

# Water Task Force Status Summary

## CBIA e<sup>2</sup> Council

*Revised July 2021*

Program	Status	Comments
<b>DEEP Programs</b>		
<p><b>Proposed change to Permit Modifications:</b> CTDEEP sought input from stakeholders regarding alternatives for "3(i)" determinations. Using working definitions of "significant", stakeholders provided examples illustrating both "significant" and non-"significant" changes as the term applies to RCSA Section 22a-430-3(i)(2). Kim Hudack response June 22, 2020: "DEEP staff have reviewed the proposed "significant / not significant" ideas and have put together a table that needs a little editing. We will be putting out the straw proposal to the group soon." CBIA is waiting for the straw proposal. Per Kim Hudack,</p> <ul style="list-style-type: none"> <li>• DEEP team met week of April 26<sup>th</sup> "to review the draft that we had prepared that Ozzie presented as part of his presentation last Summer/Fall."</li> <li>• May 12<sup>th</sup> email - "The group has met a few times and we are anticipating finishing up soon."</li> </ul>		
Program	Status	Comments
<b>Wastewater Permits</b>		
<u>Contact:</u> Ozzie Inglese at (860) 424-3725 or oswald.inglese@ct.gov		
Comprehensive General Permit for Discharges to Surface Water and Groundwater	<b>NO CHANGE</b> 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 <b><i>fire suppression testing wastewater</i></b>, hydrant flushing wastewater, potable water system tank and pipeline draining wastewater, and boiler blowdown wastewater (to groundwater only).</p> <p>The Swimming Pool GP has been reissued for two more years (expires August 05, 2021) without any changes or re-registration required. It is the intent to eventually consolidate this general permit into the Comprehensive GP in the future.</p>

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MIU General Permit (formerly known as MISC Wastewater General Permit)	<b>NO CHANGE</b>  Issuance Date: Sept. 29, 2020 Effective Date: October 31, 2020 Expiration Date: October 30, 2025	<p>This general permit is issued under the authority of section 22a-430b of the Connecticut General Statutes.</p> <p><a href="https://portal.ct.gov/DEEP/Water-Regulating-and-Discharges/Industrial-Wastewater/Industrial-Wastewater">https://portal.ct.gov/DEEP/Water-Regulating-and-Discharges/Industrial-Wastewater/Industrial-Wastewater</a></p> <p>This general permit authorizes discharges of Miscellaneous Industrial User (MIU) wastewater to a Publicly Owned Treatment Works (POTW) from an Industrial User which is not a Significant Industrial User, as defined in this general permit, and where such wastewater is:</p> <ul style="list-style-type: none"> <li>• conveyed by sanitary sewer; or</li> <li>• transported by a licensed waste hauler in accordance with Section 5(e)(4) of this general permit.</li> </ul> <p><a href="https://portal.ct.gov/DEEP/Permits-and-Licenses/Water-Discharge-Permits-and-General-Permits">https://portal.ct.gov/DEEP/Permits-and-Licenses/Water-Discharge-Permits-and-General-Permits</a></p>
SIU General Permit (formerly known as the General Permit for the Discharge of Wastewaters from Categorical Industrial Users to a Publicly Owned Treatment Works (POTW))	<b>NO CHANGE</b>  Issuance Date: October 30, 2020 Effective Date: October 31, 2020 Expiration Date: October 30, 2025	<p>This general permit is issued under the authority of section 22a-430b of the Connecticut General Statutes.</p> <p><a href="https://portal.ct.gov/DEEP/Water-Regulating-and-Discharges/Industrial-Wastewater/Industrial-Wastewater">https://portal.ct.gov/DEEP/Water-Regulating-and-Discharges/Industrial-Wastewater/Industrial-Wastewater</a></p> <p>Provided the requirements of Section 3(b) of this general permit are satisfied, this general permit authorizes the following indirect discharges from a Significant Industrial User, as defined in this general permit, to a Publicly Owned Treatment Works (POTW) via sanitary sewer or through transport by a licensed waste hauler in accordance with Section 5(e)(4) of this general permit:</p> <ol style="list-style-type: none"> <li>(1) Metal finishing wastewater, as defined in this general permit; and/or</li> <li>(2) Process and non-process wastewater that is not subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR Chapter I, subchapter N.</li> </ol> <p>Any discharge of water, substance or material into the waters of the state other than those specified in this section is not authorized by this general permit, and any person or municipality which initiates, creates, originates or maintains such a discharge shall apply for and obtain authorization under section 22a-430 of the Connecticut General Statutes prior to the occurrence of such discharge.</p> <p><a href="https://portal.ct.gov/DEEP/Permits-and-Licenses/Water-Discharge-Permits-and-General-Permits">https://portal.ct.gov/DEEP/Permits-and-Licenses/Water-Discharge-Permits-and-General-Permits</a></p>

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<b>Stormwater Permits</b> <u>Contact:</u> the stormwater group at 860-424-3025 or DEEP.StormwaterStaff@ct.gov	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	<b>New Permit effective October 1, 2021 <i>without modifications posted</i></b>  <b>Expires September 30, 2024</b>  No renewal registration is required for existing sources.	<p>Notice of Reissuance without modifications of the General Permit for the Discharge of Stormwater Associated with Industrial Activity. Written comments due by May 2, 2021.</p> <p>The current industrial general permit became effective on October 1, 2011. It was most recently reissued <i>without modifications</i> on October 1, 2019 and will expire on September 30, 2021. The DEEP is proposing to <b>continue permit authorization</b> by issuing this notice to reissue the industrial general permit <i>without modifications</i> for the period beginning on October 1, 2021 and expiring on September 30, 2024.</p> <p>The Department intends to reissue a new industrial general permit <i>with modifications</i> prior to the expiration of this proposed reissued general permit <i>without modifications</i>. <b>The Department will seek public comment on a notice of tentative decision to reissue the industrial general permit <i>with modifications</i> by July 2022.</b></p> <p>For more information, go to: <a href="https://portal.ct.gov/DEEP/Water-Regulating-and-Discharges/Stormwater/Industrial-Stormwater-GP">https://portal.ct.gov/DEEP/Water-Regulating-and-Discharges/Stormwater/Industrial-Stormwater-GP</a></p>

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Stormwater and Dewatering Wastewaters from Construction Activities	<b>NO CHANGE</b>  **Issued: 12/21/2020; Effective Date: 12/31/2020  Renewal registration is required within 120 days.  Notice of Reissuance of the General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities	<p>The Department of Energy &amp; Environmental Protection (DEEP) hereby gives notice of the reissuance with modifications of the General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities (construction general permit). The reissued construction general permit will be effective December 31, 2020.</p> <p>The Public Notice of Tentative Decision to modify the construction general permit was published in newspapers statewide on December 31, 2019 and January 2, 2020 and a public informational meeting was held on January 8, 2020. Two hundred and four (204) comment letters or emails and a petition for hearing were received during the 45-day comment period for the general permit. Staff from the Water Permitting and Enforcement Division met with a workgroup of consulting engineers, representatives from the solar industry, and other intervening parties from June to October 2020 to reach agreement on the final construction general permit. The petition for hearing was withdrawn on October 23, 2020. Further information on the general permit and a Response to Comments is available on the DEEP website at <a href="https://portal.ct.gov/DEEP/Water-Regulating-and-Discharges/Stormwater/Construction-Stormwater-GP">https://portal.ct.gov/DEEP/Water-Regulating-and-Discharges/Stormwater/Construction-Stormwater-GP</a>.</p> <p><b>Current Permittees Under the construction general permit</b>--Permittees currently authorized to discharge under the construction general permit must submit a reregistration electronically via DEEP's eZFile portal within 120 days of the date of issuance of the general permit in order to continue authorization.</p> <p>For more information, search for 'construction stormwater' on the DEEP website.</p>

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Stormwater Associated with Commercial Activity	<b>NO CHANGE</b>  Reissued 9/10/2020 Expires 5/14/2022	The DEEP will be reissuing without modifications for two years – no registration required for existing registrants. Registrants are expected to comply with the terms and conditions of the current Commercial Stormwater General Permit in the interim until such time the reissued general permit becomes effective. The current commercial general permit became effective on May 15, 2017 and expired on May 14, 2020. The DEEP is proposing to continue permit authorization by issuing a notice to reissue the commercial general permit without modifications for the period beginning on the date of issuance by the Commissioner and expiring on May 14, 2022.  For more information, go to: <a href="https://portal.ct.gov/DEEP/Water-Regulating-and-Discharges/Stormwater/Commercial-Stormwater">https://portal.ct.gov/DEEP/Water-Regulating-and-Discharges/Stormwater/Commercial-Stormwater</a>
<b>Water Diversion Program</b>  <u>Contact:</u> Land and Water Resources Division at (860) 424-3019	<b>NO CHANGE</b>  2020 Annual Water Use Reporting Form for reporting of both registered and permitted diversions	July 14, 2020 – Letter from the Commissioner Re <i>Notice of Availability of Forms for the Reporting of Operating Data for Registered Diversions and Submission Deadline</i> In accordance with Section 22a-368a of the General Statutes of Connecticut, the Commissioner of the Connecticut Department of Energy and Environmental Protection hereby gives notice that a form for the reporting of operating data for water diversions registered pursuant to Section 22a-368 CGS is available on-line at <a href="http://www.ct.gov/deep/waterdiversionreporting">www.ct.gov/deep/waterdiversionreporting</a> . The deadline for diversion registrants to submit their first completed reporting form was January 31, 2021. This form will contain daily diversion operating data for the year 2020. All registrants expected to submit annual reports were mailed individual notices dated September 30, 2019. Anyone requiring more information regarding this matter may visit the Department's Water Diversion Reporting website at <a href="http://www.ct.gov/deep/waterdiversionreporting">www.ct.gov/deep/waterdiversionreporting</a> or contact the Department by email at <a href="mailto:deep.waterdiversionreporting@ct.gov">deep.waterdiversionreporting@ct.gov</a> or by phone at 860-424-3020. Department staff has limited access to phones during the on-going health crisis therefore email contact is preferred. NOTE: In light of COVID-19, timely renewal for individual diversion permits has been reduced to 30 days prior to expiration.

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<b>Water Quality Standards</b> <u>Contact:</u> Bureau of Water Protection and Land Reuse at (860) 424-3020	<b>NO CHANGE</b>  Triennial Review Process underway	<p>9/17/2020 From Phil Trowbridge (since retired): “DEEP is currently finalizing our response to comments on the list of topics to be considered for rule changes. After that, we will need to submit the document to EPA for approval. Once approved, we will post the document on our website and email all those who commented. I expect that we will be done with these steps by the end of the year. The next step after that would be to start the rulemaking process for making changes to the standards, which is a long process by itself.”</p> <p>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 <a href="https://www.ct.gov/deep/cwp/view.asp?a=2719&amp;q=325618&amp;deepNav_GID=1654">https://www.ct.gov/deep/cwp/view.asp?a=2719&amp;q=325618&amp;deepNav_GID=1654</a> or by searching the DEEP website for “water quality standards”.</p>
<b><i>EPA Programs</i></b>		
<b>PFOA, PFOS and Other PFASs</b>	<b>On-going</b>  EPA’s PFAS website at <a href="https://www.epa.gov/pfas">https://www.epa.gov/pfas</a>	<p><b>Water Treatment Plant In Fullerton Makes History As Orange County's First Operating PFAS Extraction Plant</b> - The Orange County Water District (OCWD; the District) and the City of Fullerton have begun operation of the Kimberly Well 1A PFAS Treatment Plant, Orange County’s first wellhead filtration treatment plant to remove perfluorooctanoic acid (PFOA) and perfluorooctane sulfonate (PFOS) from local well water.</p> <p>PFOA and PFOS are manmade, heat-resistant chemicals that are prevalent in the environment and were once commonly used in consumer products to repel water, grease, and oil. They are part of a larger group referred to as per- and polyfluoroalkyl substances (PFAS). Due to their prolonged use, PFAS are being detected in water sources throughout the United States, including the Orange County Groundwater Basin.</p> <p>“OCWD cannot be prouder of our amazing staff that designed and deployed this state of the art PFAS treatment system in record time to combat the PFAS chemicals which were released into the environment by third parties,” said OCWD President Steve Sheldon. “We worked closely with the city of Fullerton to construct this treatment facility to remove PFOA and PFOS from groundwater while</p>

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		<p>continually meeting all state and federal drinking water standards. I want to commend our professional staff on a job very well done.”</p> <p>The Kimberly Well 1A PFAS Treatment Plant uses an ion exchange treatment system made of highly porous resin that acts like powerful magnets that adsorb and hold onto contaminants. During treatment, contaminants such as PFOA and PFOS are removed. Construction began in November 2020 and the facility treats up to 3,000 gallons of water per minute.</p> <p>Last year, dozens of wells in Orange County were removed from service after the state of California lowered the Response Level advisories of PFOA and PFOS. This drove local water suppliers to rely on imported water from Northern California and the Colorado River to meet the needs of their customers.</p> <p>“Bringing this treatment facility online is very important. It means Fullerton can increase its use of local groundwater, which is less expensive and more reliable than imported water,” said OCWD Director and City of Fullerton Mayor Bruce Whitaker.</p> <p>The Fullerton facility is the first of 25 PFAS treatment facilities being designed and constructed by OCWD in the next two years. OCWD is funding 100% of design and construction costs and 50% of operation and maintenance costs for its water suppliers like Fullerton. The District and 10 Orange County public water agencies filed a lawsuit against the manufacturers of PFAS, seeking to protect ratepayers and ensure that the associated costs, including but not limited to treatment and replacement water, are borne by the companies that developed and manufactured PFAS.</p> <p>For additional information on OCWD’s comprehensive and robust PFAS response, please visit <a href="http://www.ocwd.com/what-we-do/water-quality/pfoapfos">www.ocwd.com/what-we-do/water-quality/pfoapfos</a>.</p> <ul style="list-style-type: none"> <li>• In December 2019, EPA accomplished a key milestone in the PFAS Action Plan by publishing a new validated method to accurately test for 11 additional PFAS in drinking water. Method 533 complements EPA Method 537.1, and the agency can now measure 29 chemicals.</li> </ul>

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		<ul style="list-style-type: none"> <li>• In November 2020, EPA issued a memo detailing an interim National Pollutant Discharge Elimination (NPDES) permitting strategy for PFAS. The agency also released information on progress in developing new analytical methods to test for PFAS compounds in wastewater and other environmental media.</li> <li>• In January 2021, EPA announced final determinations to regulate PFOS and PFOA in drinking water and a proposal to require monitoring for 29 PFAS in drinking water under the fifth Unregulated Contaminant Monitoring Rule.</li> <li>• In January 2021, EPA finalized Effluent Guidelines Program Plan 14 and announced an Advanced Notice of Proposed Rulemaking to collect data and information regarding PFAS manufacturers that will help inform whether these industrial sources warrant regulation through national Effluent Limitation Guidelines to address PFAS discharges.</li> </ul> <p>February 2020 - EPA released the PFAS Action Plan: Program Update. The Agency's PFAS Action Plan is the first multi-media, multi-program, national research, management, and risk communication plan to address a challenge like PFAS. From issuing groundwater cleanup guidance to proposing a positive regulatory determination for both PFOA and PFOS, EPA has made progress under every aspect of the Action Plan. The actions EPA has taken reflect the comprehensive and coordinated approach that was outlined in the February 2019 PFAS Action Plan. Available at <a href="https://www.epa.gov/pfas/pfas-action-plan-program-update-february-2020">https://www.epa.gov/pfas/pfas-action-plan-program-update-february-2020</a></p> <p>On November 4, 2019, Governor Ned Lamont officially released the finalized PFAS Action Plan prepared by the Connecticut Interagency PFAS Task Force. CT PFAS Action Plan and more information available on <a href="http://www.ct.gov/ctpfastaskforce">www.ct.gov/ctpfastaskforce</a>. As of August 2020, DEEP and the Department of Emergency Services and Public Protection (DESPP) have begun planning for the take-back and safe disposal of aqueous film-forming foam (AFFF) containing PFAS from state and municipal fire departments. In addition, DEEP is developing a Geographic Information System (GIS) project specific to potential PFAS sources for use as a tool to evaluate the vulnerability of sensitive receptors, including drinking water supplies and surface water bodies, to PFAS pollution. This GIS project will assist DEEP and DPH in prioritizing future site investigations throughout the state. Furthermore,</p>



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		<p>DEEP is planning initial testing at about one third of the state's wastewater treatment plants. This testing will include analysis of influent to and effluent from the treatment facilities.</p> <p>For more information on steps being taken by DEEP and DPH, please contact:</p> <ul style="list-style-type: none"> <li>•Shannon Pociu - CT DEEP Remediation Division</li> <li>•Lori Mathieu -CT DPG Environmental Health and Drinking Water Branch</li> <li>•Pat Bisacky- CT DPH Drinking Water Section</li> </ul>
<b>Waters of the United States (WOTUS) Rulemaking</b>	<p>On-going Litigation</p> <p>WOTUS to be mired in legal uncertainty for many years</p> <p>Definition of "Waters of the United States" -</p> <p>Please visit <a href="https://www.epa.gov/nwpr">https://www.epa.gov/nwpr</a> for more information.</p>	<p><b>Public Outreach and Stakeholder Engagement Activities (forthcoming)</b> - On June 9, 2021, EPA and the Department of the Army announced their intention to initiate a new rulemaking process that restores the protections in place prior to the 2015 WOTUS implementation and develops a new rule to establish a durable definition of "waters of the United States." Further details of the agencies' plans, including opportunity for public participation, will be conveyed in a forthcoming action.</p> <p>Executive Order 13990 on <i>Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis</i> (Jan. 20, 2021) directed the EPA and Army "to immediately review and, as appropriate and consistent with applicable law, take action to address the promulgation of Federal regulations [including the Navigable Waters Protection Rule or "NWPR"] and other actions during the last four years that conflict with these important national objectives."</p> <p>The order also specifically revoked Executive Order 13778 of February 28, 2017 (Restoring the Rule of Law, Federalism, and Economic Growth by Reviewing the "Waters of the United States" Rule), which resulted in promulgation of the NWPR.</p> <p>The order provides that "[i]t is, therefore, the policy of my Administration to listen to the science; to improve public health and protect our environment; to ensure access to clean air and water; to limit exposure to dangerous chemicals and pesticides; to hold polluters accountable, including those who disproportionately harm communities of color and low-income communities; to reduce greenhouse gas emissions; to bolster resilience to the impacts of climate change; to restore and expand our national treasures and monuments; and to prioritize both environmental justice and the creation of the well-paying union jobs necessary to deliver on these goals."</p>

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		In conformance with Executive Order 13990, the agencies reviewed the NWPR. See also Fact Sheet: List of Agency Actions for Review. The agencies have completed their review of the NWPR and determined that the rule must be replaced.
<b>EPA's Stormwater Discharges from Industrial Activities</b>	2021 MSGP became effective on March 1, 2021	The U.S. Environmental Protection Agency (EPA) signed and issued the 2021 Multi-Sector General Permit (MSGP) for industrial stormwater discharges on January 15, 2021. The 2021 MSGP will become effective on March 1, 2021 and will replace the 2015 MSGP. For more information, see EPA's 2021 MSGP. The permit, fact sheet, and other associated documents can be found at <a href="https://www.epa.gov/npdes/stormwater-discharges-industrial-activities">https://www.epa.gov/npdes/stormwater-discharges-industrial-activities</a> .
<b>Drinking Water</b>	EPA Provides Resources to Address Chemical Supply Issues	<p>June 23, 2021 - As chemical supply chain issues continue to impact utilities around the country, EPA has published instructions for water utilities on how to use Section 1441 of the Safe Drinking Water Act (SDWA) or the Defense Production Act to obtain chlorine or any other chemicals needed for treating drinking water or wastewater.</p> <p>Supplies of sodium hypochlorite and other chlorine products have been reduced due to equipment failure and other problems at production facilities. Utilities on the West Coast and some other parts of the country have received force majeure letters from their suppliers explaining the shortage and its unknown duration.</p> <p>Section 1441 of the SDWA authorizes the Department of Commerce to issue an order to vendors to supply public drinking water or wastewater utilities with necessary chemicals. EPA recommends on its Frequently Asked Questions (FAQ) page that utilities first work with their current chemical suppliers and investigate alternative suppliers, as well as work with neighboring utilities and the Water and Wastewater Agency Response Networks (WARNs) for potential supply options. If these options are not successful, utilities may submit an application to certify need under Section 1441.</p> <p>Utilities may also use the Defense Production Act to secure supplies of needed chemicals. The Defense Priorities and Allocation System allows supply chain prioritization to support critical infrastructure, such as drinking water and wastewater utilities, in the nation's supply chain. EPA provides instructions for using the Defense Production Act, which begins with filling out Form BIS-999 and returning it to EPA Headquarters at <a href="mailto:WSD-Outreach@epa.gov">WSD-Outreach@epa.gov</a>.</p>

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<b>EPA Enforcement</b>	Connecticut company to pay penalty in settlement over CWA violations	<p>June 8, 2021 - The U.S. Environmental Protection Agency (EPA) recently reached an agreement with Emhart Teknologies, a manufacturer of precision screw-thread wire and screw-lock inserts based in Danbury, Connecticut., to settle alleged violations of the Clean Water Act.</p> <p>Under the settlement, Emhart Teknologies agreed to pay a penalty of \$29,658 for allegedly discharging a mixture of water and coolant, used to keep the facility's cutting machines from overheating during their operations, into the Sympaug Brook near Danbury. The mixture contained oil and toxic metals, such as copper and lead, which were left over from machining operations.</p> <p>"EPA is committed to improving the water quality of New England waterbodies by taking action to reduce pollution so that these bodies can serve as healthy habitats for wildlife," said EPA New England acting regional administrator Deborah Szaro. "This incident, and EPA's subsequent enforcement action, serve as a powerful reminder to companies the importance of evaluating sources of potential spills at their facilities and having adequate prevention measures in place."</p> <p>Emhart Teknologies' facility performs screw machine operations that generate used coolant containing oil and toxic metals from machining brass. An automatic sump pump operated by the facility displaced 1,800 gallons of dilute metal cutting coolant from an aboveground storage tank into nearby storm basins, which subsequently discharged into the Sympaug Brook. The facility reported that 15 barrels (or 630 gallons) of dilute cutting coolant reached the brook. The oil and metals in the coolant caused a fish kill from the spill entry location at the brook to its convergence with the Still River.</p> <p>The company completed the cleanup of the brook shortly after the spill was discovered and was cooperative with EPA during the enforcement investigation and case settlement negotiations.</p>