

**State of Connecticut – Department of Environmental Protection  
Bureau of Materials Management and Compliance Assurance  
Water Permitting and Enforcement Division  
Standard Operating Procedure**

**Title:** Procedure to draft a NPDES Permit.

**Effective Date:** December 23, 2009

**Applicability:** This Standard Operating Procedure (SOP) applies to the Bureau of Materials Management and Compliance Assurance/Water Permitting and Enforcement Division (WPED)/Permitting Program. This Procedure applies to the all WPED staff responsible in the drafting of a NPDES Permit.

**Purpose:** The Procedure outlines the steps necessary to draft a NPDES Permit.

**Guidelines and Procedures:** The following steps shall be used in the drafting of a NPDES Permit:

**Step 1:** The assigned Sanitary Engineer (SE) downloads the NPDES PERMIT template from the DEP Intranet or from the shared permit s-drive: Permits on 'depnb100\Shared\Water's:\template\permit' into the SE's working folder: s-drive:\working\(\specified SE name). The SE should also type in the word "draft" in the header (right click on the mouse to get to header in Microsoft word) and "permit number" in footer starting from page two of the draft permit.

**Step 2:** The SE completes the mailing address, location address, facility identification number, permit number, receiving stream name on page one of the draft permit. The SE should specify whether the NPDES permit is an "issuance, reissuance or a modification". The SE shall obtain this information from the permit application. The SE does not enter the permit expiration date because this information will be entered by the WPED DMR staff after the Commissioner signs the final permit.

**Step 3**           **Section 1: General Provisions**  
The SE shall complete this section and delete the statements that do not apply to the Permittee/Applicant.

**Step 4:**           **Section 2: Definitions**  
The SE shall complete this section of the permit and delete the items that do not apply. The SE shall also review the existing permit, if available, to determine which requirements are applicable for consistency against anti-back sliding in accordance with Section 22a-430-4(l) of the Regulations of Connecticut State Agencies (RCSA).

<p><b>Note:</b> The SE may recommend changes from the existing permit however the changes must be documented in the Fact Sheet and consistent with Section 22a-430-4(l) of the RCSA.</p>
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**Step 5:**           **Section 3: Commissioner's Decision**  
The SE shall complete this section and delete the items that do not apply.

For facilities that the Commissioner have to make Section 316(a) and (b) of the Federal Water Pollution Control Act (FWPCA) (mostly power plants) decision, the SE shall include a language on Section 316(a) and (b) of the FWPCA decision. The SE shall check with the Supervising

Sanitary Engineer (SSE) and review other power plants' issued permits as a guide on developing this language.

**Step 6:**                    **Section 4: General Effluent Limitations**

The SE shall complete this section and delete the items that do not apply. For an existing permit with additional requirements the SE shall include those requirements for consistency in accordance with Section 22a-430-4(l) of the RCSA and explain the additional requirement(s) in the Fact Sheet.

**Step 7:**                    **Section 5: Specific Effluent Limitations and Monitoring Requirements**

The SE shall develop a table for each Discharge Serial Number (DSN).

The SE shall review the following applicable documents, regulations and statutes to be used in drafting permit tables:

- Existing permit for permit reissuance only.
- Water discharge regulations Section 22a-430-3 and 4 of the RCSA.
- Title 40 Code of Federal Regulations (CFR), Chapter I- Environmental Protection Agency (EPA), Subchapter N- Effluent Guidelines and Standards for categorical discharges (those category of discharges that EPA has established effluent limitations).
- Attachment E of the permit application (two years summary of their monitoring data) for permit reissuance.
- Attachment O of the permit application (characterization of the effluent) (For new discharges, Attachment O is completed by projection or discharges from similar facility).
- Developed water quality criteria and reasonable potential analyses spreadsheets to determine whether water quality based effluent limits are necessary or not. This analyses is done using Bureau of Water Protection and Land Reuse (BWPLR), Planning and Standard Division (PSD), Aquatic Toxicity Program (ATP) SOP
- Section 22a-430 of the Connecticut General Statutes (CGS).
- Title 40 CFR Part 125 - Criteria and Standards for the NPDES.
- U.S. EPA NPDES Permit Writers' Manual.
- U.S. EPA Technical Support Document for Water Quality-based Toxics Control.
- U.S. EPA Technical Development Document for Effluent Limitations Guidelines Manual for the (Categorical Discharge).

**Note:** The SE can access any of these documents in the WPED library. The SE shall draft monitoring and effluent limits for each table(s) consistent with the requirements in the existing permit (for reissuance). If there are new requirements such as water quality based narrative or numeric effluent limits rather than technology based limits the SE must document them in the Fact Sheet. The SE shall document in the permit Fact Sheet any changes made from the existing permit as well as new requirements that are introduced in the permit (re)issuance. The SE shall check with the SSE if he/she is not sure of something and/or needs some assistance in drafting the permit.

The SE shall also complete a table for aquatic toxicity monitoring and limitations for each wastewater that discharges directly into a surface water body.

For permits being drafted on a case by case determination, using professional judgment, pursuant to Section 22a-430-4(m) of the RCSA, the SE shall use effluent monitoring and limitations in the existing permit for permit reissuance. For new permits, the SE shall use the closest categorical standards, general permit, water quality and reasonable potential analyses spreadsheets and Attachment O of the application as a guide in developing effluent monitoring and limitations. The SE should also check with the SEE for guidance.

**Step 8:**                    **Section 6: Sample Collection, Handling and Analytical Techniques**

The SE shall complete this section and delete the items that do not apply.

**Step 9:**                    **Section 7: Limitations for Aquatic Toxicity Based on Actual Flows**

The SE shall complete this section or delete it if aquatic toxicity limits will not be based on actual flow.

**Note:**    *Re-issuances* - The SE shall review the requirements in the existing permit whether the aquatic toxicity limit is based on actual flow and/or review the BWPLR, PSD, ATP SOP to determine whether aquatic toxicity limits shall be based on actual flow. In addition, the SE may check with the SSE for additional information.

**Step 10:**                    **Section 8: Reporting Requirements**

The SE shall only delete or add the total toxic organics language in this section if is applicable.

**Step 11:**                    **Section 9: Recording and Reporting of Violations, Additional Testing Requirements**

The SE shall only edit Paragraph A of this section accordingly. Paragraphs B and C do not require editing.

**Step 12:**                    **Section 10: Compliance Schedule**

The SE shall complete this section only if there are compliance steps required in the draft permit. If no Compliance Schedule will be included in the permit, the SE should delete the entire section except for the permit issuance date and the Commissioner's name.

**Note:**    If the SE is not sure of how to complete any of the permit sections specified above or has any questions or comments with respect to any section, the SE should check with the SSE.

**APPROVALS:**  
**Bureau Materials Management & Compliance Assurance**  
**Water Permitting and Enforcement Division Program Manager**

Oswald Inglese, Jr., Director /S/ Oswald Inglese, Jr.

Date: December 23, 2009