

UIC PERMIT

**Issued to**

Triple Net Clinton LLC  
2329 Nostrand Avenue  
Suite m300  
Brooklyn, NY 11210

**Location Address:**  
266 East Main Street  
Clinton, CT 06413

**Permit ID:** UI0000118  
**Watershed:** South Central Shoreline  
**Basin Code:** 5000

**Effective Date:**  
**Permit Expires:** 10 years from effective date

**SECTION 1: GENERAL PROVISIONS**

- (A) This permit is reissued 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) Triple Net Clinton LLC, (“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) 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.
- (F) 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.
- (G) Nothing in this permit shall relieve the Permittee of other obligations under applicable federal, state and local law.
- (H) 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.
- (I) 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:
- “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.
- “Semi-Annual”, in the context of a sampling frequency, shall mean the sample must be taken in the months of May and November.
- “3 times per year”, in the context of a maintenance frequency, shall mean the maintenance must be performed at least three 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 twelve (12) days apart.
- “Twelve Month Rolling Average”, means the average monthly concentration of the current month’s samples averaged with the average monthly concentration from each of the previous eleven (11) months.

## 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. 201106520 for permit reissuance received on September 15, 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 nine thousand nine hundred seventy (9,970) 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 as follows:
- (1) From the issuance of this permit through and including the last day of the first calendar month of such issuance, the Commissioner hereby authorizes the Permittee to discharge in accordance with the terms and conditions of Permit No. UI0000118, issued by the Commissioner to the Permittee on March 13, 2002, the previous application submitted by the Permittee on June 29, 1988, and all modifications and approvals issued by the Commissioner or the Commissioner’s authorized agent for the discharge and/or activities authorized by, or associated with, Permit No. UI0000118, issued by the Commissioner to the Permittee on March 13, 2002.
  - (2) Beginning on the first day of the month following the issuance of this permit and continuing until this permit expires or is modified or revoked, the Commissioner hereby authorizes the Permittee to discharge in accordance with the terms and conditions of this permit, Application No. 201106520 received by the Department on September 15, 2011, and all modifications and approvals issued by the

Commissioner or the Commissioner's authorized agent for the discharge 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) 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 septic tanks, mixing equipment, anoxic tanks, chemical feed systems, effluent filters, 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.
- (E) 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 Table(s) A and B, which are incorporated into this permit as Attachment 1.
- (F) 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 in accordance with this permit. The Permittee shall report pH values, specifically maximum and minimum, for each day of sample collection.
- (G) 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.
- (H) 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.
- (I) 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.
- (J) Unless a different classification of certified operator is required under a separate written approval issued by the Commissioner, 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 1 operator pursuant to C.G.S. 22a-416(d) 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.

- (K) The Permittee shall monitor, inspect and maintain the treatment facilities in accordance with Table C, which is incorporated into this permit as Attachment 2.
- (L) The Permittee shall perform ground water monitoring in accordance with Table D, which is incorporated into this permit as Attachment 3.
- (M) 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.
- (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:

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 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. 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.

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

**SECTION 6: COMPLIANCE SCHEDULE**

- (A) On or before thirty (30) days after the date of issuance of this permit, The Permittee shall retain one or more qualified consultants that are professional engineers licensed to practice in Connecticut to prepare the documents and implement or oversee the actions required in paragraphs 6(B) and 6(C) below of this permit and shall, by that date, notify the Commissioner in writing of the identity of such consultants. The Permittee shall retain one or more qualified consultants acceptable to the Commissioner until this permit is fully complied with and, within ten (10) days after retaining any consultant other than one originally identified under this paragraph, the Permittee shall notify the Commissioner in writing of the identity of such other consultant. Nothing in this paragraph shall preclude the Commissioner from finding a previously acceptable consultant unacceptable.
- (B) On or before sixty (60) days after the date of issuance of this permit, the Permittee shall: a) investigate the existing system; b) evaluate the adequacy and effectiveness of the existing system to protect human health and the environment and to meet present and future wastewater treatment and disposal needs, including but not limited to the overall existing system design and performance of the leach field; and c) submit for the Commissioner's review and written approval, a comprehensive written report detailing the results of such investigation and evaluation. Such report shall address the adequacy of the existing system to provide effective on-site wastewater treatment and disposal, and the potential impact of the existing system on human health and the environment both on-site and off-site, including but not limited to the potential extent and degree of soil, ground water and surface water pollution. Such report shall propose remedial actions ("remedial plan") to address all wastewater needs, including but not limited to a proposal for the necessary permanent repair to or replacement of the existing system to ensure adequate wastewater renovation, and a detailed work plan and schedule for performing the remedial plan and monitoring the effectiveness of the remedial plan.
- (C) The Permittee shall perform the approved remedial plan and any approved supplemental plans in accordance with the approved schedule. Unless another deadline is specified in writing by the Commissioner, on or before sixty (60) days after approval of any such plan, the Permittee shall submit for the Commissioner's review and written approval contract plans and specifications for any approved sewage collection, treatment and disposal system modifications. If the remedial plan performed under this permit

does not fully address all wastewater needs to ensure adequate collection, treatment and disposal of domestic sewage generated at the site, the Permittee shall submit for the Commissioner's review and written approval a supplemental plan for additional remedial actions and shall fully perform such plan in accordance with the Commissioner's approval.

- (D) Within six (6) months from the issuance of this permit, the Permittee shall complete the repairs listed below. The Permittee shall submit written documentation of the completion of such repairs for the Commissioner's review and written approval within fifteen (15) days from the date of completion.
1. Septic Tank Effluent Pump Station No.1: Repair/replacement of the electrical conduit at the electrical junction box;
  2. Recirculation Pump Chamber: Repair/replacement of the inlet tee that will incorporate manhole access from the top of the tank;
  3. Anoxic Reactor: Repair/replacement of the activated carbon canister;
  4. Control Building:
    - a. Repair/replacement of the carbon feed pumps; and
    - b. Installation of additional carbon feed controls;
  5. Chemical Solution Tanks: Replacement of carbon feed tanks and installation of spill containment;
  6. Recirculating Sand Filters:
    - a. Replacement of the recirculating sand filter covers;
    - b. Structural evaluation of the concrete retaining wall located to the south of the recirculating sand filters; and
    - c. Replacement of the electrical and mechanical timer pump controls.
- (E) 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 discovered.

The 8-year anniversary audit report shall also include detailed findings from a physical inspection of each on-site sewage treatment and disposal system and an evaluation of the performance and operation of each such system. In the event of a system malfunction or failure, the Permittee shall prepare and submit a remedial plan for the Commissioner's review and written approval.

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



This permit is hereby issued on

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Yvonne Bolton, Bureau Chief  
Bureau of Materials Management and  
Compliance Assurance  
Department of Energy and Environmental Protection

cc: Local Health Dept.  
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 "Secondary Grease Trap"				
Monitoring Location Description: septic tank prior to anoxic reactors				
Average Daily Flow: 7,000 gallons per day			Maximum Daily Flow: 9,970 gallons per day	
<b>INSTANTANEOUS MONITORING</b>				
<b>Parameter</b>	<b>Units</b>	<b>Average Monthly Limit</b>	<b>Sample Type</b>	<b>Sample Frequency</b>
Biochemical Oxygen Demand	mg/l	---	Grab	Twice per month
Total Suspended Solids	mg/l	---	Grab	Twice per month
Total Kjeldahl Nitrogen	mg/l	---	Grab	Twice per month
pH	SU	---	Grab	Twice per month
Oil & Grease	mg/l	---	Grab	Twice per 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.				

<b>TABLE B</b>					
Discharge Serial No. 301-2			Monitoring Location: 1		
Wastewater Description: Pretreated Domestic Sewage Effluent					
Monitoring Location Description: Dosing Tank					
<b>FLOW/TIME BASED MONITORING</b>					
Parameter	Units	Average Daily Flow Limit	Maximum Daily Flow Limit	Sample Type	Sample Frequency
Flow Rate (Average daily) <sup>1</sup>	gpd	7,000	9,970	Daily flow	Continuous
<b>INSTANTANEOUS MONITORING</b>					
Parameter	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 <sup>2</sup>	---	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
pH	SU	---	---	Grab	Twice per month
Ethanol	mg/l	---	---	Grab	Twice per month
Oil & Grease	mg/l	---	---	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.					
2. Limit is based on a twelve month rolling average.					
<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 C INSPECTION, MONITORING AND MAINTENANCE REQUIREMENTS</b>	
Discharge Serial No.: 302-1	Monitoring Location: S
Wastewater Description: Domestic Sewage	
Average Daily Flow: 7,000 gallons per day	Maximum Daily Flow: 9,970 gallons per day
<b>Inspection, Monitoring, or Maintenance</b>	<b>Minimum Frequency</b>
Depth of sludge in septic tanks	During pump-out
Visual inspection of septic tanks and grease traps	During pump-out
Pump out septic tanks (3 total)	Annually
Pump out grease trap nos. 1 and 4	Quarterly
Pump out grease trap nos. 2, 3, 5 and 6	Semi-annually
Pump out secondary grease trap	Annually
Mechanical inspection of septic tank baffles	During pump-out
Mechanical inspection of grease trap baffles	During pump-out
Mechanical inspection of pump stations	Monthly/Quarterly
Pump out pump chambers	Every 3 years
Mechanical inspection of Recirculating Sand Filters	Monthly
Mechanical inspection of Anoxic Reactors	Quarterly
Water meter readings of water usage	Monthly
Mechanical inspection of ethanol feed system	Monthly
Depth of ponding in leaching fields	Quarterly
<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 Connecticut River Area Health District 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 Connecticut River Area Health District Director of Health.</li> </ol>	



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ATTACHMENT 3

<b>TABLE D GROUNDWATER MONITORING</b>			
<b>Discharge Serial No. 301-2</b>		<b>Monitoring Location: V, GW</b>	
<b>Groundwater Monitoring Location No.: GMW-2 (V), GMW-3 (V), GWM-4 (GW) and GMW-5 (GW)</b>		<b>Description: Upgradient (V) and Downgradient (GW) monitoring wells</b>	
<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	Instantaneous
Total Dissolved Phosphorous	mg/l	Quarterly	Grab

# DATA TRACKING AND TECHNICAL FACT SHEET

**APPLICATION No.:** 20116520

**PERMIT No.:** UI0000118

## DISCHARGER NAME AND ADDRESS

**APPLICANT/PERMITTEE:** Triple Net Clinton LLC

**MAILING ADDRESS:** 2329 Nostrand Avenue, Suite m300, Brooklyn, NY 11210

**CONTACT PERSON:** Joseph Eisenberg

**LOCATION ADDRESS:** Clinton Commons, 266 East main Street, Clinton, CT 06413

## PERMIT TYPE

New ( )      Reissuance (X)      Modification ( )      Subsection-e ( )

## PERMIT DURATION

5 YEAR ( )      10 YEAR (X)      30 YEAR ( )

## OWNERSHIP CODE

Private (X)      Federal ( )      State ( )      Municipal (town only) ( )      Other public ( )

## DISCHARGE CATEGORIZATION

Point ( )      Non-point (X)      GIS # \_\_\_\_\_

NPDES ( )      Pretreat ( )      Ground Water (UIC) (X)      Ground Water (Other) ( )

Major ( )      Significant Minor ( )      Minor (X)

## UIC PERMIT INFORMATION

Total Wells **1**      Well Type **5W12**

## DEEP STAFF ENGINEER/ANALYST

Lauren Jones

## NATURE OF BUSINESS GENERATING DISCHARGE

Domestic sewage generated by the Clinton Commons Shopping Plaza. Current retail operations include: Shop Rite, JoAnn Fabrics, Snap Fitness, The Liquor Shoppe, Golden China, Advance Auto and Nail Salon.

## PROCESS AND TREATMENT DESCRIPTION (by DSN)      AT (X)      RECYCLE ( )

DSN 301-2 represents the discharge from the existing sewage treatment system consisting of: septic tank(s), grease trap(s), pump chambers, anoxic reactors, recirculating sand filters and an engineered leaching field with a permitted discharge capacity of 9,970 gallons per day.

## COMPLIANCE SCHEDULE      YES (X)      NO ( )

Pollution Prevention ( )      Treatment Requirement ( )      Water Conservation ( )

Permit Steps ( )      Water Quality Requirement ( )      Remediation ( )

Audit Language (X)      Other (X)

## RESOURCES USED TO DRAFT PERMIT

\_\_\_ Federal Effluent Limitation Guideline 40CFR  
name of category

## DATA TRACKING AND TECHNICAL FACT SHEET

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

### **OTHER COMMENTS**

A review of the discharge monitoring reports from 2015 to 2019 indicated that the system is unable to comply with the nitrogen limit for treated effluent of 15 mg/l (maximum) and 10 mg/l (average). The twelve month averages for 2015 through 2019 were: 64.0 mg/l, 32.6 mg/l, 54.5 mg/l, 41.2 mg/l, and 21.8 mg/l.

In addition, there have been instances of total nitrogen concentrations in groundwater exceeding 10 mg/l in monitoring well nos. MW-2 and MW-3, which are located respectively up-gradient and east of the leaching field. It is possible that these wells are being influenced from off-site septic systems and background levels of nitrogen.

The draft permit contains a compliance schedule that requires: (1) the investigation and evaluation of the existing system within 60 days after permit issuance to protect human health and the environment and to meet present and future wastewater disposal needs and the established permit limits; (2) the submission of a written report detailing the findings of the investigation and evaluation, including any remedial plans to address the findings; (3) implementation of the remedial plan; and (4) completion of the following required repairs to the existing system within six months after permit issuance:

- Septic Tank Effluent Pump Station No.1: Repair/replacement of the electrical conduit at the electrical junction box;
- Recirculation Pump Chamber: Repair/replacement of the inlet tee that will incorporate manhole access from the top of the tank;
- Anoxic Reactor: Repair/replacement of the activated carbon canister;
- Control Building:
  - Repair/replacement of the carbon feed pumps; and
  - Installation of additional carbon feed controls;
- Chemical Solution Tanks: Replacement of carbon feed tanks and installation of spill containment;
- Recirculating Sand Filters:
  - Replacement of the recirculating sand filter covers;
  - Structural evaluation of the concrete retaining wall located to the south of the recirculating sand filters; and

## DATA TRACKING AND TECHNICAL FACT SHEET

- Replacement of the electrical and mechanical timer pump controls.

The previous permit has been recorded on the Town of Clinton land records.

### **PERMIT FEES**

Discharge Code 312000a      Representing DSN 301-2

Annual Fee \$1110

### **PROJECT HISTORY**

Application received on September 15, 2011

Notice of Sufficiency signed March 12, 2012

DRAFT



**NOTICE OF TENTATIVE DECISION  
INTENT TO REISSUE 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 reissue a permit based on an application submitted by the **Triple Net Clinton 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 Neck River 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**

The Triple Net Clinton LLC proposes to continue to discharge a maximum of 9,970 gallons per day of domestic sewage wastewaters through a recirculating sand filter sewage treatment system to the groundwaters in the South Central Shoreline watershed from operations at Clinton Commons.

The name and mailing address of the permit applicant are: **Triple Net Clinton LLC, 2329 Nostrand Avenue, Suite m300, Brooklyn, NY 11210**

The activity takes place at: **Clinton Commons, 266 East Main Street, Clinton, CT 06413**

**REGULATORY CONDITIONS**

Type of Treatment: Clinton Commons is currently served by an existing sewage treatment system consisting of: septic tanks(s), grease traps(s), two recirculating sand filters, anoxic reactors, pump chambers and an engineered leaching system.

**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. 201106520

PERMIT ID NO. UI0000118

Interested persons may obtain copies of the application from Joseph Eisenberg, Triple Net Clinton LLC, 2329 Nostrand Avenue, Suite m300, Brooklyn, NY 11210 phone: 516-456-1727

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.

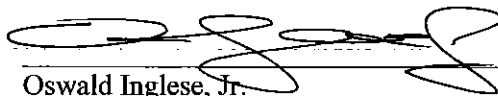
Any interested person may request in writing that his or her name be put on a mailing list to receive notice of intent to issue any permit to discharge to the surface waters of the state. Such request may be for the entire state or any geographic area of the state and shall clearly state in writing the 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 thirty (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 thirty (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: 11/8/2019