Bureau of Water Protection and Land Reuse

Planning & Standards Division

Municipal Facilities Section

Permit Program Review

AGENDA

Public Act 10-158

Municipal Facilities Permitting Program

Program Efficiencies and Challenges

Contemplated Improvements

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Overview of Public Act 10-158

Opportunities for Municipal Wastewater Regulatory Programs

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Executive Order 39
Governor Rell's Permit Task Force

- Charge
  - Simplify and streamline permit application process
  - Repeal as appropriate
  - Shorten timeframes
  - Maintain public health and orderly conduct of business
  - Submit report to Governor

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Public Act 10-158
An Act Concerning the Permit and Regulatory Authority of DEP

- Incorporates Task Force suggestion to conduct analyses of permit application processing timeframes
  - 60 days for sufficiency review
  - 180 days for technical review
- Identify necessary resources

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Public Act 10-158
An Act Concerning the Permit and Regulatory Authority of DEP

- Recommend that Commissioner of Environmental Protection conduct an analysis of permit processing timeframes, including but not limited to:
  - Assessment of the current timeframes and current resource levels
  - Potential timeframes for improvements
  - Additional resource needs to meet suggested timeframes
- Report to Governor and General Assembly by September 30, 2010

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Connecticut Department of Environmental Protection - Windows Internet Explorer

http://www.ct.gov/dep/site/default.asp

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Connecticut Department of Environmental Protection

CT.gov STATE OF CONNECTICUT

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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- PERMITS &

1635 375th 2010 CONNECTICUT'S Anniversary!

Department of Environmental Protection
79 Elm Street
Hartford, CT 06106-5127

Phone:
(860) 424-3000
Voice/TTY

Directions

CT Flu Watch More Info

Link to CT Flu Watch

E-ALERTS

Receive DEP news

"...conserving, protecting and improving the natural resources and environment of the state..."

No Child Left Inside - The Great Park Pursuit

Permit Process Assessment

Permit and Environmental Compliance Assistance

- DEP Calendar of Events
- DEP Store
- Video Library
- Employment, Volunteer and College Internship Opportunities

Current Topics

- 2010 Request for Ecosystem Management and Habitat Restoration Project Proposals
- Connecticut Celebrated Earth Day - April 22, 2010
- Earth Day 40: Connecticut's Environment Past, Present and Future (DEP Video Production)
- Fee Reductions for Fishing, Hunting and State Parks
- DEP's LEAN Initiative
- n Longhorned Beetle
- The Municipal Primer - Your Guide to Creating a

Greetings from Amey Marrella, Commissioner

CT Keyword: GO

REPORT AN ENVIRONMENTAL CONCERN OR PROBLEM

Updates & Advisories

- Air Quality Index
- Black Bears
- Forest Fire Danger
- State Swimming Area Water Quality Report
- More

Featured Links

- Online Sportsmen Licensing System (Purchase a hunting or fishing license)
- Adjudications & Environmental Hearings
- Maps & Spatial Data
- Pollution Prevention
- Reduce/Reuse/Recycle
- GreenCircle Award Program

Related Organizations

- CT Department of Agriculture
- CT Department of Public Health (DPH)
- CT State Emergency Response Commission
- CT Agricultural Experiment Station
- CT Council on Environmental Quality
- Environmental Protection Agency (EPA)
- More

CTECO Maps and Geospatial Data

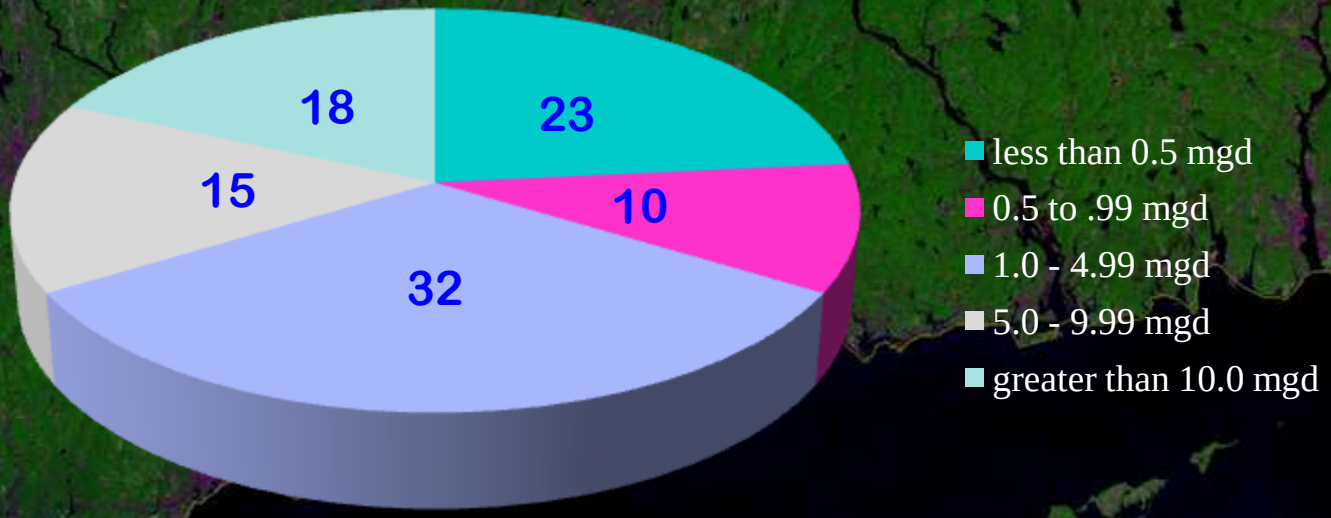
http://www.ct.gov/ctfluwatch

Internet 100%

Start | OLISP-Permit Program Re... | Connecticut Departme... | 2:21 PM

Overview

- The Municipal Facilities Section is responsible for the issuance and renewal of 98 NPDES permits covering the treatment and discharge of primarily domestic wastewater.



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Who are the Customers?

- The 98 permits which make up the regulated community (treated effluent discharges to a surface water) consist of
  - 84 municipally owned wastewater treatment facilities in 78 municipalities,
  - 12 privately owned facilities, and
  - 2 state owned facilities.

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Municipal Facilities Section

- Primary Staff Responsibilities Include:
  - Permitting and Enforcement
  - Planning and Design of Wastewater Treatment
  - Construction Monitoring
  - Clean Water Fund Financing

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Municipal Facilities Section

- Other Responsibilities
  - Municipal Technical Assistance/Coordination
  - Subsurface Wastewater Assistance
  - Treatment Plant Operator Certification
  - Environmental Review
  - Nitrogen Program
  - Fats, Oil and Grease

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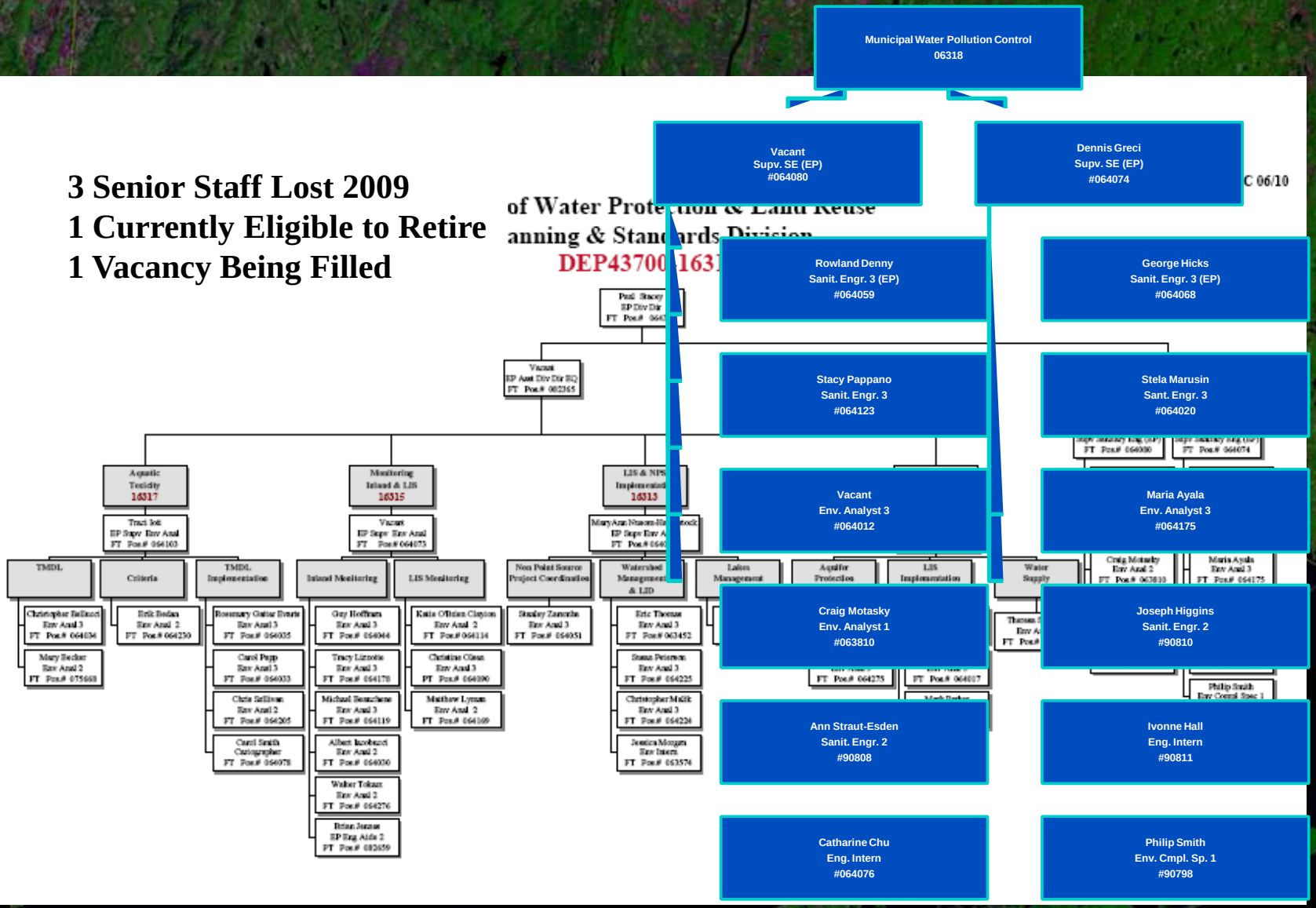
Municipal Facilities Staff

3 Senior Staff Lost 2009
1 Currently Eligible to Retire
1 Vacancy Being Filled



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DEP Staffing Resources

- The permitting and enforcement actions of the Municipal Facilities Section occupy approx 20% of the time of the 12 engineers and scientists assigned to that group, plus additional efforts from scientists assigned to other sections.

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CT Clean Water Fund

- High Staff Resource Demand
  - Priority List for Projects
  - Technical Oversight of Planning through Construction
  - Coordinate with Business Office and Treasurer
  - Increased Work Load/Increased Complexity
  - Technical Support to Municipalities

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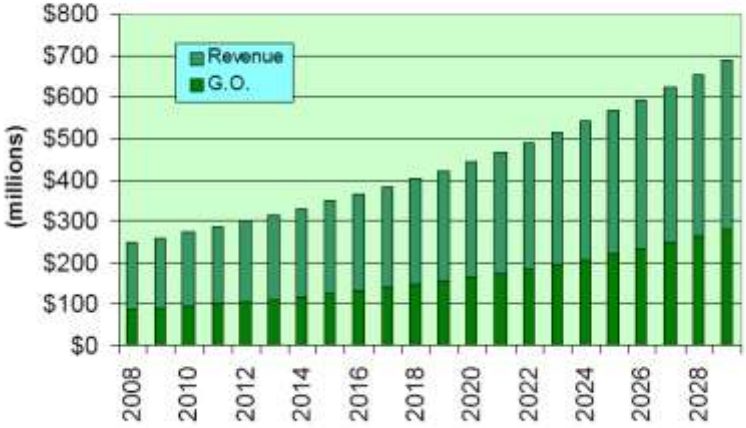
The Clean Water Fund Dilemma:

Increasing Demands with Diminishing Fiscal Resource

February 2007

A Report from the Clean Water Fund Advisory Work Group to DEP Commissioner Gina McCarthy

Figure 6: CWF Demands with 5% Inflation



Total Infrastructure Needs

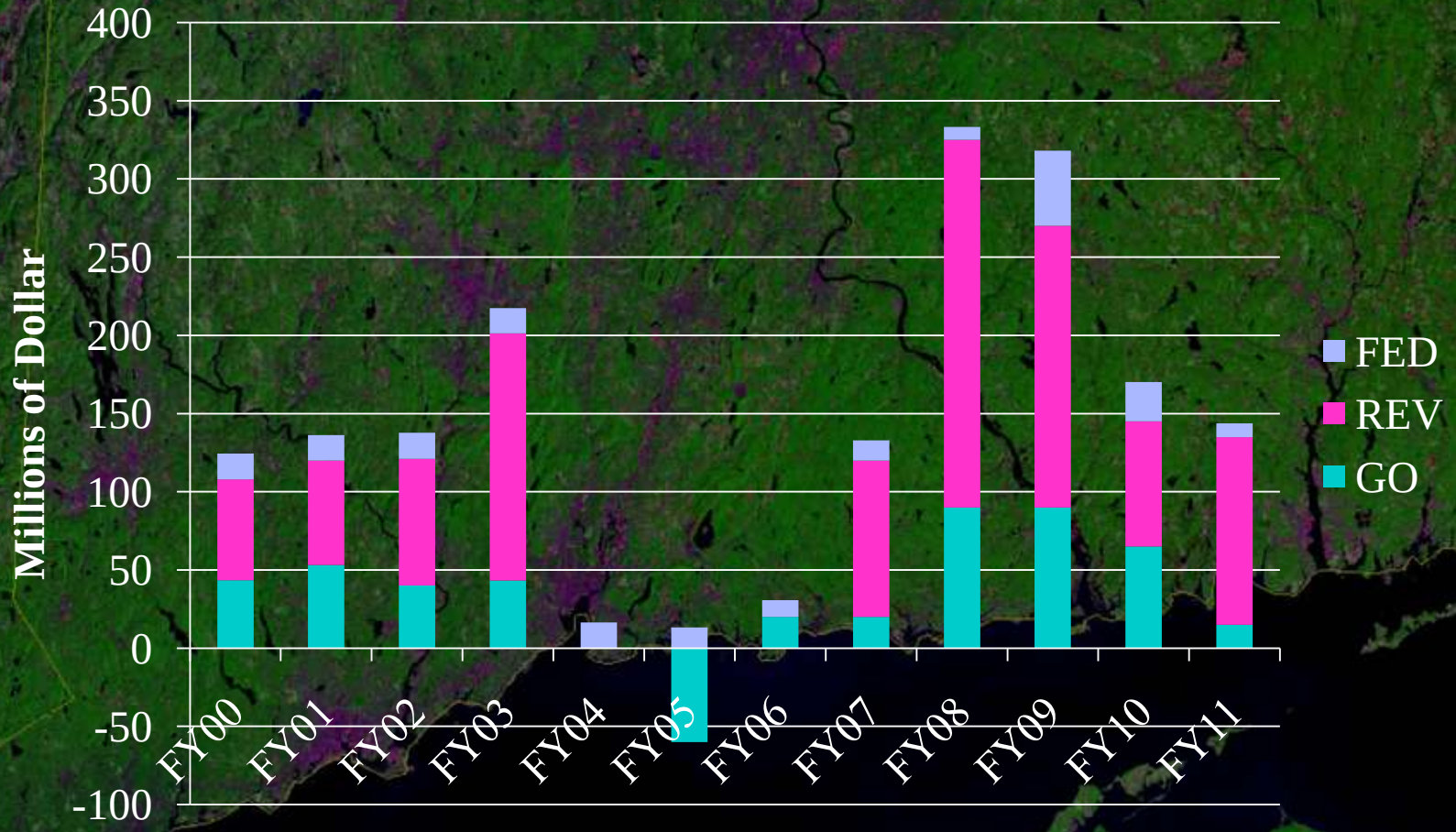
The combined fiscal needs (in 2006 dollars) for all currently identified wastewater infrastructure categories over the next 20 years are shown in Table 1 below. Individual category needs are identified in Appendix A with explanatory text on how the calculations were derived. These numbers are presented to make decision makers aware of the immense magnitude of wastewater infrastructure and to contrast those needs to the recent (2003-2007) bonding history of the CWF.

Table 1: 20 Year Infrastructure Needs

	(millions)
CSO correction	$1,544
Denitrification	$603
Phosphorus Reduction	$55
Decentralized Management	$107
Infiltration / Inflow Correction	$513
Secondary Treatment	$1,203
Stormwater & Non-point	$84
Sewer & PS Rehabilitation	$430
Sewer Extensions	$409
Total	$4,948

The past five years of bonding for the CWF has shown that the priorities for public health and water resources through wastewater infrastructure have been lost in competing demands. It is time for a renewed priority for the CWF that becomes a commitment of the State for the next generation. That renewed priority should be driven by recognition that

CT Clean Water Fund



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Clean Water Fund Lean

- Growing Demands on Staff Time
- Need for Better Coordination Among
  - Municipal Facilities Section (WPLR)
  - Bureau of Financial & Support Services
  - Office of the Treasury
  - Municipalities, Bond Counsel, Consultants
- Updated, Simplified Application Forms on Internet

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CWF Leaned!

- Steps Reduced from 80 down to 50
- Time to Interim Funding Obligation from 10 Months to 113 Days

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Permit Application Process

- Federal Clean Water Act Delegated
- CT NPDES Regulations: 22a-430-3 and 4
- Permit application to be submitted to DEP 180 days prior to expiration of current permit
- DEP staff meet with municipality if significant changes are proposed
- Permit applications materials available on DEP web site

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Issuance of a Permit

- Draft Permit is shared with Municipality
- Comments are discussed
- Revisions made as necessary
- Permit is drafted for public notice
- Comments received during Public Notice are addressed
- Permit is Issued

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Technical Challenges

- Nutrient Removal
  - Denitrification
  - Phosphorus Reduction
- Metals Toxicity
- Combined Sewer Overflow Impacts

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Permitting Issues

- Today:
  - Technology-based limits
  - Disinfection
  - Water-quality based limits (toxicity, mercury)
  - Nitrogen
  - Phosphorus
  - Antidegradation
- Tomorrow:
  - PPCP, Endocrine Disruptors

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Application Review: Water Quality Concerns

- Evaluate discharge quality with respect to CT Water Quality Standards and recommend limitations or monitoring as needed
  - Review of chemical quality
  - Review of Whole Effluent Toxicity test results
  - Consider emerging water quality issues

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Metals Toxicity: A Continuing Concern

- Varied sources for metals
- Some commercial & industrial sources
- Most significant source may now be the potable water supply system.
- Challenge is deciding where and how to regulate

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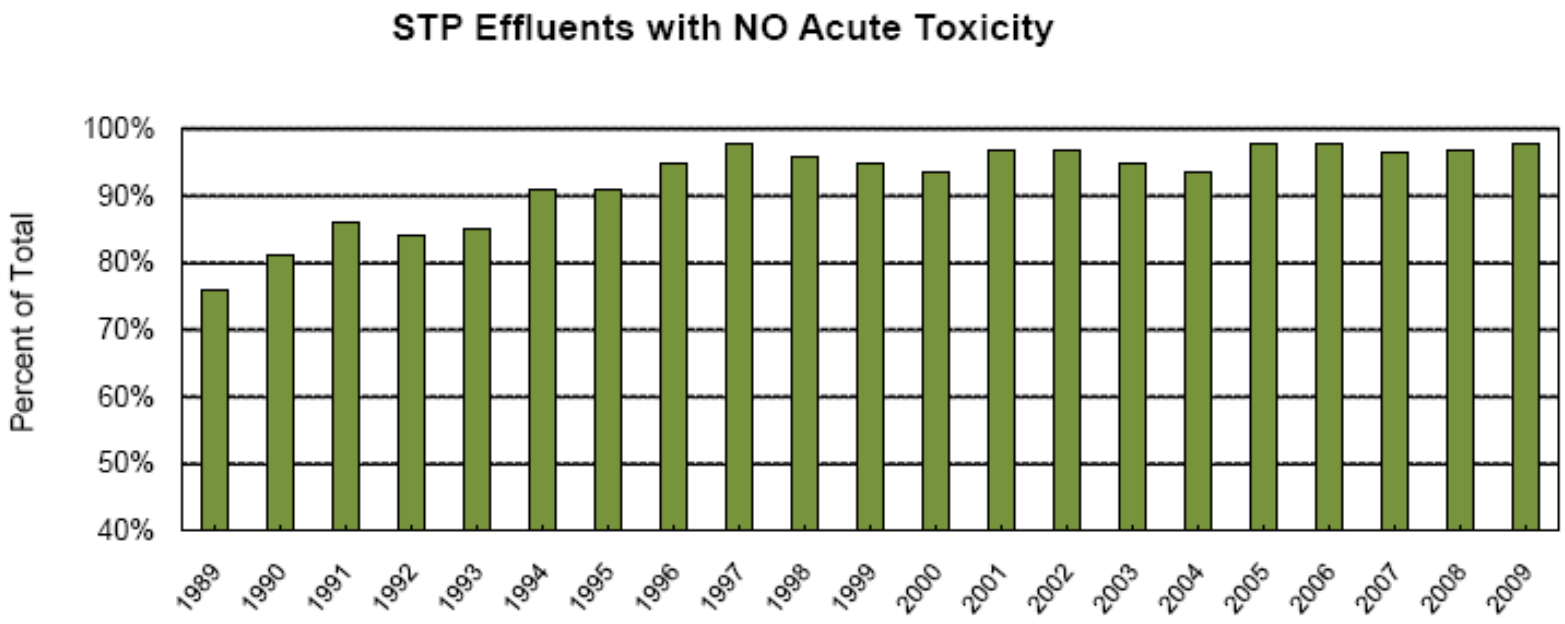
Effluent Toxicity is Down



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Special Concern: Mercury

- Connecticut is part of the Northeast Regional TMDL for Mercury
- Mercury TMDL establishes goals for releases of mercury to the environment from many diverse sources, including discharges from NPDES facilities
- Effluent concentrations of mercury are reviewed for consistency with TMDL requirements

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Nutrient Removal: A Continuing Demand

- Denitrification to address hypoxia issues in Long Island Sound. Estimated remaining capital costs: $448,000,000
- Phosphorus removal to address pollution impacts in impoundments. Capital costs not yet determined

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Special Concern: Nitrogen

- Effluent limitations for the discharge of nitrogen from municipal facilities is established in the General Permit for Nitrogen Discharges
- The General Permit is currently in a renewal process. Public comments are welcome
- Results of Nitrogen monitoring for discharges from municipal facilities is reported through the NPDES permit for the facility

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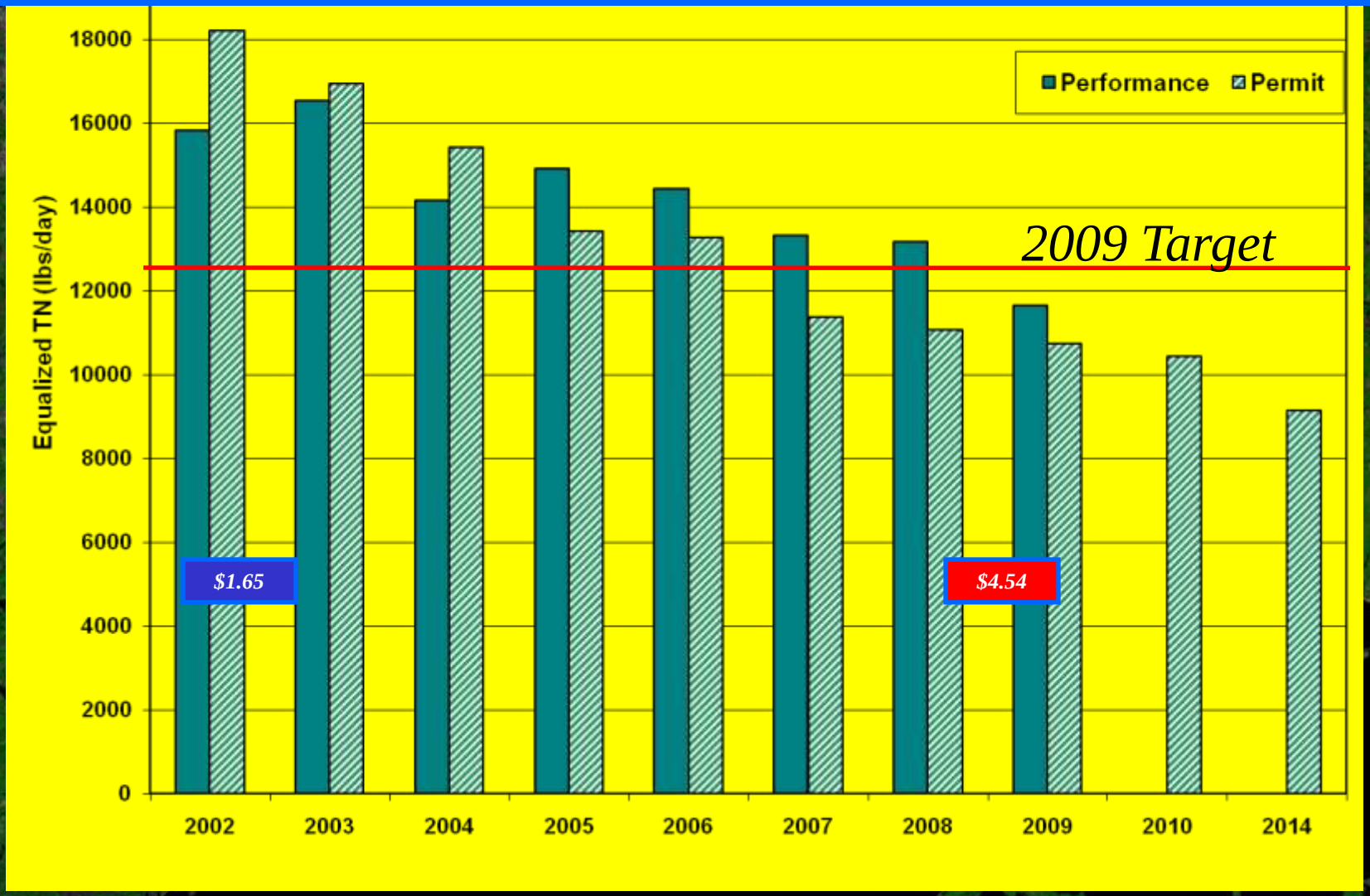
CT PROGRESS RELATIVE TO MEETING WASTELOAD ALLOCATION



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Special Concern: Phosphorus

- Consideration of phosphorus in permit for municipalities necessary for consistency with CT WQS
- Incorporation of limitations and conditions relating to Phosphorus has been identified as a priority by EPA
- CTDEP conducted outreach to municipalities regarding establishing permitting requirements necessary to achieve Best Attainable Conditions for phosphorus in receiving waters

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Combined Sewer Overflow Regulation

- Goal is elimination of raw sewage discharges to streams and basements
- Long Term Control Plans in development or complete in affected towns
- Hartford, New Haven, Bridgeport, Middletown, Waterbury, Norwich
- Approximate capital needs: $1,528,000,000
- Blending a permit issue

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DEP Review: Antidegradation Concerns

- Evaluate discharge with respect to the Antidegradation Policy in the CT Water Quality Standards
  - Evaluate the potential for any new or expanded discharge to affect water quality and designated uses

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The Goal:
Timely Permit Issuance

- Objective: what is needed to assure
  - Maximum of 60 days sufficiency review
  - Maximum of 180 days of technical review
- Challenges:
  - Technical
  - Administrative

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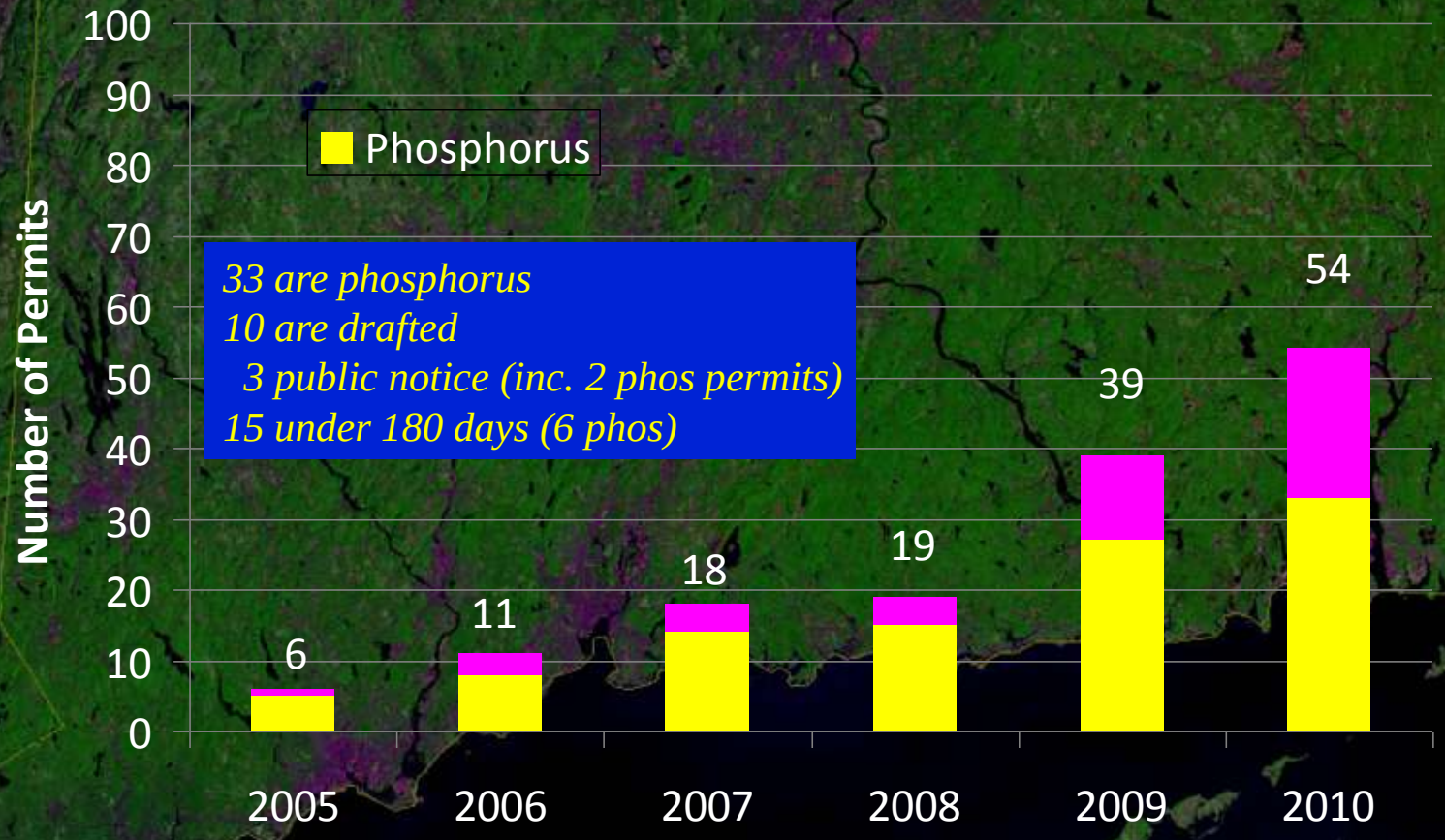
Growing Backlog



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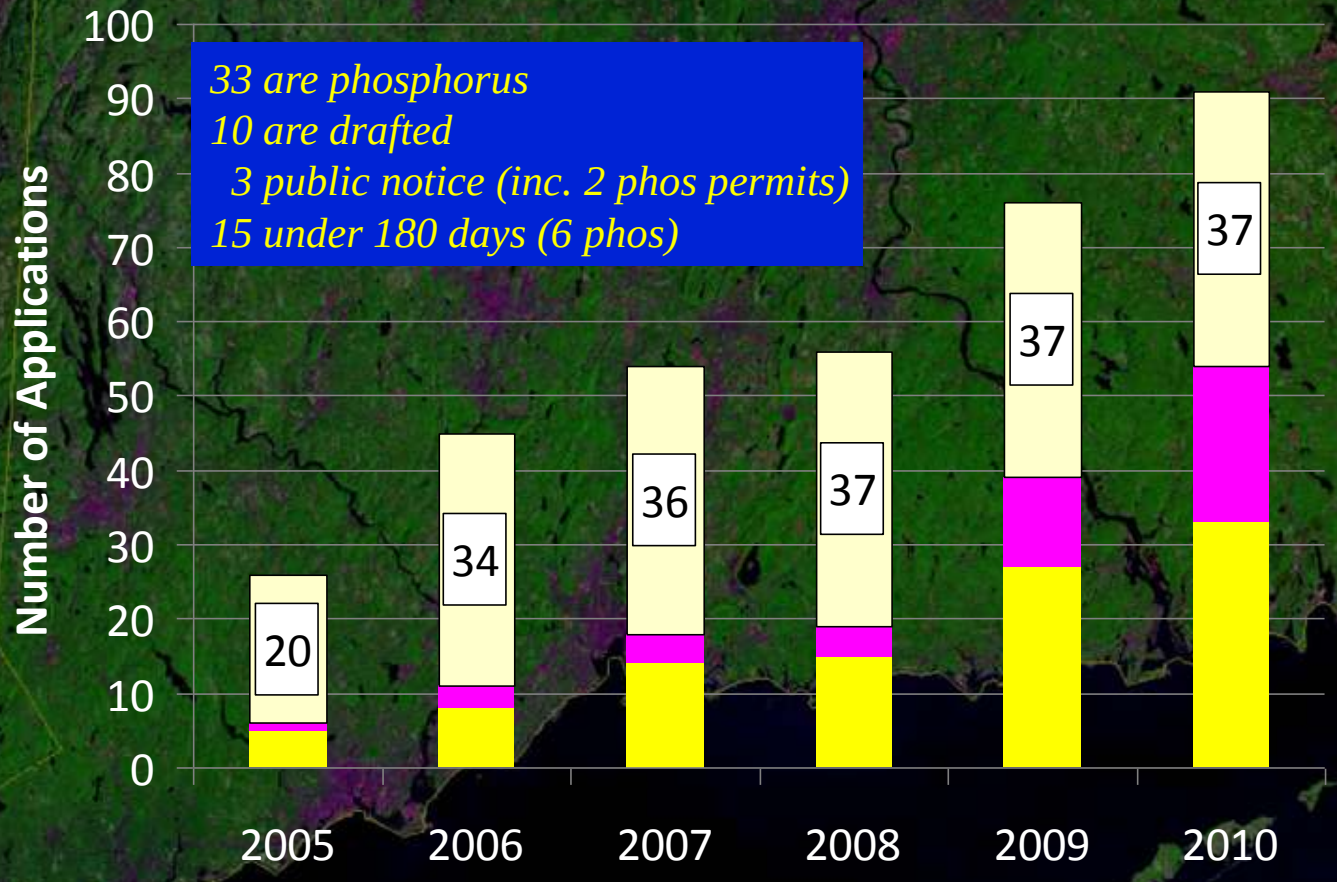
Cumulative Applications and Permits Issued/Application Year



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2010 Status Summary

- 91 Municipal Permit Applications
- 54 Pending
- 38 Exceed 240 Day Target
- 33 Phosphorus (25 Exceed 240 Day Target)
- Other Causes for 21 Exceeding Target
  - Facility Closing
  - Toxic Pollutant Issues
  - Other – CSO Blending

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Administrative Challenges

- Perception of Achievable Treatment Levels: What is realistic?
- Competing Interests:
  - How much treatment is enough?
  - Fiscal responsibility: Is this the best way to spend the money to achieve the goals?
- Staffing: Competing demands on limited staff resources
  - Planning & Coordination of Treatment Upgrades vs
  - Permitting & Enforcement

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Footnote: FOG General Permit

- FOG: Fats, Oils & Grease
- General Permit, issued September 30, 2005, requires compliance by all Class III and IV food preparation establishments connected to public sewers by July 1, 2011
- All affected establishments required to install external passive grease trap, or internal Automatic Grease Recovery Unit (AGRU)
- Responsibility for enforcement is at the local level

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Stepping It Up

- Move Draft Permits to Public Notice
- Reduce Backlog to 10% by 2012
  - Targeted Schedule for Permits
- New Renewal Applications at a Higher Priority
  - Meet 60 Day Sufficiency Deadline
  - Meet 180 Day Reissuance Deadline
- Phosphorus Limit Dilemma
  - Resolve Criteria/Limit Issue with EPA

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DEP is Seeking Input

- Positive and negative aspects of permitting process for municipal facilities
- Identify improvements to process that will facilitate permit issuance
- Identify any supporting materials that may assist in application and renewal process
- Identify other areas where changes would be beneficial

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DEP is Seeking Input

- Written comments welcome
  - Comments should be submitted by July 31
  - Send comments or Emails to:
    - » Paul Stacey: paul.stacey@ct.gov
- Open discussion
  - Open up the meeting to hearing from you at this time about your concerns or suggestions for the permitting process for municipal facilities

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Thank You!

Your Comments, Thoughts and Suggestions

Are Welcome

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