

To: Connecticut Water Pollution Control Authorities and Water Pollution Control Facilities

Streamlining Sewer Bypass Reporting in Connecticut

The Connecticut Department of Energy and Environmental Protection (DEEP) is in the process of modernizing the sewer bypass notification process for the state.

This is our current sewer bypass notification process:



- 1) Within two hours, municipalities must telephone and speak directly to DEEP staff.
- 2) Additionally, the municipality may also have to telephone the local health department; other state agencies, like the Department of Public Health (DPH) and the Department of Agriculture (DoAg), as well as the Environmental Protection Agency (EPA) Region 1 office.
- 3) Within five (5) days, the municipality must follow up with a *faxed* report to the DEEP.
- 4) Finally, all this data must be manually entered by DEEP staff into our outdated Access database.



Beginning in 2016, municipalities will finally be able to report sewer bypasses online to all agencies, in one place at one time!

Background

- On July 1, 2012, Public Act No. 12-11, "An Act Concerning the Public's Right to Know of A Sewage Spill", was finalized into law. The main purpose of this legislation is to allow the public to access information about any sewage "bypass" spills by viewing the Department of Energy and Environmental Protection website. The following is a link to Connecticut General Statute Section 22a-424a, Map of Anticipated Sewage Spills:
https://www.cga.ct.gov/current/pub/chap_446k.htm#sec_22a-424a
We successfully completed Part 1 by posting a map of all Combined Sewer Overflow (CSO) locations in 2013. Unfortunately, we are behind schedule with Part 2, which requires us to post all "unanticipated sewage spills", other known as sewer bypasses.
- On September 24, 2015, EPA Administrator Gina McCarthy signed the final National Pollutant Discharge Elimination System (NPDES) Electronic Reporting Rule ("e-Rule") for

publication in the Federal Register. The NPDES e-Rule begins the transition from paper to electronic reporting to the EPA. For further information about the e-Rule, please visit [Final National Pollutant Discharge Elimination System \(NPDES\) Electronic Reporting Rule | Compliance | US EPA](#)

Building the Web Portal

We are working hard with our consultant to finish building the website portal that will receive sewer bypass notifications.



We will need help from each of our municipalities to reach the finish line. Each municipality must name at least one person who will be officially authorized as a bypass reporter to the DEEP web portal. An Authorized Bypass Reporter Agreement, which is attached, must also be completed for each person.

For our smaller towns, there will likely be only one or two people that will need to be

authorized. For many other municipalities, there may be one person who will report bypasses from the treatment plant, and another person who will report any bypasses from the collection system. Our larger cities will likely have multiple people become authorized to report bypasses to the website.

We understand that each municipality will need to carefully consider who these people will be, since whatever information is reported will be immediately available on the DEEP website. But since we are already behind schedule, it is important that we receive this information as soon as possible. **Therefore, we are asking you to provide us with a list of your authorized bypass reporters, with completed Authorized Bypass Reporter Agreements, no later than December 4, 2015.**

Coming in 2016

- Meeting at the DEEP in order to roll out the new web portal;
- Training for each Authorized Bypass Reporter; and
- NPDES permit modification for all Connecticut wastewater treatment plants, in order to officially change our bypass notification procedure.

Thank you in advance for your assistance and cooperation with this transition.

If you have any questions, please contact Iliana Raffa at (860) 424-3758 or iliana.raffa@ct.gov.



Authorized Bypass Reporter Agreement Instructions FOR MUNICIPALITIES

Purpose

The CT DEEP Authorized Bypass Reporter Agreement applies to all electronic sewer bypass reporting requirements, which shall replace paper forms to fulfill filing requirements for applicable Connecticut and federal law and regulations.

Basic Information on Who Should Fill Out the Authorized Bypass Reporter Agreement

- The “**Signatory Authority**” is an *individual* who is authorized to sign bypass report forms on behalf of a permittee per Regulations of Connecticut State Agencies (RCSA) §§ 22a-430-3(b)(2)(A). This person must sign the Authorized Bypass Reporter Agreement in Section A.
 - The Signatory Authority for a municipality is the principal executive officer (Town Manager) or a ranking elected official (Mayor or First Selectperson); or the Chairperson or Chief Executive Officer of the Water Pollution Control Authority.
- The “**Bypass Reporter**” is the person who is authorized (per RCSA §§ 22a-430-3(b)(2)(B)) to report sewer “**bypasses**” (as defined in RCSA §§ 22a-430-3, which includes combined sewer overflow events) to the CT DEEP website. They must sign Section B.
- If the Signatory Authority person (named in Section A) will be also signing and reporting bypasses, then this individual must also sign Section B as an Authorized Bypass Reporter.
- The Signatory Authority may duly authorize other individual(s) to sign and report bypasses. Such individual(s) must each sign a separate Section B as an Authorized Bypass Reporter. (see RCSA §§22a-430-3(b)(2)(B))
- Authorized Bypass Reporters are not required to be employees of the permittee. A contractor or consultant can be named as a *duly authorized representative* of the permittee, and so can be an Authorized Bypass Reporter.
- Keep in mind the permittee is responsible for the accuracy and integrity of all information submitted.

Where to Submit

PRINT AND MAIL THE ORIGINAL completed CT DEEP Authorized Bypass Reporter Agreement below to the address below. Save a copy for your records.

Connecticut Department of Energy & Environmental Protection
Bureau of Water Protection & Land Reuse
Planning & Standards Division – Municipal Facilities Section
ATTN: Bypass Coordinator
79 Elm Street, Hartford, CT 06106-5127

Authorized Bypass Reporter Agreement

A. Signatory Authorization

[PERMITTEE NAME: City/Town]

SIGNATORY AUTHORITY NAME: the Mayor, First Selectperson, or Town Manager of a Municipality; or the Chairperson/Chief Executive Officer of the Water Pollution Control Authority]

Permittee Name:	[City/Town of _____ OR Name of Water Pollution Control Authority]
Signatory Authority Name:	[Chief Elected Official]
Phone Number:	[_____]
Email Address	[_____]

The Signatory Authority is the appropriate *individual* identified under RCSA Sections 22a-430-3(b)(2)(A) with the authority to sign Electronic Filings on behalf of the Permittee for the purposes of reporting bypass information to local, state and federal authorities as required.

I, [Chief Elected Official], have the authority to enter into this Agreement for [City/Town] under the applicable standards. I request the Connecticut DEEP grant me [and the following individual(s)] the ability to report sewer bypasses:

List name(s) of Authorized Bypass Reporter(s) here: [if the elected official will duly authorize other individuals to report sewer bypasses to the DEEP website, list them here]

In signing this Agreement, I am bound by the terms of this Agreement, and [City/Town] is/are also bound by this Agreement.

[Chief Elected Official]
Signatory Authority Signature

Signatory Printed Name

Title

Date

B. Authorized Bypass Reporter Signature (complete for each person who will report sewer bypasses)

Permittee Name:	[City/Town of _____ OR Name of Water Pollution Control Authority; should match Section A]
NPDES Number (applicable if reporting bypasses at treatment plant):	[CT _____]
Authorized Bypass Reporter Name:	[_____]
Email Address:	[_____]
Phone Number:	[_____]
User Name:	[The name that will be used to create your account on the DEEP website]

The Authorized Bypass Reporter is either the Signatory Authority named in Section A of this Agreement, or an individual duly authorized to submit Electronic Filings by the Signatory Authority pursuant to the appropriate standards and regulations (e.g., RCSA §§ 22a-430-3(b)(2)(B)).

SIGN ONLY ONE OF THE FOLLOWING STATEMENTS:

I, [Bypass Reporter], have the authority to enter into this Agreement for [City/Town] under the applicable standards. [Sign here if you are an elected official who signed Section A, and you will be also be reporting bypasses.]

OR

I, [Bypass Reporter], am authorized by the Signatory Authority named in Section A of this document, who does have the authority under the applicable standards, to enter into this Agreement for [City/Town]. [Sign here if you are duly authorized by an elected official to report sewer bypasses.]

By submitting this Agreement to the Connecticut DEEP I, [Bypass Reporter], have read, understand, and accept the terms and conditions of this Authorized Bypass Reporter Agreement. I certify under penalty of law that I have personally examined and am familiar with the information submitted in this Agreement and that, based on my inquiry of those persons immediately responsible for obtaining the information contained in the Agreement, I believe that the information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

 Authorized Bypass Reporter Signature

 Authorized Bypass Reporter Printed Name

 Title

 Date