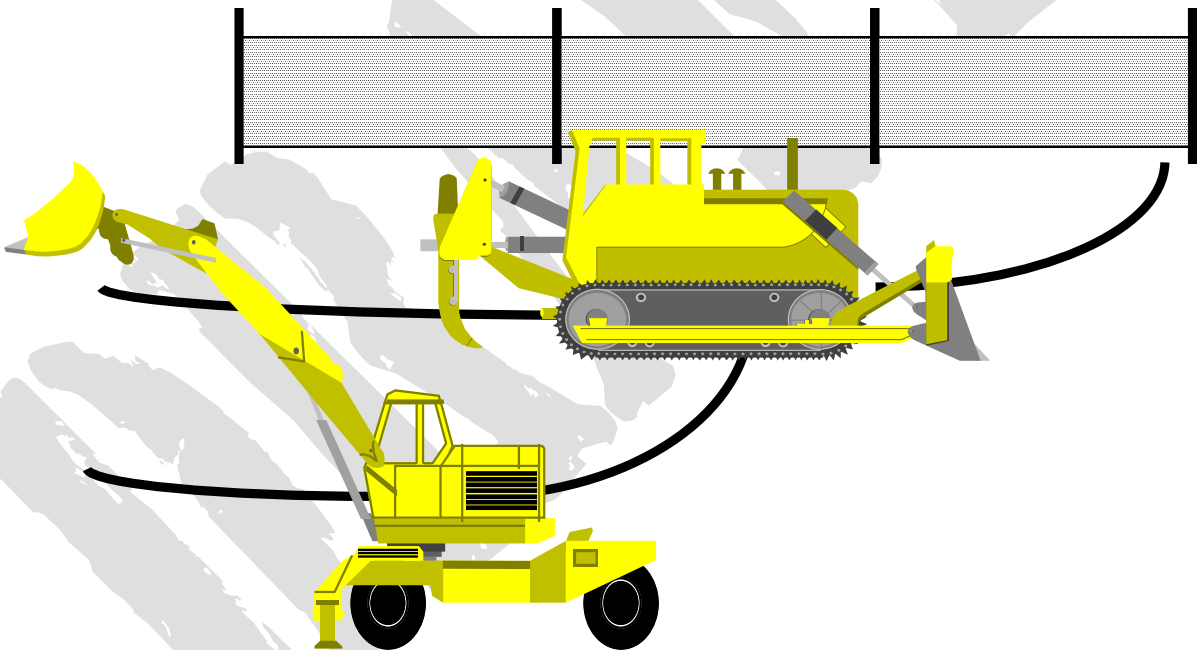




STATE OF CONNECTICUT
DEPARTMENT OF ENERGY & ENVIRONMENTAL PROTECTION
BUREAU OF MATERIALS MANAGEMENT & COMPLIANCE ASSURANCE
WATER PERMITTING AND ENFORCEMENT DIVISION
860-424-3018

General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities



Issuance Date: TBD

Printed on recycled paper

General Permit for Discharge of Stormwater and Dewatering Wastewaters from Construction Activities

Table of Contents

Section 1.	Authority
Section 2.	Definitions
Section 3.	Authorization Under This General Permit
	(a) Eligible Activities
	(b) Requirements for Authorization
	(c) Registration
	(d) Small Construction
	(e) Geographic Area
	(f) Effective Date and Expiration Date of this General Permit
	(g) Effective Date of Authorization
	(h) Revocation of an Individual Permit
	(i) Issuance of an Individual Permit
Section 4.	Registration Requirements
	(a) Who Must File a Registration
	(b) Scope of Registration
	(c) Contents of Registration
	(d) Where to File a Registration
	(e) Availability of Registration and Plan
	(f) Additional Information
	(g) Additional Notification
	(h) Action by Commissioner
Section 5.	Conditions of this General Permit
	(a) Conditions Applicable to Certain Discharges
	(b) Stormwater Pollution Control Plan
	(c) Monitoring
	(d) Reporting and Record Keeping Requirements
	(e) Regulations of Connecticut State Agencies Incorporated into this General Permit
	(f) Reliance on Registration
	(g) Duty to Correct and Report Violations
	(h) Duty to Provide Information
	(i) Certification of Documents
	(j) Date of Filing
	(k) False Statements
	(l) Correction of Inaccuracies
	(m) Transfer of Authorization
	(n) Other Applicable Law
	(o) Other Rights
Section 6.	Termination Requirements
	(a) Notice of Termination
	(b) Termination Form
	(c) Where to File a Termination Form

Section 7.	Commissioner's Powers
(a)	Abatement of Violations
(b)	General Permit Revocation, Suspension, or Modification.....
(c)	Filing of an Individual Application.....

Stormwater Monitoring Report Form

Appendix A	Endangered, Threatened and Special Concern (“Listed”) Species
Appendix B	Low Impact Development Guidance Information and Fact Sheet
Appendix C	Aquifer Protection Guidance Information
Appendix D	Coastal Management Act Determination Form
Appendix E	Conservation Districts of Connecticut
Appendix F	Memorandum of Agreement Between DEEP and Conservation Districts
Appendix G	Historic Preservation Review
Appendix H	Wild & Scenic Rivers Guidance

General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities

Section 1. Authority

This general permit is issued under the authority of section 22a-430b of the Connecticut 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 Connecticut General Statutes and section 22a-430-3(a) of the Regulations of Connecticut State Agencies. As used in this general permit, the following definitions shall apply:

“x-year, 24-hour rainfall event” means the maximum 24-hour precipitation event with a probable recurrence interval of once in the given number of years (i.e. x=2, 25 or 100), as defined by the National Weather Service in Technical Paper Number 40, “Rainfall Frequency Atlas of the United States,” May 1961, and subsequent amendments, or equivalent regional or state rainfall probability information developed therefrom.

“Annual sediment load” means the total amount of sediment carried by stormwater runoff on an annualized basis.

“Aquifer protection area” means aquifer protection area as defined in section 22a-354h of the Connecticut General Statutes.

“CFR” means the Code of Federal Regulations.

“Coastal area” means coastal area as defined in section 22a-93(3) of the Connecticut General Statutes.

“Coastal waters” means coastal waters as defined in section 22a-93(5) of the Connecticut General Statutes.

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

“Construction activity” means any activity associated with construction at a site including, but not limited to, clearing and grubbing, grading, excavation, and dewatering.

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

“Developer” means a person who or municipality which is responsible, either solely or partially through contract, for the design and construction of a project site.

“Dewatering wastewater” means wastewater associated with the construction activity generated from the lowering of the groundwater table, the pumping of accumulated stormwater or uncontaminated groundwater from an excavation, the pumping of surface water from a cofferdam, or pumping of other surface water that has been diverted into a construction site.

“District” means one of the five Conservation Districts of Connecticut. Appendix E lists the five Districts, their geographic delineations, and contact information.

“Disturbance” means the execution of any of the construction activity(ies) defined in this general permit.

“Effective Impervious Cover” is the total area of a site with a Rational Method runoff coefficient of 0.7 or greater (or other equivalent methodology) from which stormwater discharges directly to a surface water or to a storm sewer system.

“Erosion” means the detachment and movement of soil or rock fragments by water, wind, ice and gravity.

“Fresh-tidal wetland” means a tidal wetland with an average salinity level of less than 0.5 parts per thousand.

“Grab sample” means an individual sample collected in less than fifteen minutes.

“Groundwater” means those waters of the state that naturally exist or flow below the surface of the ground.

“Guidelines” means the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control, as amended, established pursuant to section 22a-328 of the Connecticut General Statutes.

“High tide line” means high tide line as defined in section 22a-359(c) of the Connecticut General Statutes.

“High Quality Waters” means surface waters where the water quality is better than necessary to meet the criteria established in the Water Quality Standards for the applicable classification or which may sustain a sensitive use designated for a higher classification.

“Impaired water(s)” means those surface waters of the state designated by the commissioner as impaired pursuant to Section 303(d) of the Clean Water Act and as identified in the most recent State of Connecticut Integrated Water Quality Report.

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

“Inland wetland” means wetlands as defined in section 22a-38 of the Connecticut General Statutes.

“Linear Project” includes the construction of roads, railways, bridges, conduits, substructures, pipelines, sewer lines, towers, poles, cables, wires, connectors, switching, regulating and transforming equipment and associated ancillary facilities in a long, narrow area.

“Locally approvable project” means a construction activity for which the registration is not for a municipal, state or federal project and is required to obtain municipal approval for the project.

“Locally exempt project” means a construction activity for which the registration is for a project authorized under municipal, state or federal authority and is not required to obtain municipal approval for the project.

“Low Impact Development” or *“LID”* means a site design strategy that maintains, mimics or replicates pre-development hydrology through the use of numerous site design principles and small-scale treatment practices distributed throughout a site to manage runoff volume and water quality at the source.

“Minimize”, for purposes of implementing the control measures in Section 5(b)(1)(B)(v) of this general permit, means to reduce and/or eliminate to the extent achievable using control measures that are technologically available and economically practicable and achievable in light of best industry practice.

“Municipal separate storm sewer system” or *“MS4”* means conveyances for stormwater (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels or storm drains) owned or operated by any municipality and discharging to surface waters of the state.

“Municipality” means a city, town or borough of the state as defined in section 22a-423 of the Connecticut General Statutes.

“Nephelometric Turbidity Unit” or *“NTU”* means a unit measure of turbidity from a calibrated nephelometer.

“Normal Working Hours”, for the purposes of monitoring under Section 5(c) of this general permit, are considered to be, at a minimum, Monday through Friday, between the hours of 8:00 am and 6:00 pm, unless additional working hours are specified by the permittee.

“Permittee” means any person who or municipality which initiates, creates or maintains a discharge in accordance with Section 3 of this general permit.

“Person” means person as defined in section 22a-423 of the Connecticut General Statutes.

“Phase” means a portion of a project possessing a distinct and complete set of activities that have a specific functional goal wherein the work to be completed in the phase is not dependent upon the execution of work in a later phase in order to make it functional.

“Point Source” means any discernible, confined and discrete stormwater conveyance (including but not limited to, any pipe, ditch, channel, tunnel, conduit, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft) from which pollutants are or may be discharged.

“Qualified Inspector” means an individual possessing either (1) a professional license or certification by a professional organization recognized by the commissioner related to agronomy, civil engineering, landscape architecture, soil science or land surveying, and two years of demonstrable and focused experience in erosion and sediment control plan reading, installation, inspection and/or report writing for residential and commercial construction projects in accordance with the Guidelines; or (2) five years of demonstrable and focused experience in erosion and sediment control plan reading, installation, inspection and/or report writing for residential and commercial construction projects in accordance with the Guidelines; or (3) certification by the Connecticut Department of Transportation (DOT).

“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 eight years, engaged in the planning and designing of engineered stormwater management systems for residential and commercial construction projects in accordance with the Guidelines and the Stormwater Quality Manual, including, but not limited to, a minimum of four years in responsible charge of the planning and designing of engineered stormwater management systems for such projects.

“Qualified soil erosion and sediment control professional” means a person who is currently certified as a professional in erosion and sediment control as designated by EnviroCert International, Incorporated or a similar professional organization approved by the commissioner, or a landscape architect with a currently effective license issued in accordance with chapter 396 of the general statutes, or a professional engineer with a currently effective license issued in accordance with chapter 391 of the general statutes. Any such professional shall have a minimum of eight years engaged in the planning and design of soil erosion and sediment controls for residential and commercial construction projects in accordance with the Guidelines including, but not limited to, a minimum of four years in responsible charge in the planning and designing of soil erosion and sediment controls.

“Registrant” means an owner, developer, contractor, person or municipality that files a registration and is responsible for maintaining compliance with this general permit.

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

“Regulated Municipal Separate Storm Sewer System” or *“Regulated MS4”* means the separate storm sewer system of the City of Stamford or any municipally-owned or -operated separate storm sewer system (as defined above) authorized by the most recently issued General Permit for the Discharge of Stormwater from Small Municipal Separate Storm Sewer Systems (MS4 general permit) including all those located partially or entirely within an Urbanized Area and those additional municipally-owned or municipally-operated Small MS4s located outside an Urbanized Area as may be designated by the commissioner.

“Retain” means to hold runoff on-site to promote vegetative uptake and groundwater recharge through the use of runoff reduction or LID practices or other measures. In addition, it means there shall be no subsequent point source release to surface waters from a storm event defined in this general permit or as approved by the commissioner.

“Rill” means a small channel eroded into the soil surface by runoff water.

“Runoff reduction practices” means those post-construction stormwater management practices used to maintain the predevelopment runoff volume delivered to the receiving water, as defined by achieving the same predevelopment runoff coefficient (or alternate calculation utilizing an equivalent runoff analysis) for each storm up to the first half inch or one inch of rainfall in accordance with Sections 5(b)(2)(C)(i)(a) or (b), respectively. Runoff reduction is quantified as the total annual post development runoff volume reduced through canopy interception, soil amendments, evaporation, rainfall harvesting, engineered infiltration, extended filtration or evapo-transpiration.

“Sediment” means solid material, either mineral or organic, that is in suspension, is transported, or has been moved from its site of origin by erosion.

“Site” means geographically contiguous land on which a construction activity takes place or on which a construction activity for which authorization is sought under this general permit is proposed to take place. Non-contiguous land or water owned by the same person shall be deemed the same site if such land is part of a linear project (as defined in this section) or is otherwise connected by a right-of-way, which such person controls.

“Soil” means any unconsolidated mineral and organic material of any origin.

“Stabilize” means the use of measures as outlined in the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control, as amended, or as approved by the commissioner, to prevent the visible movement of soil particles and development of rills.

“Structural measure” means a measure constructed for the temporary storage and/or treatment of stormwater runoff.

“Standard Industrial Classification Code” or *“SIC Code”* means those codes provided in the Standard Industrial Classification Manual, Executive Office of the President, Office of Management and Budget 1987.

“Stormwater” means waters consisting of rainfall runoff, including snow or ice melt during a rain event.

“Stormwater Quality Manual” means the 2004 Connecticut Stormwater Quality Manual published by the Connecticut Department of Energy & Environmental Protection, as amended.

“Surface water” means that portion of waters, as the term “waters” is defined in section 22a-423 of the Connecticut General Statutes, located above the ground surface.

“*Tidal wetland*” means a wetland as that term is defined in section 22a-29(2) of the Connecticut General Statutes.

“*Total disturbance*” means the total area on a site where soil will be exposed or susceptible to erosion during the course of all phases of a project.

“*Total Maximum Daily Load*” or “*TMDL*” means the maximum capacity of a surface water to assimilate a pollutant as established by the commissioner, including pollutants contributed by point and non-point sources and a margin of safety.

“*Upland soils*” means soils which are not designated as poorly drained, very poorly drained, alluvial, or flood plain by the National Cooperative Soils Survey, as may be amended, of the Natural Resources Conservation Service of the United States Department of Agriculture and/or the inland wetlands agency of the municipality in which the project will take place.

“*Water company*” means water company as defined in section 25-32a of the Connecticut General Statutes.

“*Water Quality Standards or Classifications*” means those water quality standards or classifications contained in the Connecticut Water Quality Standards published by the Department, as may be amended.

“*Water Quality Volume*” or “*WQV*” means the volume of runoff generated by one inch of rainfall on a site as defined in the 2004 Connecticut Stormwater Quality Manual, as amended.

Section 3. Authorization Under This General Permit

(a) *Eligible Activities*

This general permit authorizes the discharge of stormwater and dewatering wastewaters to surface waters from construction activities on a site, as defined in this general permit, with a total disturbance of one or more acres of land area on a site, *regardless of project phasing*.

In the case of a larger plan of development (such as a subdivision), the estimate of total acres of site disturbance shall include, but is not limited to, road and utility construction, individual lot construction (e.g. house, driveway, septic system, etc.), and all other construction associated with the overall plan, regardless of the individual parties responsible for construction of these various elements.

(b) *Requirements for Authorization*

This general permit authorizes the construction activity listed in the “Eligible Activities” section (Section 3(a)) of this general permit provided:

(1) Coastal Management Act

Such construction activity must be consistent with all applicable goals and policies in section 22a-92 of the Connecticut General Statutes, and must not cause adverse impacts to coastal resources as defined in section 22a-93(15) of the Connecticut General Statutes. Please refer to the Appendix D for additional guidance.

(2) Endangered and Threatened Species

Such activity must not threaten the continued existence of any species listed pursuant to section 26-306 of the Connecticut General Statutes as endangered or threatened and must not result in the

destruction or adverse modification of habitat designated as essential to such species. Please refer to the Appendix A for additional guidance.

(3) Aquifer Protection Areas

Such construction activity, if it is located within an aquifer protection area as mapped under section 22a-354b of the General Statutes, must comply with regulations adopted pursuant to section 22a-354i of the General Statutes. Please refer to the Appendix C for additional guidance.

For any construction activity regulated pursuant to sections 8(c) and 9(b) of the Aquifer Protection Regulations (section 22a-354i(1)-(10) of the Regulations of Connecticut State Agencies), the Stormwater Pollution Control Plan (Plan) must assure that stormwater run-off generated from the regulated construction activity (i) is managed in a manner so as to prevent pollution of groundwater, and (ii) complies with all the requirements of this general permit.

(4) Mining Operations Exception

The stormwater discharge resulting from an activity classified as Standard Industrial Classification 10 through 14 (the mining industry) is not authorized by this general permit and is regulated under the most recently issued General Permit for the Discharge of Stormwater Associated with Industrial Activity.

(5) Discharge to POTW

The stormwater is *not* discharged to a Publicly Owned Treatment Works (POTW).

(6) Discharge to Groundwater

The stormwater is *not* discharged entirely to groundwater, meaning a stormwater discharge to a surface water will not occur up to a 100-year, 24-hour rainfall event.

(7) Such construction activity must be consistent with the Wild and Scenic Rivers Act (16 U.S.C. 1271-1287) for those river components and tributaries which have been designated as Wild and Scenic by the United States Congress. Further, such construction activities must not have a direct and adverse effect on the values for which such river designation was established. Please refer to Appendix H for additional guidance.

(8) Plan Review & Certification

For a proposed locally approvable project:

- (A) the appropriate regional District has reviewed and certified that the Plan has been prepared in accordance with the requirements of the “Stormwater Pollution Control Plan” section (subsection 5(b)), or
- (B) the Plan has been reviewed and certified by a qualified soil erosion and sediment control professional and/or a qualified professional engineer pursuant to Section 5(b)(8).

Information on the District review process is outlined in the Memorandum of Agreement provided in Appendix F. Note that construction activities reviewed by a District and authorized by this general permit are still subject to the local erosion and sediment control and stormwater management regulations of the municipality in which the activity is conducted.

(9) New Discharges to Impaired Waters

New stormwater discharges to an impaired water, as indicated in the State's Integrated Water Quality Report, must be in accordance with the following conditions:

- (A) Stormwater discharges to impaired waters seeking authorization under this general permit shall comply with the requirements of this subsection (B) below if the indicated source or potential source of the impairment is one of the following:
 - Site Clearance (Land Development or Redevelopment)
 - Post-Development Erosion and Sedimentation
 - Source Unknown (if cause of impairment is Sedimentation/Siltation)
- (B) Such stormwater discharge is authorized if the permittee complies with the requirements of Section 5(b)(3) of this permit and receives a written affirmative determination from the commissioner that the discharge meets the requirements of that section. In such case, the permittee must keep a copy of the written determination onsite with the Plan. If the permittee does not receive such affirmative determination, the construction activity is not authorized by this general permit and must obtain an individual permit.

(c) Registration

Pursuant to the "Registration Requirements" section (Section 4) of this general permit, a completed registration with respect to the construction activity shall be filed with the commissioner as follows:

(1) Locally Approvable Projects

The registration must:

- (A) Be submitted at least sixty (60) days prior to the commencement of the construction activity.
- (B) Include the Registration Form (Form DEEP-PED-REG-015).
- (C) Include any additional forms and information regarding compliance and/or consistency with the Coastal Management Act, Impaired Waters (including TMDL requirements), Endangered and Threatened Species, and Aquifer Protection Areas that may be required pursuant to the "Requirements of Authorization" section (Section 3(b)).
- (D) Include a Plan Review Certification in accordance with the "Plan Review Certification" (Section 5(b)(8)). This certification may be submitted with or after the initial submission of the registration but must be submitted prior to the effective date of authorization pursuant to Section 3(g). If this certification is not submitted, the activity is not authorized.

(2) Locally Exempt Projects

The registration must:

- (A) Be submitted at least sixty (60) days prior to the commencement of the construction activity for sites with a total disturbed area of between one (1) and twenty (20) acres.
- (B) Be submitted at least ninety (90) days prior to the commencement of construction activity for sites with the following conditions:
 - (i) a total disturbed area greater than twenty (20) acres; **or**

(ii) sites discharging to a tidal wetland (that is not fresh/ tidal) within 500 feet; **or**

(iii) sites subject to the impaired waters provisions of Section 3(b)(9).

(C) Include the Registration Form (Form DEEP-PED-REG-015).

(D) Include any additional forms and information regarding compliance and/or consistency with the Coastal Management Act, Impaired Waters (including TMDL requirements), Endangered and Threatened Species, and Aquifer Protection that may be required pursuant to the “Requirements of Authorization” section (Section 3(b)).

(E) A Stormwater Pollution Control Plan (Plan) for the commissioner’s review. **DO NOT SUBMIT** any pages or other material that do not pertain to stormwater management or erosion and sedimentation control (such as electrical and lighting plans, boundary or lot surveys, building plans, non-stormwater related detail sheets, etc.).

(3) Re-Registration of Existing Projects

For sites previously registered under any previous version of the General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities and for which no Notice of Termination has been submitted pursuant to the “Termination Requirements” section (Section 6), a Re-Registration Form pursuant to Section 4(c)(3) shall be submitted no more than one hundred twenty (120) days after the effective date of this general permit. The re-registration fee is payable (or waived) in accordance with Section 4(c)(1)(A)(iii). Resubmission of the permittee’s Plan is not required unless specifically requested by the commissioner.

(d) Small Construction

For construction projects with a total disturbance of between one and five acres, the permittee shall adhere to the erosion and sediment control land use regulations of the municipality in which the construction activity is conducted, as well as the Guidelines and the Stormwater Quality Manual.

No registration or Plan review and certification shall be required for such construction activity provided a land-use commission of the municipality (i.e. planning/zoning, wetland, conservation, etc) reviews and issues a written approval of the proposed erosion and sediment control measures, pursuant to the requirements of section 22a-329 of the Connecticut General Statutes. In the absence of such municipal commission approval, the permittee shall register with the DEEP under the requirements for a Locally Exempt Project and comply with all applicable conditions of this general permit.

(e) Geographic Area

This general permit applies throughout the State of Connecticut.

(f) Effective Date and Expiration Date of this General Permit

This general permit is effective on **TBD**, and expires on **TBD**.

(g) Effective Date of Authorization

A construction activity is authorized by this general permit no sooner than the date on which the commissioner issues a written notification of authorization or:

- for locally approvable projects, sixty (60) days after the submission of the registration form required by Section 4(c), or

- for locally exempt projects under 20 acres, sixty (60) days after the submission of the registration form required by Section 4(c), or
- for locally exempt projects over 20 acres, ninety (90) days after the submission of the registration form required by Section 4(c), or
- for sites subject to the conditions of Section 3(b)(2), 3(b)(9) and/or Section 5(a)(2), on the date of the commissioner's affirmative determination and/or approval, whichever is latest, or
- for sites authorized by any previous version of this general permit and for which no Notice of Termination has been submitted pursuant to the "Termination Requirements" section (Section 6), on the effective date of this general permit. Authorization under this general permit shall cease if a re-registration form is not submitted within 120 days of the effective date of this permit.

(h) *Revocation of an Individual Permit*

If a construction activity is eligible for authorization under this general permit and such activity is presently authorized by an individual permit, the existing individual permit may be revoked by the commissioner upon a written request by the permittee. If the commissioner revokes such individual permit in writing, such revocation shall take effect on the effective date of authorization of such activity under this general permit.

(i) *Issuance of an Individual Permit*

If the commissioner issues an individual permit under section 22a-430 of the Connecticut General Statutes, authorizing a construction activity authorized by this general permit, this general permit shall cease to authorize that activity beginning on the date such individual permit is issued.

Section 4. Registration Requirements

(a) *Who Must File a Registration*

With the exception noted in the "Small Construction" section (Section 3(d)) of this general permit, any person or municipality which initiates, creates, originates or maintains a discharge described in the "Eligible Activities" section (Section 3(a)) of this general permit shall file with the commissioner a registration form that meets the requirements of the "Contents of Registration" section (Section 4(c)) of this general permit (or a re-registration form) and the applicable fee within the timeframes and in the amounts specified in Sections 3(c) and 4(c)(1)(A), respectively.

(b) *Scope of Registration*

On one registration form, a permittee shall register only those discharges that are generated by such permittee on one site.

(c) *Contents of Registration*

(1) Fees

(A) Registration Fee

A registration, if required, shall not be deemed complete unless the registration fee has been paid in full.

(i) Locally Approvable Projects

A registration fee of \$625.00 shall be submitted to the Department with a registration form.

(ii) Locally Exempt Projects

A registration fee shall be submitted with a registration form as follows:

- (a) For sites with total disturbance of between one (1) and twenty (20) acres, the fee shall be \$3,000.
- (b) For sites with total disturbance equal to or greater than twenty (20) acres and less than fifty (50) acres, the fee shall be \$4,000.
- (c) For sites with total disturbance equal to or greater than fifty (50) acres, the fee shall be \$5,000.

The fees for municipalities shall be half of those indicated in subsections (a), (b) and (c) above pursuant to section 22a-6(b) of the Connecticut General Statutes. State and Federal agencies shall pay the full fees specified in this subsection.

(iii) Re-registration

- (a) For sites previously registered more than one year prior to any previous version of the General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities and for which no Notice of Termination has been submitted pursuant to the "Termination Requirements" section (Section 6), the re-registration fee shall be \$625 payable within one hundred twenty (120) days from the effective date of this general permit. If a Notice of Termination is submitted prior to that time, the fee is waived.
- (b) For sites previously registered less than one year prior to any previous version of the General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities and for which no Notice of Termination has been submitted pursuant to the "Termination Requirements" section (Section 6), the re-registration fee is waived.
- (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 a person (as defined in Section 2 of this permit) transacting business in Connecticut and is registered with the Connecticut Secretary of the State, provide the exact name as registered with the Connecticut Secretary of the State.

- (B) Legal name, address and telephone number of the owner of the property on which the construction activity will take place.
- (C) Legal name, address and telephone number of the primary contact for departmental correspondence and inquiries, if different from the registrant.
- (D) Legal name, address and telephone number of the developer of the property on which the subject construction activity is to take place.
- (E) Legal name, address and daytime and off-hours telephone numbers of the general contractor(s) or other representative(s), if different from the developer.
- (F) Legal name, address and telephone number of any consultant(s) or engineer(s) retained by the permittee to prepare the registration and Stormwater Pollution Control Plan.
- (G) Location address or description of the site for which the registration is filed.
- (H) The estimated duration of the construction activity.
- (I) Indication of the normal working hours of the site.
- (J) A brief description of the construction activity, including, but not limited to:
 - (i) Total number of acres to be disturbed, regardless of phasing.
 - (ii) Assurance that construction is in accordance with the Guidelines and local erosion and sediment control ordinances, where applicable.
 - (iii) Documentation that the DEEP Office of Long Island Sound Programs or local governing authority has issued a coastal site plan approval or a determination that the project is exempt from coastal site plan review (see Appendix D) in accordance with section 22a-92 and 22a-93(15) of the Connecticut General Statutes.
 - (iv) Documentation that the construction activity will not threaten the continued existence of any species listed pursuant to section 26-306 of the Connecticut General Statutes as endangered or threatened and will not result in the destruction or adverse modification of habitat designated as essential to such species (see Appendix A).
 - (iv) For sites discharging to certain impaired waters, as specified in Section 3(b)(9), documentation that the construction activity meets the requirements of that section and Section 5(b)(3) for authorization under this general permit.
 - (v) Assurance that the construction activity is not located within an aquifer protection area (see Appendix C) as mapped under section 22a-354b of the Connecticut General Statutes or, if it is located within an aquifer protection area, that the construction activity will comply with regulations adopted pursuant to section 22a-354i of the Connecticut General Statutes.
 - (vi) For a proposed locally approvable project, a plan review certification from the appropriate District, qualified soil erosion and sediment control professional, and/or qualified professional engineer in accordance with Section 5(b)(8) or a notice from the District that they were unable to complete the Plan review within the time limits specified in the Memorandum of Agreement in Appendix F.

- (K) A brief description of the stormwater discharge, including:
- (i) The name of the municipal separate storm sewer system or immediate surface water body or wetland to which the stormwater runoff will discharge;
 - (ii) Verification of whether or not the site discharges to a tidal wetland (that is not fresh-tidal) within 500 feet or to an impaired water with or without a TMDL;
 - (iii) The name of the watershed or nearest waterbody to which the site discharges.
 - (iv) Location of the stormwater discharge(s) including latitude and longitude.
- (L) An 8 ½" by 11" copy of the relevant portion or a full-sized original of a United States Geological Survey (USGS) quadrangle map, with a scale of 1:24,000, showing the exact location of the site and the area within a one mile radius of the site. Identify the quadrangle name on such copy.
- (M) The total effective impervious cover for each watershed within the site (*not* each individual drainage areas) before and after the proposed construction activity.
- (N) Documentation that the proposed construction activity has been reviewed for consistency with state Historic Preservation statutes, regulations, and policies including identification of any potential impacts on property listed or eligible for listing on the Connecticut Register of Historic Places. A review conducted for an Army Corps of Engineers Section 404 wetland permit would meet this qualification. Refer to Appendix G for guidance on conducting the required review.
- (O) All locally exempt projects must submit a copy of their Plan. **DO NOT SUBMIT** any pages or other material that do not pertain to stormwater management or erosion and sedimentation control (such as electrical and lighting plans, boundary or lot surveys, building plans, non-stormwater related detail sheets, etc.).
- (P) The signature of the registrant and of the individual or individuals responsible for actually preparing the registration, each of who shall certify in writing as follows:

“I have personally examined and am familiar with the information contained within this registration 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 the 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 Connecticut General Statutes, pursuant to section 53a-157b of the Connecticut General Statutes, and in accordance with any other applicable statute.

I also certify under penalty of law that I have read and understand all conditions of the General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities issued on **TBD** (or as modified), that all conditions for eligibility for authorization under the general permit are met, all terms and conditions of the general permit are being met for all discharges which have been initiated and are the subject of this registration, and that a system is in place to ensure that all terms and conditions of this general permit will continue to be met for all discharges authorized by this general permit at the site. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowingly making false statements.”

- (Q) For all registrations, the following certification must be signed by a qualified soil erosion and sediment control professional:

“I certify that I have thoroughly and completely reviewed the Stormwater Pollution Control Plan for the project or activity covered by this certification. I further certify, based on such review and on my professional judgment, that the Stormwater Pollution Control Plan has been prepared in accordance with the Connecticut Guidelines for Soil Erosion and Sediment Control, as amended, and the conditions for the General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities issued on **TBD** (or as modified), and the controls required for such Plan are appropriate for the site. 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.”

- (R) For registrations for activities that include control measures requiring engineering analysis and/or design, the following certification must be signed by a qualified professional engineer:

“I certify that I have thoroughly and completely reviewed the Stormwater Pollution Control Plan and the plans and specifications for engineered stormwater control measures and stormwater management systems for the project or activity covered by this certification. I further certify, based on such review and on my best professional judgment, that the plans and specifications for engineered stormwater control measures and stormwater management systems are in compliance with the conditions of the General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities issued on **TBD** (or as modified) and have been prepared in accordance with the Connecticut Guidelines for Soil Erosion and Sediment Control (as amended), Connecticut Stormwater Quality Manual (as amended) and best engineering practices. 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.”

(3) Re-Registration Form

For sites previously registered under any previous version of the General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities and for which no Notice of Termination has been submitted pursuant to the “Termination Requirements” section (Section 6), a re-registration shall be filed pursuant to Sections 3(c)(3) and 3(g) 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 a person (as defined in Section 2 of this permit) transacting business in Connecticut and is registered with the Connecticut Secretary of the State, provide the exact name as registered with the Connecticut Secretary of the State.
- (B) The previously issued permit number (beginning with GSN).
- (C) Legal name, address and telephone number of the owner of the property on which the construction activity will take place.
- (D) Legal name, address and telephone number of the primary contact for departmental correspondence and inquiries, if different from the registrant.

- (E) Legal name, address and telephone number of the developer of the property on which the subject construction activity is to take place.
- (F) Legal name, address and daytime and off-hours telephone numbers of the general contractor(s) or other representative(s), if different from the developer.
- (G) Legal name, address and telephone number of any consultant(s) or engineer(s) retained by the permittee to prepare the registration and Stormwater Pollution Control Plan.
- (H) Location address or description of the site for which the re-registration is filed.
- (I) Indication of the normal working hours of the site.
- (J) The estimated duration of the construction activity.
- (K) An 8 ½" by 11" copy of the relevant portion or a full-sized original of a United States Geological Survey (USGS) quadrangle map, with a scale of 1:24,000, showing the exact location of the site and the area within a one mile radius of the site. Identify the quadrangle name on such copy.
- (L) The signature of the registrant and of the individual or individuals responsible for actually preparing the re-registration, each of who shall certify in writing as follows:

"I have personally examined and am familiar with the information contained within this registration 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 the 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 Connecticut General Statutes, pursuant to section 53a-157b of the Connecticut General Statutes, and in accordance with any other applicable statute.

I also certify under penalty of law that I have read and understand all conditions of the General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities issued on **TBD** (or as modified), that all conditions for eligibility for authorization under the general permit are met, all terms and conditions of the general permit are being met for all discharges which have been initiated and are the subject of this registration, and that a system is in place to ensure that all terms and conditions of this general permit will continue to be met for all discharges authorized by this general permit at the site. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowingly making false statements."

(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) *Availability of Registration and Plan*

By the fifteenth (15th) day of each month, the Commissioner shall post on the DEEP website a list of registration forms submitted in the previous month.

(1) Registration Availability

On or before fifteen (15) days from the date of posting by the Commissioner, members of the public may request a copy of a registrant's registration form for review. In such cases, the Commissioner shall provide a copy of the registration form to the requesting party within seven (7) days of such request. On or before fifteen (15) days from the date a member of the public receives a copy of the requested registration from the Commissioner, they may submit written comments on the registration to the Commissioner.

(2) Plan Availability

On or before fifteen (15) days from the date of posting by the Commissioner, members of the public may submit a written request to the Commissioner to obtain a copy of a registrant's Plan. The Commissioner shall inform the registrant of the request and the name of the requesting party. The registrant shall submit a copy of their Plan to the Commissioner within seven (7) days of their receipt of such request. On or before fifteen (15) days from the date a member of the public receives a copy of the requested Plan from the Commissioner, they may submit written comments on the Plan to the Commissioner.

(f) Additional Information

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

(g) Additional Notification

For discharges authorized by this general permit to a regulated municipal separate storm sewer system, a copy of the registration and all attachments thereto shall also be submitted to the owner and operator of that system.

For discharges authorized by this general permit to a DOT separate storm sewer system, a copy of the registration and all attachments thereto shall also be submitted to the DOT upon request.

For discharges within a public drinking water supply watershed or aquifer area, a copy of the registration and the Plan described in subsection 5(b) of this general permit shall be submitted to the water company.

For discharges to river components and tributaries which have been designated as Wild and Scenic under the Wild and Scenic Rivers Act, a copy of the registration and the Plan described in 5(b) of this general permit shall be submitted to the applicable Wild and Scenic Coordinating Committee. Please refer to Appendix H for additional guidance

In addition, a copy of this registration and the Plan shall be available upon request to the local inland wetlands agency established pursuant to section 22a-42 of the Connecticut General Statutes, or its duly authorized agent.

(h) Action by Commissioner

- (1) The commissioner may reject without prejudice a registration if it does not satisfy the requirements of the "Contents of Registration" section (subsection 4(c)) of this general permit.

Any registration refiled after such a rejection shall be accompanied by the fee specified in the “Fees” subsection (subsection 4(c)(1)) of this general permit.

- (2) The commissioner may disapprove a registration if it is inconsistent with the requirements for authorization under the “Requirements for Registration” section (Section 3(b)) 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 construction activity must be authorized under an individual permit.
- (4) Rejection or disapproval of a registration shall be in writing.

Section 5. Conditions of this General Permit

The permittee shall meet all requirements of this general permit at all times. In addition, a permittee shall be responsible for conducting authorized construction activities in accordance with the following conditions:

(a) *Conditions Applicable to Certain Discharges*

(1) Structures and Dredging in Coastal and Tidal Areas

Any person who or municipality that discharges stormwater into coastal tidal waters for which a permit is required under section 22a-361 of the Connecticut General Statutes (structures and dredging) or section 22a-32 of the Connecticut General Statutes (Tidal Wetlands Act), shall obtain such permit(s) from the commissioner. A tidal wetland permit is required for the placement of any sediment upon a tidal wetland, whether it is deposited directly or indirectly.

(2) Discharges to Tidal Wetlands

Any site which has a post-construction stormwater discharge to a tidal wetland (that is not a fresh-tidal) where such discharge is within 500 feet of the tidal wetland, shall discharge such stormwater through a system designed to retain and infiltrate the volume of stormwater runoff generated by 1 inch of rainfall on the site. If there are site constraints that would prevent retention of this volume on-site (e.g., brownfields, capped landfills, bedrock, elevated groundwater, etc.), documentation must be submitted, for the commissioner’s review and written approval, which explains the site limitations and offers an alternative retention volume. In such cases, the portion of 1 inch that cannot be retained must be provided with additional stormwater treatment so as to protect water quality. Any such treatment shall be designed, installed and maintained in accordance with the Stormwater Quality Manual.

For sites unable to comply with this section, the commissioner, at the commissioner’s sole discretion, may require the submission of an individual permit in lieu of authorization under this general permit.

(3) Toxicity to Aquatic and Marine Life

The discharge shall *not* cause pollution due to acute or chronic toxicity to aquatic and marine life, impair the biological integrity of aquatic or marine ecosystems, or result in an unacceptable risk to human health.

(4) Water Quality Standards

The stormwater discharge shall not cause or contribute to an exceedance of the applicable Water Quality Standards in the receiving water.

(5) High Quality Waters

Any new stormwater discharge to high quality waters shall be discharged in accordance with the Connecticut Anti-Degradation Implementation Policy in the Water Quality Standards.

(b) Stormwater Pollution Control Plan

All registrants shall develop and maintain on-site a Stormwater Pollution Control Plan (Plan) for the construction activity authorized by this general permit. Once the construction activity begins, the permittee shall perform all actions required by such Plan and shall maintain compliance with the Plan thereafter. The Plan shall be designed to minimize (as defined in Section 2) stormwater pollution from: (1) pollution caused by soil erosion and sedimentation during and after construction; and (2) stormwater pollution caused by use of the site after construction is completed.

(1) Development and Contents of Plan

(A) The Plan shall consist of site plan drawings and a narrative. The Plan shall be prepared in accordance with sound engineering practices, and shall be consistent with the Guidelines and the 2004 Connecticut Stormwater Quality Manual (available at <http://www.ct.gov/dep/stormwater>). The Plan shall also be consistent with any remedial action plan, closure plan or other plan required by any other DEEP permit.

(B) The Plan shall include, at a minimum, the following items:

(i) Site Plan

Site drawings indicating drainage patterns and approximate slopes anticipated after major grading activities, areas of soil disturbance, the location of major structural and non-structural controls (as specified in subsection 5(b)(2) below), the location of areas where stabilization practices are expected to occur, areas which will be vegetated following construction, monitored outfalls, surface waters, impaired waters (identifying those with and without a TMDL), inland wetlands, tidal wetlands, fresh-tidal wetlands, and locations where stormwater will be discharged to a surface water (both during and post-construction);

(ii) Site Description

- (a) A narrative description of the nature of the construction activity;
- (b) An estimate of the total area of the site and the total area of the site that is expected to be disturbed by construction activities;
- (c) An estimate of the average runoff coefficient of the site after construction activities are completed;
- (d) The name of the immediate receiving water(s) and the ultimate receiving water(s) of the discharges authorized by this general permit; and
- (e) Extent of wetland acreage on the site.

(iii) Construction Sequencing

The Plan shall clearly identify the expected sequence of major construction activities on the site and corresponding erosion and sediment controls and shall include an estimated timetable for all construction activities, which shall be revised as necessary to keep the Plan current. Wherever possible, the site shall be phased to avoid the disturbance of over five acres at one time (or a lesser area of disturbance as required in the Impaired Waters section (Section 5(b)(3))). The Plan shall clearly show the limits of disturbance for the entire construction activity and for each phase.

(iv) Control Measures

The Plan shall include a description, in narrative and on the site plan drawings, of appropriate control measures that will be performed at the site to minimize the discharge of pollutants to waters of the state. Control measures shall be implemented in accordance with Section 5(b)(2) below. In addition, the following information shall be provided:

- (a) Calculations supporting the design of sediment and floatables removal controls pursuant to Section 5(b)(2)(C)(ii)(b).
- (b) Calculations supporting the design of velocity dissipation controls pursuant to Section 5(b)(2)(C)(ii)(c).

(v) Runoff Reduction and Low Impact Development (LID) Information

Where runoff reduction practices and/or LID measures are utilized, the following information shall be included in the site plan and narrative:

- (a) The location of the site's streams, floodplains, all wetlands, riparian buffers, slopes 3:1 and steeper, and vegetation identified for preservation and non-disturbance during construction such as forested areas, hay fields, and old fields;
- (b) Natural drainage patterns, swales, and other drainage ways, that are not streams, floodplains, or wetland areas;
- (c) The location of all areas with soils suitable for infiltration¹ and areas of the site best suited for infiltration for the siting of runoff reduction practices and LID design measures;
- (d) The location of all areas unsuitable or least suitable for infiltration for the siting of areas of development/building;
- (e) The location of all post-construction stormwater management measures, runoff reduction practices and LID design measures developed pursuant to subsection 5(b)(2)(C)(i) below;
- (f) Identification of areas inappropriate for the infiltration of stormwater runoff from land uses with a significant potential for groundwater pollution;
- (g) A narrative describing the nature, purpose, implementation and long-term maintenance of the post-construction measures, runoff reduction practices and LID design measures;

¹ Infiltration rates must be measured by a field permeability test. The measured field design infiltration rate is equal to one-half the field-measured infiltration rate.

- (h) Calculations, for measures developed pursuant to Section 5(b)(2)(C)(i), illustrating the retention of the water quality volume or half the water quality volume for the site, as applicable, including a discussion of the impact of any runoff reduction and/or LID practices on these calculations.
- (i) Calculations showing the proposed effective impervious cover for the site and, where necessary or appropriate for measures developed pursuant to Section 5(b)(2)(C), each outfall drainage area.

(vi) Inspections

The Plan shall include a narrative of all inspection personnel conducting the routine inspections, their responsibilities and procedures pursuant to subsection 5(b)(4)(B) below. The Plan shall also include documentation of the qualifications of the inspector(s) and the findings, actions and results of all inspections conducted at the site.

(vii) Monitoring

The Plan shall provide a narrative of the stormwater monitoring procedures pursuant to Section 5(c). This narrative shall include documentation of the monitoring frequency, personnel conducting monitoring, identification of monitored outfalls, methodology for monitoring, provisions for monitoring a linear project (if applicable), the site's normal working hours, the method for measuring turbidity and a copy of all monitoring records.

(viii) Contractors

- (a) The Plan shall clearly identify each contractor and subcontractor that will perform construction activities on the site that have the potential to cause pollution of the waters of the State. The Plan shall include a copy of the certification statement in the "Contractor Certification Statement" section (subsection 5(b)(1)(B)(viii)(b)) below signed by each such contractor and subcontractor.

- (b) Contractor Certification Statement

The Plan shall include the following certification signed by each contractor and subcontractor identified in the Plan as described above:

"I certify under penalty of the law that I have read and understand the terms and conditions of the General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities. I understand that as a contractor or subcontractor at the site, I am authorized by this general permit, and must comply with the terms and conditions of this general permit, including, but not limited to, the requirements of the Stormwater Pollution Control Plan prepared for the site."

The certification shall include the name and title of the person providing the signature; the name, address and telephone number of the contracting firm; the address (or other identifying description) of the site; and the date the certification is made.

- (c) Subdivisions

Where individual lots in a subdivision or other common plan of development are conveyed or otherwise the responsibility of another person or municipality, those individual lot contractors shall be required to comply with the provisions of this general permit and the Stormwater Pollution Control Plan, and shall sign the certification statement in the “Contractor Certification Statement” section (subsection 5(b)(1)(B)(viii)(b)) above regardless of lot size or disturbed area. The permittee shall provide a copy of the Plan to each contractor and retain all signed certifications in the Plan.

(ix) Impaired Waters

For construction activities that discharge to impaired waters, as specified in “New Discharges to Impaired Waters” (Section 3(b)(9)), the Plan shall include a description of the provisions for controlling the construction and post-construction stormwater discharges to these waters pursuant to subsection 5(b)(3) below.

(2) Stormwater Control Measures

Control Measures are required Best Management Practices (BMPs) that the permittee must implement to minimize the discharge of pollutants from the permitted activity. The term “minimize” means reduce and/or eliminate to the extent achievable using control measures that are technologically available and economically practicable and achievable in light of best industry practice.

Control Measures shall be designed in accordance with the Guidelines, the Stormwater Quality Manual or the DOT Qualified Products List (http://www.ct.gov/dot/lib/dot/documents/dresearch/conndot_qpl.pdf). Use of controls to comply with the “Erosion and Sediment Controls” section (subsection (A) below) of this general permit that are not included in those resources must be approved by the commissioner or the commissioner’s designated agent. The narrative and drawings of controls shall address the following minimum components:

(A) Erosion and Sediment Controls

(i) Soil Stabilization and Protection

The Plan shall include a narrative and drawings of interim and permanent soil stabilization practices for managing disturbed areas and soil stockpiles, including a schedule for implementing the practices. The Permittee shall ensure that existing vegetation is preserved to the maximum extent practicable and that disturbed portions of the site are minimized and stabilized.

Where construction activities have permanently ceased or when final grades are reached in any portion of the site, stabilization and protection practices as specified in Chapter 5 of the Guidelines or as approved by the commissioner or his/ her designated agent shall be implemented within seven days. Areas that will remain disturbed but inactive for at least thirty days shall receive temporary seeding or soil protection within seven days in accordance with the Guidelines.

Areas that will remain disturbed beyond the seeding season as identified in the Guidelines, shall receive long-term, non-vegetative stabilization and protection sufficient to protect the site through the winter. In all cases, stabilization and protection measures shall be implemented as soon as possible in accordance with the Guidelines or as approved by the commissioner or his/ her designated agent.

A reverse slope bench is required for any slope steeper than 3:1 (horizontal: vertical) that exceeds 15 feet vertically, except when engineered slope stabilization structures or measures are included or a detailed soil mechanics analysis has been conducted to verify stability. Engineered analyses and measures must be designed by a CT licensed Professional Engineer with experience in geotechnical engineering or soil mechanics.

(ii) Structural Measures

The Plan shall include a narrative and drawings of structural measures to divert flows away from exposed soils, store flows or otherwise limit runoff and minimize the discharge of pollutants from the site. Unless otherwise specifically approved in writing by the commissioner or his/ her designated agent, or if otherwise authorized by another state or federal permit, structural measures shall be installed on upland soils.

For points of discharge from disturbed sites with a total contributing drainage area of between two to five acres, a temporary sediment trap must be installed in accordance with the Guidelines. For points of discharge from disturbed sites with a total contributing drainage area greater than five acres, a temporary basin must be designed and installed in accordance with the Guidelines. Such trap(s) or basin(s) must be maintained until final stabilization of the contributing area as defined in "Notice of Termination" (Section 6(a)).

The requirement for sediment traps or basins shall not apply to flows from off-site areas and flows from the site that are either undisturbed or have undergone final stabilization where such flows are diverted around the temporary sediment trap or basin. Any exceptions must be approved in writing by the commissioner or his/ her designated agent.

(iii) Maintenance

The Plan shall include a narrative of the procedures to maintain in good and effective operating conditions all erosion and sediment control measures, including vegetation, and all other protective measures identified in the site plan. Maintenance of all erosion and sediment controls shall be performed in accordance with the Guidelines, or more frequently as necessary, to protect the waters of the state from pollution.

(B) Dewatering Wastewaters

Dewatering wastewaters shall be managed in accordance with the Guidelines. Dewatering wastewaters discharged to surface waters shall be discharged in a manner that minimizes the discoloration of the receiving waters. The Plan shall include a narrative and drawings of the operational and structural measures that will be used to ensure that all dewatering wastewaters will not cause scouring or erosion or contain suspended solids in amounts that could reasonably be expected to cause pollution of surface waters of the State. Unless otherwise specifically approved in writing by the commissioner or his/ her designated agent, or if otherwise authorized by another state or federal permit, dewatering measures shall be installed on upland soils.

No discharge of dewatering wastewater(s) shall contain or cause a visible oil sheen, floating solids, or foaming in the receiving water.

(C) Post-Construction Stormwater Management

The Plan shall include a narrative and drawings of measures that will be installed during the construction process to minimize the discharge of pollutants in stormwater discharges that will occur after construction operations have been completed. Post-construction stormwater management measures shall be designed and implemented in accordance with the Stormwater Quality Manual, the DOT Qualified Products List or as approved by the commissioner or his/ her designated agent in writing. Unless otherwise specifically provided by the commissioner in writing, or authorized by another state or federal permit, structural measures shall be placed on upland soils. The Plan shall include provisions to address the long-term maintenance of any post-construction stormwater management measure installed.

(i) Post-Construction Performance Standards

The permittee shall utilize runoff reduction practices (as defined in Section 2) to meet runoff volume requirements based on the conditions below. For sites unable to comply with these conditions, the commissioner, at the commissioner's sole discretion, may require the submission of an individual permit in lieu of authorization under this general permit.

(a) Redevelopment

For sites that are currently developed with an effective impervious cover of forty percent or more and for which the permittee is proposing redevelopment, the permittee shall design the site in such a manner as to retain on-site half the water quality volume (as defined in Section 2) for the site. In cases where the permittee is not able to retain this entire amount, the permittee shall design the redevelopment to retain runoff volume to the maximum extent achievable using control measures that are technologically available and economically practicable and achievable in light of best industry practice. In such cases, the permittee shall provide additional stormwater treatment for sediment, floatables and nutrients to the maximum extent achievable using control measures that are technologically available and economically practicable and achievable in light of best industry practice for the volume above that which can be retained up to the water quality volume. Any such treatment shall be designed, installed and maintained in accordance with the Stormwater Quality Manual. In addition, the permittee shall submit a report to the commissioner describing: the measures taken to maximize runoff reduction practices on the site; the reasons why those practices constitute the maximum extent achievable; the alternative retention volume; and a description of the measures used to provide additional stormwater treatment above the alternate volume up to the water quality volume. In the case of linear redevelopment projects (e.g. roadway reconstruction or widening): (1) for projects that may be unable to comply with the full retention standard, the alternate retention and treatment provisions may also be applied as specified above, or (2) for projects that will not increase the effective impervious cover, the permittee shall implement the additional stormwater treatment measures referenced above, but will not be required to retain half of the water quality volume.

(b) Other Development

The following performance standard applies to all sites that: are currently undeveloped; are currently developed with less than forty percent effective impervious cover; discharge to impaired waters, as identified in "New Discharges to Impaired Waters" (Section 3(b)(9)(A)); or discharge to high quality waters, as defined in Section 2. For these sites, the permittee shall design the site to retain the water quality volume for the site. If there are site constraints that would

prevent retention of this volume on-site (e.g., brownfields, capped landfills, bedrock, elevated groundwater, etc.), documentation must be submitted, for the commissioner's review and written approval, which: explains the site limitations; provides a description of the runoff reduction practices implemented; provides an explanation of why this constitutes the maximum extent achievable; offers an alternative retention volume; and provides a description of the measures used to provide additional stormwater treatment for sediment, floatables and nutrients above the alternate volume up to the water quality volume. Any such treatment shall be designed, installed and maintained in accordance with the Stormwater Quality Manual. In the case of linear projects that do not involve impervious surfaces (e.g. electrical transmission rights-of-way or natural gas pipelines), retention of the water quality volume is not required as long as the post-development runoff characteristics do not differ significantly from pre-development conditions.

(ii) Post-Construction Control Measures

(a) Runoff Reduction and Low Impact Development ("LID") Practices

The site design shall incorporate runoff reduction practices, low impact development ("LID") practices or other measures to meet the performance standards in subsection (i) above, promote groundwater recharge and minimize post-construction impacts to water quality. Please refer to Appendix B for additional guidance information.

(b) Suspended Solids and Floatables Removal

The permittee shall install post-construction stormwater management measures designed to minimize the discharge of suspended solids and floatables (e.g. oil and grease, other floatable liquids, floatable solids, trash, etc.) from stormwater. A goal of 80 percent removal of the annual sediment load from the stormwater discharge shall be used in designing and installing stormwater management measures. The Plan shall provide calculations supporting the capability of such measures in achieving this goal and any third-party verification, as applicable, of the sediment removal efficiencies of such measures. This goal is not intended to limit local approval authorities from requiring a higher standard pursuant to local requirements.

(c) Velocity Dissipation

Velocity dissipation devices shall be placed at discharge locations and along the length of any outfall channel as necessary to provide a non-erosive velocity flow to the receiving watercourse so that the natural physical and biological characteristics and functions are maintained and protected.

(D) Other Controls

The following additional controls shall be implemented:

- (i) Waste Disposal: Best management practices shall be implemented to minimize the discharge of litter, debris, building materials, hardened concrete waste, or similar materials to waters of the State. A narrative of these practices shall be provided in the Plan.

(ii) Washout Areas

Washout of applicators, containers, vehicles and equipment for concrete, paint and other materials shall be conducted in a designated washout area. There shall be no surface discharge of washout wastewaters from this area. Such washout shall be conducted outside of any buffers and at least 50 feet from any stream, wetland or other sensitive resource. The permittee shall clearly flag off and designate areas to be used for washing and conduct such activities only in these areas. The permittee shall direct all washwater into a container or pit designed such that no overflows can occur during rainfall or after snowmelt.

In addition, dumping of liquid wastes in storm sewers is prohibited. The permittee shall remove and dispose of hardened concrete waste consistent with practices developed for the "Waste Disposal" section (subparagraph 5(b)(2)(D)(i) above). At least once per week, the permittee must inspect any containers or pits used for washout to ensure structural integrity, adequate holding capacity, and to check for leaks or overflows. If there are signs of leaks, holes or overflows in the containers or pits that could lead to a discharge, the permittee shall repair them prior to further use. For concrete washout areas, the permittee shall remove hardened concrete waste whenever the hardened concrete has accumulated to a height of ½ of the container or pit or as necessary to avoid overflows. A narrative of maintenance procedures and a record of maintenance and inspections shall be included in the Plan.

- (iii) Off-site vehicle tracking of sediments and the generation of dust shall be minimized. Wet dust suppression shall be used, in accordance with section 22a-174-18(b) of the Connecticut General Statutes, for any construction activity that causes airborne particulates. The volume of water sprayed for controlling dust shall be minimized so as to prevent the runoff of water. No discharge of dust control water shall contain or cause a visible oil sheen, floating solids, visible discoloration, or foaming in the receiving stream.
- (iv) All post-construction stormwater structures shall be cleaned of construction sediment and any remaining silt fence shall be removed upon stabilization of the site.
- (v) All chemical and petroleum product containers stored on the site (excluding those contained within vehicles and equipment) shall be provided with impermeable containment which will hold at least 110% of the volume of the largest container, or 10% of the total volume of all containers in the area, whichever is larger, without overflow from the containment area. All chemicals and their containers shall be stored under a roofed area except for those chemicals stored in containers of 100 gallon capacity or more, in which case a roof is not required. Double-walled tanks satisfy this requirement.

(3) Additional Control Measures for Impaired Waters

For construction activities that discharge to impaired waters, as specified in "New Discharges to Impaired Waters" (Section 3(b)(9)), the Plan shall include the following provisions:

- (A) In lieu of the provisions of "Construction Sequencing" (Section 5(b)(1)(B)(iii)), no more than 3 acres may be disturbed at any one time. For those areas for which construction activity will be temporarily suspended for a period of greater than 14 days, temporary stabilization measures shall be implemented within 3 days of such suspension of activity. For all areas, permanent stabilization shall be implemented within 30 days of disturbance; **or**

- (B) The Plan shall document that measures are in place to ensure that there will be no discharge to the impaired water from rain events up to a 2-year, 24-hour rain event while construction activity is occurring; *or*
- (C) For discharges to impaired waters with an established TMDL:
 - (i) the Plan shall document that there is sufficient remaining Waste Load Allocation (WLA) in the TMDL to allow the discharge, *and*
 - (ii) measures shall be implemented to ensure the WLA will not be exceeded, *and*
 - (iii) stormwater discharges shall be monitored, if applicable, for any indicator pollutant identified in the TMDL for every rain event that produces a discharge to ensure compliance with the WLA. Such monitoring shall be in addition to the requirements specified in Section 5(c), *or*
 - (iv) the specific requirements for stormwater discharges specified in the TMDL are met.

Construction activities discharging to impaired waters that do not comply with this subsection are not authorized by this general permit.

(4) Inspections

All construction activities submitting a registration for this general permit shall be inspected initially for Plan implementation and then weekly for routine inspections.

(A) Plan Implementation Inspections

Within the first 30 days following commencement of the construction activity on the site, the permittee shall contact: (1) the appropriate District; or (2) a qualified soil erosion and sediment control professional and/or, for sites with engineered control measures, a qualified professional engineer to inspect the site. The site shall be inspected at least once and no more than three times during the first 90 days to confirm compliance with the general permit and proper initial implementation of all controls measures designated in the Plan for the site for the initial phase of construction. For sites not inspected by District personnel, the following conditions shall apply:

- (i) for projects disturbing more than one acre and less than fifteen (15) acres, the inspector shall be someone who:
 - (a) is not an employee, as defined by the Internal Revenue Service in the Internal Revenue Code of 1986, of the registrant, and
 - (b) has no ownership interest of any kind in the project for which the registration is being submitted.
- (ii) for projects disturbing fifteen (15) acres or more, the inspector shall be someone who:
 - (a) is not an employee, as defined by the Internal Revenue Service in the Internal Revenue Code of 1986, of the registrant, and
 - (b) has not engaged in any activities associated with the preparation, planning, designing or engineering of such plan for soil erosion and sediment control or plan for engineered stormwater management systems on behalf of such registrant, and

- (c) is not under the same employ as any person who engaged in any activities associated with the preparation, planning, designing or engineering of such plans and specifications for soil erosion and sediment control or plans and specifications for engineered stormwater management systems on behalf of such registrant, and
- (d) has no ownership interest of any kind in the project for which the registration is being submitted.

The permittee may use, if they wish but with the exception noted in 5(b)4(A)(ii), the same person(s) that provided the Plan Review Certification pursuant to Section 5(b)(8).

(B) Routine Inspections

The permittee shall routinely inspect the site for compliance with the general permit and the Plan for the site until a Notice of Termination has been submitted. Inspection procedures for these routine inspections shall be addressed and implemented in the following manner:

- (i) The permittee shall maintain a rain gauge on-site to document rainfall amounts. At least once a week and within 24 hours of the end of a storm that generates a discharge, a qualified inspector (provided by the permittee), as defined in the “Definitions” section (Section 2) of this general permit, shall inspect, at a minimum, the following: disturbed areas of the construction activity that have not been finally stabilized; all erosion and sedimentation control measures; all structural control measures; soil stockpile areas; washout areas and locations where vehicles enter or exit the site. These areas shall be inspected for evidence of, or the potential for, pollutants entering the drainage system and impacts to the receiving waters. Locations where vehicles enter or exit the site shall also be inspected for evidence of off-site sediment tracking. For storms that end on a weekend, holiday or other time after which normal working hours will not commence within 24 hours, an inspection is required within 24 hours only for storms that equal or exceed 0.5 inches. For storms of less than 0.5 inches, an inspection shall occur immediately upon the start of the subsequent normal working hours. Where sites have been temporarily or finally stabilized, such inspection shall be conducted at least once every month for three months.
- (ii) The qualified inspector(s) shall evaluate the effectiveness of erosion and sediment controls, structural controls, stabilization practices, and any other controls implemented to prevent pollution and determine if it is necessary to install, maintain, or repair such controls and/or practices to improve the quality of stormwater discharge(s).
- (iii) A report shall be prepared and retained as part of the Plan. This report shall summarize: the scope of the inspection; name(s) and qualifications of personnel making the inspection; the date(s) of the inspection; weather conditions including precipitation information; major observations relating to erosion and sediment controls and the implementation of the Plan; a description of the stormwater discharge(s) from the site; and any water quality monitoring performed during the inspection. The report shall be signed by the permittee or his/her authorized representative in accordance with the “Certification of Documents” section (subsection 5(i)) of this general permit.

The report shall include a statement that, in the judgment of the qualified inspector(s) conducting the site inspection, the site is either in compliance or out of compliance with the terms and conditions of the Plan and permit. If the site inspection indicates that the site is out of compliance, the inspection report shall include a summary of the remedial actions required to bring the site back into compliance. Non-engineered

corrective actions (as identified in the Guidelines) shall be implemented on site within 24 hours and incorporated into a revised Plan within three (3) calendar days of the date of inspection unless another schedule is specified in the Guidelines. Engineered corrective actions (as identified in the Guidelines) shall be implemented on site within seven (7) days and incorporated into a revised Plan within ten (10) days of the date of inspection, unless another schedule is specified in the Guidelines or is approved by the commissioner. During the period in which any corrective actions are being developed and have not yet been fully implemented, interim measures shall be implemented to minimize the potential for the discharge of pollutants from the site.

- (iv) Inspectors from the DEEP and the appropriate District may inspect the site for compliance with this general permit at any time construction activities are ongoing and upon completion of construction activities to verify the final stabilization of the site and/or the installation of post-construction stormwater management measures pursuant to Section 6(a).
- (v) Additional inspections, reports and documentation may also be required to comply with the "Monitoring Requirements" section (Section 5(c)).

(5) Keeping Plans Current

The Permittee is responsible for keeping their Plan in compliance with this general permit at all times. This may involve any or all of the following:

- (A) The permittee shall amend the Plan if the actions required by the Plan fail to prevent pollution or fail to otherwise comply with any other provision of this general permit. The Plan shall also be amended whenever there is a change in contractors or subcontractors at the site, or a change in design, construction, operation, or maintenance at the site which has the potential for the discharge of pollutants to the waters of the state and which has not otherwise been addressed in the Plan.
- (B) The commissioner may notify the permittee at any time that the Plan and/or the site do not meet one or more of the minimum requirements of this general permit. Within 7 days of such notice, or such other time as the commissioner may allow, the permittee shall make the required changes to the Plan and perform all actions required by such revised Plan. Within 15 days of such notice, or such other time as the commissioner may allow, the permittee shall submit to the commissioner a written certification that the requested changes have been made and implemented and such other information as the commissioner requires, in accordance with the "Duty to Provide Information" and "Certification of Documents" sections (subsections 5(h) and 5(i)) of this general permit.
- (C) For any stormwater discharges authorized under any previous version of this general permit, the existing Plan shall be updated within 120 days of the effective date of this general permit, as applicable, in accordance with the "Development and Contents of the Plan" (subsection 5(b)(1)), "Stormwater Control Measures" (subsection 5(b)(2)), "Routine Inspections" (subsection 5(b)(4)(B)), and "Monitoring" (subsection 5(c)) sections of this general permit, except for the post-construction measures in subsection 5(b)(2)(C)(i)(a)-(b) and 5(b)(2)(C)(ii)(a). The permittee shall maintain compliance with such Plan thereafter. For previously authorized sites discharging to impaired waters or other sensitive areas, the commissioner may require additional control measures or provide authorization under an individual permit pursuant to Sections 4(h) and 3(i).

(6) Failure to Prepare, Maintain or Amend Plan

In no event shall failure to complete, maintain or update a Plan, in accordance with the “Development of Contents of the Plan” and “Keeping Plans Current” sections (subsections 5(b)(1) and 5(b)(5)) of this general permit, relieve a permittee of responsibility to implement any actions required to protect the waters of the state and to comply with all conditions of the permit.

(7) Plan Signature

The Plan shall be signed and certified as follows:

- (A) The Plan shall be signed by the permittee in accordance with the “Certification of Documents” section (subsection 5(i)) of this general permit.
- (B) The Plan shall include certification by all contractors and subcontractors in accordance with the “Contractors” section (subsection 5(b)(1)(B)(viii)) of this general permit.
- (C) The Plan shall be certified by a qualified soil erosion and sediment control professional and/or a qualified professional engineer, if applicable, in accordance with the “Contents of Registration” section (subsections 4(c)(2)(Q) and/or (R)) of this general permit.

(8) Plan Review Certification

Prior to the authorization of a construction activity registered for a locally approvable project pursuant to Section 3(c) of this general permit, the Plan shall be reviewed and certified as follows:

- (A) For all certifications under this subsection, the certifying party shall be someone who,
 - (i) for projects disturbing more than one acre and less than fifteen (15) acres,
 - (a) is not an employee, as defined by the Internal Revenue Service in the Internal Revenue Code of 1986, of the registrant, and
 - (b) has no ownership interest of any kind in the project for which the registration is being submitted.
 - (ii) for projects disturbing fifteen (15) acres or more,
 - (a) is not an employee, as defined by the Internal Revenue Service in the Internal Revenue Code of 1986, of the registrant, and
 - (b) did not engage in any activities associated with the preparation, planning, designing or engineering of such plan for soil erosion and sediment control or plan for engineered stormwater management systems on behalf of such registrant, and
 - (c) is not under the same employ as any person who engaged in any activities associated with the preparation, planning, designing or engineering of such plans and specifications for soil erosion and sediment control or plans and specifications for engineered stormwater management systems on behalf of such registrant, and
 - (d) has no ownership interest of any kind in the project for which the registration is being submitted.
- (B) **For Plans that are reviewed and certified by a Conservation District**, the Plan Review Certification form in Appendix F must be signed by the District. In cases where the District

is unable to complete review of the Plan within the time limits specified in the Memorandum of Agreement in Appendix F, a notice to that effect signed by the District may be submitted in lieu of the certification.

- (C) **For Plans that are not reviewed and certified by a Conservation District**, the following certification must be signed by a qualified soil erosion and sediment control professional:

“I certify that I have thoroughly and completely reviewed the Stormwater Pollution Control Plan for the project or activity covered by this certification. I further certify, based on such review and on my best professional judgment, that the Stormwater Pollution Control Plan has been prepared in accordance with the Connecticut Guidelines for Soil Erosion and Sediment Control, as amended, and the conditions for the General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities issued on **TBD** (or as modified), and the controls required for such Plan are appropriate for the site. 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.”

- (D) **For Plans that are not reviewed and certified by a Conservation District and include control measures requiring engineering analysis and/or design**, the following certification must be signed by a qualified professional engineer:

“I certify that I have thoroughly and completely reviewed the Stormwater Pollution Control Plan and the plans and specifications for engineered stormwater control measures and stormwater management systems for the project or activity covered by this certification. I further certify, based on such review and on my best professional judgment, that the plans and specifications for engineered stormwater control measures and stormwater management systems are in compliance with the conditions of the General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities issued on **TBD** (or as modified) and have been prepared in accordance with the Connecticut Guidelines for Soil Erosion and Sediment Control (as amended), Connecticut Stormwater Quality Manual (as amended) and best engineering practices. 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.”

- (E) Nothing in this subsection shall be construed to authorize Conservation District personnel, a qualified soil erosion and sediment control professional or a qualified professional engineer to engage in any profession or occupation requiring a license under any other provision of the general statutes without such license.

- (F) **Sanctions**

- (i) Any certification signed pursuant to this subsection for which the certifying party does not meet the appropriate qualifications for signing such certification shall be deemed a violation of this general permit and the registration shall be rejected.
- (ii) Any certification signed pursuant to this subsection may be subject to an audit by the commissioner and such registration for this general permit may be denied, revoked or suspended if the person signing such certification is not a qualified soil erosion and sediment control professional or qualified professional engineer as defined in this general permit or such qualified professional engaged in professional misconduct including, but not limited to, the submission of false or misleading information or making a false or inaccurate certification regarding such registration. The commissioner may request in writing any information the commissioner deems necessary to carry out the provisions of this subsection to demonstrate to the

commissioner's satisfaction that such qualified professional meets the qualifications as defined in this general permit and such qualified professional did not engage in professional misconduct. As part of an audit conducted pursuant to this subsection, the commissioner may require that any information prepared in accordance with this general permit to be independently certified in accordance with this subsection by a qualified soil erosion and sediment control professional and/or qualified professional engineer. Any such independent certification under this section shall be at the registrant's expense. The reasonable cost of an audit under this section that reveals that a false certification was submitted to the commissioner may be charged to the registrant for this general permit for which such certification was made.

- (iii) In addition to any other penalty or sanction provided for by law, disciplinary action against any qualified soil erosion and sediment control professional or qualified professional engineer may be taken for any violation of Sections 5(b)(7)(C), 5(b)(8)(A), (C) or (D) of this general permit. This may include disciplinary action by any board or department issuing the license upon referral by the commissioner or disciplinary action by the commissioner, which may include, but not be limited to, a reprimand or warning or prohibiting, either temporarily or permanently, a qualified soil erosion and sediment control professional or qualified professional engineer from signing a certification pursuant to Sections 5(b)(8)(C) and/or (D) of this general permit for any registration filed pursuant to this general permit. In addition to any other applicable procedures, subsection (c) of section 4-182 of the Connecticut General Statutes shall apply to any disciplinary action taken by the commissioner pursuant to this section.

- (G) Nothing in this subsection shall be construed as to limit the jurisdiction of the municipality within which the construction activity is conducted to regulate erosion and sedimentation control and stormwater management provided such regulations would not result in the permittee's violation of this general permit.

(9) Plan Submittal

The Plan shall be submitted to the commissioner and other certain parties under the following conditions:

- (A) All Locally Exempt Projects with greater than one acre of soil disturbance shall submit the Plan and a completed General Permit Registration Form to the commissioner.
- (B) For all other projects, the permittee shall provide a copy of the Plan, and a completed General Permit Registration Form for this general permit to the following persons immediately upon request:
 - (i) The commissioner at his or her request or at the request of a member of the public during the registration and Plan availability period pursuant to Section 4(e);
 - (ii) The municipal planning commission, zoning commission and/or inland wetlands agency, or its respective enforcement officer or designated agent;
 - (iii) In the case of a stormwater discharge through a municipal separate storm sewer system, the municipal operator of the system;
 - (iv) In the case of a stormwater discharge located within a public drinking water supply watershed or aquifer area, the water company responsible for that water supply.

DO NOT SUBMIT any pages or other material that do not pertain to stormwater management or erosion and sedimentation control (such as electrical and lighting plans, boundary or lot surveys, building plans, non-stormwater related detail sheets, etc.).

(c) Monitoring Requirements

The primary requirements for monitoring turbidity are summarized in the table below:

Table 1

<i>Area of Soil Disturbance</i>	<i>Monitoring Required?</i>	<i>Monitoring Frequency</i>	<i>Sample Method</i>
Sites which disturb 1 acre or more, but less than 5 acres	Only IF a Registration is required	Monthly IF a Registration is required	Procedure consistent with 40 CFR Part 136
Sites which disturb 5 acres or more	Yes	Monthly	Procedure consistent with 40 CFR Part 136

(1) Turbidity Monitoring Requirements

(A) Monitoring Frequency

- (i) Sampling shall be conducted in accordance with Table 1, above, at least once every month, when there is a discharge of stormwater from the site while construction activity is ongoing, until final stabilization of the drainage area associated with each outfall is achieved.
- (ii) The permittee is only required to take samples during normal working hours as defined in Section 2. The site's normal working hours must be identified in the Plan pursuant to Section 5(b)(1)(B)(vii). If sampling is discontinued due to the end of normal working hours, the permittee shall resume sampling the following morning or the morning of the next working day following a weekend or holiday, as long as the discharge continues.
- (iii) Sampling may be temporarily suspended any time conditions exist that may reasonably pose a threat to the safety of the person taking the sample. Such conditions may include high winds, lightning, impinging wave or tidal activity, intense rainfall or other hazardous condition. Once the unsafe condition is no longer present, sampling shall resume.
- (iv) If there is no stormwater discharge during a month, sampling is not required.

(B) Sample Collection

- (i) All samples shall be collected from discharges resulting from a storm event that occurs at least 24 hours after any previous storm event generating a stormwater discharge. Any sample containing snow or ice melt must be identified on the Stormwater Monitoring Report form. Sampling of snow or ice melt in the absence of a storm event is not a valid sample.

- (ii) Samples shall be grab samples taken *at least* three separate times during a storm event and shall be *representative* of the flow and characteristics of the discharge(s). Samples may be taken manually or by an in-situ turbidity probe or other automatic sampling device equipped to take individual turbidity readings (i.e. not composite). The first sample shall be taken within the first hour of stormwater discharge from the site. In cases where samples are collected manually and the discharge begins outside of normal working hours, the first sample shall be taken at the start of normal working hours.

(C) Sampling Locations

- (i) Sampling is required of all point source discharges of stormwater from disturbed areas except as may be modified for linear projects under subparagraph (ii) below. Where there are two or more discharge points that discharge substantially identical runoff, based on similarities of the exposed soils, slope, and type of stormwater controls used, a sample may be taken from just one of the discharge points. In such case, the permittee shall report that the results also apply to the substantially identical discharge point(s). No more than 5 substantially identical outfalls may be identified for one representative discharge. If such project is planned to continue for more than one year, the permittee shall rotate twice per year the location where samples are taken so that a different discharge point is sampled every six months. The Plan must identify each outfall authorized by this permit and describe the rationale for any substantially identical outfall determinations.

- (ii) Linear Projects

For a linear project, as defined in Section 2, the protocols of subparagraph (i), above, shall apply except that up to 10 substantially identical outfalls may be identified for one representative discharge.

- (iii) All sampling point(s) shall be identified in the Plan and be clearly marked in the field with a flag, stake, or other visible marker.

(D) Sampling and analysis shall be prescribed by 40 CFR Part 136.

(E) Turbidity Values

The stormwater discharge turbidity value for each sampling point shall be determined by taking the average of the turbidity values of all samples taken at that sampling point during a given storm.

(2) Stormwater Monitoring Reports

- (A) Within thirty (30) days following the end of each month, permittees shall submit the stormwater sampling result(s) on the attached Stormwater Monitoring Report (SMR) form.
- (B) If there was no discharge during any given monitoring period, the permittee shall submit the form as required with the words “no discharge” entered in place of the monitoring results.
- (C) If the permittee monitors any discharge more frequently than required by this general permit, the results of this monitoring shall be included in additional SMRs for the month in which the samples were collected.
- (E) If sampling protocols are modified due to the limitations of normal working hours or unsafe conditions, a description of and reason for the modifications shall be included with the SMR.

- (F) If the permittee samples a discharge that is representative of two or more substantially identical discharge points, the permittee shall include the names or locations of the other discharge points.

(d) *Reporting and Record Keeping Requirements*

- (1) For a period of at least five years from the date that construction is complete, the permittee shall retain copies of the Plan and all reports required by this general permit, and records of all data used to complete the registration for this general permit, unless the commissioner specifies another time period in writing. Inspection records must be retained as part of the Plan for a period of five (5) years after the date of inspection.
- (2) The permittee shall retain an updated copy of the Plan required by this general permit at the construction site from the date construction is initiated at the site until the date construction at the site is completed.

(e) *Regulations of Connecticut State Agencies Incorporated into this General Permit*

The permittee shall comply with sections 22a-430-3 and 22a-430-4 of the Regulations of Connecticut State Agencies which are hereby incorporated into this general permit, as if fully set forth herein.

(f) *Reliance on Registration*

In evaluating the registrant's registration, the commissioner has relied on information provided by the registrant. If such information proves to be false or incomplete, the registrant's authorization may be suspended or revoked in accordance with law, and the commissioner may take any other legal action provided by law.

(g) *Duty to Correct and Report Violations*

Upon learning of a violation of a condition of this general permit, unless otherwise specified in this general permit, a permittee shall immediately take all reasonable action to determine the cause of such violation, correct and mitigate the results of such violation, prevent further such violation, and report in writing such violation and such corrective action to the commissioner within five (5) days of the permittee's learning of such violation. Such information shall be filed in accordance with the "Certification of Documents" section (Section 5(i)) of this general permit.

(h) *Duty to Provide Information*

If the commissioner requests any information pertinent to the construction activity or to compliance with this general permit or with the permittee's authorization under this general permit, the permittee shall provide such information within fifteen (15) days of such request or other time period as may be specified in writing by the commissioner. Such information shall be filed in accordance with the "Certification of Documents" section (Section 5(i)) of this general permit.

(i) *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 this document or its attachments may be punishable as a criminal offense, in accordance with section 22a-6 of the Connecticut General Statutes, pursuant to section 53a-157b of the Connecticut General Statutes, and in accordance with any other applicable statute.”

(j) *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.

(k) *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 Connecticut General Statutes, pursuant to section 53a-157b of the Connecticut General Statutes.

(l) *Correction of Inaccuracies*

Within fifteen (15) days after the date a permittee becomes aware of a change in any information in any material submitted pursuant to this general permit, or becomes aware that any such information is inaccurate or misleading or that any relevant information has been omitted, such permittee shall correct the inaccurate or misleading information or supply the omitted information in writing to the commissioner. Such information shall be filed in accordance with the certification requirements prescribed in Section 5(i) of this general permit.

(m) *Transfer of Authorization*

An approval of registration under this general permit is transferable only in accordance with the provisions of section 22a-6o of the General Statutes. Any person or municipality proposing to transfer an approval of registration shall submit a license transfer form to the commissioner to transfer the previous permit authorization to a new registrant. The new registrant is not authorized to conduct any activities under this general permit until the transfer is approved by the commissioner (typically 30 days). The new permittee may adopt by reference the Plan developed by the previous permittee. The new permittee shall amend the Plan as required by the “Keeping Plans Current” Section 5(b)(5) of this general permit).

(n) *Reopener*

At such time as the USEPA may institute a new rule for post-construction stormwater management or modify the requirements for their National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges from Construction Activities (CGP) to institute an Effluent Limitation Guideline (ELG) for turbidity in stormwater discharges from construction activities, the commissioner may reopen this general permit pursuant to the Section 40 Part 122.62(a) of the Code of Federal Regulations for implementation of these elements.

(o) *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.

(p) 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 construction activity affected by such general permit. In conducting any construction 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 6. Termination Requirements

(a) Notice of Termination

At the completion of a construction project registered pursuant to the “Registration Requirements” section (Section 4) of this general permit, a Notice of Termination must be filed with the commissioner. A project shall be considered complete after all post-construction measures are installed, cleaned and functioning and the site has been stabilized for at least three months following the cessation of construction activities. A site is considered stabilized when there is no active erosion or sedimentation present and no disturbed areas remain exposed **for all phases**.

(1) Post-Construction Inspection

For locally approvable projects, once all post-construction stormwater measures have been installed in accordance with the Post-Construction Stormwater Management section (subsection 5(b)(2)(C)) and cleaned of any construction sediment or debris, the registrant shall contact the appropriate Conservation District or a qualified erosion and sediment control professional and/or a qualified professional engineer, as appropriate, who will inspect the site to confirm compliance with these post-construction stormwater measures. This person(s) shall not be an employee, as defined by the Internal Revenue Service in the Internal Revenue Code of 1986, of the permittee and shall have no ownership interest of any kind in the project for which the site’s registration was submitted.

(2) Final Stabilization Inspection

For all projects, once the site has been stabilized for at least three months, the registrant shall have the site inspected by a qualified inspector to confirm final stabilization. The registrant shall indicate compliance with this requirement on the Notice of Termination form.

(b) Termination Form

A termination notice shall be filed on forms prescribed and provided by the commissioner and shall include the following:

- (1)** The permit number as provided to the permittee on the permit certificate.
- (2)** The name of the registrant as reported on the general permit registration form (DEEP-PED-REG-015).
- (3)** The address of the completed construction site.

- (4) The dates when:
 - (A) All storm drainage structures were cleaned of construction debris pursuant to the “Other Controls” section (subsection 5(b)(2)(D)) of this general permit; and
 - (B) The post-construction inspection was conducted pursuant to subsection 6(a)(1), above; and
 - (C) The date of completion of construction; and
 - (D) The date of the final stabilization inspection pursuant to subsection 6(a)(2), above.
- (5) A description of the post-construction activities at the site.
- (6) Signatures of:
 - (A) The permittee; and
 - (B) The person certifying the post-construction inspection pursuant to subsection 6(a)(1), above.

(c) *Where to File a Termination Form*

A termination form shall be filed with the commissioner at the following address:

CENTRAL PERMITS PROCESSING UNIT
BUREAU OF MATERIALS MANAGEMENT & COMPLIANCE ASSURANCE
DEPARTMENT OF ENERGY & ENVIRONMENTAL PROTECTION
79 ELM STREET
HARTFORD, CT 06106-5127

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 but not limited to penalties of up to \$25,000 per violation per day under Chapter 446k of the Connecticut General Statutes, 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 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 if he wishes to continue lawfully conducting the construction activity, the permittee shall file an application for an individual permit within thirty (30) days of receiving the commissioner’s notice. While such application is pending before the commissioner, the permittee shall continue to 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:

Daniel Esty
Commissioner



**General Permit for the Discharge of Stormwater and Dewatering
Wastewaters From Construction Activities**

Stormwater Monitoring Report

SITE INFORMATION

Permittee _____
Mailing Address _____
Business Phone _____ ext.: _____ Fax: _____
Contact Person _____ Title: _____
Site Name _____
Site Address _____
Receiving Water (name, basin) _____
Stormwater Permit No. <u>GSN</u> _____

SAMPLING INFORMATION

Outfall Designation _____ Date/Time Collected _____
Outfall Location(s) (lat/lon or map link) _____
Person Collecting Sample _____
Storm Magnitude (inches) _____ Storm Duration (hours) _____
Size of Disturbed Area at any time: _____

MONITORING RESULTS

Sample #	Parameter	Method	Results (units)	Laboratory
	Turbidity			
	Turbidity			
	Turbidity			
	Turbidity			
			Avg =	

STATEMENT OF ACKNOWLEDGMENT

I certify that the data reported on this document were prepared under my direction or supervision in accordance with the General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities. The information submitted is, to the best of my knowledge and belief, true, accurate and complete.

Authorized Official: _____
Signature: _____ Date: _____

Please send completed form to:

DEPARTMENT OF ENERGY & ENVIRONMENTAL PROTECTION
BUREAU OF MATERIALS MANAGEMENT AND COMPLIANCE ASSURANCE
79 ELM STREET
HARTFORD, CT 06106-5127
STORMWATER PERMIT ENGINEER

General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities

APPENDIX A

Endangered, Threatened, and Special Concern (“Listed”) Species

Pursuant to Section 3(b)(2) of the General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities (general permit), in order to be eligible for coverage under the general permit, you must assess the potential effects of the proposed construction activity, including any stormwater discharges and control measures (proposed activity), on species listed as endangered or threatened under federal and state law (listed species). The assessment outlined in this appendix must be completed prior to submission of the Registration Form for the general permit.

If the prospective Applicant knows or has reason to believe that federal or state listed species are present within or in proximity to the site of the proposed activity, the prospective Applicant should proceed to Step 2, below, and provide this information with the Request for Connecticut Natural Diversity Data Base (NDDDB) State Listed Species Review. All other prospective Applicants should proceed to Step 1 and Steps 2 and 3, as necessary.

In order to prevent significant, unforeseen delays in a proposed activity, applicants should conduct a listed species assessment early in the planning stages of a project. The Department strongly recommends this process *be initiated up to one year (or more)* prior to the projected construction initiation date, and, if possible, prior to property purchase. In most cases, there will be no occurrences of listed species, or no impact resulting from the proposed activity if listed species are present. For a small number of projects where species impact could occur, modifications to the site plan and/or project schedule will alleviate any conflicts. In rare cases, the Department will require site surveys to investigate the occurrence of listed species and potential impacts.

STEP BY STEP REVIEW PROCESS

Step One: Pre-screening Assessment

For prospective Applicants that have no knowledge or reason to believe that federal or state listed species are present within or in proximity to the site of the proposed activity, the first step is to determine whether listed species exist within or in proximity to the site of the proposed activity. To determine this, you must review the DEEP NDDDB Maps, which represent approximate locations of listed species, no more than one year prior to submission of the Registration Form for the general permit. These maps can be viewed at the following locations:

1. Online at the following links:
[CT DEEP Natural Diversity Data Base Maps](#);
[CTECO Webpage](#) (in the interactive Simple Map Viewer)
2. NDDDB maps are available at town halls and at the DEEP Public File Room at 79 Elm Street in Hartford.

Compare the site of the proposed activity to the shaded areas depicted on the NDDDB map, to determine if any of the following screening criteria are met:

Screening Criteria

Is the site of the proposed activity:

1. Entirely, partially, or within ¼ mile of a shaded area, or
2. Less than ½ mile upstream or downstream of a shaded area.

If the site of the proposed activity does *not* meet the above screening criteria, then there are no known federal or state listed species in the area and an impact is not likely. **Steps 2 and 3 are not required.** You do **NOT** need to submit the *Request for Connecticut Natural Diversity Data Base (NDDDB) State Listed Species Review*. When completing the Registration Form for this general permit, you will report that the proposed activity will not impact federal or state listed species.

The NDDB maps are not the result of comprehensive state-wide field investigations, but rather serve as a pre-screening tool and should not be considered a substitute when on-site surveys may be required for environmental assessments. These maps are updated at approximately six (6) month intervals. New information is continually being added; it is important to use the most current map for your planning needs.

Step Two: Submit an NDDB Review Request

If the site of the proposed activity meets any of the above screening criteria, then you are in an area of concern for federal or state listed species and you must fill out the *Request for Connecticut Natural Diversity Data Base (NDDB) State Listed Species Review*. This form and the instructions are available at www.ct.gov/DEEP/nddbrequest.

To avoid delays in the NDDB review request submitted pursuant to the general permit, the proposed activity description must include site disturbance estimates, construction activity phasing schedules, site alteration information, vehicular traffic considerations, and construction and post-construction runoff quality assessments.

Step Three: NDDB Review Response from DEEP

After receiving the NDDB review request form and supplemental information, DEEP natural resource staff (wildlife biologists, botanists or fisheries biologists) will determine if federal or state listed species occur within or in proximity to the site of the proposed activity. Natural resource staff will notify the NDDB review requester of such determination, which will include a NDDB review request number. You must provide this number when you complete the Registration Form for the general permit.

A. For state listed species, DEEP natural resources staff will determine that:

- i. no impact is expected from the proposed activity, or
- ii. impact can be avoided or minimized by modifications to the site plan, or
- iii. impact is possible and additional information is necessary. In such a case, DEEP natural resource staff may require on-site surveys, depending on the nature and scope of a project. For example, certain habitats, such as grasslands in excess of 75 acres, have a high likelihood of listed species use. If the proposed activity falls within such an area, site specific surveys may be recommended. In lieu of conducting a site survey for certain state listed species, the prospective applicant may stipulate to the presence of the species and undertake mitigation measures in consultation with DEEP natural resource staff. The most common mitigation measures consist of modification to the site or landscape plan or developing an onsite mitigation plan.

If the species of concern is a federally listed species, in addition to consultation with DEEP natural resources staff, the prospective applicant (site owner or developer) is also required by federal law to consult with the US Fish and Wildlife Service. The prospective applicant will be required to submit documentation from USFWS, along with the NDDB review request number with the Registration Form for the general permit.

General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities

APPENDIX B

Connecticut Department of Energy & Environmental Protection Inland Water Resources Division Fact Sheet Considering Low Impact Development Principles in Site Design

In order to reduce the impact of development and address stormwater quality issues, the Department strongly encourages the use of Low Impact Development (LID) measures. LID is a site design strategy intended to maintain or replicate predevelopment hydrology through the use of small-scale controls, integrated throughout the site, to manage stormwater runoff as close to its source as possible. Infiltration of stormwater through LID helps to remove sediments, nutrients, heavy metals, and other types of pollutants from runoff.

Key Strategies for LID

Key strategies for effective LID include: infiltrating, filtering, and storing as much stormwater as feasible, managing stormwater close to where the rain/snow falls, managing stormwater at multiple locations throughout the landscape, conserving and restoring natural vegetation and soils, preserving open space and minimizing land disturbance, designing the site to minimize impervious surfaces, and providing for maintenance and education. Water quality and quantity benefits are maximized when multiple techniques are grouped together. In areas of compacted and/or possibly contaminated soils, soil suitability should be further investigated prior to selecting optimum treatment and/or remediation measures. Where soil conditions permit, the DEEP encourages the utilization of one, or a combination of, the following measures:

- the use of pervious pavement or grid pavers (which are very compatible for parking lot and fire lane applications), or impervious pavement without curbs or with notched curbs to direct runoff to properly designed and installed infiltration areas;
- the use of vegetated swales, tree box filters, and/or infiltration islands to infiltrate and treat stormwater runoff (from building roofs, roads, and parking lots);
- the minimization of access road widths and parking lot areas to the maximum extent possible to reduce the area of impervious surface;
- the use of dry wells to manage runoff from building roofs;
- incorporation of proper physical barriers or operational procedures for special activity areas where pollutants could potentially be released (e.g. loading docks, maintenance and service areas, dumpsters, etc.);
- the installation of rainwater harvesting systems to capture stormwater from building roofs for the purpose of reuse for irrigation (i.e. - rain barrels for residential use and cisterns for larger developments);
- the use of residential rain gardens to manage runoff from roofs and driveways;
- the use of vegetated roofs (green roofs) to detain, absorb, and reduce the volume of roof runoff; and
- providing for pollution prevention measures to reduce the introduction of pollutants to the environment.

LID in Urban Areas

If the proposed site is located in a highly urbanized area, it is likely underlain by urban land complex soils. The Natural Resources Conservation Service (NRCS) Soil Web Survey (<http://websoilsurvey.nrcs.usda.gov/app/HomePage.htm>) provides information on soil textures, parent materials, slopes, height of seasonal high water table, depth to restrictive layer, and permeability. In highly developed areas, infiltration may be limited due to the high percentage of impervious cover. However, infiltration practices may be suitable at urban sites depending on:

- Potential contamination of soils in historically industrialized areas. The siting of areas for infiltration must consider any existing soil or groundwater contamination.

- Site specific soil conditions. NRCS mapping consists of a minimum 3 acres map unit and soils may vary substantially within each mapping unit. Test pits should be dug in areas
- planned for infiltration practices to verify soil suitability and/or limitations.
- Investigation of areas of compacted soils and the utilization of proper construction staging. Planning should insure that areas to be used for infiltration are not compacted during the construction process by vehicles or machinery.

Even if infiltration is limited at a site, it is still possible to implement LID practices. Specifically, potential exists for the installation of green roofs on buildings and/or the use of cisterns to capture and reuse rainwater.

LID in Areas with a High Seasonal Water Table or Hardpan Layer

- The impact of stormwater runoff to any streams and/or wetlands near the site should be considered. Water quality treatment is influenced by hydraulic conductivity and time of travel. If stormwater infiltration is limited by an impermeable layer close to the surface, the water may run laterally through the ground and discharge to the stream or wetlands, providing limited water quality treatment. However, a longer time of travel may provide sufficient treatment. Proper soil testing for infiltration potential will increase the likelihood of successful BMP design.
- In areas with a high seasonal water table, bioretention areas/rain gardens should be planted with water tolerant/wetland plants. The presence of a high seasonal water table suggests that water may drain slowly or not at all during certain parts of the year. Planting native wetland vegetation will help to ensure plant survival and increase the effectiveness of bioretention practices. Information on native plantings that are both drought tolerant and tolerant of wet conditions can be found in The UConn Cooperative Extension System's guide to building a rain garden at http://nemo.uconn.edu/publications/rain_garden_broch.pdf. Native plant lists for Connecticut can also be found at <http://www.fhwa.dot.gov/environment/rdsduse/ct.htm>.

LID Guidance for Federal Projects

- LID techniques have been utilized by Department of Defense (DoD) agencies during the last several years. The effectiveness of these projects in managing runoff as well as reducing construction and maintenance costs has created significant interest in LID. The DoD has created a Unified Facilities Criteria document, Low Impact Development, that provides guidelines for integrating LID planning and design into a facility's regulatory and resource protection programs. It is available on-line at: http://www.wbdg.org/ccb/DOD/UFC/ufc_3_210_10.pdf.
- Section 438 of the Energy Independence and Security Act (EISA) of 2007 requires federal agencies to reduce stormwater runoff from federal development projects to protect water resources. In December 2009, the EPA developed a technical guidance document on implementing the stormwater runoff requirements for federal projects under Section 438 of EISA. The document contains guidance on how compliance with Section 438 can be achieved, measured and evaluated and can be found at: http://www.epa.gov/owow/NPS/lid/section438/pdf/final_sec438_eisa.pdf.

For more information contact the CT DEEP Watershed Management/Low Impact Development Program:

Name	Area	Telephone
MaryAnn Nusom Haverstock	Program Oversight/ Low Impact Development	(860) 424-3347
Chris Malik	Watershed Manager	(860) 424-3959
Susan Peterson	Watershed Manager	(860) 424-3854
Eric Thomas	Watershed Manager	(860) 424-3548

Runoff Reduction/ LID Practices Placeholder

Re-Forestation
Disconnection of Rooftop Runoff
Disconnection of Non-Rooftop Runoff
Sheetflow to Conservation Areas
Green Roof
Permeable Pavement
Rainwater Harvesting
Submerged Gravel Wetlands
Micro-Infiltration
Rain Gardens
Bioretention
Landscape Infiltration
Grass Swales
Bio-swales
Wet Swales
Stormwater Ponds
Stormwater Wetlands
Stormwater Filtering Systems
Stormwater Infiltration



General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities

APPENDIX C

AQUIFER PROTECTION AREAS AND OTHER GROUNDWATER DRINKING SUPPLY AREAS GUIDANCE INFORMATION

The Pollution Control Plan (“the Plan”) should consider measures to reduce or mitigate potential impacts to both ground water (aquifers) and surface waters, taking into consideration both quantity and quality of the runoff. The emphasis should be to minimize, to the extent possible, changes between pre-development and post-development runoff rates and volumes.

The basic stormwater principals for Aquifer Protection Areas (and other groundwater drinking supply areas) are to prevent inadvertent pollution discharges/releases to the ground, while encouraging recharge of stormwater where it does not endanger groundwater quality. Measures include:

- prevent illicit discharges to storm water, including fuel/chemical pollution releases to the ground.
- minimize impervious coverage and disconnect large impervious areas with natural or landscape areas
- direct paved surface runoff to aboveground type land treatment structures – sheet flow, surface swales, depressed grass islands, detention/retention and infiltration basins, and wet basins. These provide an opportunity for volatilization of volatile organic compounds to the extent possible before the stormwater can infiltrate into the ground.
- provide necessary impervious pavement in high potential pollutant release areas. These “storm water hot spots” include certain lands use types or storage and loading areas, fueling areas, intensive parking areas and roadways (see table below).
- only use subsurface recharge structures such as dry wells, galleries, or leaching trenches, to directly infiltrate clean runoff such as rooftops, or other clean surfaces. These structures do not adequately allow for attenuation of salts, solvents, fuels or other soluble compounds in groundwater that may be contained in runoff.
- restrict pavement deicing chemicals, or use an environmentally suitable substitute such as sand only, or alternative de-icing agents such as calcium chloride or calcium magnesium.

Infiltration of stormwater should be **restricted** under the following site conditions:

- **Land Uses or Activities with Potential for Higher Pollutant Loads:** Infiltration of stormwater from these land uses or activities (refer to Table 7-5 below), also referred to as stormwater “hotspots,” can contaminate public and private groundwater supplies. Infiltration of stormwater from these land uses or activities may be allowed by the review authority with appropriate pretreatment. Pretreatment could consist of one or a combination of the primary or secondary treatment practices described in the Stormwater Quality Manual provided that the treatment practice is designed to remove the stormwater contaminants of concern.
- **Subsurface Contamination:** Infiltration of stormwater in areas with soil or groundwater contamination such as brownfield sites and urban redevelopment areas can mobilize contaminants.
- **Groundwater Supply and Wellhead Areas:** Infiltration of stormwater can potentially contaminate groundwater drinking water supplies in immediate public drinking water wellhead areas.

Land Uses or Activities with Potential for Higher Pollutant Loads
Table 7-5 of the 2004 Stormwater Quality Manual

<u>Land Use/Activities</u>	
<ul style="list-style-type: none"> • Industrial facilities subject to the DEEP Industrial Stormwater General Permit or the U.S. EPA National Pollution Discharge Elimination System (NPDES) Stormwater Permit Program • Vehicle salvage yards and recycling facilities • Vehicle fueling facilities (gas stations and other facilities with on-site vehicle fueling) • Vehicle service, maintenance, and equipment cleaning facilities • Fleet storage areas (cars, buses, trucks, public works) • Commercial parking lots with high intensity use (shopping malls, fast food restaurants, convenience stores, supermarkets, etc.) • Public works storage areas 	<ul style="list-style-type: none"> • Road salt storage facilities (if exposed to rainfall) • Commercial nurseries • Flat metal rooftops of industrial facilities • Facilities with outdoor storage and loading/unloading of hazardous substances or materials, regardless of the primary land use of the facility or development • Facilities subject to chemical inventory reporting under Section 312 of the Superfund Amendments and Reauthorization Act of 1986 (SARA), if materials or containers are exposed to rainfall • Marinas (service and maintenance) • Other land uses and activities as designated by the review authority

For further information regarding the design of stormwater collection systems in Aquifer Protection Areas, contact the Aquifer Protection Area Program at (860) 424-3020.



General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities

APPENDIX D

Coastal Management Act Determination Form

Please attach this form and written approval from the local governing authority (or verification of exemption) to the Registration Form for the Discharge of Stormwater and Dewatering Wastewaters From Construction Activities.

SITE INFORMATION

Future Permittee	_____
Mailing Address	_____
Business Phone	_____ ext.: _____ Fax: _____
Contact Person	_____ Title: _____
Site Name	_____
Site Address/ Location	_____
Site Latitude and Longitude	_____
Receiving Water (name, basin)	_____
Project Description	_____

STATEMENT OF REVIEW:

The above referenced project is consistent with the goals and policies in section 22a-92 of the Connecticut General Statutes and will not cause adverse impacts to coastal resources as defined in section 22a-93(15) of the Connecticut General Statutes.

Date of Coastal Site Plan Approval: _____

☐ Copy of written approval attached, or

☐ Verification of exemption attached

APPENDIX E

Conservation Districts of Connecticut Regional Delineations and Contact Information

Northwest Conservation District
1185 New Litchfield Street
Torrington, CT 06790
Ph: 860 626 7222
Fax: 860 626 7222
Email: ncd@conservect.org

Eastern Connecticut Conservation District
USDA Service Center
238 West Town Street
Norwich, CT 06360-2111
Ph: 860-887-4163 x 400 Fax: 860-887-4082
Email: kate.johnson.eccd@comcast.net

Connecticut River Coastal Conservation District, Inc.
deKoven House Community Center
27 Washington Street
Middletown, CT 06457
phone 860.346.3282 fax 860.346.3284
Email: ctrivercoastal@conservect.org

Southwest Conservation District
900 Northrop Road
North Farms Executive Park, Suite A
Wallingford, CT 06492
Ph: (203) 269-7509 Fax: 294-9741
E-mail: swcd43@sbcglobal.net

North Central Conservation District
24 Hyde Avenue
Vernon, CT 06066
Ph: 860 875 3881 Fax: 860 870 8973
100 Northfield Drive, 4th Floor
Windsor, CT 06095
Ph: 860 285 0867 Fax: 860 688 0083
Email: tollandc@snet.net

NORTHWEST	SOUTHWEST	NORTH CENTRAL	CT RIVER COASTAL	EASTERN
Barkhamsted	Ansonia	Avon	Berlin	Andover
Bethel	Beacon Falls	Bloomfield	Chester	Ashford
Bethlehem	Bethany	Bolton	Clinton	Bozrah
Bridgewater	Branford	Bristol	Colchester	Brooklyn
Brookfield	Bridgeport	Burlington	Cromwell	Canterbury
Canaan	Cheshire	Canton	Deep River	Chaplin
Colebrook	Darien	Coventry	Durham	Columbia
Cornwall	Derby	East Granby	East Haddam	Eastford
Danbury	East Haven	East Hartford	East Hampton	East Lyme
Goshen	Easton	East Windsor	Essex	Franklin
Hartland	Fairfield	Ellington	Haddam	Griswold
Harwinton	Greenwich	Enfield	Hebron	Groton
Kent	Guilford	Farmington	Killingworth	Hampton
Litchfield	Hamden	Glastonbury	Lyme	Killingly
Morris	Meriden	Granby	Madison	Lebanon
New Fairfield	Middlebury	Hartford	Marlborough	Ledyard
New Hartford	Milford	Manchester	Middlefield	Lisbon
New Milford	Monroe	Plainville	Middletown	Mansfield
Newtown	Naugatuck	Simsbury	Newington	Montville
Norfolk	New Canaan	Somers	New Britain	New
North Canaan	New Haven	South Windsor	Old Lyme	London
Plymouth	North Branford	Stafford	Old Saybrook	North
Roxbury	North Haven	Suffield	Portland	Stonington
Salisbury	Norwalk	Tolland	Rocky Hill	Norwich
Sharon	Orange	Vernon	Salem	Plainfield
Sherman	Oxford	West Hartford	Westbrook	Pomfret
Southbury	Prospect	Wethersfield		Preston
Thomaston	Redding	Willington		Putnam
Torrington	Ridgefield	Windsor		Scotland
Warren	Seymour	Windsor Locks		Sprague
Washington	Shelton			Sterling
Watertown	Southington			Stonington
Winchester	Stamford			Thompson
Woodbury	Stratford			Union
	Trumbull			Voluntown
	Wallingford			Waterford
	Waterbury			Windham
	West Haven			Woodstock
	Weston			
	Westport			
	Wilton			
	Wolcott			
	Woodbridge			

APPENDIX F
Memorandum of Agreement
Between
The Connecticut Department of Energy & Environmental Protection
and the
_____ **Conservation District**

I. PARTIES. This Memorandum of Agreement (the “Agreement”) is made by the Connecticut Department of Energy & Environmental Protection (“Department” or “DEEP”) and by the [specify] Conservation District (“District”), a not-for-profit corporation duly authorized, organized and existing under the laws of the State of Connecticut, with an office and principal place of business at [address].

II. AUTHORITY AND PURPOSE. Whereas, pursuant to section 22a-6 of the Connecticut General Statutes (“CGS”), the Commissioner of Environmental Protection (the “Commissioner”), has the authority to enter into this Agreement. [Name], the District’s duly authorized [title], has the authority to enter into this Agreement pursuant to the District’s resolution dated [date], section 22a-315 of the CGS, and section 22a-315-14 of the Regulations of Connecticut State Agencies.

Whereas, pursuant to section 22a-430b of the Connecticut General Statutes, the Department regulates stormwater discharges from construction activities under the General Permit for the Discharge of Stormwater and Dewatering Wastewaters Associated with Construction Activities (“the construction general permit”), which has been or will be issued on October 1, 2008. The construction general permit requires the implementation of erosion controls to control the discharge of sediment from construction and post-construction discharges.

Whereas, the construction general permit requires the preparation and implementation of a Stormwater Pollution Control Plan (“SW PCP”) to prevent erosion and the discharge of sediment to the waters of the state.

Whereas, pursuant to section 22a-315 of the CGS, soil and water conservation districts and boards were established to advise the Commissioner on matters of soil and water conservation and erosion and sedimentation control and to assist the Commissioner in implementing programs related to soil and water conservation and erosion and sediment control.

Whereas, pursuant to section 22a-315 of the CGS, the soil and water conservation boards may receive funds from private sources for services provided to promote soil and water conservation and to assist the Commissioner in the implementation of related programs.

Whereas, section 22a-326 of the CGS (the CT Erosion and Sediment Control Act) states: “It is therefore declared to be the policy of the state to strengthen and extend its erosion and sediment control activities and program and to establish and implement through...soil and water conservation districts...and the Commissioner of Environmental Protection a state-wide coordinated erosion and sediment control program which shall reduce the danger from storm water runoff, minimize nonpoint sediment pollution from land being developed and conserve and protect the land, water, air and other environmental resources of the state.”

Whereas, the District has understanding and experience in reviewing erosion and sediment control plans because of its longstanding participation in the municipal approval process, as required by section 22a-329 of the CGS.

Whereas, SW PCP review will be conducted by a District representative having one or more of the following minimum qualifications: (i) a bachelor’s degree in hydrology, engineering (agricultural, civil, environmental, or chemical), landscape architecture, geology, soil science, environmental science, natural resources management, or a related field and two years of professional and field experience, or (ii) the CPESC, Inc. designation as a Certified Professional in Erosion and Sediment Control, or a Certified Professional in Storm Water Quality.

Whereas, as a result of the foregoing circumstances, District staff are qualified to review erosion and sediment control and stormwater management plans.

Whereas, DEEP and the District are jointly dedicated to protecting the waters of the state by controlling the discharge of sediment and the pollution resulting from stormwater runoff.

Therefore, DEEP and the District agree as follows:

III. RESPONSIBILITIES OF THE CONSERVATION DISTRICT.

For locally approvable projects 2, as defined in the construction general permit, with five (5) or more acres of soil disturbance, the District shall review Stormwater Pollution Control Plans prepared to prevent erosion and pollution for a proposed development, shall determine whether each such SW PCP is consistent with the requirements of the construction general permit, and shall advise the Commissioner in writing of its determination regarding SW PCP consistency. The District will establish and follow policies and procedures for consistent review and evaluation of each SW PCP that will apply equally to all applicants. Such policies and procedures shall be consistent with those of DEEP.

A. Components of the SW PCP Review

Pre-Construction:

1. The District will begin a SW PCP review upon receipt of a developer's request, a copy of the SW PCP, and payment of a fee as specified in section V, below.
2. The District will make at least one, but not more than three, site visits during the course of the SW PCP review process.
3. The District will perform a complete review of the SW PCP based on documents outlined in section IV, "Responsibilities of DEEP," below. If the SW PCP is:
 - a) Consistent with the requirements of the construction general permit, the District will (1) issue a determination notice to both the project developer or such project developer's designee and to DEEP to advise them of the adequacy of the SW PCP and (2) provide a copy of the SW PCP to the DEEP; or
 - b) Not consistent with the requirements of the construction general permit, the District will provide a written notice of such inconsistency to the project developer or such project developer's designee; such notice shall include a list of SW PCP deficiencies, with any appropriate explanatory comments.
4. The Applicant may revise the SW PCP to address any deficiencies noted by the District and resubmit it to the District.
5. If the District receives a revised SW PCP in accordance with subsection A.4, above, the District will perform a second review of the SW PCP. If the SW PCP is:
 - a) Consistent with the requirements of the construction general permit, the District will (1) issue a determination notice to both the project developer or such project developer's designee and to DEEP to advise them of the adequacy of the SW PCP and (2) provide a copy of the SW PCP to the DEEP; or
 - b) Not consistent with the requirements of the construction general permit after the second review, the District will provide a written notice of such inconsistency to the project developer or such project developer's designee; such notice shall include a list of any remaining SW PCP deficiencies, with any appropriate explanatory comments.

² "Locally approvable project" means a construction activity for which the registrant is not a municipal, state or federal entity and is required to obtain municipal approval for the project

During Construction:

6. The District will make at least one, but not more than three, inspection(s) of the site after construction of the project has begun to verify the SW PCP has been implemented. The District will report the results of the inspection(s) to the project developer or such project developer's designee and DEEP.

Post-Construction:

7. Upon notification from DEEP that construction of the stormwater collection and management system is complete, the District will conduct one inspection of the site to verify that the permanent post construction stormwater management measures are completed in accordance with the SW PCP. The District will report the results, by means of written correspondence or a form to be created for such reporting, of the inspection to DEEP.

B. Plan Review Timeframes

1. The District will review the SW PCP submitted by the developer or such developer's designee and provide review comments within thirty (30) calendar days of the date of submission of the SW PCP.
2. If the District identifies deficiencies in the SW PCP, the District will allow the developer or such developer's designee the opportunity to revise the SW PCP and resubmit it to the District within fifteen (15) calendar days after the date of mailing or delivery of the District's written comments to the developer or such developer's designee.
3. The District will review any SW PCP revised in accordance with subsection III. B. 2., above, and provide a written determination of consistency or inconsistency within fifteen (15) calendar days after the submission of the revised SW PCP.
4. At the request of the District or the developer and with the agreement of both the District and the developer, the deadlines stated above may be extended, but such extensions shall be limited to no more than double the original amount of time allowed above for the relevant action.
5. Express reviews may be requested. The District shall have complete discretion to decline a request for an express review based on its existing workload, vacation schedules, or other circumstances. If the District grants an express review, the timeframes will be one third of the timeframes noted above.
6. In the event the District does not complete the review of the SW PCP within sixty (60) days – or within the time allowed under any authorized extension pursuant to subsection B.4, above, but in no circumstance later than 120 days – of the date the SW PCP was initially submitted to the District, and provided such delay is not the result of the developer's or such developer's designee's failure to address SW PCP deficiencies as noted in subsection B.2, above, the District will:
 - a) not later than three (3) days after the District's deadline, in accordance with section III.B of this Agreement, for completion of the SW PCP review, notify the DEEP that the developer will be initiating the registration process for the construction general permit;
 - b) not later than three (3) days after the District's deadline, in accordance with section III.B of this Agreement, for completion of the SW PCP review, provide to the DEEP the District's complete file on such developer's SW PCP consistency determination, which shall include but is not limited to the SW PCP, any other documentation submitted to the District, and any analysis already performed by the District; and
 - c) not later than seven (7) days after the District's deadline, in accordance with section III.B of this

Agreement, for completion of the SW PCP review, transfer to the DEEP, up to a maximum of \$4500, the fees that were originally submitted by the developer.

C. Resubmissions

1. Resubmission: In the event the District determines that the SW PCP is still not consistent with the requirements of the construction general permit after the second review, and the developer resubmits a revised SW PCP within 180 calendar days, the SW PCP will be considered a Resubmission. The SW PCP will be reviewed by the District in accordance with the timeframes set forth in Section III. B., and other applicable sections of this document, and the fee shall be in accordance with section V, below.
2. In the event the District determines that the SW PCP is still not consistent with the requirements of the construction general permit after the second review, and the developer submits a revised SW PCP more than 180 calendar days later, the SW PCP is not a Resubmission and will be considered a new submission. The SW PCP will be reviewed by the District in accordance with the timeframes set forth in Section III. B., and other applicable sections of this document, and the fee shall be in accordance with section V, below.
3. Post-Approval Resubmission: In the event the developer revises the SW PCP after the District has determined that the plans, prior to the revision, were consistent with the requirements of the construction general permit, and the developer submits the revised SW PCP to the District for review within 180 calendar days of the District's original determination of consistency, the SW PCP will be considered a Post-Approval Resubmission. The SW PCP will be reviewed by the District in accordance with the timeframes set forth in Section III. B., and other applicable sections of this document, and the fee shall be in accordance with section V, below.
4. In the event the developer revises the SW PCP after the District has determined that the plans, prior to the revision, were consistent with the requirements of the construction general permit, and the developer submits the revised SW PCP to the District for review more than 180 calendar days after the District's original determination of consistency, the SW PCP will be considered a new submission. The SW PCP will be reviewed by the District in accordance with the timeframes set forth in Section III. B., and other applicable sections of this document, and the fee shall be in accordance with section V, below.

D. Audit

1. The District agrees that all records pertaining to this Agreement shall be maintained for a period of not less than five (5) years. Such records will be made available to the DEEP and to the state auditors upon request. "Records" are all working papers and such information and materials as may have been accumulated by the District in performing the Agreement, including, but not limited to, documents, data, analysis, plans, books, computations, drawings, specifications, notes, reports, records, estimates, summaries and correspondence, kept or stored in any form.

IV. RESPONSIBILITIES OF DEEP.

- A. DEEP will inform the development community that the District will review SW PCPs for consistency with the requirements of the construction general permit. DEEP shall also inform the development community that a registration form for coverage under the construction general permit can only be submitted to DEEP if: the District determines the SW PCP to be adequate, or in the event the time schedule is exceeded as described in section III.B.6, above.
- B. In order to establish consistent review procedures, DEEP will coordinate with the District to prepare a SW PCP checklist. Review guidelines and procedures will be consistent with the requirements of the construction general permit, the 2002 CT Guidelines for Soil Erosion and Sedimentation Control, and the 2004 Stormwater Quality Manual.

- C. DEEP will provide annual training regarding SW PCP requirements for District staff involved in SW PCP reviews. Notwithstanding section VIII, the frequency of the training may be adjusted without formal amendment, as needed, upon mutual agreement of the participating Connecticut Districts and the DEEP.
- D. DEEP will maintain all permitting responsibility for determining construction general permit coverage and manage all non-compliance and enforcement matters related to the requirements of the construction general permit
- E. In a manner consistent with DEEP Records Retention Plan, DEEP will retain a final revised copy of the SW PCP submitted to the District and the District SW PCP written determination of consistency or inconsistency.
- F. DEEP will have the discretion to review any of the District's records pertaining to this Agreement.

V. FEE SCHEDULE

- A. The District shall conduct SW PCP reviews in accordance with the Fee Schedule, hereto attached as Exhibit 1.
 - 1. The fee for Post-Approval Resubmission shall be submitted by the developer to the District upon completion of the District's review, prior to release of the determination notice, and is non refundable.
 - 2. All other fees shall be submitted by the developer to the District with the request for review, and are non refundable.
- B. Notwithstanding section VIII, the Fee Schedule will be revisited annually and may be adjusted, without a formal amendment, upon mutual agreement of all participating Connecticut Districts and the DEEP.

VI. POINTS OF CONTACT. The following shall be points of contact for this Agreement unless otherwise agreed to by both parties, notwithstanding section VIII:

A. DEEP

Name, Title (or designee)
 State of Connecticut
 Department of Energy & Environmental Protection
 Bureau of Material Management & Compliance Assurance
 Water Permitting & Enforcement Division
 79 Elm St.
 Hartford, CT 06106
 Phone: 860-424-xxxx
 Fax: 860-xxx-xxxx

B. Conservation District

Name, Title (or designee)
 Address, Phone #

VII. EXECUTIVE ORDERS AND ANTI-DISCRIMINATION. The District will comply with the additional terms and conditions hereto attached as Exhibit 2.

VIII. AMENDMENTS. Either the DEEP or the District may recommend revisions to this Agreement as circumstances may warrant; however, any revisions must be upon mutual agreement of DEEP and all five conservation districts. Unless otherwise stated in this Agreement, formal written amendment is required for changes to any of the terms and conditions specifically stated in the Agreement, including Exhibit 2 of the Agreement, any prior amendments to the Agreement, and any other Agreement revisions determined material by the Department.

IX. SEVERABILITY. The provisions of this Agreement are severable. If any part of it is found unenforceable, all other provisions shall remain fully valid and enforceable, unless the unenforceable provision is an essential element of the bargain.

X. SOVEREIGN IMMUNITY. The parties acknowledge and agree that nothing in the Agreement shall be construed as a modification, compromise or waiver by the State or the District of any rights or defenses of any immunities provided by federal law or the laws of the State of Connecticut to the State or to the District or any of the State's or District's officers and employees, which they may have had, now have or will have with respect to all matters arising out of the Agreement. To the extent that this section conflicts with any other section, this section shall govern.

XI. FORUM AND CHOICE OF LAW. The Agreement shall be deemed to have been made in the City of Hartford, State of Connecticut. Both Parties agree that it is fair and reasonable for the validity and construction of the Agreement to be, and it shall be, governed by the laws and court decisions of the State of Connecticut, without giving effect to its principles of conflicts of laws. To the extent that any immunities provided by federal law or the laws of the State of Connecticut do not bar an action against the State or the District, and to the extent that these courts are courts of competent jurisdiction, for the purpose of venue, the complaint shall be made returnable to the Judicial District of Hartford only or shall be brought in the United States District Court for the District of Connecticut only, and shall not be transferred to any other court, provided, however, that nothing here constitutes a waiver or compromise of the sovereign immunity of the State of Connecticut. The District waives any objection which it may now have or will have to the laying of venue of any Claims in any forum and further irrevocably submits to such jurisdiction in any suit, action or proceeding.

XII. CANCELLATION AND TERMINATION. This Agreement shall remain in full force and effect unless (a) cancelled or terminated by the DEEP for any reason, by giving at least one hundred eighty (180) days written notice of such intention, sent by certified mail, return receipt requested, to the District; or (b) cancelled or terminated by the District for any reason, provided: (1) there is consensus between all five conservation districts that each district will be cancelling or terminating its agreement with the DEEP; (2) such proof of consensus is submitted to the DEEP in the form of a letter signed by the duly authorized agent for each district; and (3) that such consensus letter is provided to the DEEP, by certified mail, return receipt requested, at least one hundred eighty (180) days prior to the districts' intention to cancel or terminate.

XIII. DURATION OF AGREEMENT. This Agreement shall be effective on **xxxxx xx, xxxx** or on the date of the last signature below, whichever is later, and will continue in force unless canceled or terminated by either party in accordance with paragraph XII above.

XIV. VOID AB INITIO. Notwithstanding paragraphs XII and XIII, the Agreement shall be void *ab initio* if the construction general permit is reissued, revoked or modified to eliminate the need for the District to review the SW PCP pursuant to such general permit's terms and conditions or if the construction general permit expires and is not reissued.

Authorizing Signatures

For DEEP: _____
Commissioner Date

For XXXXX District: _____
Signature Date

Title

For the Office of the Attorney General, Approval as to Form: _____
Signature

Date

11/11/11

EXHIBIT 1

Connecticut Conservation District Stormwater Pollution Control Plan Review Fee Schedule

Single Family Residential Developments Disturbing 5 or more Acres

Number of Lots	Standard Fee	Number of Lots	Standard Fee
1	\$1,500	26	\$5,625
2	\$1,665	27	\$5,790
3	\$1,830	28	\$5,955
4	\$1,995	29	\$6,120
5	\$2,160	30	\$6,285
6	\$2,325	31	\$6,450
7	\$2,490	32	\$6,615
8	\$2,655	33	\$6,780
9	\$2,820	34	\$6,945
10	\$2,985	35	\$7,110
11	\$3,150	36	\$7,275
12	\$3,315	37	\$7,440
13	\$3,480	38	\$7,605
14	\$3,645	39	\$7,770
15	\$3,810	40	\$7,935
16	\$3,975	41	\$8,100
17	\$4,140	42	\$8,265
18	\$4,305	43	\$8,430
19	\$4,470	44	\$8,595
20	\$4,635	45	\$8,760
21	\$4,800	46	\$8,925
22	\$4,965	47	\$9,090
23	\$5,130	48	\$9,255
24	\$5,295	49	\$9,420
25	\$5,460	50	\$9,585

Over 50 lots:

$\$9,585 + \$20 \times \text{number of lots over 50}$

SW PCP Review: Standard Fee (as shown above)

Resubmission: Standard Fee minus 50%

Post-Approval Resubmission: \$85 per hour, up to a maximum of the Standard Fee minus 50%

Express Reviews: The specified fee for an SW PCP Review, a Resubmission, or a Post-Approval Resubmission; plus 50% of the applicable fee and/or limit

Policies:

1. Payment due upon submission of SW PCP, with the exception of Post-Approval Resubmissions.
2. Payment for Post-Approval Resubmission review is due upon completion of review.
3. Written permission to enter onto and inspect the site: Due upon submission of SW PCP.

EXHIBIT 1

Connecticut Conservation District Stormwater Pollution Control Plan Review Fee Schedule

Commercial and Multi Family Developments

Number of Disturbed Acres	Standard Fee	Number of Disturbed Acres	Standard Fee
5	\$2,200	28	\$5,995
6	\$2,365	29	\$6,160
7	\$2,530	30	\$6,325
8	\$2,695	31	\$6,490
9	\$2,860	32	\$6,655
10	\$3,025	33	\$6,820
11	\$3,190	34	\$6,985
12	\$3,355	35	\$7,150
13	\$3,520	36	\$7,315
14	\$3,685	37	\$7,480
15	\$3,850	38	\$7,645
16	\$4,015	39	\$7,810
17	\$4,180	40	\$7,975
18	\$4,345	41	\$8,140
19	\$4,510	42	\$8,305
20	\$4,675	43	\$8,470
21	\$4,840	44	\$8,635
22	\$5,005	45	\$8,800
23	\$5,170	46	\$8,965
24	\$5,335	47	\$9,130
25	\$5,500	48	\$9,295
26	\$5,665	49	\$9,460
27	\$5,830	50	\$9,625

Over 50 acres:

\$9,625 + \$25 x number of disturbed acres over 50

SW PCP Review: Standard Fee (as shown above)

Resubmission: Standard Fee minus 50%

Post-Approval Resubmission: \$85 per hour, up to a maximum of the Standard Fee minus 50%

Express Reviews: The specified fee for an SW PCP Review, a Resubmission, or a Post-Approval Resubmission; plus 50% of the applicable fee and/or limit

Policies:

1. Payment due upon submission of SW PCP, with the exception of Post-Approval Resubmissions.
2. Payment for Post-Approval Resubmission review is due upon completion of review.
3. Written permission to enter onto and inspect the site: Due upon submission of SW PCP.

EXHIBIT 2

EXECUTIVE ORDERS

The Contract is subject to the provisions of Executive Order No. Three of Governor Thomas J. Meskill, promulgated June 16, 1971, concerning labor employment practices, Executive Order No. Seventeen of Governor Thomas J. Meskill, promulgated February 15, 1973, concerning the listing of employment openings and Executive Order No. Sixteen of Governor John G. Rowland promulgated August 4, 1999, concerning violence in the workplace, all of which are incorporated into and are made a part of the Contract as if they had been fully set forth in it. At the Contractor's request, the Client Agency shall provide a copy of these orders to the Contractor. The Contract may also be subject to Executive Order No. 7C of Governor M. Jodi Rell, promulgated July 13, 2006, concerning contracting reforms and Executive Order No. 14 of Governor M. Jodi Rell, promulgated April 17, 2006, concerning procurement of cleaning products and services, in accordance with their respective terms and conditions.

NON-DISCRIMINATION

The following subsections are set forth here as required by section 4a-60 of the Connecticut General Statutes as amended by PA 07-142:

(a) Every contract to which the state or any political subdivision of the state other than a municipality is a party shall contain the following provisions: (1) The contractor agrees and warrants that in the performance of the contract such contractor will not discriminate or permit discrimination against any person or group of persons on the grounds of race, color, religious creed, age, marital status, national origin, ancestry, sex, mental retardation or physical disability, including, but not limited to, blindness, unless it is shown by such contractor that such disability prevents performance of the work involved, in any manner prohibited by the laws of the United States or of the state of Connecticut. The contractor further agrees to take affirmative action to insure that applicants with job-related qualifications are employed and that employees are treated when employed without regard to their race, color, religious creed, age, marital status, national origin, ancestry, sex, mental retardation, or physical disability, including, but not limited to, blindness, unless it is shown by such contractor that such disability prevents performance of the work involved; (2) the contractor agrees, in all solicitations or advertisements for employees placed by or on behalf of the contractor, to state that it is an "affirmative action-equal opportunity employer" in accordance with regulations adopted by the commission; (3) the contractor agrees to provide each labor union or representative of workers with which such contractor has a collective bargaining agreement or other contract or understanding and each vendor with which such contractor has a contract or understanding, a notice to be provided by the commission advising the labor union or workers' representative of the contractor's commitments under this section, and to post copies of the notice in conspicuous places available to employees and applicants for employment; (4) the contractor agrees to comply with each provision of this section and sections 46a-68e and 46a-68f and with each regulation or relevant order issued by said commission pursuant to sections 46a-56, as amended by this act, 46a-68e and 46a-68f; (5) the contractor agrees to provide the Commission on Human Rights and Opportunities with such information requested by the commission, and permit access to pertinent books, records and accounts, concerning the employment practices and procedures of the contractor as relate to the provisions of this section and section 46a-56, as amended by this act. If the contract is a public works contract, the contractor agrees and warrants that he will make good faith efforts to employ minority business enterprises as subcontractors and suppliers of materials on such public works project. Prior to entering into the contract, the contractor shall provide the state or such political subdivision of the state with documentation in the form of a company or corporate policy adopted by resolution of the board of directors, shareholders, managers, members or other governing body of such contractor to support the nondiscrimination agreement and warranty under subdivision (1) of this subsection. For the purposes of this section, "contract" includes any extension or modification of the contract, and "contractor" includes any successors or assigns of the contractor.

(b) For the purposes of this section, "minority business enterprise" means any small contractor or supplier of materials fifty-one per cent or more of the capital stock, if any, or assets of which is owned by a person or persons: (1) Who are active in the daily affairs of the enterprise, (2) who have the power to direct the management and policies of the enterprise and (3) who are members of a minority, as such term is defined in subsection (a) of section 32-9n; and "good faith" means that degree of diligence which a reasonable person would exercise in the performance of legal duties and obligations. "Good faith efforts" shall include, but not be limited to, those reasonable initial efforts necessary to comply with statutory or regulatory requirements and additional or substituted efforts when it is determined that such initial efforts will not be sufficient to comply with such requirements.

(c) Determination of the contractor's good faith efforts shall include but shall not be limited to the following factors: The contractor's employment and subcontracting policies, patterns and practices; affirmative advertising, recruitment and training; technical assistance activities and such other reasonable activities or efforts as the commission may prescribe that are designed to ensure the participation of minority business enterprises in public works projects.

(d) The contractor shall develop and maintain adequate documentation, in a manner prescribed by the commission, of its good faith efforts.

(e) The contractor shall include the provisions of subsection (a) of this section in every subcontract or purchase order entered into in order to fulfill any obligation of a contract with the state and such provisions shall be binding on a subcontractor, vendor or manufacturer unless exempted by regulations or orders of the commission. The contractor shall take such action with respect to any such subcontract or purchase order as the commission may direct as a means of enforcing such provisions including sanctions for noncompliance in accordance with section 46a-56; provided, if such contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the commission, the contractor may request the state of Connecticut to enter into any such litigation or negotiation prior thereto to protect the interests of the state and the state may so enter.

The following subsections are set forth here as required by section 4a-60a of the Connecticut General Statutes as amended by PA 07-142:

(a) Every contract to which the state or any political subdivision of the state other than a municipality is a party shall contain the following provisions: (1) The contractor agrees and warrants that in the performance of the contract such contractor will not discriminate or permit discrimination against any person or group of persons on the grounds of sexual orientation, in any manner prohibited by the laws of the United States or of the state of Connecticut, and that employees are treated when employed without regard to their sexual orientation; (2) the contractor agrees to provide each labor union or representative of workers with which such contractor has a collective bargaining agreement or other contract or understanding and each vendor with which such contractor has a contract or understanding, a notice to be provided by the Commission on Human Rights and Opportunities advising the labor union or workers' representative of the contractor's commitments under this section, and to post copies of the notice in conspicuous places available to employees and applicants for employment; (3) the contractor agrees to comply with each provision of this section and with each regulation or relevant order issued by said commission pursuant to section 46a-56, as amended by this act; (4) the contractor agrees to provide the Commission on Human Rights and Opportunities with such information requested by the commission, and permit access to pertinent books, records and accounts, concerning the employment practices and procedures of the contractor which relate to the provisions of this section and section 46a-56, as amended by this act. Prior to entering into the contract, the contractor shall provide the state or such political subdivision of the state with documentation in the form of a company or corporate policy adopted by resolution of the board of directors, shareholders, managers, members or other governing body of such contractor to support the nondiscrimination agreement and warranty under subdivision (1) of this subsection. For the purposes of this section, "contract" includes any extension or modification of the contract, and "contractor" includes any successors or assigns of the contractor.

(b) The contractor shall include the provisions of subsection (a) of this section in every subcontract or purchase order entered into in order to fulfill any obligation of a contract with the state and such provisions shall be binding on a subcontractor, vendor or manufacturer unless exempted by regulations or orders of the commission. The contractor shall take such action with respect to any such subcontract or purchase order as the commission may direct as a means of enforcing such provisions including sanctions for noncompliance in accordance with section 46a-56; provided, if such contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the commission, the contractor may request the state of Connecticut to enter into any such litigation or negotiation prior thereto to protect the interests of the state and the state may so enter.

Note: Place on official Letterhead. Need to document registered name with CT Secretary of State C.O.N.C.O.R.D.

CERTIFICATION

I, **XXXXXXXXXXXXXX**, Chair of the **XXXXXXXXXXXXXX** an entity lawfully organized and existing under the laws of Connecticut, do hereby certify that the following is a true and correct copy of a resolution adopted on the **>>>>**day of **>>>>**, 2011, by the governing body of the **XXXXXX** in accordance with all of its documents of governance and management and the laws of Connecticut and further certify that such resolution has not been modified, rescinded or revoked, and is a present in full force and effect.

RESOLVED: That the **XXXXXXXXXXXXXX** hereby adopts as its policy to support the nondiscrimination agreements and warranties required under Conn. Gen. Stat. § 4a-60(a)(1) and § 4a-60a(a)(1), as amended in State of Connecticut Public Act 07-245 and sections 9(a)(1) and 10(a)(1) of Public Act 07-142, as those statutes may be amended from time to time.

IN WITNESS WHEREOF, the undersigned has executed this certificate **this >>>>day of >>>>**, 2011.

Signature

Date

CONSERVATION DISTRICT PLAN REVIEW CERTIFICATION
Placeholder





General Permit for the Discharge of Stormwater and Dewatering Wastewaters Associated with Construction Activities

APPENDIX G

Historic Preservation Review

Pursuant to Chapter 184a, Section 10-387 of the Connecticut General Statutes, the Department of Energy & Environmental Protection (DEEP) shall review, in consultation with the Connecticut Commission on Culture and Tourism, its policies and practices for consistency with the preservation and study of CT's archaeological and historical sites. Pursuant to this requirement, DEEP has outlined the following process for assessing the potential for and the presence of historic and/or archaeological resources at a proposed development site. DEEP advises a review for the resources identified below ***be initiated up to one year*** prior to registration for this permit (*or prior to property purchase if possible*) and in conjunction with the local project approval process.

Step 1: Determine if the proposed site is within an area of significance by consulting the following resources:

1. CT Register of Historic Places found at the link below:
<http://www.nationalregisterofhistoricplaces.com/CT/state.html#pickem>
2. The municipality of the proposed development site for its designations of local historic districts, including but not limited to, local Historic District and/or Property Statutes.

Step 2: Assess site characteristics to determine the presence of a potential archaeological site, sacred site, and/ or sacred object as described below:

Definitions:

1. "Archaeological site" means a location where there exists material evidence that is not less than fifty years old of the past life and culture of human beings in the state.
2. "Sacred site" or "sacred land" means any space, including an archaeological site, of ritual or traditional significance in the culture and religion of Native Americans that is listed or eligible for listing on the National Register of Historic Places (16 USC 470a, as amended) or the state register of historic places defined in section 10-410, including, but not limited to, marked and unmarked human burials, burial areas and cemeteries, monumental geological or natural features with sacred meaning or a meaning central to a group's oral traditions; sites of ceremonial structures, including sweat lodges; rock art sites, and sites of great historical significance to a tribe native to this state.
3. "Sacred object" means any archaeological artifact or other object associated with a sacred site.

Site Prescreening Criteria:

1. Does the proposed development site include lands within 300 feet of surface water features, such as streams, brooks, lakes, or marshes?

If "yes", proceed to Criterion 2. If the answer to Criterion 1 is "no", then there is a low potential for prehistoric period archaeological resources - Proceed to Criterion 3.

2. Does the area of anticipated construction or ground disturbance include soils classified by the Natural Resource Conservation Service as "Sandy Loam/ Loamy sand" or "Sandy Gravel Loam" not including "Fine Sandy Loam/ Loamy sand" with slopes less than or equal to 15%? (Soil mapping information is available for free from:

<http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx>)

If the answer to Criterion 2 is no, then there is a low potential for prehistoric period archaeological resources - Proceed to Criterion 3. If yes, the project site may contain significant prehistoric period archaeological resources – assess all other criteria and proceed to Step 3.

3. Are there buildings or structures over 150 years in age with the project site?

If no, proceed to Criterion 4. If yes, the project site may contain significant historic period archaeological resources – assess all other criteria and proceed to Step 3.

4. Are there buildings or structures shown within or immediately adjacent to the project site on the 1850's Connecticut County maps?

Historic County maps are here:

Hartford - <http://mapserver.lib.uconn.edu/magic/hdimg.37831.0003.1855.s50.Woodford.1.htm>

Litchfield - <http://mapserver.lib.uconn.edu/magic/hdimg.37831.05.1854.s50.Hopkins.1.s.htm>

Middlesex - <http://mapserver.lib.uconn.edu/magic/hdimg.37831.0007.1859.s31.Walling.1.htm>

New Haven - <http://mapserver.lib.uconn.edu/magic/hdimg.37831.09.1852.s50.Whiteford.1.s.htm>

New London - <http://mapserver.lib.uconn.edu/magic/hdimg.37831.0011.1854.s50.Baker.1.htm>

Tolland - <http://mapserver.lib.uconn.edu/magic/hdimg.37831.0013.1857.s50.Eaton.1.htm>

Windham - <http://mapserver.lib.uconn.edu/magic/hdimg.37831.0015.1856.s42.Woodford.1.htm>

If no, there is a low potential for significant historic period archaeological resources. If yes, the site may contain significant historic period archaeological resources- assess all other criteria and proceed to Step 3.

Step 3: If you answered yes to Criterion 2, 3, or 4, please contact Daniel Forrest (860-256-2761 or daniel.forrest@ct.gov) at the State Historic Preservation Office, Department of Economic and Community Development for additional guidance.

Step 4: Report in the Registration Form for the General Permit for the Discharge of Stormwater and Dewatering Wastewaters Associated with Construction Activities that a review has been conducted and the results of the review (i.e. the proposed site does not have the potential for historic/ archaeological resources, or that such potential exists and is being or has been reviewed by the Connecticut Commission on Culture and Tourism).

Please note that DEEP will refer all proposed sites with a historic/ archaeological resource potential (as identified in Steps 1 & 2 above) to the State Historic Preservation Office at the Department of Economic and Community Development..

Appendix H

Wild & Scenic Rivers Guidance

Overview: Wild and Scenic Rivers Act

The Wild and Scenic Rivers Act (WSRA) charges administration of rivers in the National Wild and Scenic Rivers System (National System) to four federal land management agencies (Bureau of Land Management, National Park Service, U.S. Fish and Wildlife Service, and U.S. Forest Service). However, to protect and enhance river values as directed in the WSRA, it is essential to use the authorities of a number of other federal agencies in administering the water column, river bed/bank, and upland river corridor.

Congress declared a policy to protect selected rivers in the nation through the WSRA. The river-administering agencies are to protect the river's identified values, free-flowing condition, and associated water quality. Specifically, each component is to be "administered in such manner as to protect and enhance the (outstandingly remarkable) values (**ORVs**) which caused it to be included in said system. . . ."

The WSRA also directs other federal agencies to protect river values. It explicitly recognizes the Federal Energy Regulatory Commission, Environmental Protection Agency, Army Corps of Engineers and any other federal department or agency with lands on or adjacent to designated (or congressionally authorized study) rivers or that permit or assist in the construction of water resources projects.

Pertinent Sections of the Wild and Scenic Rivers Act

The full Wild and Scenic Rivers Act can be found at the website: www.rivers.gov

Pertinent Sections related to the mandate to protect river values through coordinated federal actions is found in several sections of the WSRA:

Section 1(b)
Section 12(a)

Section 7(a)
Section 12(c)

Section 10(a)

Designated Rivers under the Wild and Scenic Rivers Act and Contact Information

The full listing of designated rivers can be found on the website www.rivers.gov

As of the date of this publication, there are two designated rivers in Connecticut, both of which are managed under the Partnership Wild and Scenic Rivers Program, through a Coordinating Committee consisting of representatives from local communities and organizations, state government and the National Park Service. More information about these rivers, their watersheds, approved management plans, the Wild and Scenic Coordinating Committees and specific contact information can be found on the websites.

1. West Branch of the Farmington River: www.farmingtonriver.org
2. Eightmile River: www.eightmileriver.org