

UIC PERMIT

**issued to**

Hearth Management, LLC  
217 Montgomery Street  
Suite 500  
Syracuse, NY 13202

**Location Address:**  
Hearth at Tuxis Pond, LLC  
100 Bradley Road  
Madison, CT 06443

**Permit ID:** UI0000354

**Permit Expires:**

**Watershed:** South Central Shoreline

**Basin Code:** 5000

**SECTION 1: GENERAL PROVISIONS**

- (A) This permit is issued in accordance with section 1421 of the Federal Safe Drinking Water Act 42 USC 300h et. seq., section 22a-430 of Chapter 446k, Connecticut General Statutes ("CGS"), and Regulations of Connecticut State Agencies ("RCSA") adopted thereunder, as amended.
- (B) Hearth Management, Inc., ("Permittee"), shall comply with all conditions of this permit including the following sections of the RCSA which have been adopted pursuant to Section 22a-430 of the CGS and are hereby incorporated into this permit. Your attention is especially drawn to the notification requirements of subsection (i)(2), (i)(3), (j)(1), (j)(6), (j)(8), (j)(9)(C), (j)(11)(C), (D), (E) and (F), (k)(3) and (4), and (l)(2) of section 22a-430-3.

Section 22a-430-3 General Conditions

- (a) Definitions
- (b) General
- (c) Inspection and Entry
- (d) Effect of a Permit
- (e) Duty to Comply
- (f) Proper Operation and Maintenance
- (g) Sludge Disposal
- (h) Duty to Mitigate
- (i) Facility Modifications; Notification
- (j) Monitoring, Records and Reporting Requirements
- (k) Bypass
- (l) Conditions Applicable to POTWs
- (m) Effluent Limitation Violations (Upsets)
- (n) Enforcement
- (o) Resource Conservation
- (p) Spill Prevention and Control
- (q) Instrumentation, Alarms, Flow Recorders
- (r) Equalization

Section 22a-430-4 Procedures and Criteria

- (a) Duty to Apply

- (b) Duty to Reapply
- (c) Application Requirements
- (d) Preliminary Review
- (e) Tentative Determination
- (f) Draft Permits, Fact Sheets
- (g) Public Notice, Notice of Hearing
- (h) Public Comments
- (i) Final Determination
- (j) Public Hearings
- (k) Submission of Plans and Specifications. Approval.
- (l) Establishing Effluent Limitations and Conditions
- (m) Case by Case Determinations
- (n) Permit issuance or renewal
- (o) Permit Transfer
- (p) Permit revocation, denial or modification
- (q) Variances
- (r) Secondary Treatment Requirements
- (s) Treatment Requirements for Metals and Cyanide
- (t) Discharges to POTWs - Prohibitions

- (C) Violations of any of the terms, conditions, or limitations contained in this permit may subject the Permittee to enforcement action, including but not limited to, seeking penalties, injunctions and/or forfeitures pursuant to applicable sections of the CGS and RCSA.
- (D) Any false statement in any information submitted pursuant to this permit may be punishable as a criminal offense under Section 22a-438 or 22a-131a of the CGS or in accordance with section 22a-6, under Section 53a-157 of the CGS.
- (E) The Permittee shall comply with Section 22a-416-1 through Section 22a-416-10 of the RCSA concerning operator certification.
- (F) No provision of this permit and no action or inaction by the Commissioner of Energy & Environmental Protection (“Commissioner”) shall be construed to constitute an assurance by the Commissioner that the actions taken by the Permittee pursuant to this permit will result in compliance or prevent or abate pollution.
- (G) The authorization to discharge under this permit may not be transferred without prior written approval of the Commissioner. To request such approval, the Permittee and proposed transferee shall register such proposed transfer with the Commissioner at least thirty (30) days prior to the transferee becoming legally responsible for creating or maintaining any discharge which is the subject of the permit transfer. Failure, by the transferee, to obtain the Commissioner's approval prior to commencing such discharge(s) may subject the transferee to enforcement action for discharging without a permit pursuant to applicable sections of the CGS and RCSA.
- (H) Nothing in this permit shall relieve the Permittee of other obligations under applicable federal, state and local law.
- (I) An annual fee shall be paid for each year this permit is in effect as set forth in Section 22a-430-7 of the RCSA.
- (J) This permitted discharge is consistent with the applicable goals and policies of the Connecticut Coastal Management Act (Section 22a-92 of the CGS).

## SECTION 2: DEFINITIONS

(A) The definitions of the terms used in this permit shall be the same as the definitions contained in Section 22a-423 of the CGS and Sections 22a-430-3(a) and 22a-430-6 of the RCSA.

(B) In addition to the above, the following definitions shall apply to this permit:

"Annual", in the context of a sampling frequency, shall mean the sample must be taken in the month of February.

"Average Monthly Limit" means the highest allowable average of all grab samples taken during any calendar month.

"Maximum Concentration", in the context of this permit, is defined as the maximum concentration at any time as determined by a grab sample.

"Quarterly", in the context of a sampling frequency, shall mean sampling is required during each calendar quarter ending on the last day of March, June, September and December.

"3 times per year", in the context of a maintenance frequency, shall mean the maintenance must be performed at least 3 times during the period of May to November.

"Twice per month", when used as a sample frequency, shall mean two samples per calendar month collected no less than 12 days apart.

## SECTION 3: COMMISSIONER'S DECISION

(A) The Commissioner has made a final determination and found that the continuance of the existing system to treat the discharge will protect the waters of the state from pollution. The Commissioner's decision is based on **Application No. 201106445** for permit reissuance received on September 6, 2011 and the administrative record established in the processing of that application.

(B) The Commissioner hereby authorizes the Permittee to discharge a maximum flow of 13,125 gallons per day of domestic sewage in accordance with the provisions of this permit, the above referenced application, and all approvals issued by the Commissioner or the Commissioner's authorized agent for the discharges and/or activities authorized by, or associated with, this permit.

(C) The Commissioner reserves the right to make appropriate revisions to the permit in order to establish any appropriate effluent limitations, schedules of compliance, or other provisions that may be authorized under the Federal Safe Drinking Water Act or the Connecticut General Statutes or regulations adopted thereunder, as amended. The permit as modified or renewed under this paragraph may also contain any other requirements of the Federal Safe Drinking Water Act or Connecticut General Statutes or regulations adopted thereunder, which are then applicable.

## SECTION 4: EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

(A) The use of any sewage system additive as defined in section 22a-460(g) of the CGS is prohibited unless such additive complies with Section 22a-461 of the CGS. The Commissioner in no way certifies the safety or effectiveness of any sewage system additive.

- (B) Oils, greases, industrial or commercial wastes, toxic chemicals, or other substances that will adversely affect the operation of the subsurface sewage treatment and disposal system, or, which may pollute ground or surface water, shall not be discharged to the subsurface sewage treatment and disposal system.
- (C) The Permittee shall assure that groundwater affected by the subject discharge shall conform to the Connecticut Water Quality Standards.
- (D) This permit becomes effective on the date of signature.
- (E) The Permittee shall operate and maintain all processes as installed in accordance with the approved plans and specifications and as outlined in the associated operation and maintenance manual. This includes but is not limited to all mixing equipment, anoxic tanks, chemical feed systems, effluent filters, disinfection systems or any other process equipment necessary for the optimal removal of pollutants. The Permittee shall neither bypass nor fail to operate any of the approved equipment or processes without the written approval of the Commissioner.
- (F) The discharge shall not exceed and shall otherwise conform to the specific terms and conditions listed in this permit. The discharge is restricted by, and shall be monitored in accordance with the Tables A through C, which are incorporated into this permit as Attachment 1.
- (G) The pH of the discharge shall not be less than 6.0 nor greater than 9.0 Standard Units at any time and shall be monitored on a weekly basis. The Permittee shall report pH values, specifically maximum and minimum, for each day of sample collection.
- (H) The Permittee shall maintain at the facility a record of the total flow for each day of discharge and shall report on the discharge monitoring report the total flow and number of hours of discharge for the day of sample collection and the average daily flow for each sampling month.
- (I) All samples shall be comprised of only those wastewaters described in this schedule, therefore, samples shall be taken prior to combination with wastewaters of any other type and after all approved treatment units, if applicable. All samples taken shall be representative of the discharge during standard operating conditions.
- (J) In cases where limits and sample type are specified but sampling is not required, the limits specified shall apply to all samples which may be collected and analyzed by the Department of Energy and Environmental Protection personnel, the Permittee, or other parties.
- (K) The Permittee shall ensure that the wastewater treatment facility is operated by a person with a valid and effective certification in the State of Connecticut, at a minimum, as a facility Class 3 operator pursuant to Section 22a-416(d) of the CGS and the regulations adopted thereunder. The Permittee shall ensure that the wastewater treatment facility is operated by such an operator with such qualifications throughout the entire life of the wastewater treatment facility.
- (L) The Permittee shall monitor, inspect and maintain the treatment facilities in accordance with Table D, which is incorporated into this permit as Attachment 2.
- (M) The Permittee shall perform groundwater monitoring in accordance with Table E, which is incorporated into this permit as Attachment 3.
- (N) The monitoring and sampling required within this permit is the minimum for reporting purposes only. More frequent monitoring and sampling of the treatment system may be required to operate the facility to obtain acceptable results for the parameters being monitored as required by the Operation and Maintenance Manual approved by the Commissioner.

## **SECTION 5: SAMPLE COLLECTION AND HANDLING, ANALYTICAL TECHNIQUES, AND REPORTING REQUIREMENTS**

- (A) Chemical analyses to determine compliance with effluent limits and conditions established in this permit shall be performed using the methods approved by the Environmental Protection Agency pursuant to 40 CFR 136 unless an alternative method has been approved in writing in accordance with 40 CFR 136.4 or as provided in Section 22a-430-3(j)(7) of the RCSA. Chemicals which do not have methods of analysis defined in 40 CFR 136 shall be analyzed in accordance with methods specified in this permit. All metals analyses identified in this permit shall refer to analyses for Total Recoverable Metal as defined in 40 CFR 136 unless otherwise specified.
- (B) If any sample analysis indicates that an effluent limitation specified in Section 4 of this permit has been exceeded, a second sample of the effluent shall be collected and analyzed for the parameter(s) in question and the results shall be reported to the Commissioner within thirty (30) days of the exceedance. Resampling for a permit violation is in addition to routine required sampling.
- (C) The Permittee shall enter the results of chemical analysis and treatment facilities monitoring and maintenance required by Section 4 on a Discharge Monitoring Report (DMR) provided by this office and shall submit such DMR to the Bureau of Materials Management and Compliance Assurance at the address below. Except for continuous monitoring, any monitoring required more frequently than monthly shall be reported on an attachment to the DMR, and any additional monitoring conducted in accordance with 40 CFR 136 or other methods approved by the Commissioner shall also be included on the DMR, or as an attachment, if necessary. The report shall also include a detailed explanation of each violation of the limitations specified, the corrective actions performed, and a schedule for completing any necessary remaining corrective action. The DMR shall be received at this address by the last day of the month following the month in which the samples are taken.

**Attn: DMR Processing  
Connecticut Department of Energy and Environmental Protection  
Bureau of Materials Management and Compliance Assurance  
Water Permitting and Enforcement Division  
79 Elm Street  
Hartford, CT 06106-5127**

- (D) If this permit requires monitoring of a discharge on a calendar basis (e.g. Monthly, quarterly, etc.) but a discharge has not occurred within the frequency of sampling specified in the permit, the Permittee must submit the DMR as scheduled, indicating "NO DISCHARGE". For those permittees whose required monitoring is discharge dependent (e.g. per batch), the minimum reporting frequency is monthly. Therefore, if there is no discharge during a calendar month for a batch discharge, a DMR must be submitted indicating such by the end of the following month.
- (E) NetDMR Reporting Requirements
- (1) Prior to one-hundred and eighty (180) days after the issuance of this permit, the Permittee may report all chemical analysis, monitoring and maintenance data, and other reports to the Department in hard copy form or electronically using NetDMR, a web-based tool that allows Permittees to electronically submit discharge monitoring reports (DMRs) and other required reports through a secure internet connection. Unless otherwise approved in writing by the Commissioner, no later than one-hundred and eighty (180) days after the issuance of this permit the Permittee shall begin reporting electronically using NetDMR. Specific requirements regarding subscription to NetDMR and submittal of data and reports in hard copy form and for submittal using NetDMR are described below:

- (a) **Submittal of NetDMR Subscriber Agreement:**  
On or before thirty (30) days after the issuance of this permit, the Permittee and/or the person authorized to sign the Permittee's discharge monitoring reports ("Signatory Authority") as described in RCSA Section 22a-430-3(b)(2) shall contact the Department at [deep.netdmr@ct.gov](mailto:deep.netdmr@ct.gov) and initiate the NetDMR subscription process for electronic submission of Discharge Monitoring Report (DMR) information. Information on NetDMR is available on the Department's website at [www.ct.gov/deep/netdmr](http://www.ct.gov/deep/netdmr). On or before ninety (90) days after issuance of this permit the Permittee shall submit a signed copy of the *Connecticut DEEP NetDMR Subscriber Agreement* to the Department.
- (b) **Submittal of Reports Using NetDMR:**  
Unless otherwise approved by the Commissioner, on or before one-hundred and eighty (180) days after issuance of this permit, the Permittee and/or the Signatory Authority shall electronically submit DMRs and reports required under this permit to the Department using NetDMR in satisfaction of the DMR submission requirement in paragraph (C) of this Section of this permit. DMRs shall be submitted electronically to the Department no later than the last day of the month following the completed reporting period. All reports required under the permit, including any monitoring conducted more frequently than monthly or any additional monitoring conducted in accordance with 40 CFR 136, shall be submitted to the Department as an electronic attachment to the DMR in NetDMR. Once a Permittee begins submitting reports using NetDMR, it will no longer be required to submit hard copies of DMRs or other reports to the Department. The Permittee shall also electronically file any written report of non-compliance described in paragraph (B) of this Section and in the following Section of this Permit as an attachment in NetDMR. NetDMR is accessed from: <https://netdmr.epa.gov/netdmr/public/home.htm>.
- (c) **Submittal of NetDMR Opt-Out Requests:**  
If the Permittee is able to demonstrate a reasonable basis, such as technical or administrative infeasibility, that precludes the use of NetDMR for electronically submitting DMRs and reports, the Commissioner may approve the submission of DMRs and other required reports in hard copy form ("opt-out request"). Opt-out requests must be submitted in writing to the Department for written approval on or before fifteen (15) days prior to the date a Permittee would be required under this permit to begin filing DMRs and other reports using NetDMR. This demonstration shall be valid for twelve (12) months from the date of the Department's approval and shall thereupon expire. At such time, DMRs and reports shall be submitted electronically to the Department using NetDMR unless the Permittee submits a renewed opt-out request and such request is approved by the Department. All opt-out requests and requests for the NetDMR subscriber form should be sent to the following address or by email at [deep.netdmr@ct.gov](mailto:deep.netdmr@ct.gov):

**Attn: NetDMR Coordinator  
Connecticut Department of Energy and Environmental Protection  
Bureau of Materials Management and Compliance Assurance  
Water Permitting and Enforcement Division  
79 Elm Street  
Hartford, CT 06106-5127**

- (d) **Non-Electronic or Hard-Copy Submission:**  
The results of chemical analysis and treatment facilities monitoring that are not required to be submitted electronically under Section 5 shall be submitted in hard-copy form on a DMR provided by this office. Such DMRs and other reports not required to be submitted electronically shall be reported to the Bureau of Materials Management and Compliance Assurance at the following address.

**Attn: DMR Processing  
Connecticut Department of Energy & Environmental Protection**



**Bureau of Materials Management and Compliance Assurance  
Water Permitting and Enforcement Division  
79 Elm Street  
Hartford, CT 06106-5127**

- (e) Copies of all hard-copy DMRs shall be submitted concurrently to the local Health Department and the local Water Pollution Control Authority (hereinafter "WPCA").

**SECTION 6: COMPLIANCE SCHEDULE**

- (A) On or before seven (7) days after issuance of this permit, the Permittee shall record on the land records of the Town of Madison a document indicating the location of the zone of influence created by the subject discharge, as reflected in the application and approved plans and specifications for this permit. On or before one (1) month after issuance of this permit, the Permittee shall submit written verification to the Commissioner that the approved document indicating the location of the zone of influence created by the subject discharge as reflected in the application for this permit has been recorded on the land records in the Town of Madison.
- (B) On or before seven (7) days after the issuance of this permit, the Permittee shall record a copy thereof on the land records in the Town of Madison. On or before one (1) month after issuance of this permit, the Permittee shall submit written verification to the Commissioner that this permit has been recorded on the land records in the Town of Madison.
- (C) Every two (2) years, on or before the anniversary date of the issuance of this permit, the Permittee shall submit the results of a detailed permit compliance audit to the Commissioner. Such audits shall be performed within sixty (60) days prior to the anniversary date. The compliance audits shall be performed by a qualified professional engineer licensed to practice in Connecticut with the appropriate education, experience and training that is relevant to the work required.

Each audit shall evaluate compliance with all permit terms and conditions for the preceding two-year period. The evaluation shall review all pertinent records and documents as necessary, including Discharge Monitoring Reports (DMRs), laboratory reports, operations and maintenance plans, performance logs/records, equipment specifications, maintenance schedules, engineering drawings, and spare parts inventory.

Each audit report shall include a description of all records and documents used in the evaluation, a summary of compliance with permit terms and conditions, and detailed descriptions of all remedial actions taken or proposed to address each violation or deficiency discovery.

A copy of each audit shall be submitted concurrently to the local WPCA and to the local Health Department.

This permit is hereby issued on

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Michael Sullivan  
Deputy Commissioner  
Department of Energy and Environmental Protection

cc: Madison Health Department

DMR

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ATTACHMENT 1



<b>TABLE A</b>				
Discharge Serial No. 301-2			Monitoring Location: G	
Wastewater Description: Domestic Sewage Influent to Zenon System				
Monitoring Location Description: EQ Sump				
Average Daily Flow: 8,750 gallons per day			Maximum Daily Flow: 13,125 gallons per day	
PARAMETER	INSTANTANEOUS MONITORING			
	Units	Average Monthly Limit	Sample Type	Sample Frequency
Biochemical Oxygen Demand	mg/l	---	Grab	Twice per month
Total Suspended Solids	mg/l	---	Grab	Twice per month
Total Nitrogen	mg/l	---	Grab	Twice per month
Ammonia	mg/l	---	Grab	Twice per month
Nitrate Nitrogen	mg/l	---	Grab	Twice per month
Total Kjeldahl Nitrogen	mg/l	---	Grab	Twice per month
Orthophosphate	mg/l	---	Grab	Twice per month
Total Phosphorus	mg/l	---	Grab	Twice per month
pH	SU	---	Grab	Twice per month
Oils & Grease	mg/l	---	Grab	Twice per month
<b>ADDITIONAL NOTES:</b>				
1. “---” in the limits column of this monitoring table means a limit is not specified, but monitoring is required and a value must be reported on the DMR.				

<b>TABLE B</b>				
Discharge Serial No. 301-2			Monitoring Location: J	
Wastewater Description: Effluent Intermediate Process				
Monitoring Location Description: Zenon Process Tank				
Average Daily Flow: 8,750 gallons per day			Maximum Daily Flow: 13,125 gallons per day	
<b>PARAMETER</b>	<b>INSTANTANEOUS MONITORING</b>			
	Units	Average Monthly Limit	Sample Type	Sample Frequency
pH	SU	---	Grab	Weekly
Temperature	° F	---	Grab	Weekly
Alkalinity	mg/l	---	Grab	Weekly
Turbidity	NTU	---	Grab	Weekly
<b>ADDITIONAL NOTES:</b>				
1. “---” in the limits column of this monitoring table means a limit is not specified, but monitoring is required and a value must be reported on the DMR.				

<b>TABLE C</b>					
Discharge Serial No. 301-2			Monitoring Location: 1 (effluent)		
Wastewater Description: Pretreated Domestic Sewage Effluent					
Monitoring Location Description: Following UV Disinfection					
Average Daily Flow: 8,750 gallons per day			Maximum Daily Flow: 13,125 gallons per day		
PARAMETER	<b>FLOW/TIME BASED MONITORING</b>				
	Units	Average Daily Flow Limit	Maximum Daily Flow Limit	Sample Type	Sample Frequency
Flow Rate (Average daily) <sup>1</sup>	gpd	8,750	13,125	Daily flow	Continuous
PARAMETER	<b>INSTANTANEOUS MONITORING</b>				
	Units	Average Monthly Limit	Maximum Concentration	Sample Type	Sample Frequency
Biochemical Oxygen Demand	mg/l	20	30	Grab	Twice per month
Total Suspended Solids	mg/l	20	30	Grab	Twice per month
Total Nitrogen	mg/l	---	10	Grab	Twice per month
Ammonia	mg/l	---	---	Grab	Twice per month
Nitrate Nitrogen	mg/l	---	---	Grab	Twice per month
Nitrite Nitrogen	mg/l	---	---	Grab	Twice per month
Total Kjeldahl Nitrogen	mg/l	---	---	Grab	Twice per month
Total Phosphorus	mg/l	---	---	Grab	Twice per month
pH	SU			Grab	Twice per month
Fecal Coliform	col/100ml	---	200	Grab	Weekly
Methanol or other carbon source	mg/l	---	---	Grab	Twice per month
Alkalinity	mg/l	---	---	Grab	Twice per month
Oils & Grease	mg/l	---	---	Grab	Twice per month
Turbidity	NTU		---	Grab	Twice per month
<b>FOOTNOTES:</b>					
1. For this parameter, the Permittee shall maintain at the facility a record of the total flow for each day of discharge and shall report on the DMR the Average Daily Flow and the Maximum Daily Flow for each month.					
<b>ADDITIONAL NOTES:</b>					
1. “---” in the limits column on this monitoring table means a limit is not specified, but monitoring is required and a value must be reported on the DMR.					

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ATTACHMENT 2

<b>TABLE D</b>	
<b>INSPECTION, MONITORING AND MAINTENANCE REQUIREMENTS</b>	
Discharge Serial No.: 301-2	Monitoring Location: S
Wastewater Description: Domestic Sewage	
<b>Inspection, Monitoring, or Maintenance</b>	<b>Minimum Frequency</b>
Depth of sludge in septic tank[s]	During pump-out
Pump out septic tank[s]	Annually
Pump out grease trap[s]	Quarterly
Mechanical inspection of septic tank baffles	During pump-out
Mechanical inspection of grease trap baffles	During pump-out
Mechanical inspection of septic tank effluent filter	During pump-out
Clean septic tank effluent filter	During pump-out
Mechanical inspection of pump station[s]	Monthly
Pump out pump chamber[s]	Annually
Pump out equalization tank	As Needed
Test run of emergency generator	Quarterly
Water meter readings of water usage	Weekly
Visual inspection of Zenon System	Monthly
Mechanical inspection of alarms	Monthly
Mechanical inspection of alkalinity feed system	Monthly
Visual inspection of UV-disinfection system	Monthly
Clean UV bulbs	Monthly
Visual inspection of surface condition of leaching field(s)	Quarterly
Depth of ponding in leaching field(s)	Quarterly
Mow grass over leaching field(s)	3 times per year
<b>ADDITIONAL NOTES:</b>	
<ol style="list-style-type: none"> <li>1. All inspection, monitoring, and maintenance required in this table shall be reported annually by the end of each January as an attachment to the December DMR.</li> <li>2. The Madison Sanitarian shall be notified at least one week prior to pumping of septic tanks and grease traps. Verification of all pump outs shall be attached to the monitoring report and a copy of the report shall be sent to the Madison Director of Health.</li> </ol>	

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<b>TABLE E GROUNDWATER MONITORING</b>			
<b>DISCHARGE SERIAL NO. 301-2</b>		<b>MONITORING LOCATION: GW</b>	
<b>GROUND WATER MONITORING WELL NO.:</b> MW-1/northeast and MW-2/northwest		<b>DESCRIPTION:</b> downgradient monitoring wells	
<b>PARAMETER</b>	<b>UNITS</b>	<b>MINIMUM FREQUENCY OF SAMPLING</b>	<b>SAMPLE TYPE</b>
Fecal Coliform	col/100ml	Quarterly	Grab
Groundwater Depth (Standard depth below grade)	Ft	Quarterly	Instantaneous
Ammonia Nitrogen	mg/l	Quarterly	Grab
Nitrate Nitrogen	mg/l	Quarterly	Grab
Nitrite Nitrogen	mg/l	Quarterly	Grab
Total Kjeldahl Nitrogen	mg/l	Quarterly	Grab
Total Nitrogen	mg/l	Quarterly	Grab
pH	S.U.	Quarterly	Grab
Total Dissolved Phosphorous	mg/l	Quarterly	Grab



# DATA TRACKING AND TECHNICAL FACT SHEET

PERMIT #: UI0000354      APPLICATION #: 201106445

## DISCHARGER NAME AND ADDRESS DATA

Permittee: Hearth Management, LLC

### Mailing Address:

Location Address: Hearth at Tuxis Pond

Street: 217 Montgomery Street, Suite 500

Street: 100 Bradley Road

City: Syracuse

ST: NY Zip: 13202

City: Madison

ST: CT Zip: 06443

### Contact Name:

James Collyer

### Contact Name:

James Collyer

## PERMIT DURATION

5 YEAR ( )

10 YEAR ( X )

30 YEAR ( )

## DISCHARGE CATEGORIZATION

Point ( )

Non-Point ( X )

GIS # \_\_\_\_\_

NPDES ( )

Pretreat ( )

Ground Water(UIC) ( X )

Ground Water (Other) ( )

Major ( )

Significant Minor ( )

Minor ( X )

## COMPLIANCE SCHEDULE    YES ( X )    NO ( )

Pollution Prevention ( )

Treatment Requirement ( )

Water Conservation ( )

Permit Steps ( )

Water Quality Requirement ( )

Remediation ( )

Audit Language ( )

Other ( X )

## OWNERSHIP CODE

Private ( X )

Federal ( )

State ( )

Municipal(town only) ( )

Other public ( )

## UIC PERMIT INFORMATION

Total Wells 1

Well Type 5W12

## PERMIT FEES

DISCHARGE CODE 312000a

REPRESENTING DSN 301-2

ANNUAL FEE \$1,110

## DEEP STAFF ENGINEER/ANALYST

Lauren Jones

## PERMIT TYPE

New ( X )

Reissuance ( )

Modification ( )

Subsection-e ( )

**NATURE OF BUSINESS GENERATING DISCHARGE**

Senior living facility.

**PROCESS AND TREATMENT DESCRIPTION (by DSN)    AT (X)    Recycle ( )**

Treatment process consisting of a grease trap, septic tank, flow equalization tank and Zenon wastewater treatment system. The Zenon system utilizes aerobic and anoxic biological treatment processes, membrane filtration and ultraviolet disinfection. The treated effluent from the Zenon system is discharged to a subsurface sewage disposal system after disinfection. Design flow for the system is 13,125 gallons per day.

**RESOURCES USED TO DRAFT PERMIT**

- Federal Effluent Limitation Guideline 40CFR  
name of category
- Performance Standards
- Federal Development Document  
name of category
- Treatability Manual
- Department File Information
- Connecticut Water Quality Standards
- Anti-degradation Policy
- Coastal Management Consistency Review Form
- Other – Explain

**BASIS FOR LIMITATIONS< STANDARDS OR CONDITIONS**

- Best Professional Judgement (See Other Comments)
- Case by Case Determination (See Other Comments)

**OTHER COMMENTS**

Based on a review of the Discharge Monitoring Reports for the past two years, the treatment system is effectively treating the discharge in compliance with proposed permitted limits. Review of down gradient monitoring well data confirms effective treatment.

The prior Permittee (UI0000354 application no. 200000763) was Court Street Companies; this business was withdrawn from CONCORD on 9/22/1997. Hearth Management, LLC was registered in CONCORD on 4/1/2001 and has some of the same officers as Court Street Companies, Inc. SIMS incorrectly notes the current permittee as The Hearth at Tuxis Pond LLC and the permit status is “Continued” despite a different applicant. The current application was submitted by Hearth Management, LLC, which has operated the facility for several years, and the draft permit is therefore

proposed for issuance to the applicant as a new permit.

**PROJECT HISTORY**

Application received on September 6, 2011

Notice of Sufficiency signed February 27, 2012

Tentative Determination signed \*\*\*\*\*, published \*\*\*\*\*.

Final Determination signed \*\*\*\*\*.

**NOTICE OF TENTATIVE DECISION  
INTENT TO ISSUE A STATE PERMIT AND AN UNDERGROUND INJECTION  
CONTROL PERMIT FOR THE FOLLOWING DISCHARGE INTO THE WATERS OF  
THE STATE OF CONNECTICUT**

**TENTATIVE DECISION**

The Commissioner of Energy and Environmental Protection hereby gives notice of a tentative decision to issue a permit based on an application submitted by **Hearth Management, LLC** ("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 decision that continuance of the existing system to treat the discharge would protect the waters of the state from pollution; and the Commissioner proposes to issue a permit for the discharge to the groundwaters in the South Central Shoreline watershed.

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**

Hearth Management, LLC proposes to continue discharging a maximum of 13,125 gallons per day of wastewaters to the groundwaters in the watershed of the South Central Shoreline watershed from operations at a senior care facility.

The name and mailing address of the permit applicant are: **Hearth Management, LLC, 217 Montgomery Street, Suite 500, Syracuse, NY 13202.**

The activity take(s) place at: **Hearth at Tuxis Pond, 100 Bradley Road, Madison, CT 06443**

**REGULATORY CONDITIONS**

Type of Treatment

The senior living facility is served by a treatment process consisting of a grease trap, septic tank, flow equalization tank and Zenon wastewater treatment system. The Zenon system utilizes aerobic and anoxic biological treatment processes, membrane filtration and ultraviolet disinfection. The treated effluent from the Zenon system will be discharged to a subsurface sewage disposal system after disinfection.

### **COMMISSIONER'S AUTHORITY**

The Commissioner of Energy and Environmental Protection is authorized to approve or deny such permits pursuant to 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), and section 1421 of the Federal Safe Drinking Water Act 42 USC et. seq.

### **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. 201106445; PERMIT ID NO. UI0000354

Interested persons may obtain copies of the application from James Collyer, Director of Maintenance and Operations, Hearth Management, LLC, 217 Montgomery Street, Suite 500, Syracuse, NY 13202; Phone: (315) 453-0561

The application is available for inspection by contacting Lauren Jones 860-424-3155, 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.

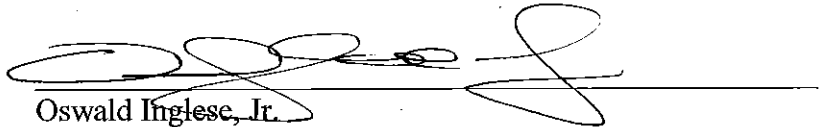
Any interested person may request in writing that his or her name be put on a mailing list to receive notice of intent to issue any permit to discharge to the surface waters of the state. Such request may be for the entire state or any geographic area of the state and shall clearly state in writing the 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 Lauren Jones, 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, 3<sup>rd</sup> floor, Hartford, CT, 06106-5127. Petitions cannot be sent by fax or email. Additional information can be found at [www.ct.gov/deep/adjudications](http://www.ct.gov/deep/adjudications).

**The Connecticut Department of Energy and Environmental Protection is an Affirmative Action and Equal Opportunity Employer that is committed to complying with the Americans with Disabilities Act. To request an accommodation contact us at (860) 418-5910 or [deep.accommodations@ct.gov](mailto:deep.accommodations@ct.gov).**



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

Dated: **FEB 03 2016**