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# Introduction

Amey Marrella  
Deputy Commissioner  
Air, Waste and Water

# Both DEP and Municipalities Have Environmental Responsibilities

- DEP administers many permit programs to protect human health and the environment
- Municipalities have a dual role:
  - As permittee for DEP-regulated activities
  - As leaders in Responsible Growth and other environmental initiatives

# Examples of Municipal Leadership

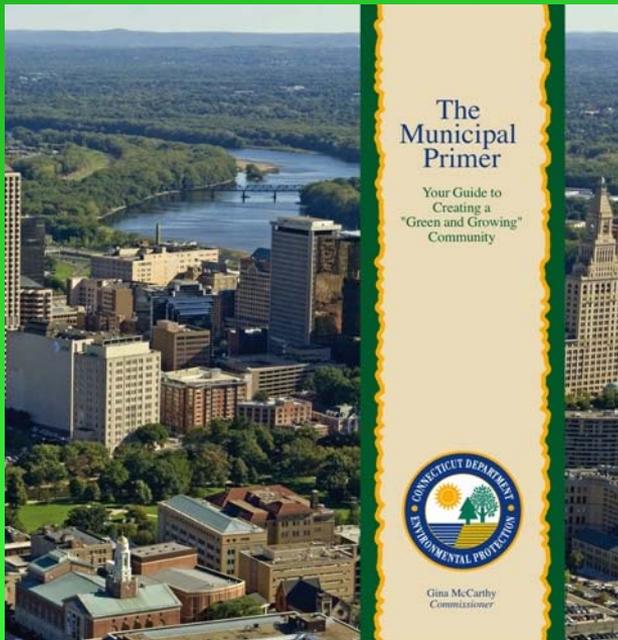
- Recycling
- Waste Management
- Responsible Growth
- Open Space Protection

# Landscape Stewardship

Major goals:

- Develop closer working relationships with municipalities
  - Outreach
  - Technical assistance
  - Training
- Improve internal coordination
  - Enhanced dexterity
  - Decisions that support Responsible Growth

# *The Municipal Primer*



- Our newest outreach tool
- Distribution underway
  - Two hard copies to each city and town
  - A CD to each workshop attendee
  - Online at [www.ct.gov/dep/municipalprimer](http://www.ct.gov/dep/municipalprimer)

Guide to  
CT DEP  
Permits,  
Licenses and  
Other  
Authorizations  
for Municipal  
Officials



October 3, 2008

# Municipalities as the permit applicant

- Scope of DEP's permitting programs that relate to municipalities
- Individual, general and short process permits
- Quick overview of the process
- Availability of permitting assistance



# DEP's permitting programs

- 26 permitting “programs”
- 56 general permit categories
- Covering siting and construction activities
  - e.g., stormwater runoff
- Discharges and emissions of air and water pollutants
  - e.g., boilers and sewage treatment plants
- Facilities, operations and management
  - e.g., transfer stations and pesticide application
- Remedial Activities
  - e.g., groundwater pump and treat systems



**CT DEP Permit Programs**

	AP EMB686B - New Source Review Program (includes boilers)	Waste - Solid Waste Facility	Waste - Special Waste or Asbestos Disposal Authorization	Waste - Waste Transport	Waste - Hazardous Waste Treatment, Storage and Disposal Facilities (Resource Conservation & Recovery Act, RCRA)	Waste - Resource Conservation & Recovery Act (RCRA) Part Closure Permits	Waste - Hazardous Waste Generation Notifier	Water - Wastewater Discharges	Water - Diversion	Water - 401 Water Quality Certification	Water - Stream Channel Encroachment Lines	Water - Coastal Permits	Water - Dam Safety	Pesticide Certification	Underground Storage Tank Registration	Potential Site Remediation and/or Property Transfer Issues	General Permits (GP) or Registrations	Occupational or Operator Certificates
Aquifer Protection Areas																	Aquifer Protection Area Program	
Floodplain																	CGS Section 25-68 Flood Management Certification (if State funded project)	
<b>Public Works</b>	<b>Also see "General Construction Activities" and "Work Within..." above</b>																	
Highway Garage / Vehicle Maintenance Facility (including vehicle washing)	Ⓢ	Ⓢ				Ⓢ	Ⓢ								Ⓢ	Ⓢ	Distributed Generation (Air) Permit by Rule General Permit to Limit Potential to Emit from Major Stationary Sources of Air Pollution Hydrostatic Pressure Testing GP Stormwater (Industrial) GP Vehicle Maintenance Wastewater GP	Pesticide Operator or Supervisory Certificate
Salt Storage																	Stormwater (Industrial) GP	
Roads and Bridges	<b>See "General Construction Activities" and "Work Within..." above</b>																	
<b>Water Facilities</b>	<b>Also see "General Construction Activities" and "Work Within..." above</b>																	
Sewage/Wastewater Treatment Facility	Ⓢ						Ⓢ	Ⓢ									Distributed Generation (Air) Permit by Rule Nitrogen Discharge GP Stormwater (Industrial) GP	Wastewater Treatment Facility Operator Certification
Sewage Sludge Incinerator or Composting Facility	Ⓢ	Ⓢ					Ⓢ										Stormwater (Industrial) GP	
Small Municipal Separate Stormwater System (MS4)																	Municipal Separate Storm Sewer System (MS4) GP	
Stormwater Discharges Ineligible for GP								Ⓢ										
Drinking Water Treatment Facility									Ⓢ								Dam Safety Repair and Alteration GP Water Diversion for Consumptive Use GP Water Treatment GP	
Sewer or Water Pipeline Repair Work																	Utilities and Drainage GP	
<b>Solid Waste</b>	<b>Also see "General Construction Activities" and "Work Within..." above</b>																	
Transfer Station																	Municipal Transfer Station GP Stormwater (Industrial) GP	Solid Waste Facility Operator Certification
Landfill	Ⓢ	Ⓢ			Ⓢ	Ⓢ											Stormwater (Industrial) GP	Solid Waste Facility Operator Certification
Special Waste or Asbestos Disposal			Ⓢ														Stormwater (Industrial) GP	
Waste Transportation (if not contracted out)				Ⓢ														
Volume Reduction Facility	Ⓢ	Ⓢ															Stormwater (Industrial) GP	Solid Waste Facility Operator Certification
Recycling Facility																	Municipal Transfer Station GP Recycling GP Stormwater (Industrial) GP	Solid Waste Facility Operator Certification
Leaf Composting																	Leaf Composting Registration	
Grass Clippings																	Grass Clipping GP Must be located at a registered leaf composting site	
Scrap Tires																	Scrap Tire GP	
Asphalt Roofing																	Asphalt Roofing GP	
Disassembled Used Electronics (DUE)																	Disassembled Used Electronics GP	

Municipal Activity or Facility (new, improved and/or expanded)

# Types of permit processes

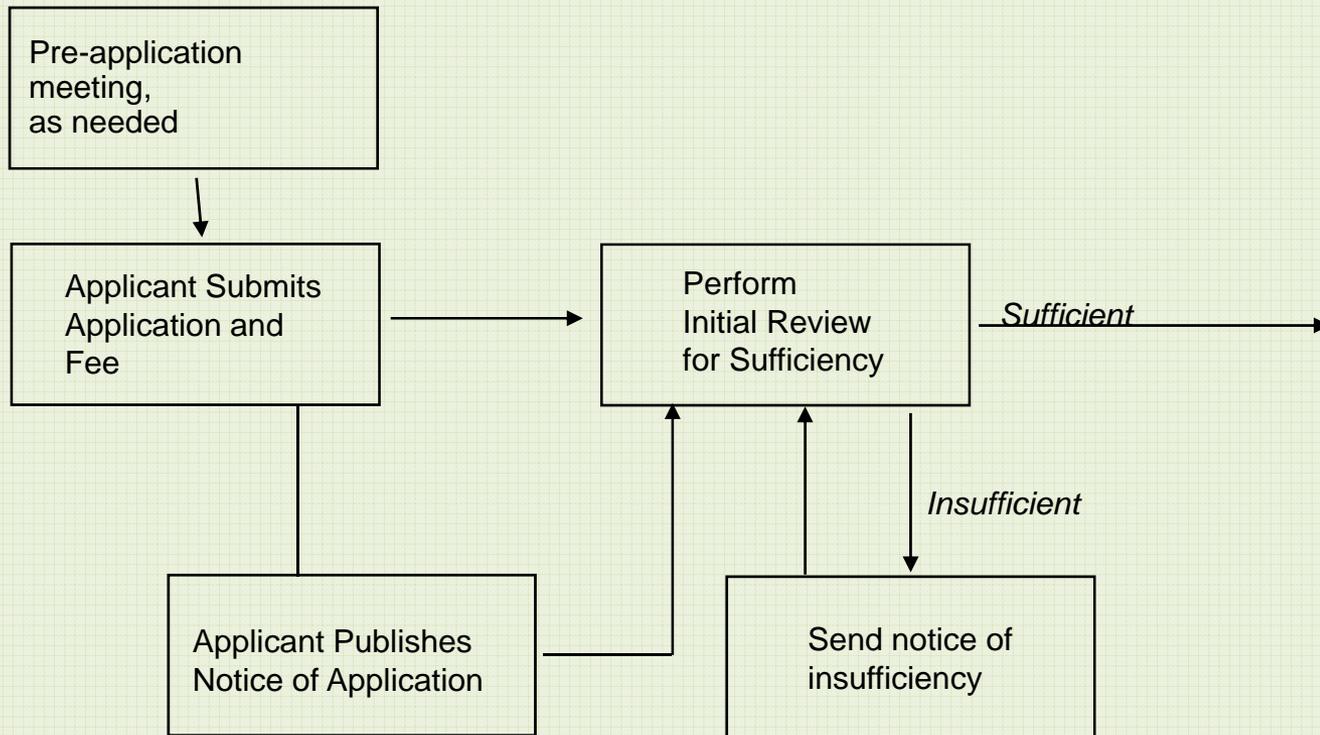
- Individual
  - A permit issued to an individual applicant typically includes an opportunity for notice and comment, e.g., NPDES permit for STPs
- General permit
  - A permit that covers similar minor activities throughout a prescribed geographic area with common BMPs, terms and conditions, e.g., transfer station GP
- Other short processes
  - e.g., Certificate of Permission (COP), special waste, temporary and emergency authorizations, e.g., COP for stormwater outfall repairs



# Typical Permit Process for an Individual Permit

- Pre-application meetings with DEP (if requested)
- Submission of application, fee and publication of notice of application
- Initial sufficiency review and NODs
- Technical review, DEP drafts permit
- Notice of tentative determination
- Public hearing (as needed)
- Final decision

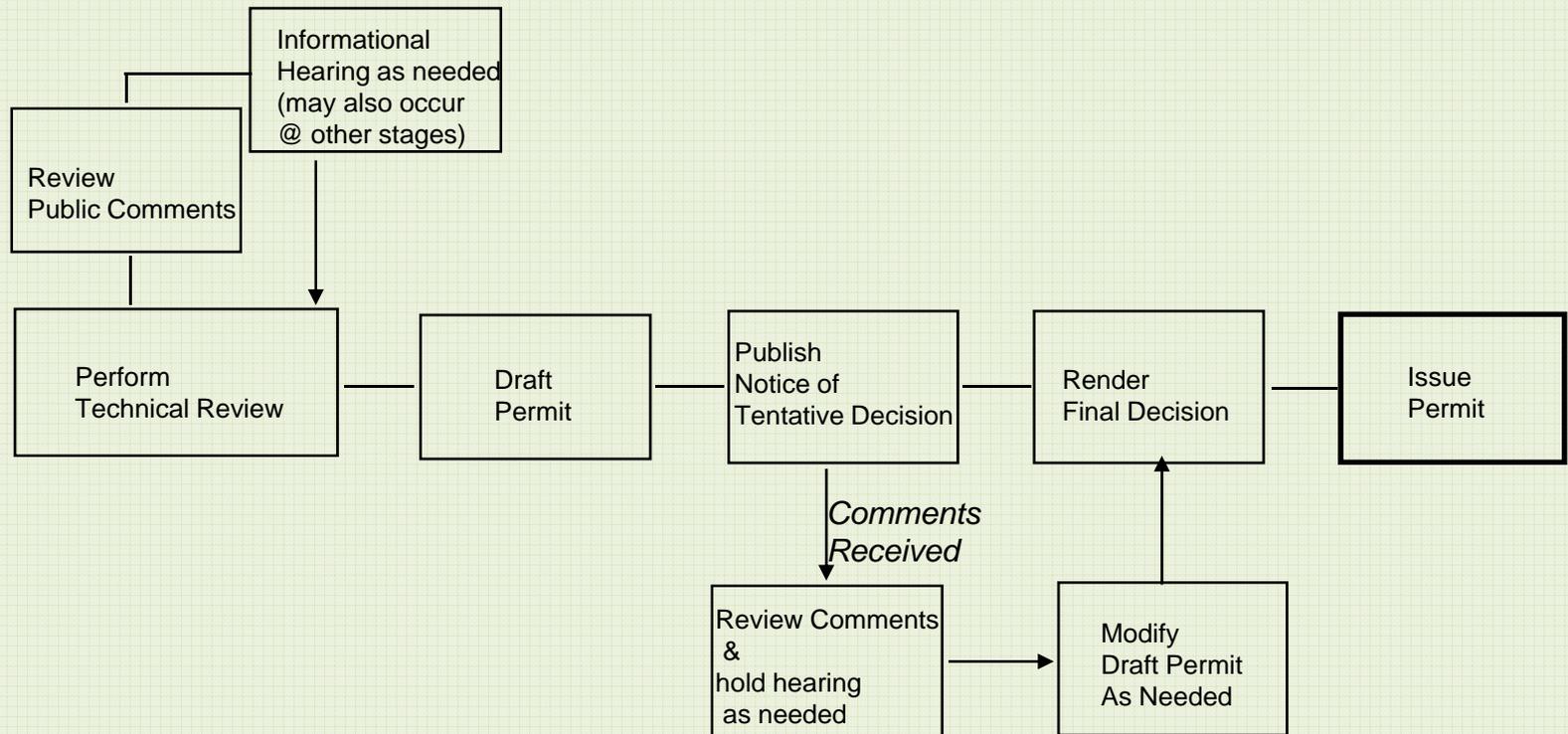




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- Notice of tentative determination
- Public hearing (as needed)
- Final decision





# Assistance with the Permitting Process

- Pre-application meetings
- User's Guide to Environmental Permits
- Online forms
- Public Notice Requirements for Permit Applications
- CT-CLIC.com and Smart Start
- Permit Assistance Office (860)424-3003
- *How to Contact the DEP* brochure



**Questions?**





# WASTE MATERIALS PLANNING AND MANAGEMENT

# ROBERT C. ISNER

- © Director, Bureau of Materials Management & Compliance Assurance, Waste Engineering & Enforcement Division
- © [robert.isner@ct.gov](mailto:robert.isner@ct.gov) or (860) 424-3264
- © COMPASS (888)-424-4193

# DISASTER DEBRIS MANAGEMENT ARE YOU PREPARED?



# DISASTER DEBRIS MANAGEMENT (DDM)

## MUNICIPAL RESPONSIBILITIES

- ③ Preparation of DDM Plan as an annex to Local Emergency Management Plan
- ③ Identify local Temporary Debris Storage and Reduction Sites “TDSRS” (in addition to existing facilities)
- ③ Provide debris clearance during the immediate aftermath of a storm event

# DISASTER DEBRIS MANAGEMENT (DDM)

## MUNICIPAL RESPONSIBILITIES

- ③ Establish pre-positioned contracts as may be appropriate to your municipality
- ③ Contact DEMHS to request state or federal assistance as needed
- ③ Develop a public communication and outreach strategy for debris management

# TEMPORARY DEBRIS STORAGE AND REDUCTION SITES (TDSRS)

- ◎ TDSRSs needed to manage huge quantities of storm-generated debris that would otherwise overwhelm existing municipal waste infrastructure
- ◎ TDSRSs have to be approved by DEP either through EA or a GP
- ◎ Need pre-use base-line and close-out data to return sites to pre-use environmental conditions

# TEMPORARY DEBRIS STORAGE AND REDUCTION SITES

- ◎ Follow available guidance on site selection
  - ◎ Disaster Debris Management Preparedness
  - ◎ FEMA Debris Management
  - ◎ US EPA Disaster Debris

# FOR ADDITIONAL INFORMATION:

- © Contact Frank Gagliardo at  
(860) 424-3130 or  
[frank.p.galiardo@ct.gov](mailto:frank.p.galiardo@ct.gov)
  
- © DEMHS Area Coordinators

# MUNICIPAL TRANSFER STATIONS AND RECYCLING CENTERS

## Traditional Permitting Structure

- ◎ Solid Waste Transfer Stations (TS): Individual Permit to Construct and Operate a Solid Waste Facility
- ◎ Recycling Facilities:  
Registration for a General Permit (GP) for Recycling

# GENERAL PERMIT FOR MUNICIPAL TRANSFER STATIONS AND RECYCLING CENTERS

- © The Municipal Transfer Station General Permit was issued on November 29, 2007
- © Estimated 100 municipal transfer stations and 30 recycling facilities are eligible for GP



# GENERAL PERMIT FOR MUNICIPAL TRANSFER STATIONS AND RECYCLING CENTERS

- ⊙ Authorizes the construction and operation of municipal TS and recycling centers processing up to 120 tons/day of solid waste
- ⊙ May be approved for municipalities operating alone or in conjunction with other municipalities (regional TS)
- ⊙ Provides the requirements for the operation and management of the TS

# GENERAL PERMIT FOR MUNICIPAL TRANSFER STATIONS AND RECYCLING CENTERS

## Major Benefits for Eligible Municipalities

- ⊙ Authorizes management for 22 waste streams covered by the GP without additional administrative review by DEP
- ⊙ Consolidation of solid waste permits
- ⊙ Simplified application requirements and expedited processing
- ⊙ Facility operators benefit by standardized operating requirements

# GENERAL PERMIT FOR MUNICIPAL TRANSFER STATIONS AND RECYCLING CENTERS

Reduced costs with application:

- ⊙ Engineering - GP **IS** Operation & Management Plan
- ⊙ No public notice requirements
- ⊙ Reduction in legal & consulting costs
- ⊙ Eliminates need to apply for permit modification under the individual permit

# GENERAL PERMIT FOR MUNICIPAL TRANSFER STATIONS AND RECYCLING CENTERS

## GP Status:

- ① 8 GPs Issued; 33 days average application processing time; with 7 GP applications pending
- ① Most municipalities will continue to operate under the individual permit until the end of its five year term, and then switch over to the GP
- ① Municipalities operating recycling facilities under the GP for Recycling may continue under that permit until it expires in September 2010, reapply when its reissued , or apply for the GP for municipal transfer stations

# FOR ADDITIONAL INFORMATION:

© Contact Elaine Coelho

© (860) 424-3304 or  
[elaine.coelho@ct.gov](mailto:elaine.coelho@ct.gov)

# SOLID WASTE PERMITTING

- © For Additional Information,  
Contact:
- © Gabrielle Frigon
- © (860) 424-3795 or  
[gabrielle.frigon@ct.gov](mailto:gabrielle.frigon@ct.gov)

# E-WASTE

- ◎ CGS Section 22a-629-640; Public Act 07-189 & Public Act 08-35
- ◎ Provide convenient and accessible collection options for residents beginning July 1, 2009
- ◎ Check your solid waste permit to see if it allows for electronics collection, & discuss option with DEP

# E-WASTE

- ③ Read municipal guidance
- ③ Develop a collection plan. Forms will be mailed to each municipality
- ③ Select an approved recycler from a list supplied by DEP
- ③ Recycling and transportation funded by the manufacturer

# FOR ADDITIONAL INFORMATION:

- ◎ Contact Tom Metzner
- ◎ (860) 424-3242 or  
[tom.metzner@ct.gov](mailto:tom.metzner@ct.gov)

# RECYCLING & SOURCE REDUCTION

- ⊙ CGS 22a-208v and 22a-256a & RCSA 22a-241b; Connecticut's recycling laws provide for the mandatory separation of state designated recyclables by everyone who generates them
  - ⊙ Glass & metal food and beverage containers
  - ⊙ Corrugated cardboard; Newspaper & White office paper (residences exempt)
  - ⊙ Scrap metal; Waste oil & Lead acid batteries Ni-Cd rechargeable batteries (from electronics)
  - ⊙ Leaves (must be composted) & Grass Ban (1998)

# RECYCLING & SOURCE REDUCTION

- ⊙ CGS 22a-220; Each CT municipality is required to make provision for the separation, collection, processing, and marketing of designated recyclables generated within its borders
- ⊙ Responsibility for solid waste management has historically been a function of municipalities
- ⊙ Municipal actions with respect to solid waste and recyclables must be consistent with the current State Solid Waste Management Plan (Dec. 2006)

# RECYCLING & SOURCE REDUCTION

- ③ State Solid Waste Management Plan Challenges municipalities and State to reach a 58% recycling/source reduction rate by 2024. CT's is currently recycling about 30% of the MSW
- ③ CGS 22a-220(f) & 22a-220c(a); CT municipalities were required to adopt a local recycling ordinance by 1991 and should be enforcing the requirements of that ordinance. Haulers are required to assist municipalities in enforcing and promoting recycling
- ③ CGS 22a-220(h) and (i); Municipalities in CT are required to designate a recycling contact and submit an annual recycling report to DEP



# SOLID WASTE REPORTS

- ③ CGS, RCSA, and Solid Waste Facility Permits all contain reporting requirements
- ③ Municipalities required to submit an annual Recycling Report to DEP
- ③ Municipalities which own or operate any Solid Waste Facility are required to submit quarterly reports to DEP on the monthly amount and type of solid waste and recyclables, received, processed, and transferred out of the facility and their destinations



# FOR MORE INFORMATION CONTACT:

© Judy Belaval

© (860) 424-3237 or

[judy.belaval@ct.gov](mailto:judy.belaval@ct.gov)

# COMPOSTING

- ⊙ CGS Sec.22a-208e(c) & 22a-208v; Leaves are a designated mandatory recyclable; grass clippings are banned from disposal
- ⊙ RCSA 22a-208i(a)-1 Composting of Leaves
- ⊙ Must register with DEP (No fee);  
82 Municipal + 13 Private = 95 total sites
- ⊙ Don't Trash Grass – a.k.a. cut it and leave it, best
- ⊙ GP to add grass clippings, if criteria is met
- ⊙ School Composting Manual; Videos; Brochures
- ⊙ [www.ct.gov/dep/composting](http://www.ct.gov/dep/composting)

# CLEAN WOOD

- ③ Clean Wood - RCOSA 22a-208a-1(11): ... pallets, skid, spools, bulky wood waste/land clearing debris, scraps from newly built products .... provided it is not “treated wood”
- ③ Treated Wood – CGS 22a-209a(2): wood which contains an adhesive, paint, stain, fire retardant, pesticide or preservative

# CLEAN WOOD

- ⊙ Not mandatory to recycle, but encouraged
- ⊙ Recycling GP to process untreated wood.  
34 sites. \$250 application fee.
- ⊙ State contracts for grinding services.  
[DAS Contract Award No. 07PSX0025](#)
- ⊙ Brush & Stump Management fact sheet at  
[www.ct.gov/dep/recycle](http://www.ct.gov/dep/recycle) under Information for  
Municipalities & State Agencies. List of private  
permitted facilities & mobile services.



# FOR MORE INFORMATION CONTACT:

© Kathy (K.C.) Alexander

© (860) 424-3239 or

[kathy.alexander@ct.gov](mailto:kathy.alexander@ct.gov)

# PESTICIDES

- ◎ Three Main Areas of Interaction
- ◎ Certification (licensing) of applicators needed for:
  - ◎ Use of restricted or permit use pesticides (22a-54 C.G.S.)
  - ◎ Use of pesticides off town property (22a-54 C.G.S.)
  - ◎ Use of pesticides on school grounds (10-231b C.G.S.)
- ◎ Aquatic permitting (22a-66z C.G.S.)
  - ◎ Towns are not exempt from permit requirements or application fees
- ◎ Pesticides on School Grounds

# PESTICIDES AT SCHOOLS

- ⊙ Differentiation between lawn care pesticides and everything else
  - ⊙ Lawn care pesticides broadly defined as pesticides registered for use on “lawn, garden and ornamental sites or areas”
- ⊙ Phase out of lawn care pesticides complete 7/1/09 per (10-231b C.G.S.)
  - ⊙ Applies to grades pre-K through 8
  - ⊙ Emergency applications allowed (e.g. ticks, poison ivy)
  - ⊙ EPA registration exempt products not included in phase out

# PESTICIDES AT SCHOOLS

- ◎ Applications until 7/1/09 must be done under an IPM plan. More info at [www.ct.gov/dep/ipm](http://www.ct.gov/dep/ipm)
- ◎ All applications except for emergencies must be done by certified applicator
- ◎ Notification to registered parents required for both lawn care and indoor pesticides

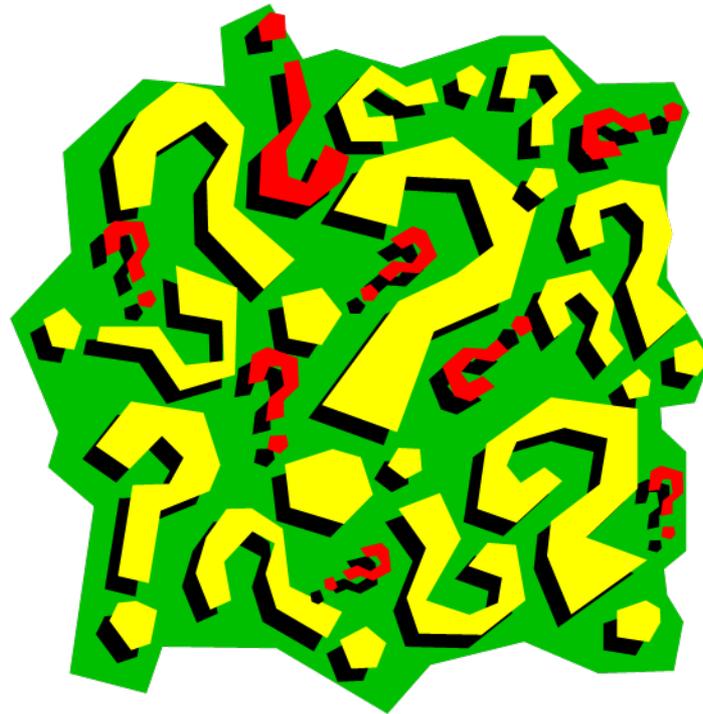
# FOR MORE INFORMATION

© Contact Diane Jorsey

© (860) 424-3328 or  
[diane.jorsey@ct.gov](mailto:diane.jorsey@ct.gov)

THANK-YOU !

ANY QUESTIONS?



# CT Stormwater Program

## Municipal Separate Storm Sewer Systems (MS4)



Phase I MS4 Permit – Stamford



Phase II MS4 Permit – 113 Towns

# CT Stormwater Program

## Small MS4 Permit Requirements



*Must* develop program to reduce discharge of pollutants and protect water quality



Program *Must* include Six Minimum Control Measures



# CT Stormwater Program

## Small MS4 Permit Requirements



*Must* submit a registration and identify for each minimum control measure:



Best management practices



Measurable goals



Timeframe for implementation

(all 6 measures by 1/9/09)



Responsible person(s)

# CT Stormwater Program

## Small MS4 Permit Requirements



Six Minimum Control Measures:

1



**Public education and outreach**

- citizens
- businesses/chamber
- industries

2



**Public participation**

- civic organizations
- environmental groups

# CT Stormwater Program

## Small MS4 Permit Requirements



### Six Minimum Control Measures:

3



#### Illicit discharge detect/eliminate

- map outfalls >15" (12" in UA)
- screen outfalls
- illicit discharge ordinance

4



#### Construction site runoff control

- existing E&S regs & Guidelines

# CT Stormwater Program

## Small MS4 Permit Requirements



Six Minimum Control Measures:

5



**Post-construction SW mgmt**

- must develop ordinance
- low impact development
- ensure O&M

6



**Pollution prev./good hskeeping**

- sweeping/CB cleaning
- employee training
- evaluate for upgrade/repair

# CT Stormwater Program

## Small MS4 Permit Requirements



### Annual Report



Due January 1 each year



“Progress report” on SMP



Alterations to SMP



Fee of \$187.50



### Sampling



# CT Stormwater Program

## Sampling Requirements



### Illicit Discharge (Min. Meas. #3)



Dry weather outfall detection

- take sample if discharging
- follow-up if evidence but no discharge



Tracking illicit discharges

- check upstream locations
- sample as needed



# CT Stormwater Program

## Sampling Requirements



### Wet Weather Outfall Sampling



Sample 6 outfalls (min)



Residential, Commercial & Industrial areas (or alternate)



Sample within first 6 hours



12 parameters plus rainfall pH

# CT Stormwater Program

## Sampling Requirements



### Alternative Sampling Plans



Sample 6 alternate outfalls



Target an area of town



In-stream sampling

- upstream/downstream



Additional parameters

# CT Stormwater Program

## Sampling Requirements



### Other Sampling Info



Can sample any time of year  
- can't sample snowmelt



Results are submitted with AR



Can propose alternate in any  
year

# CT Stormwater Program

## What's next for MS4?



Re-Issuance of MS4 General Permit



Compliance Assurance & Enforcement

# CT Stormwater Program

## DEP contacts:

Nisha Patel 860-424-3840

[nisha.patel@po.state.ct.us](mailto:nisha.patel@po.state.ct.us)

Karen Allen 860-424-3842

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Neal Williams 860-424-3356

[neal.williams@po.state.ct.us](mailto:neal.williams@po.state.ct.us)

# The Municipal Facilities Section

Where Are We?

Within Planning and Standards Division of the Bureau of  
Water Protection and Land Reuse

Who Can Be Contacted?

William Hogan 860-424-3753 [william.hogan@ct.gov](mailto:william.hogan@ct.gov)

# What Does the Municipal Facilities Section Do? Part I

- ❖ Planning for wastewater infrastructure
- ❖ Technical review of plans and specifications
- ❖ Construction oversight on funded projects
- ❖ Issuance of NPDES permits for treatment plants
- ❖ Development of annual priority list for Clean Water Fund

# What Does the Municipal Facilities Section Do? Part II

- ❖ Access to Clean Water Fund for wastewater infrastructure for planning, design and construction
- ❖ Wastewater operator certification
- ❖ Fats, Oils and Grease (FOG) General Permit
- ❖ Consistency review of projects with the State Conservation and Development Policies Plan

# Critical Issues Related to Municipal Facilities Section

- ❖ Request for update project information for FY 10 and 11 Priority List – January 2009
- ❖ Development of detailed sewer service area maps – guidance document to be issued to WPCAs - Nov. 2008
- ❖ Capital authorization of Clean Water Fund during 2009 legislative session
- ❖ Phosphorus treatment looming on the horizon for many plants

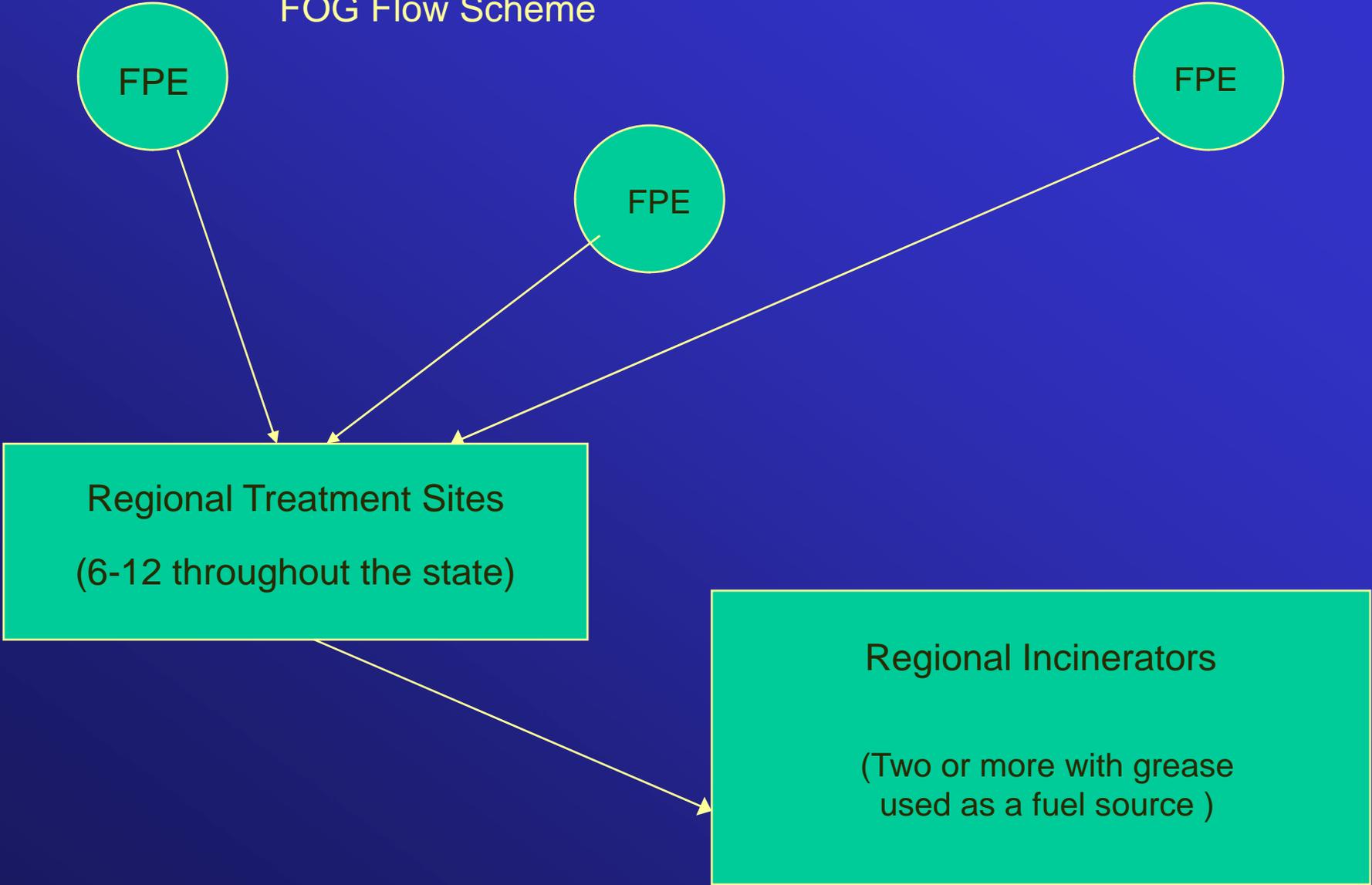
# Improved Control of Fats, Oil, and Grease Through a General Permit for Food Preparation Establishments



# Definitions

- Food Preparation Establishment (FPE)
  - Means Class III and IV food service establishments and any other facility deemed to discharge FOG above the set limits such as but not limited to restaurants, hotel kitchens, hospital, school kitchens,...as defined under Section 19-13-B42 of the State of CT Public Health Code.

# FOG Flow Scheme



# Authorization Under the General Permit

- Eligible Activities – The following discharges from FPEs
  - Discharge to a POTW via sanitary sewer
- Discharges from FPEs to subsurface sewage disposal systems 5,000 gpd or less are regulated by CT DPH and are not covered by this General Permit

# Conditions of the General Permit

- Either the outdoor passive grease trap or indoor grease trap (AGRU) may be used as the grease trap/interceptor.
- The FPE would select either the outdoor grease trap or AGRU.
- It should be noted that the Authorized Agent under local ordinances can be selective as to the type of trap to be used.

# Conditions of the General Permit

- Compliance for existing FPEs required by July 1, 2011
- Compliance for new FPEs at time of opening of business

# Conditions of the General Permit

- Three triggers for earlier compliance dates:
  - Change in ownership
  - Significant renovation of facilities
  - Designation by municipality that FPE discharges to a problem area (past grease blockages, frequent cleanings, TV evidence, etc.)

# Implementation Flow Chart



Issues General Permit



Reports Compliance Issues to DEP



Deal with Local Officials to Comply with Permit



Oversees Compliance at Local Level

# FOG Pretreatment Programs

- Municipalities will be responsible for setting up and maintaining local FOG Pretreatment Programs
- Each municipality is encouraged to implement a program that meets the needs and capabilities of the community



# Assistance Provided by the DEP

- **Guidance Document** – Provides a discussion of elements to be considered in setting up local FOG pretreatment programs
- **Resource Documents** – Provides example documents for FOG pretreatment programs
- **Regional Disposal Sites** – The DEP provides approval and oversight of FOG Regional Disposal Sites





Figure 1. Grease Separator at [REDACTED] in West Haven CT.

# Land-use Permitting



- Inland Water Resources Division
- Office of Long Island Sound Programs

# Bureau of Water Protection and Land Reuse



# Inland Water Resources Division

## Permitting Programs

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- Water Diversion — *ex. Water supply, golf courses, etc.*
- Stream Channel Encroachment
- Flood Management
- Dam Safety — modification, repair, construction or removal of dams *ex. Detention basins*
- Army Corps PGP and Section 401 certifications  
*ex. Fill or dredging in federal wetlands*

# Water Diversion Policy Act

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- Enacted in 1982
- Gives DEP limited authority to regulate withdrawal and use of groundwater and surface waters of the state
- Diversion requires a permits for water withdrawal of > 50,000 gpd
- Numerous exemptions

# What is a diversion?

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“Diversion” means any activity which causes, allows or results in the withdrawal from of the alteration, modification or diminution of the instantaneous flow of the waters of the state. CGS 22a-367(2)

# Water Diversion Permits

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Permits Required for:

- Construction of ponds, relocation of streams, diversion pipes, etc.
- Withdrawal of more than 50,000 gpd from any combination of sources

# Flood Management Certifications

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- Apply when state funds are involved
- Key aspect is to demonstrate through hydraulic analysis zero flood affect due to proposed activities
- State standard is 500 year flood zone but only for critical activities such as schools and residences
- All other activities the 100 year FEMA standard applies

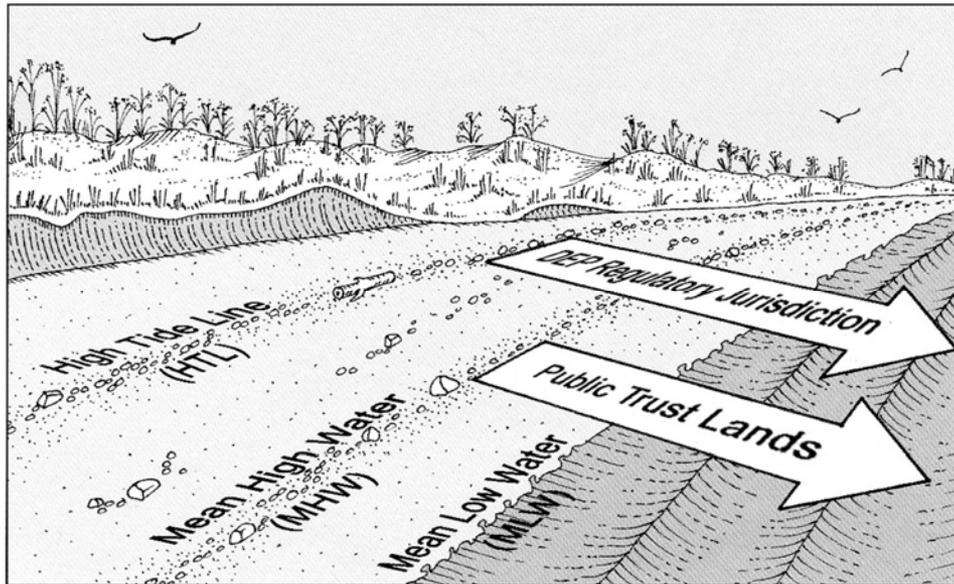
# Long Island Sound Programs Permitting Overview

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- Statutory authority
  - Structures, Dredging and Fill (CGS 22a-361)
  - Tidal Wetlands (CGS 22a-32)

# Long Island Sound Programs Permitting Overview

- State jurisdiction
  - **Regulatory**— waterward of high tide line (HTL)
  - **Public trust**— waterward of mean high water (MHW)



# Long Island Sound Programs Permitting Overview

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- Individual Permits

- Typically new construction
- Requires detailed environmental review
- Public comment

- Certificates of Permission (COP)

- Usually minor activities related to previously authorized work
- E.g. maintenance dredging, maintenance of existing structures

- General Permits

- Minor activities, detailed environmental review not required

# Long Island Sound Programs Permitting Overview

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## What's Regulated?

- Any activity waterward of HTL
- Some Typical Municipal Activities:  
bridges, culverts, tide gates, bulkheads, seawalls, dredging
- **If in doubt, please call us! (860) 424-3034**

# Long Island Sound Programs Permitting Overview

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## New “LEAN” permitting

- Effective November 3<sup>rd</sup>
- “Old” process - slow
  - lots of negotiating after application
  - Most applications approved
- “New” process – much faster
  - More extensive pre-application consultation
  - Incomplete applications rejected
  - Complete applications will be approved/denied based on statutory policies, DEP guidelines, and adherence to guidance from DEP staff.

# ACOE permits

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- Programmatic General Permit (PGP) for minimal activities.
  - INLAND: Applies to fill or discharges to wetlands of less than 1 acre and no fill within FEMA regulated floodway
  - COASTAL: Applies to various activities identified in PGP; authorization valid when CTDEP authorization is granted.
- Individual permits for all other activities
- Key approach is: avoid, minimize, restore, mitigate
- Mitigation does not absolve impacts
- Review process includes ACOE, EPA and USFWS
- State does not control review timelines of federal agencies.

# How to avoid pitfalls and get through permitting smoothly

- Hire a competent consultant experienced with particular permit process
- Have a pre-application meeting with DEP, we can steer you clear of deal breakers
- Fully consider alternatives
- Read and review what your consultant submittal
  - **Ex. Town didn't like a draft permit although it authorized exactly what town asked for. What town requested and what town wanted were two different things. Be sure you know what your consultant is doing.**
- Have robust analyses to support your position, **facts, facts and facts**
- Assure application is complete, if not it will be rejected and clock re-starts
- Submit with sufficient time for review and comment

**DON'T BE THE LAST IN THE DOOR and EXPECT TO BE THE FIRST OUT**

For Permit/Application Info

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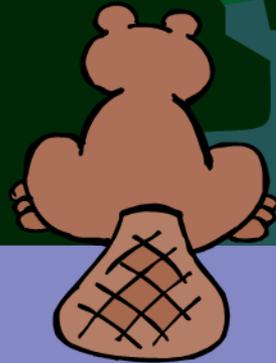
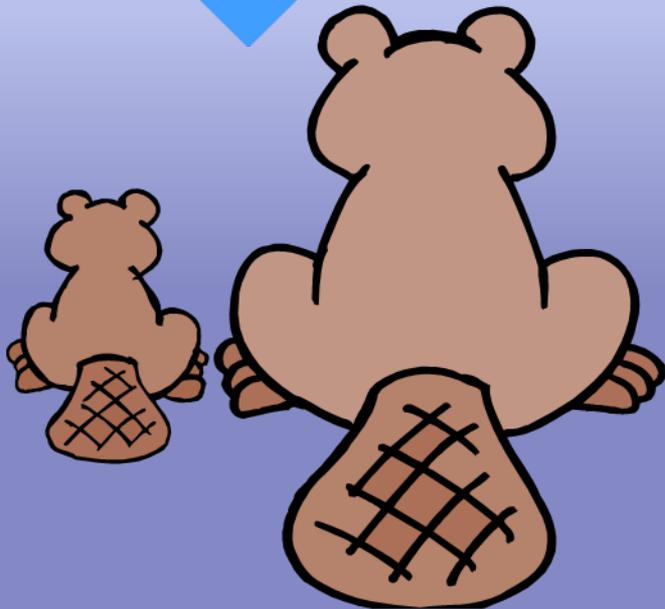
[www.ct.gov/dep/permits&licenses](http://www.ct.gov/dep/permits&licenses)



# DEP, Wildlife Division

Hartford Office – 79 Elm St.  
Franklin Office, RT 32, Franklin  
Sessions Woods Office, Burlington  
Eastern District Headquarters, Marlborough

# Wildlife Conflicts



# Technical Assistance

Provided by Wildlife Division

## Site Review & Recommendations:

**Carrie Pomfrey**

[carrie.pomfrey@ct.gov](mailto:carrie.pomfrey@ct.gov), 860-675-8130 or 860-295-9523

**List** of licensed Nuisance Wildlife Control Officers (NWCOs) and volunteer trappers

**Permits**

Information about Water Level Control Devices

Beaver Booklet at DEP Website:

[www.ct.gov/dep](http://www.ct.gov/dep)

# Beavers in Connecticut

Their Natural History  
and Management



Connecticut Department of Environmental Protection  
Bureau of Natural Resources  
Wildlife Division

<http://dep.state.ct.us>

Specific  
Information  
about  
Natural  
History and  
Management  
of Beavers

# Managing Nuisance Beavers Along Roadsides

A Guide for Highway Departments



Paul G. Jensen and Paul D. Curtis  
Department of Natural Resources,  
Cornell University

David L. Hamelin  
Division of Fish, Wildlife, and Marine Resources,  
New York State Department of Environmental Conservation



Funded through the Federal Aid in Wildlife Restoration Program,  
Grant #WE-173-G

A Cornell Cooperative Extension Publication

# Nuisance Beaver Management Booklet from New York

# Road-killed Animals



# White-tailed Deer

## Chronic Wasting Disease

- DEP Actively collecting Adult (>80 lbs) Deer from **Sept. 15<sup>th</sup>** – **December 31<sup>st</sup>**
- Please **tag** deer and bring to your town facility
- Call **860-462-6060** or **860-642-7239** to coordinate pick up

### DEER KILL INCIDENT REPORT EPW-8 REV 12-93

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
Wildlife Division  
79 ELM STREET, HARTFORD, CONNECTICUT 06106



DISTRIBUTION: WHITE and CANARY to District Headquarters; PINK, Officer's file; GOLDENROD, vehicle owner's receipt.

DATE OF KILL 8/13/08	TOWN NEW CANAAN	CAUSE <input checked="" type="checkbox"/> VEHICLE <input type="checkbox"/> DOGS <input type="checkbox"/> UNKNOWN <input type="checkbox"/> ILLEGAL	REMARKS <input type="checkbox"/> (below)
SPECIFIC LOCATION 507 SMITH RIDGE RD NEW CANAAN			GRID # 481
SEX <input type="checkbox"/> M <input type="checkbox"/> F <input type="checkbox"/> UNK	Approx. Wt. 100	LIVE DRESSED	DISPOSITION OF CARCASS <input type="checkbox"/> LEFT FOR WILDLIFE <input type="checkbox"/> STORAGE <input type="checkbox"/> UNKNOWN <input type="checkbox"/> OWNER
If Released to Owner of Vehicle:	REG. NO.	DRIVER'S LICENSE NO.	SIGNED (Owner)

REMARKS

DEPARTMENT OF OFFICER

Animal Control

SIGNED (Officer)

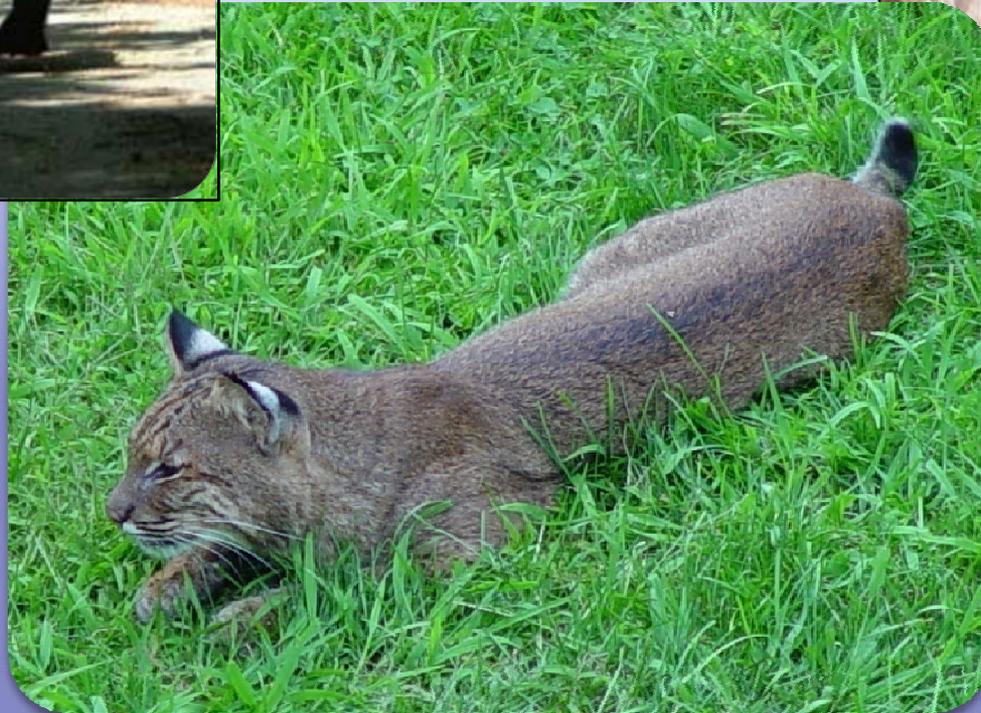
M.A. Kirschmidt

DATE OF REPORT  
8/13/08

# Black Bears, Bobcats & Fishers



Sessions Woods,  
Burlington, CT  
(860) 675-8130



# Canada Geese



## Technical Assistance

**Min Huang**

DEP, Wildlife Division

**(860)642-7239**

or

**USDA, Wildlife**

**Services**

**(413) 253-2403**

# Canada Geese

## Options:

**Egg Addling** – Register with U.S. Fish & Wildlife Service

**Harassment** – no state/federal permit required, state can provide names of NWCOS

**Hunting** – may be an option during regulated season

**Euthanasia** – CGS 26-91 allows Municipalities to euthanize geese causing a nuisance or ecological damage. A detailed plan has to be submitted to the state and approved prior to conducting any activities.

For specific guidelines, contact  
Min Huang at (860) 642-7239





# Questions regarding Wildlife

Hartford Office: 860-424-3011



# Air Permitting

*Presented at:  
Municipal Primer Outreach  
Hartford, Connecticut  
October 3, 2008*



# *Richard Pirolli*

*Assistant Director  
Bureau of Air Management  
Engineering and Enforcement Division  
Connecticut Dept. of Environmental  
Protection  
79 Elm Street  
Hartford, Connecticut 06106  
(860) 424-3450 (tel.)  
(860) 424-4064 (fax)  
[ric.pirolli@ct.gov](mailto:ric.pirolli@ct.gov)*



*“I’m from the State  
and I’m here to help!”*

*Questions? Call DEP’s Air Engineer of the Day*

*hotline at (860) 424-4152*

*between 8:30 am and 4:30 pm weekdays.*



# Agenda

- Air Permit Programs
- Permit Applicability
- Exemptions from Permitting
- Permitting Options
- Questions



# Air Bureau Mission

*To protect human health, safety and the environment and enhance the quality of life for the citizens of Connecticut by managing air quality, radioactive materials and radiation.*



# Air Permitting's Role

- Protect public health and welfare from any potential adverse effects from an increase in air emissions;
- Ensure that economic growth occurs while protecting air quality; and
- Ensure that any decision to permit increased air pollution is made only after careful evaluation and after adequate opportunities for public participation.



# Air Permit Programs

- **New Source Review (NSR)**
  - Major & Minor Sources of Air Pollution
  - Individual Air Emission Units
  - General Permit for New or Existing Distributed Generation Resource (DPUC Pilot)
  - Permit-by-rule
- **Title V**
  - Major Sources of Air Pollution
  - Facility-wide includes all air emission units in single permit
  - General Permit to Limit Potential to Emit from Major Stationary Sources of Air Pollution
- **Open Burning for Municipalities**
  - Applications are submitted by the Fire Marshal and signed by the CEO
  - Municipalities may receive up to six permits per year
  - Contact Tim Marsh (DEP) at (860) 424-3452



# NSR Permit Applicability

- Regulations of Connecticut State Agencies (RCSA) 22a-174-3a
  - New or modified emission unit with potential emissions (PTE) of fifteen (15) tons or more per year (tpy) of *any individual pollutant* must apply for and obtain a permit to construct and operate.
  - Typical pollutants are PM, PM-10, PM-2.5, NO<sub>x</sub>, SO<sub>x</sub>, VOC and CO.
  - Typical source categories are:
    - Engines (emergency & distributed generators) and Boilers



# NSR Permit Exemptions

- Add Air Pollution Control Equipment
- Add or switch to cleaner fuels
- Temporary Boiler or Engine Replacement (90 days)
- Mobile Sources
- 40 CFR Part 89 non-road engines



# NSR Permitting Options

- **RCSA 22a-174-3a - Individual permits**
- **RCSA 22a-174-3b - Exemption from permits, aka - Permit-by-Rule**
- **RCSA 22a-174-3c - Limitations on PTE**



## §3a - Individual Permits

- **Must Apply For and Obtain Prior to Construction**
- **Three Major Technical Reviews**
  1. Control Technology
    - BACT: Best Available Control Technology
    - LAER: Lowest Achievable Emission Rate
  2. Ambient Air Impact
  3. Hazardous Air Pollutants
- **Public Comment Period**
- **Permit Fees**



## §3b - Exemption From Permitting

- Emission unit based
- Requires a permit under § 3a
- For 5 source categories - Emergency Engines, Boilers, spray coating, rock crushers, automotive refinishing
- Less record keeping than individual permits
- No permit fees or notification



# Exemption From Permitting

- **22a-174-42 Distributed Generators**
  - Permit by rule
  - Restricts annual hours of operation based on CO emission rate and MW output.
  - Must meet stringent NO<sub>x</sub>, CO and PM emission limitations that almost always require controls.
  - Does not apply to Emergency Generators.



# Combined Heat and Power Systems - A Win-Win-Win

- **Economic**

- DPUC grant program (\$450 - \$500/kW)

- **Environmental**

- Reduce criteria pollutant emissions
- Reduce greenhouse gases (primarily CO<sub>2</sub> and CH<sub>4</sub>)

- **Energy**

- Reduce grid congestion
- Lower peak demands and impacts on prices
- Reliability during outages/disasters



## §3c – Limiting PTE

- A way to limit facility-wide PTE to below 15 tpy
- Do not need to trigger permit applicability to use
- 5 source categories - Emergency Engines, Boilers, spray coating, rock crushing, automotive refinishing
- Developed for small sources with few similar emission units
- Premises wide purchase records
- No permit fees



# Caveat Emptor

- **NO PERMIT ≠ NOT REGULATED**
- **DO NOT FORGET ABOUT THE OTHER REGULATIONS THAT MAY APPLY!**
  - State Regulations: RCSA 22a-174-
    - 18 for PM and fugitive dust, 19 for SO<sub>x</sub>, 21 for CO, 22 for NO<sub>x</sub>
    - Idling
  - Federal Regulations
    - 40 CFR Part 63 NESHAP (National Emission Standards for Hazardous Air Pollutants) a.k.a. MACT (Maximum Achievable Control Technology)
    - 40 CFR Part 60 NSPS (New Source Performance Standards)



# 3b Or Not 3b, That! Is The Question.

- NSR §3a
  - Limiting PTE essential. **Timing** is not a concern. Need **Flexibility**. **Record keeping** is not an issue.
- Exemptions from Permitting §3b
  - Limiting PTE is not important. **Timing** is essential. **Flexibility** not needed. **Record keeping** may be an issue.
- Limitation on PTE §3c
  - Small sources wanting to limit **PTE, record keeping, and DEP contact**.



# Title V Applicability

- Regulations of Connecticut State Agencies (RCSA) 22a-174-33
  - Facility's potential emissions greater than or equal to:
    - 100 tpy of any regulated air pollutant,
    - 25/50 tpy of VOC or NO<sub>x</sub> a severe or serious ozone non-attainment area, or
    - 10/25 tpy of an individual or in combination federal HAP
  - Any landfill containing only municipal solid waste, as that term is defined in section 22a-207(23) of the Connecticut General Statutes, shall not be considered a Title V source unless such landfill is subject to any applicable requirement identified in 40 CFR 62, 63 or 68.



# Title V Permits

- **Individual**

- Identifies all applicable requirements, both state and federal, for all emission units at the facility
- Establishes sufficient monitoring, record keeping, and reporting for each emission unit
- Renewal required every 5 years
- Subject to annual Title V fees

- **General Permit to Limit Potential to Emit (GPLPE)**

- For sources with potential emissions above thresholds and actual emissions below
- Renewal required every 5 years
- \$2500.00 Registration fee (50% discount from \$5000 fee)
- Reduced record keeping and reporting depending on the level of actual emissions

- **Can Use §3c to Limit Potential Emissions**



*“I’m from the State  
and I hope I helped!”*

*Questions? Call DEP’s Air Engineer of the Day*

*hotline at (860) 424-4152*

*between 8:30 am and 4:30 pm.*

# Municipal Primer Workshop

Department of Environmental Protection  
October 3, 2008



**Nicole Lugli, Director**  
**Office of Enforcement Policy & Coordination**



# Managing Environmental Compliance

Maintain and further enhance environmental protection in Connecticut by using permitting, assistance and enforcement resources in an integrated manner to maximize protection of public health and the environment.



# Making “Doing the Right Thing” the “Path of Least Resistance”

## Enforcement Goals:

- Prevention and prompt clean-up of pollution
- Protection and restoration of natural resources
- Compliance with legal requirements
- Deterrence and punishment
- Removal of economic advantage of noncompliance
- Increased public awareness and knowledge of environmental requirements

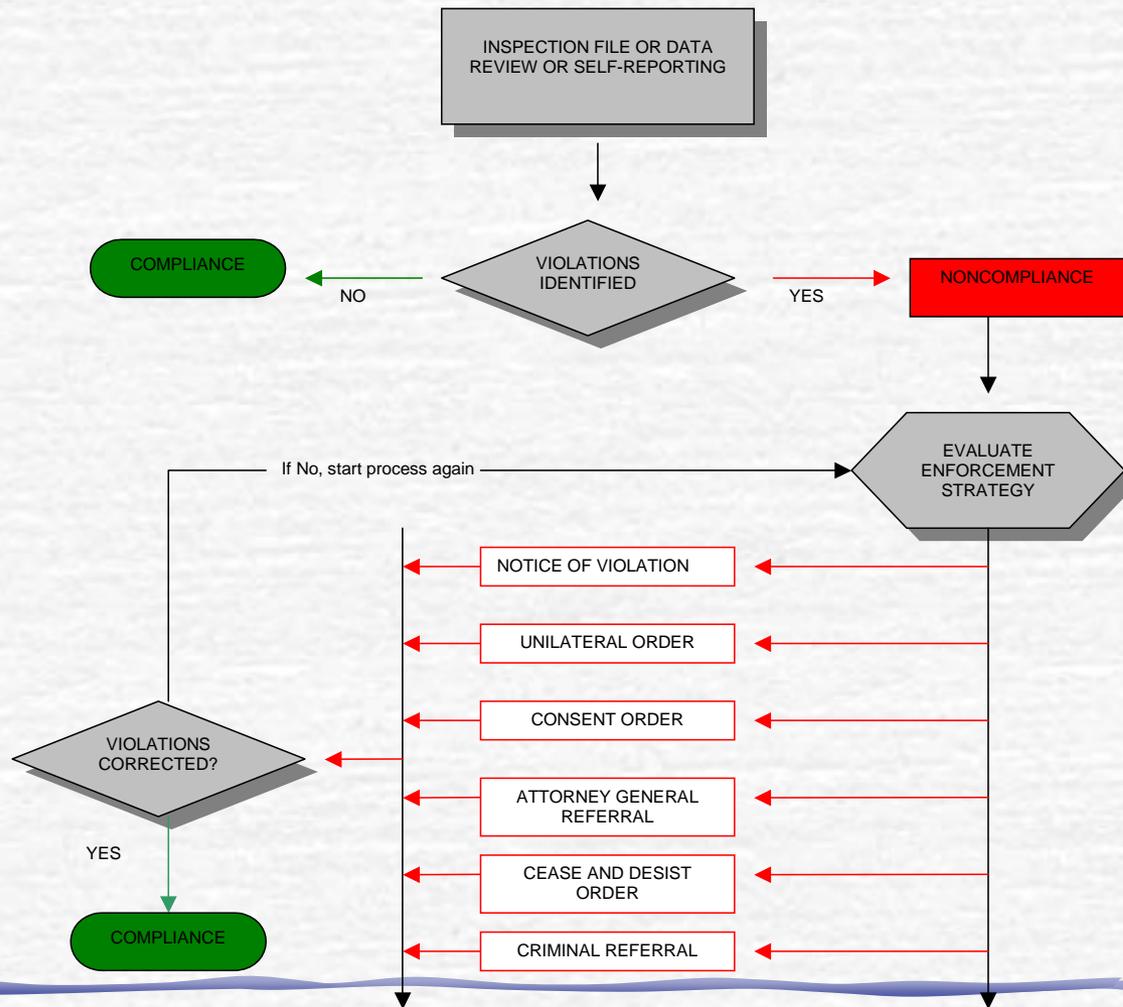


# Enforcement Policy & Coordination

Assuring consistent application of Department policies and practices resulting in delivery of timely and predictable enforcement.



# The Enforcement Process



# Enforcement Policies

- ☛ Enforcement Response Policy
- ☛ Civil Penalty Policy
- ☛ Supplemental Environmental Project Policy
- ☛ Compliance Assurance Policy
- ☛ Policy on Incentives for Self-Policing

# Common Areas of Non-Compliance

- Effluent/emission limitation exceedances
- Improper sample collection, preservation, handling and/or analytical techniques
- Failure to maintain and submit monitoring records and required reports
- Incomplete monitoring records or required reports

# Assuring Compliance

- ✔ Know and understand your permit conditions
- ✔ Promptly correct violations
- ✔ Conduct proper monitoring
- ✔ Keep accurate records

# Wrap Up

Amey Marrella  
Deputy Commissioner  
Air, Waste and Water

# Additional Information

Where to get more information:

- ***The Municipal Primer:***

[www.ct.gov/dep/municipalprimer](http://www.ct.gov/dep/municipalprimer)

- DEP's Permitting and Compliance web site:

[www.ct.gov/dep/permits&licenses](http://www.ct.gov/dep/permits&licenses)

- Individual permit programs

(Contact information is in *The Municipal Primer* and on the DEP web site)

- Permit Assistance Office: 860.424.3003

# Thanks for coming

Wrap-up question for audience:

How can DEP better help municipal officials with permitting and compliance issues?

Send suggestions to  
Margaret Welch, Landscape Stewardship Coordinator  
at [margaret.welch@ct.gov](mailto:margaret.welch@ct.gov) or 860.424.3618