

Connecticut Department of

**ENERGY &
ENVIRONMENTAL
PROTECTION**

STATE OF CONNECTICUT

V.

CONSOLIDATED INDUSTRIES ACQUISITION CORPORATION

CONSENT ORDER No. CO WR IN 11 004

Date of Issuance: February 16, 2012

A. With the agreement of Consolidated Industries Acquisition Corporation ("Respondent"), the Commissioner of the Department of Energy and Environmental Protection ("the Commissioner") finds:

1. Respondent manufactures forgings of aluminum, magnesium, titanium, stainless steel and other iron alloys for the aerospace industry and is located at 677 Mixville Road in Cheshire, Connecticut.

Pretreatment Permit Findings (Paragraphs A.1 to A.7):

2. Respondent's manufacturing processes generate wastewater from annealing quench water, acid passivation, alkaline cleaning, tumbling wastewater, acid etching and water rinsing. These wastewaters are pretreated to remove heavy metals.
3. The pretreated wastewater is authorized to be discharged to Cheshire's sanitary sewer system by Permit No. SP0002317 ("pretreatment permit"). The pretreatment permit was issued by the Commissioner to the Respondent on September 14, 2005, and is continued in effect due to the submittal of a timely application for permit renewal on March 16, 2010.
4. Respondent has self-reported violations of effluent limitations in the pretreatment permit from January 2008 through July 2011, primarily of limitations for fluoride. These violations are listed in Attachment A of this Consent Order and are violations of Section 22a-430 of the Connecticut General Statutes.
5. In January 2011, sludge was allowed to build up in the flow monitoring weir and outfall and was subsequently power washed and discharged to the sanitary sewer. This is a violation of Section 22a-430-3(f)(1) of the Regulations of Connecticut State Agencies, by not properly operating and maintaining the facilities and systems for wastewater collection, storage and treatment, and is also a violation of Section 22a-430 of the Connecticut General Statutes, for discharging sludge to the sanitary sewer without a permit.

6. Respondent also discharged non-contact cooling water into the sanitary sewer system via the pretreatment wastewater treatment system without a permit, in violation of Section 22a-430 of the Connecticut General Statutes. Non-contact cooling water is not listed in the pretreatment permit and is not identified in its respective application. However, in a letter to the Department dated June 29, 2011, Respondent describes that non-contact cooling water associated with the hydrofluoric acid tanks, discharged to the pretreatment wastewater treatment system.
7. The following Notices of Violation were issued to the Respondent for effluent violations of the pretreatment permit noted in paragraph A.3 above:
NOV WR IN 09 027 issued on June 15, 2009, NOV WR IN 10 004 issued on January 22, 2010 and NOV WR IN 11 005 issued on March 2, 2011. Respondent's responses to the Notices of Violation were adequate, citing various root causes for the violations and corrective actions implemented. Most of the root causes cited were issues related to operation and maintenance of the wastewater treatment system or operator error.

Stormwater General Permit Findings (Paragraphs A.1 and A.8 to A.11):

8. The Respondent registered for the *General Permit for the Discharge of Stormwater Associated with Industrial Activity*, which was reissued on October 1, 2007, October 2, 2008 and April 14, 2009, and reissued without modification with an effective date of October 1, 2010 ("previous stormwater general permit"). Respondent's registration identified two stormwater outfalls and was assigned Permit No. GSI001401.
9. A review of stormwater monitoring data submitted to the Department of Energy and Environmental Protection ("the Department") indicates that Respondent exceeded the target goals for certain parameters listed in Section 5(c) of the previous stormwater general permit. Specifically, target goals for the following parameters were exceeded for one or both outfall monitoring locations, for the monitoring year as listed below:

2007-2008: Oil & Grease, Total Suspended Solids, Total Copper and Total Zinc.
2008-2009: Oil & Grease, Chemical Oxygen Demand, Total Suspended Solids, Total Phosphorus, Nitrate as Nitrogen and Total Copper.
2009-2010: Oil & Grease and Chemical Oxygen Demand.
10. Stormwater monitoring data submitted to the Department for the 2010-2011 monitoring year indicated no exceedances of target goals. In email correspondence dated January 9 and 20, 2012, Respondent detailed actions taken in 2007, 2008, 2010, and 2011 to address stormwater pollution sources.
11. Pursuant to a June 1, 2011 re-registration the Respondent submitted to the Department for the *General Permit for the Discharge of Stormwater Associated with Industrial Activity*, which was most recently reissued on August 23, 2010 with an effective date of October 1, 2011 ("the current stormwater general permit"), Respondent certified all conditions of the current stormwater general permit have been met, including those of Section 5(c)(5) related to amend the Stormwater Pollution Prevention Plan ("SWPPP") to address sources or potential sources of pollution identified as a result of inspection and/ or stormwater monitoring.

12. By virtue of the above, the Respondent has initiated, created or maintained a discharge into the waters of the state without a permit or has violated a permit issued under Section 22a-430 of the Connecticut General Statutes and the Regulations adopted there under, and the Respondent has created or is maintaining a facility or condition which reasonably can be expected to create a source of pollution to the waters of the state.
 13. By agreeing to the issuance of this consent order, Respondent makes no admission of fact or law with respect to the matters addressed herein, other than the facts asserted in paragraphs A.1 through A.4 and A.7 through A.11.
- B. With the agreement of Respondent, the Commissioner, acting under §22a-6, §22a-424, §22a-427, §22a-430, §22a-430b, §22a-432 and §22a-438 of the Connecticut General Statutes, orders Respondent as follows:

1. On or before fifteen (15) days after the date of issuance of this consent order, Respondent shall retain one or more qualified consultants acceptable to the Commissioner to prepare the documents and implement or oversee the actions required by this consent order and shall, by that date, notify the Commissioner in writing of the identity of such consultant(s). Respondent shall retain one or more qualified consultants acceptable to the Commissioner until this consent order is fully complied with, and, within ten days after retaining any consultant other than one originally identified under this paragraph, Respondent shall notify the Commissioner in writing of the identity of such other consultant. The consultant(s) retained to perform the various consent order requirements shall have the qualifications specified in the following paragraphs and in Appendix A. Respondent shall submit to the Commissioner a description of a consultant's education, experience and training which is relevant to the work required by this consent order within ten days after a request for such a description. Nothing in this paragraph shall preclude the Commissioner from finding a previously acceptable consultant unacceptable.

Pretreatment Permit and overall environmental compliance:

2. On or before thirty (30) days after the date of issuance of this consent order, Respondent shall submit for the Commissioner's review and approval, a report proposing a system and/or equipment necessary to ensure the noncontact cooling water surrounding the contents of the hydrofluoric acid tanks will not comingle with the contents of such tanks or otherwise affect wastewaters discharged in accordance with pretreatment Permit No. SP0002317. This report shall include a detailed schedule for implementation of such system and/or equipment, including obtaining any necessary approvals or permit modifications. Respondent shall perform the approved actions in accordance with the approved schedule(s), but in no event shall the approved actions be completed later than sixty (60) days from the date of the Commissioner's approval of the plans and specifications or issuance of any needed permit modification. Within fifteen (15) days after completing such actions, the Respondent shall certify to the Commissioner in writing that the actions have been completed as approved. **[Completed. In an email dated January 9, 2012, Respondent reported that the noncontact cooling water of etch tank #9 was re-plumbed to cold water rinse tank #8.]**
3. On or before thirty (30) days after the date of issuance of this consent order, Respondent shall retain a qualified professional engineer to review and update, as needed, the following documents associated with the pretreatment permit, and shall submit them to the Department:
 - a) Operation and Maintenance Manual for the collection and treatment systems;

- b) 'Operation and Maintenance Plan Checklist and Certification', provided in Appendix B, certified by a qualified professional engineer;
 - c) Line Drawing/Water Balance and Process Schematic; and
 - d) Plans and Specifications of the Collection, Treatment and Disposal System.
4. On or before fifteen (15) days after submittal to the Department of the 'Operation and Maintenance Plan Checklist and Certification' required by paragraph B.3 above, Respondent shall certify, using the language in paragraph B.17 of this Consent Order, that all employees who operate the wastewater treatment system have been trained on the updated Operation and Maintenance Plan.
5. On or before sixty (60) days after the date of issuance of this Consent Order, Respondent, in consultation with a qualified professional engineer as defined in Appendix A of this consent order, shall develop and implement an Environmental Compliance Plan ("ECP") for the Respondent's Cheshire facility to reasonably ensure compliance with applicable environmental laws. The ECP shall identify all applicable environmental and regulatory requirements to which Respondent's facility is subject and shall describe, in reasonable detail, the procedures, including provisions for adequate trained staffing, that Respondent intends to implement and follow to reasonably ensure compliance with all identified environmental requirements, including, but not limited to, the obtaining of necessary permits, record keeping, reporting, monitoring, and testing. For each task identified in the ECP, it shall identify pertinent personnel by name and title and delineate their roles and responsibilities. The ECP shall delineate a self-correcting system, using the concept of Plan – Do – Check – Act or its equivalent, to achieve continual improvement in environmental compliance. The ECP shall also include procedures to ensure the timeliness and effectiveness of the communication between Respondent's management and the persons in charge of operating the facility's various treatment systems meant to protect the environment from pollution, including but not limited to the industrial wastewater treatment system for the pretreatment permit.

Such ECP shall be certified by a qualified professional engineer, using the following language:

"I certify that I have thoroughly and completely reviewed the Environmental Compliance Plan ("ECP") prepared for this site. I further certify, based on such review, my site visit, interviews with facility management and staff that have direct knowledge of facility operations and environmental compliance responsibilities, review of pertinent facility and environmental reports and diagrams, and on my professional judgment, that adherence to the ECP will ensure compliance with all permits and applicable environmental law. 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."

Within fifteen (15) days after completion and implementation of the ECP, the Respondent shall certify to the Commissioner in writing using the language in paragraph B.17 that the certified ECP has been implemented. Such submittal shall include a copy of the qualified professional engineer's certification.

Stormwater General Permit:

6. On or before thirty (30) days after the date of issuance of this consent order, Respondent shall perform a Comprehensive Site Inspection in accordance with the *General Permit for the Discharge of Stormwater Associated with Industrial Activity*, reissued on August 23, 2010 and effective October 1, 2011 (“the current stormwater general permit”), utilizing the checklist in Appendix D. **[Completed. In a January 9, 2012 email, Respondent documented that a Comprehensive Site Inspection was conducted on December 30, 2011 by Blue River Engineering and submitted a partially completed check list from Appendix D, excluding the SWPPP checklist portion, which is required to be submitted in accordance with paragraph B.7 of this consent order.]**
7. On or before ninety (90) days after the date of issuance of this consent order, Respondent shall submit to the Commissioner the Stormwater Pollution Prevention Plan Checklist found in Appendix D with the certification provided in Appendix E.
8. On or before one hundred twenty (120) days after the date of issuance of this consent order, the Respondent shall collect the first semiannual sample of its stormwater discharges pursuant to Section 5(e) of the current stormwater general permit and shall submit the monitoring results to the Commissioner in the form of a Stormwater Monitoring Report. Respondent shall comply with all permit monitoring requirements thereafter for the remainder of the permit term, as specified in the current stormwater general permit.
9. On or before two hundred ten (210) days after the date of issuance of this consent order, if monitoring data pursuant to the requirements of section B.8 indicate pollutant levels above benchmarks identified in Section 5(e)(1)(B)(ii), the SWPPP must be amended to address such sources of pollution. Respondent shall implement all necessary corrective actions to address these pollutants and submit to the Department a certification provided in Appendix C by a “qualified stormwater professional”, as defined in Appendix A of this consent order that the SWPPP has been amended and meets the requirements of the 5(c) of the current stormwater general permit. Additionally, the qualified stormwater professional shall submit to Commissioner a summary of corrective actions taken and amendments to the SWPPP. Corrective actions that require any evaluation, construction or modification of the design of a stormwater drainage system must be conducted and certified by a professional engineer as defined in Appendix A.
10. Full compliance. Respondent shall not be considered in full compliance with this consent order until all actions required by this consent order have been completed as approved and to the Commissioner’s satisfaction.
11. Civil penalty. On or before thirty (30) days after issuance of this consent order, Respondent shall pay a penalty of **twelve thousand nine hundred dollars (\$12,900)** as the total civil penalty to be sought by the Commissioner for those, and only those, violations described in paragraphs A.4 and A.5 of this consent order.
12. Payment of penalties. Payment of penalties under this consent order shall be mailed or personally delivered to the Department of Energy and Environmental Protection, Bureau of Financial and Support Services, Accounts Receivable Office, 79 Elm Street, Hartford, CT 06106-5127, and shall be by certified or bank check payable to “Treasurer, State of Connecticut.” The check shall state on its face, “Bureau of Materials Management and Compliance Assurance, civil penalty, consent order CO WR IN 11 004.”

13. Sampling and sample analyses. All sample analyses which are required by this consent order and all reporting of such sample analyses shall be conducted by a laboratory certified by the U.S. Environmental Protection Agency or the Connecticut Department of Public Health to conduct such analyses. All sampling and sample analyses performed under this order shall be performed in accordance with procedures specified or approved in writing by the Commissioner, or, if no such procedures have been specified or approved, in accordance with 40 CFR 136. Unless otherwise specified by the Commissioner in writing, the value of each parameter shall be reported to the maximum level of precision and accuracy specified in the applicable protocol, and if no such level is specified, to the maximum level of precision and accuracy possible.
14. Approvals. Respondent shall use best efforts to submit to the Commissioner all documents required by this consent order in a complete and approvable form. If the Commissioner notifies Respondent that any document or other action is deficient, and does not approve it with conditions or modifications, it is deemed disapproved, and Respondent shall correct the deficiencies and resubmit it within the time specified by the Commissioner or, if no time is specified by the Commissioner, within 30 days of the Commissioner's notice of deficiencies. In approving any document or other action under this consent order, the Commissioner may approve the document or other action as submitted or performed or with such conditions or modifications as the Commissioner deems necessary to carry out the purposes of this consent order. Nothing in this paragraph shall excuse noncompliance or delay.
15. Definitions. As used in this consent order, "Commissioner" means the Commissioner or a representative of the Commissioner.
16. Dates. The date of "issuance" of this consent order is the date the consent order is deposited in the U.S. mail or personally delivered, whichever is earlier. The date of submission to the Commissioner of any document required by this consent order shall be the date such document is received by the Commissioner. The date of any notice by the Commissioner under this consent order, including but not limited to notice of approval or disapproval of any document or other action, shall be the date such notice is deposited in the U.S. mail or is personally delivered, whichever is earlier. Except as otherwise specified in this consent order, the word "day" as used in this consent order means calendar day. Any document or action which is required by this consent order to be submitted or performed by a date which falls on a Saturday, Sunday or a Connecticut or federal holiday shall be submitted or performed by the next day which is not a Saturday, Sunday or Connecticut or federal holiday.
17. Certification of documents. Any document, including but not limited to any notice, which is required to be submitted to the Commissioner under this consent order shall be signed by Respondent or, if Respondent is not an individual, by Respondent's chief executive officer or a duly authorized representative of such officer, as those terms are defined in §22a-430-3(b)(2) of the Regulations of Connecticut State Agencies, and by the individual(s) responsible for actually preparing such document, and each such individual 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, based on reasonable investigation, including my inquiry of those individuals responsible for obtaining the information, that the submitted information is true, accurate and complete to the best of my knowledge and belief. I understand that any false statement made in the submitted information may be punishable as a criminal offense under §53a-157b of the Connecticut General Statutes and any other applicable law."

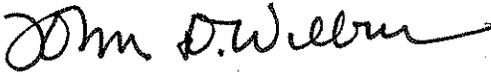
18. Noncompliance. This consent order is a final order of the Commissioner with respect to the matters addressed herein, and is nonappealable and immediately enforceable. Failure to comply with this consent order may subject Respondent to an injunction and penalties.
19. False statements. Any false statement in any information submitted pursuant to this consent order may be punishable as a criminal offense under §53a-157b of the Connecticut General Statutes and any other applicable law.
20. Notice of transfer; liability of Respondent. Until Respondent has fully complied with this consent order, Respondent shall notify the Commissioner in writing no later than 15 days after transferring all or any portion of the facility, the operations, the site or the business which is the subject of this consent order or after obtaining a new mailing or location address. Respondent's obligations under this consent order shall not be affected by the passage of title to any property to any other person or municipality.
21. Commissioner's powers. "Except as provided hereinabove with respect to payment of civil penalties," Nothing in this consent order shall affect the Commissioner's authority to institute any proceeding or take any other action to prevent or abate violations of law, prevent or abate pollution, recover costs and natural resource damages, and to impose penalties for past, present, or future violations of law. If at any time the Commissioner determines that the actions taken by Respondent pursuant to this consent order have not successfully corrected all violations, fully characterized the extent or degree of any pollution, or successfully abated or prevented pollution, the Commissioner may institute any proceeding to require Respondent to undertake further investigation or further action to prevent or abate violations or pollution.
22. Respondent's obligations under law. Nothing in this consent order shall relieve Respondent of other obligations under applicable federal, state and local law.
23. No assurance by Commissioner. No provision of this consent order and no action or inaction by the Commissioner shall be construed to constitute an assurance by the Commissioner that the actions taken by Respondent pursuant to this consent order will result in compliance or prevent or abate pollution.
24. Access to site. Any representative of the Department of Energy and Environmental Protection may enter the facility without prior notice for the purposes of monitoring and enforcing the actions required or allowed by this consent order.
25. No effect on rights of other persons. This consent order neither creates nor affects any rights of persons or municipalities that are not parties to this consent order.

26. Notice to Commissioner of changes. Within 15 days of the date Respondent becomes aware of a change in any information submitted to the Commissioner under this consent order, or that any such information was inaccurate or misleading or that any relevant information was omitted, Respondent shall submit the correct or omitted information to the Commissioner.
27. Notification of noncompliance. In the event that Respondent becomes aware that it did not or may not comply, or did not or may not comply on time, with any requirement of this consent order or of any document required hereunder, Respondent shall immediately notify by telephone the individual identified in the next paragraph and shall take all reasonable steps to ensure that any noncompliance or delay is avoided or, if unavoidable, is minimized to the greatest extent possible. Within five (5) days of the initial notice, Respondent shall submit in writing the date, time, and duration of the noncompliance and the reasons for the noncompliance or delay and propose, for the review and written approval of the Commissioner, dates by which compliance will be achieved, and Respondent shall comply with any dates which may be approved in writing by the Commissioner. Notification by Respondent shall not excuse noncompliance or delay, and the Commissioner's approval of any compliance dates proposed shall not excuse noncompliance or delay unless specifically so stated by the Commissioner in writing.
28. Submission of documents. Any document required to be submitted to the Commissioner under this consent order shall, unless otherwise specified in this consent order or in writing by the Commissioner, be directed to:

Diane D. Foberg, Environmental Analyst 1
Department of Energy and Environmental Protection
Materials Management and Compliance Assurance
Water Permitting and Enforcement Division
79 Elm Street
Hartford, Connecticut 06106-5127

Respondent consents to the issuance of this consent order without further notice. The undersigned certifies that he/she is fully authorized to enter into this consent order and to legally bind the Respondent to the terms and conditions of the consent order. A corporate resolution granting such authorization is attached hereto as Attachment B.

Consolidated Industries Acquisition Corporation

BY: 

John D. Wilbur
President

02-03-2012
Date

Issued as a final order of the Commissioner of Energy and Environmental Protection.



Macky McCleary
Deputy Commissioner

2/16/12
Date

cc: Town of Cheshire Land Records

ATTACHMENT A

Consolidated Industries Acquisition Corporation, Cheshire

Table of Effluent Violations for Permit No. SP0002317, (1/2008-7/2011):

Date	Parameter	Units	Limit	DMR
January 2008	Fluoride, Daily Maximum	mg/L	30	41
December 2008	Fluoride, Monthly Average	mg/L	20	62
December 2008	Fluoride, Daily Maximum	mg/L	30	180
January 2009	Fluoride, Monthly Average	mg/L	20	21.8
January 2009	Fluoride, Daily Maximum	mg/L	30	68
May 2009	Fluoride, Daily Maximum	mg/L	30	35
September 2009	Fluoride, Monthly Average	mg/L	20	52.83
September 2009	Fluoride, Daily Maximum	mg/L	30	240
October 2009	Fluoride, Monthly Average	mg/L	20	28.4
October 2009	Fluoride, Daily Maximum	mg/L	30	84
July 2010	Fluoride, Monthly Average	mg/L	20	129.2
July 2010	Fluoride, Daily Maximum	mg/L	30	370
September 2010	Fluoride, Daily Maximum	mg/L	30	35
January 2011	Fluoride, Daily Maximum	mg/L	30	84
January 2011	Fluoride, Daily Maximum	mg/L	30	75
January 2011	Fluoride, Daily Maximum	mg/L	30	100
January 2011	Fluoride, Daily Maximum	mg/L	30	70
January 2011	Fluoride, Monthly Average	mg/L	20	82.25
May 2011	Fluoride, Daily Maximum	mg/L	30	36
June 2008	Flow, Daily Maximum	gpd	25,000	32,416
December 2009	Flow, Daily Maximum	gpd	25,000	26,067
July 2010	Flow, Daily Maximum	gpd	25,000	27,665
October 2009	pH, Continuous	S.U.	6-10	10.1
July 2010	pH, Continuous	S.U.	6-10	11.2
July 2011	pH, Continuous	S.U.	6-10	5.5

ATTACHMENT B

Corporate Resolution

Handwritten signature

Corporate Resolution

Consolidated Industries Acquisition Corporation

I, Leonard M. Levie, Chairman of Consolidated Industries Acquisition Corporation, do hereby certify that on September 14, 1999, John D. Wilbur, was employed by Consolidated Industries Acquisition Corporation, and that he remains as President at this time.

I further certify that as such John D. Wilbur, the company President, is duly authorized by Article IV, Section 5 of the by-laws of the company (true and correct copy attached) to execute, in the name of Consolidated industries Acquisition Corporation, any and all contracts and other written obligations, including, but not limited to administrative consent orders with the Connecticut Department of Energy and Environmental Protection with respect to environmental matters. In addition, the company President, is duly authorized by Article IV, Section 5 of the by-laws of the company to submit documents to the Department of Energy and Environmental Protection on behalf of the company.

Date:

Dec. 16, 2011

[Seal]

Subscribed and sworn to before me this ^{17th} ~~16th~~ day of ^{December, 2011} month, year.

Notary Public
My Commission Expires:

RAJAT GUPTA
Notary Public
My Commission Expires 12/31/2011



Certificate of Corporate Secretary

Consolidated Industries Acquisition Corporation

I, Leonard M. Levie, Chairman of Consolidated Industries Acquisition Corporation, do hereby certify that on December 16, 2011, the following resolution was duly approved at a meeting of the Board of Directors of Consolidated Industries Acquisition Corporation.

Resolved:

That John D. Wilbur, President of Consolidated Industries Acquisition Corporation, is hereby authorized to enter into a certain administrative consent order between the State of Connecticut, Department of Energy and Environmental Protection, and Consolidated Industries Acquisition Corporation, on behalf of the Corporation;

[Corporate Seal]

ML
Date:

17
Dec. 16, 2011

Signature



Leonard M. Levie, Chairman
Consolidated Industries Acquisition Corporation

Acknowledgement of Corporate Chairman:

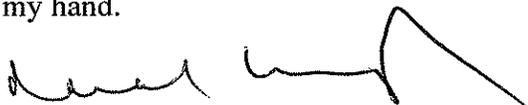
State of Connecticut

County of Fairfield

ss. _____

On this, the ^{*17th*}~~16th~~ of December, 2011 before me, Rajat Gupta the undersigned officer, personally appeared Leonard M. Levie, who acknowledged him/herself to be the Secretary, Consolidated Industries Acquisition Corporation, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by him/herself as Secretary.

In witness whereof I hereunto set my hand.



Signature

Notary Public

Date Commission Expires: _____

RAJAT GUPTA
Notary Public
My Commission Expires 12/31/2011



Appendix A

Consultant Qualifications

For the Pretreatment Permit:

"Qualified professional engineer" means, as it pertains to work associated with the pretreatment permit, a professional engineer with a currently effective license issued in accordance with Chapter 391 of the Connecticut General Statutes who: (1) for a minimum of eight years, has engaged in the planning or designing of engineered systems for the treatment of industrial wastewaters including but not limited to a minimum of four years in responsible charge of the planning or designing of engineered systems for such discharges; (2) is not an employee of the Respondent, as defined by the Internal Revenue Service of the Internal Revenue Code of 1986; and (3) does not have a financial interest, of any kind, in the activity for which a certification is being submitted.

For the Stormwater General Permit:

"Qualified stormwater professional" means, as it pertains to work associated with the current stormwater general permit:

1. 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, 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 stormwater discharges; (2) is not an employee of the Respondent, as defined by the Internal Revenue Service of the Internal Revenue Code of 1986; and (3) does not have a financial interest, of any kind, in the activity for which a certification is being submitted, **OR**
2. a Certified Hazardous Materials Manager with a minimum of eight years in the management of stormwater discharges from industrial activities, including, but not limited to, a minimum of four years in the responsible charge of managing such discharges; (2) is not an employee of the Respondent, as defined by the Internal Revenue Service of the Internal Revenue Code of 1986; and (3) does not have a financial interest, of any kind, in the activity for which a certification is being submitted.

Appendix B Operation and Maintenance Plan Checklist and Certification

Operation and Maintenance Plan Checklist and Certification

Complete and submit this Operation and Maintenance Plan Checklist and Certification. Review the following plan elements to ensure that each element is included and adequately addressed in your Operation and Maintenance Plan. **A copy of this plan must be maintained on-site at all times.** Certify that the plan is adequate with respect to each element by inserting your initials in the space provided and indicate the page number where each element is addressed in your plan. For elements which are determined to be not applicable to the collection and treatment systems, please indicate "N/A" next to the element and provide a brief explanation.

Plan Elements	Initial/Not Applicable	Page #
1. A detailed description of all wastewater treatment equipment on site including: a. A description of treatment unit sizes, their operating capacities, retention times, manufacturers and models.		
b. A functional description of each treatment system and subsystem including a discussion of how each item functions and variables that might affect performance.		
2. A detailed description of collection procedures and treatment system operation, start-up, shut-down and power outage procedures, including the positions of all switches, valves, instrument settings and precautions. For batch systems, include operating instructions describing testing procedures to be performed for each batch, when different treatments are to be used and instructions for operating the different types of treatments.		
3. A detailed description of the method and frequency that all meters and alarms are calibrated and tested, which at a minimum meets manufacturer's recommendations.		
4. An inventory of all spare parts and equipment kept at the facility for the wastewater treatment system.		
5. A list of all treatment chemicals, quantities stored at the facility and dosage rates.		
6. A maintenance plan for the proper operation of the collection and treatment system, both preventive and corrective, with proposed daily, weekly, monthly, semi-annual and annual inspections and procedures.		
7. The number of full or part time waste water treatment system operators needed to properly run the system and a detailed description of any training the operators have had in the proper operation of the treatment system.		
8. A description of the log(s) to be kept near the treatment system or readily accessible, for operational monitoring and inspections. All entries must show time, date and be initialed. These log books must contain the following information, as applicable: a. for batch treatment systems:		
i. number of gallons of each batch discharged;		
ii. treatment chemicals added to each batch;		
iii. the results of any chemical analysis done on each batch;		

Operation and Maintenance Plan Checklist and Certification (continued)

Plan Elements	Initial/Not Applicable	Page #
iv. what the wastewater of each batch consisted of (what processes contributed to the batch);		
vii. any maintenance performed on the system; and		
viii. any observations the operator may have noticed about the discharge (clarity, foam, etc.).		
b. for flow through systems:		
i. total daily/shift flow;		
ii. treatment chemical dosage rates;		
iii. daily/shift treatment chemical tank levels;		
iv. the results of any chemical analysis performed on the discharge;		
v. the range of pH during the day/shift;		
vi. frequency that meters and probes are calibrated and/or replaced;		
vii. any maintenance performed on the system;		
viii. the reason for any upsets that may have occurred; and		
ix. any observations the operator may have noticed about the discharge (clarity, foam, etc.).		
9. A description of any security measures to prevent vandalism of the collection and treatment systems.		
10. A flow diagram of the treatment system generating the discharge. The diagram must show all incoming waste streams, treatment units and their sizes, treatment chemical additions, all pumps and valves, electrical equipment (pH sensors, controllers and alarms, high level sensors and alarms, etc.) and connections between electrical units. Average, maximum, and design flow rates of incoming waste streams between treatment units and from discharge points and pumps must be indicated.		

Operation and Maintenance Plan Checklist and Certification (continued)

"I have personally examined and am familiar with the information contained in the Operation and Maintenance Plan required for this application, and I certify that based on reasonable investigation, including my inquiry of the individuals responsible for preparing the Operation and Maintenance Plan, such plan contains all applicable information listed in the Operation and Maintenance Plan Checklist and the Plan is maintained at my site. I further certify that I will submit this plan to the Department of Energy and Environmental Protection (DEEP) upon request."

Operation and Maintenance Plan Revision Date: _____

Registrant Signature

Date

In the space below, please provide the names of the persons who prepared the Operation and Maintenance Plan and a brief description of the qualifications of each preparer, (i.e., professional certifications, education background, related work experience, etc.). Attach additional sheets if necessary.

Name:

Qualifications:

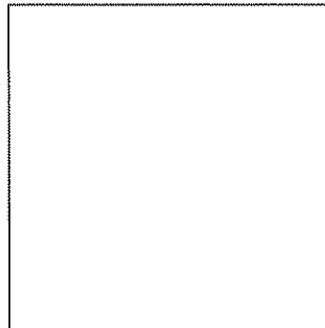
"I certify that in my professional judgment, proper operation and maintenance of the wastewater treatment system which is the subject of the pretreatment permit will insure that all effluent limitations and other conditions in the pretreatment permit are met. This certification is based on my review of the updated plans and specifications describing the wastewater treatment system and its updated operation and maintenance manual and available, pertinent effluent monitoring data. 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."

Signature of Qualified Professional Engineer

Date

Name of Qualified Professional Engineer (print or type)

P. E. Number (if applicable)



Affix P. E. Stamp Here

[Handwritten signature]

APPENDIX C

Stormwater Pollution Prevention Plan Certification

"I certify that I have thoroughly and completely reviewed the Stormwater Pollution Prevention Plan ("SWPPP") for the site. I further certify, based on such review and on my professional judgment, that the Stormwater Pollution Prevention Plan has been prepared in accordance with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control, as amended, and the conditions for the General Permit for the Discharge of Stormwater Associated with Industrial Activity issued August 23, 2010 and effective October 1, 2011, and the best management practices required by such SWPPP 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."

Signature of Qualified Stormwater Professional

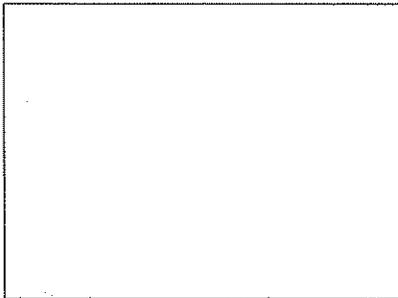
Date

Name of Qualified Stormwater Professional

Date

If Qualified Stormwater Professional is a P.E., provide the P.E. Number: _____

and place P.E. Stamp Here



APPENDIX D

COMPREHENSIVE SITE INSPECTION ["CSI"] FORM

Facility Name:

SIC Code: _____

Site Address:

Town: _____ ZIP Code: 06 _____

Phone #: _____ Permit #: GSI

INSPECTION RESULTS:

Inspection Date: _____

Inspector Name & Title:

Employer Name/Address:

Does facility have a Stormwater Pollution Prevention Plan for the site? ___ Yes ___ No

(If No, √ all applicable)

___ Stormwater discharges only to groundwater

___ Category 10, no exposure

___ Combined Sewer Overflow (CSO)

___ Other

(Describe: _____)

Has the facility performed stormwater monitoring at the site? ___ Yes ___ No
(If Yes, include months/years of SW sampling:)

Are the stormwater sampling results included in the Plan? ___ Yes ___ No
If not, include a copy of the sampling results with the Plan

Does the facility have training logs? ___ Yes ___ No
(If Yes, include months/years trained:)

Have any CSIs been performed at the site? ___ Yes ___ No
(If Yes, include months/years:)

List all materials exposed to stormwater at the site, and any other comments:

Handwritten signature

STORMWATER POLLUTION
PREVENTION PLAN CHECKLIST

A complete Stormwater Pollution Prevention Plan ("plan") must be fully developed, implemented and kept current in accordance with the General Permit for the Discharge of Stormwater Associated with Industrial Activity issued on August 23, 2010 and effective October 1, 2011 ("general permit"). A complete plan shall include, but not be limited to, the following key elements which are described more fully in the general permit. This checklist shall be used in conjunction with the general permit when the Respondent is evaluating the adequacy and completeness of the plan.

1. STORMWATER POLLUTION PREVENTION TEAM [Section 5(c)(2)(C) of the general permit].

Y N

- Team Members are identified in the plan.
- At least one team member is present at the facility or on call during all operational shifts.
- Team Member's responsibilities for plan development, implementation, maintenance and revision are clearly identified in the plan.

2. DESCRIPTION OF POLLUTANT SOURCES [Section 5(c)(2)(D) of the general permit].

A. Site map [Section 5(c)(2)(D)(i) of the general permit] contains the following:

Y N

- North arrow and surveyed or approximate property lines, including the total site acreage.
- Locations of existing buildings and structures.
- Overall site size and amount of impervious coverage as well as an outline of the drainage area, including the extent of the impervious surface, for each stormwater outfall and direction of flow within the drainage area.
- Locations of existing structural control measures installed to reduce pollutants in stormwater runoff.
- Locations of all stormwater conveyances including catchbasins, ditches, pipes, and swales as well as the location of any non-stormwater discharges.
- Areal extent of any wetlands to which stormwater discharges.
- Location of the receiving water body or bodies to which the site discharges including the identification of any impaired waters and whether or not a total maximum daily load (TMDL) has been established for them.
- Locations of all stormwater monitoring points (including latitude and longitude).
- Locations where any drainage run-on enters the site.
- Location of materials exposed to precipitation.
- Location of major spills and leaks.
- Locations of fueling stations.
- Vehicle & equipment maintenance or cleaning areas.

- Loading/unloading areas.
 - Waste treatment, disposal or storage areas.
 - Locations of liquid storage tanks.
 - De-icing material storage areas.
 - Processing areas.
 - Materials storage areas.
- B. Plan contains a description of the stormwater discharge [Section 5(c)(2)(D) of the general permit].
Y N
- Direction of stormwater flow indicated
 - Types of pollutants likely to be present in stormwater discharge
 - Potential for discharge to cause erosion
 - Locations of discharges to a municipal storm sewer system
 - Locations of discharges to groundwater through an infiltration system
- C. Plan contains an inventory of exposed materials [Section 5(c)(2)(D)(ii) of the general permit]
Y N
- Loading & unloading operations
 - Roof areas
 - Outdoor storage activities
 - Outdoor manufacturing or processing activities
 - Dust or particulate generating processes
 - On-site waste disposal practices
- D. Plan contains a narrative summary of potential pollutant sources [Section 5(c)(2)(D)(iii) of the general permit].
Y N
- Method and location of on-site storage or disposal
 - Materials management practices to minimize stormwater contact (between the time of three years prior to the effective date of this permit and the present)
 - Location and description of structural and non-structural control measures to reduce pollutants in stormwater runoff
 - Description of existing stormwater treatment
- E. Leaks and spills [Section 5(c)(2)(D)(iv) of the general permit].
Y N
- List & location of spills or leaks greater 5 gallons that could affect stormwater quality at the site (that occurred at the facility after the date of three years prior to the date of the certification of the Plan).
- F. Stormwater monitoring program [Section 5(c)(2)(J) of the general permit].
Y N

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- Description of monitoring program and stormwater sampling data for on-site stormwater discharges.

3. MEASURES AND CONTROLS [Section 5(b) of the general permit].

The plan shall describe stormwater management controls appropriate for the facility including, but not limited to, the following:

Y N

- Good housekeeping; i.e. provisions for maintaining a clean, orderly facility in all areas exposed to rainfall and can be a potential pollutant source [Section 5(b)(1) of the general permit].
- Prohibition against equipment or vehicles washing that would allow washwaters to enter a storm drainage system or a waterbody [Section 5(b)(2) of the general permit].
- Provision that all floor drains connected to storm sewers are either sealed or approved and permitted by a local authority [Section 5(b)(3) of the general permit].

A. Roof areas [Section 5(b)(4) of the general permit].

Y N

- Location of roof areas which may be a source of stormwater pollution (e.g., vent or exhaust).
- Program for inspecting such roof areas.

B. Sediment and erosion control [Section 5(b)(6) of the general permit].

Y N

- Identify potential erosion areas
- Implement erosion control measures

C. Preventive maintenance [Section 5(b)(8) of the general permit].

Y N

- Program for inspecting and maintaining stormwater management devices
- Program for inspecting, maintaining and testing on-site equipment and systems that could, in the event of failure or breakdown, result in a discharge of pollutants to surface waters.
- Program for the appropriate maintenance for these equipment and systems.

D. Spill prevention and response procedures [Section 5(b)(9) of the general permit].

Y N

- Identify areas for potential spills
 - Potential spill locations and the accompanying drainage points
 - Spill response procedures
 - Secondary containment provided for mobile/portable above-ground tanks/containers and storage areas
 - Provisions for impervious containment for all chemical storage and roof coverage for each container with a capacity of less than 100 gallons
 - Provision for covering dumpsters, trash compactors, and roll-off containers to prevent releases to stormwater drainage systems
 - Loading docks covered and protected from rainfall
- E. Employee training program and schedule [Section 5(b)(10) of the general permit].
Y N
- Employee training program, schedule and training topics.
 - Training received within ninety days of employment and at least once a year thereafter.
- F. Non-stormwater discharges [Section 5(b)(11) of the general permit].
Y N
- Written PE Certification
 - Description of all testing and evaluation methods used, the dates and results of any testing/evaluation, and drainage locations tested
- G. Management of runoff [Section 5(b)(7) of the general permit].
Y N
- Discussion of the need for stormwater management or treatment beyond source control practices
 - Description of management or treatment measures to be implemented
- H. Inspections [Section 5(d)(2) of the general permit].
Y N
- List of qualified personnel to inspect designated equipment and areas
 - Procedures for corrective action to be undertaken following inspection
 - Provision for maintaining inspection records at the facility
4. COMPREHENSIVE SITE INSPECTION (“CSI”) [Section 5(d)(1) of the general permit].
Y N
- Provision for conducting a CSI at least twice a year.
 - CSI shall provide for (List Yes, No, or N.A. where not applicable):
 - _____ inspection of material handling areas and other potential sources of pollution.
 - _____ operational evaluation of stormwater management measures, erosion control measures, and other pollution prevention measures.

- _____ inspection of equipment needed to implement plan, e.g., spill response
- _____ preparation of an inspection report discussing scope, inspection dates, personnel, observations, action taken, and updates to plan

5. DISCHARGE TO MUNICIPAL SEPARATE STORM SEWER SYSTEMS SERVING A POPULATION OF 100,000 OR MORE [Section 5(c)(2)(G) of the general permit].

_____ Description of how the site shall comply with applicable municipal stormwater management requirements (List Yes, No, or N.A. if not applicable).

6. CONSISTENCY WITH OTHER PLANS [Section 5(c)(2)(H) of the general permit].

Y N

- The plan may reference requirements contained in a Spill Prevention Control and Countermeasure ("SPCC") plan or other spill control plan required under federal, state or local law.

List Name and Date of Plan (or N.A. if not applicable)

7. COVERAGE OF SALT STORAGE PILES [Section 5(b)(12) of the general permit].

_____ Provision for covering salt storage piles, including pure salt or salt mixed with other materials, which may come into contact with stormwater (List Yes, No, or N.A. if not applicable).

8. FUTURE CONSTRUCTION [Section 5(c)(2)(I) of the general permit].

_____ Provision for proper management and treatment of stormwater for all construction which may impact the on-site stormwater drainage system (List Yes, No, or N.A. if not applicable).

9. PROFESSIONAL ENGINEER CERTIFICATION [Section 5(c)(7) of the general permit].

Y N

- Plan contains required compliance certification and is signed by a CT licensed professional engineer

10. OBSERVATIONS, RECOMMENDATIONS AND CORRECTIVE ACTIONS TAKEN.

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APPENDIX E

Comprehensive Site Inspection Certification

Site Name: _____ WC Order Number: _____
Site Location ("site"): _____

"I certify that I have thoroughly and completely evaluated the above referenced site using the COMPREHENSIVE SITE INSPECTION ("CSI") FORM provided in Attachment D of the order specified above. Based on such CSI inspection and on my professional judgment, I further certify that the site meets the requirements of the General Permit for the Discharge of Stormwater Associated with Industrial Activity issued on August 23, 2010 and effective October 1, 2011 ("Stormwater General Permit"). I further certify I have evaluated the site pursuant to the requirements of section 5(h)(1) of the Stormwater General Permit, and that all necessary stormwater management measures and controls required by the Stormwater General Permit and the site's Stormwater Pollution Prevention Plan has been implemented. 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."

Responsible Employee Having Knowledge of
Stormwater General Permit Requirements

Date

(Print or Type) Name of Employee

Title of Employee

"I certify that the above employee has reasonable knowledge of the site, the requirements of the Stormwater Pollution Prevention Plan, and is a member of the Pollution Prevention Team."

Signature of Responsible Corporate/Municipal Officer

Date

(Print or Type) Name of Corporate/Municipal Officer

Title of Officer