

**NOTICE OF TENTATIVE DETERMINATION OF INTENT TO ISSUE
A NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT
FOR THE FOLLOWING DISCHARGE INTO THE WATERS OF THE STATE OF
CONNECTICUT**

TENTATIVE DETERMINATION

The Commissioner of Energy and Environmental Protection hereby gives notice of a tentative determination to issue a permit based on an application submitted by **Exide Group, Inc.** ("the applicant") under section 22a-430 of the Connecticut General Statutes for a permit to discharge into the waters of the state.

In accordance with applicable federal and state law, the Commissioner has made a tentative determination that the proposed system to treat the discharge will protect the waters of the state from pollution and the Commissioner proposes to issue a permit for the discharge to the Mill River.

The proposed permit, if issued by the Commissioner, will require that all wastewater be treated to meet the applicable effluent limitations, and periodic monitoring to demonstrate that the discharge will not cause pollution.

APPLICANT'S PROPOSAL

Exide Group, Inc. proposes to discharge an average of 435,000 gallons per day and a maximum of 475,000 gallons per day of hydraulic dredging wastewaters to the Mill River from dewatering operations adjacent to a former battery manufacturing facility.

The discharge is an integral part of the efforts to clean up contamination and will have no adverse impact on water quality.

The name and mailing address of the permit applicant are:

**Exide Group, Inc.
1213 Culbreth Drive c/o Landfall Executive Suites, LLC
Wilmington, NC 28405**

The proposed activity will take place at:

**2190 Post Road
Fairfield, CT 06824
(Between Post Road and Metro North Railroad Tracks)**

The proposed activity is within the coastal area as defined in C.G.S. Section 22a-94. Pursuant to C.G.S. Section 22a-98, the applicant must demonstrate that the activities are consistent with all

applicable goals and policies in C.G.S. Section 22a-92, and that such activities incorporate all reasonable measures mitigating any adverse impacts on coastal resources and future water-dependent development activities.

REGULATORY CONDITIONS

Type of Treatment

Treated wastewater discharge to the Mill River is generated from dredged sediment slurry being pumped to the treatment system via dual wall flexible piping. Sediment will be pumped to the upland staging parcel at 2190 Post Road. The sediment slurry will then be treated with flocculant and piped to geotextile bags for filtration/dewatering. Resultant filtrate will be collected at a central sump on the east side of the upland parcel and pumped through fractionation tanks. Wastewaters will then be stored in an equalization tank and additional filtration will be conducted if necessary in order to comply with permit limits prior to discharge to the Mill River via a discharge manifold located in the main river channel.

Effluent Limitations

This permit contains effluent limitations consistent with best available technology based on a case by case determination using the criteria of best professional judgment and which will protect the waters of the state from pollution when all the conditions of this permit have been met.

In accordance with section 22a-430-4(1) of the Regulations of Connecticut State Agencies the permit contains effluent limitations for heavy metals, and base/neutral organic compounds.

COMMISSIONER'S AUTHORITY

The Commissioner of Energy and Environmental Protection is authorized to approve or deny such permits pursuant to section 402(b) of the Federal Water Pollution Control Act, as amended, 33 USC 1251, *et. seq.* and section 22a-430 of the Connecticut General Statutes and the Water Discharge Permit Regulations (section 22a-430-3 and 4 of the Regulations of Connecticut State Agencies)

INFORMATION REQUESTS

The application has been assigned the following numbers by the Department of Energy and Environmental Protection. Please use these numbers when corresponding with this office regarding this application.

APPLICATION NO. 201205444 PERMIT ID NO. CT0030651

Interested persons may obtain copies of the application from Ken L. Money, 1213 Culbreth Drive c/o Landfall Executive Suites, Wilmington, NC 28405, (910) 509-7211.

The application is available for inspection by contacting Donald Gonyea 860-424-3018, at the Department of Energy and Environmental Protection, Bureau of Materials Management and Compliance Assurance, 79 Elm Street, Hartford, CT 06106-5127 from 8:30 - 4:30, Monday through Friday.

Any interested person may request in writing that his or her name be put on a mailing list to receive notice of intent to issue any permit to discharge to the surface waters of the state. Such request may be for the entire state or any geographic area of the state and shall clearly state in writing the name and mailing address of the interested person and the area for which notices are requested.

PUBLIC COMMENT

Prior to making a final decision to approve or deny any application, the Commissioner shall consider written comments on the application from interested persons that are received within 30 days of this public notice. Written comments should be directed to, Bureau of Materials Management and Compliance Assurance, Department of Energy and Environmental Protection, 79 Elm Street, Hartford, CT 06106-5127. The Commissioner may hold a public hearing prior to approving or denying an application if in the Commissioner's discretion the public interest will be best served thereby, and shall hold a hearing upon receipt of a petition signed by at least twenty-five persons. Notice of any public hearing shall be published at least 30 days prior to the hearing.

Petitions for a hearing should include the application number noted above and also identify a contact person to receive notifications. Petitions may also identify a person who is authorized to engage in discussions regarding the application and, if resolution is reached, withdraw the petition. Original petitions must be *mailed or delivered* to: DEEP Office of Adjudications, 79 Elm Street, 3rd floor, Hartford, CT 06106-5127. Petitions cannot be sent by fax or email. Additional information can be found at www.ct.gov/deep/adjudications.

The Department of Energy and Environmental Protection is an Affirmative Action/Equal Opportunity Employer. Persons with a disability who may need information in an alternative format should contact the ADA Coordinator at 860-424-3194 or at DEEP.HRmed@CT.Gov. Persons who are limited English proficient who may need information in another language should contact the Title VI Coordinator at (860) 424-3035 or at DEEP.aoffice@ct.gov. Persons who are hearing impaired should call the State of Connecticut relay number 711. Discrimination complaints should be filed with the Title VI Coordinator.

Oswald Inglese, Jr.
Director
Water Permitting and Enforcement Division
Bureau of Materials Management and Compliance Assurance

Dated: January 7, 2013