water utilities may use to comply with the risk assessment and emergency response plan requirements.</p>
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