

UIC PERMIT REISSUANCE AND MODIFICATION

Issued to

Southhaven Associates, LLC
100 Main Street North
Suite 203
Southbury, CT 06488

Location Address: 100 Main Street North
Southbury, CT 06488

Permit ID: UI0000120

Issuance Date:

Watershed: Pomperaug River

Effective Date: Permit Issuance Date

Basin Code: 6800

Expiration Date: Ten (10) years from Effective Date

SECTION 1: GENERAL PROVISIONS

- (A) This permit is reissued and modified in accordance with section 1421 of the Federal Safe Drinking Water Act 42 USC 300h et. seq., section 22a-430(e) of Chapter 446k, Connecticut General Statutes (“CGS”), and Regulations of Connecticut State Agencies (“RCSA”) adopted thereunder, as amended.
- (B) Southhaven Associates, 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.

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 permit issuance.

“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.

“Range During Month” or “RDM” means the lowest and the highest values of all of the monitoring data for the reporting month.

“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 months.

SECTION 3: COMMISSIONER’S DECISION

(A) The Commissioner has made a final determination and found that the continuance of the existing alternative wastewater treatment system, the modification of the seven existing subsurface sewage disposal systems and the installation of a new subsurface sewage disposal system will protect the waters of the state from pollution. The Commissioner's decision is based on Application Nos. 201505789 and 201913502 for permit reissuance and modification, respectively received on August 31, 2015 and November 7, 2019 and the administrative record established in the processing of the applications.

(B) From the effective date of this permit, for a term not to exceed ten (10) years and until this permit expires or is modified or revoked, the Commissioner hereby authorizes the Permittee to discharge a maximum flow of thirty six thousand nine hundred and seventy six (36,976) gallons per day of domestic sewage in accordance with the terms and conditions of this permit, the interim discharge limitations in Attachment 1 (Table D), the above referenced application, and all modifications and approvals issued by the Commissioner or the Commissioner’s authorized agent for the discharges and/or activities authorized by, or associated with, this permit following the issuance date of 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. This includes but is not limited to all: septic tanks, grease traps, pump chambers, SoilAir System, Bioclere wastewater treatment system, sequence batch reactor, chemical feed 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 discharges shall not exceed and shall otherwise conform to the specific terms and conditions listed in this permit. The discharges are restricted by, and shall be monitored in accordance with the Tables (A) through (D), 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 in accordance with this permit. The Permittee shall report pH values, specifically maximum and minimum, for each day of sample collection.
- (H) The Permittee shall report on the discharge monitoring report the total flow and number of hours of discharge for the day of sample collection.
- (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 monitor, inspect and maintain the treatment facilities in accordance with Table (E), which is incorporated into this permit as Attachment 2.
- (L) The Permittee shall perform ground water monitoring in accordance with Table (F), 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) 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**

- (C) 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.

(D) 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 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 and initiate the NetDMR subscription process for electronic submission of DMR information. Information on NetDMR is available on the Department's website at 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:

**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.

SECTION 6: COMPLIANCE SCHEDULE

- (A) On or before thirty (30) days after issuance of this permit, the Permittee shall record on the land records of the Town of Southbury a document indicating the location of the zone of influence created by the subject discharges, as reflected in the application and approved plans and specifications for this permit. On or before thirty (30) days after such recording, 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 discharges as reflected in the application for this permit has been recorded on the land records in the Town of Southbury.
- (B) On or before thirty (30) days after issuance of this permit, the Permittee shall record a copy thereof on the land records in the Town of Southbury. On or before thirty (30) days after such recording, the Permittee shall submit written verification to the Commissioner that this permit has been recorded on the land records in the Town of Southbury.
- (C) On or before sixty (60) days after the issuance of this permit, the Permittee shall submit for the Commissioner's review and written approval a comprehensive written report ("Nitrogen Reduction Plan"), prepared by a Professional Engineer licensed in the State of Connecticut, evaluating the ability of the site to provide effective reduction in total nitrogen concentrations in groundwater resulting from the on-site wastewater treatment and disposal systems. Such report shall include engineering plans and specifications for any necessary groundwater nitrogen dilution system(s), including but not limited to: repurposing Existing System 3, which currently serves DSN 303-2, for future stormwater infiltration; any other remedial actions necessary to achieve additional reductions in the total nitrogen concentration in groundwater; a proposed groundwater monitoring plan; and a detailed work plan and an implementation schedule.

The Permittee shall perform the approved Nitrogen Reduction 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 Nitrogen Reduction Plan performed under this permit does not fully address the adequate treatment of the total nitrogen concentration on 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) On or before six (6) months after the issuance of this permit, the Permittee shall submit for the Commissioner's review and written approval design plans and specifications, prepared by a Professional Engineer licensed in the State of Connecticut, for the modification of Existing System No. 4, which serves DSN 304-2, to receive flow from Unit 14 and for modification of Existing System No. 305-2, which serves DSN 305-2, to receive flow from Units 11, 12, 15 and the maintenance building.

The Permittee shall construct each such system modification in accordance with the Commissioner's approval and within thirty (30) days after completing construction of each such system modification, the Permittee shall submit for the Commissioner's review and written approval the record drawings and a written request to initiate a discharge to such modified system, which shall meet the final discharge flow limits listed in Table D of this permit.

- (E) On or before six (6) months after the issuance of this permit, the Permittee shall submit for the Commissioner's review and written approval design plans and specifications, prepared by a Professional Engineer licensed in the State of Connecticut, for construction of New System 9A, which will serve DSN 309A-2, to receive flow from Units 22, 22B and 23, and for construction of New System 9B, which will serve DSN 309B-2, to receive flow from the lower level of Building 3.

The Permittee shall construct each such new system in accordance with the Commissioner's approval and within thirty (30) days after completing construction of each such new system, the Permittee shall submit for the Commissioner's review and written approval the record drawings and a written request to initiate a discharge to such new system, which shall meet the final discharge flow limits listed in Table D of this permit.

- (F) 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 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.

The Commissioner has determined that Southhaven Associates, LLC is in full compliance with Order No. WR SS 19001 issued to Southhaven Associates, LLC on September 12, 2019.

This permit renewal and modification is hereby issued on

Betsey Wingfield
Deputy Commissioner
Department of Energy and Environmental Protection

BW:YB:OI:lj

cc: Todd Ritchie, P.E., Wright-Pierce, 169 Main Street, 700 Plaza Middlesex, Middletown, CT 0645
Pomperaug Health District
DMR

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ATTACHMENT 1

TABLE A				
Discharge Serial No. 308-2			Monitoring Location: G	
Wastewater Description: Domestic Sewage Influent				
Monitoring Location Description: Pump Chamber Prior to Septic Tank				
Average Daily Flow: 3,200 gallons per day			Maximum Daily Flow: 4,800 gallons per day	
INSTANTANEOUS MONITORING				
Parameter	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 Kjeldahl Nitrogen	mg/l	---	Grab	Twice per month
Total Phosphorus	mg/l	---	Grab	Twice per month
pH	SU	---	Grab	Twice per month
Oil & Grease	mg/l	---	Grab	Twice per month
ADDITIONAL NOTES:				
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.				

TABLE B				
Discharge Serial No. 308-2			Monitoring Location: J	
Wastewater Description: Effluent Intermediate Process				
Monitoring Location Description: Sequence Batch Reactor				
Average Daily Flow: 3,200 gallons per day			Maximum Daily Flow: 4,800 gallons per day	
INSTANTANEOUS MONITORING				
Parameter	Units	Average Monthly Limit	Sample Type	Sample Frequency
pH	SU	---	Grab	Twice per month
Temperature	° F	---	Grab	Twice per month
Alkalinity	mg/l	---	Grab	Twice per month
Total Suspended Solids	mg/l	---	Grab	Twice per month
ADDITIONAL NOTES:				
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.				

TABLE C					
Discharge Serial No. 308-2			Monitoring Location: 1		
Wastewater Description: Pretreated Domestic Sewage Effluent					
Monitoring Location Description: Final Effluent					
FLOW/TIME BASED MONITORING					
Parameter	Units	Average Daily Flow Limit	Maximum Daily Flow Limit	Sample Type	Sample Frequency
Flow Rate (Average daily) ¹	gpd	3,200	4,800	Daily flow	Continuous
INSTANTANEOUS MONITORING					
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 ²	---	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
Orthophosphate	mg/l	---	---	Grab	Twice per month
Total Phosphorus	mg/l	---	---	Grab	Twice per month
pH, Minimum (Day of Sampling)	S.U.	NA	6.0 - 9.0	Continuous	Continuous
pH, Maximum (Day of Sampling)	S.U.	NA	6.0 - 9.0	Continuous	Continuous
pH, Minimum Value of RDM	S.U.	NA	6.0 - 9.0	Continuous	Continuous
pH, Maximum Value of RDM	S.U.	NA	6.0 - 9.0	Continuous	Continuous
Alkalinity	mg/l	---	---	Grab	Twice per month
Oil & Grease	mg/l	---	---	Grab	Twice per month
FOOTNOTES:					
<ol style="list-style-type: none"> 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. Limit is based on a twelve month rolling average. 					
ADDITIONAL NOTES:					
<ol style="list-style-type: none"> “---” 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. 					

**TABLE D
SUMMARY OF DISCHARGE FLOW LIMITS
FOR ALL PERMITTED DOMESTIC SEWAGE DISCHARGES**

Discharge Serial No.	Interim Flow Limits (GPD)*		Final Flow Limits (GPD)	
	Average	Max	Average	Max
301-2	N/A	N/A	4,667	7,000
302-2	N/A	N/A	2,733	4,100
303-2	2,133	3,200	0**	0**
304-2	467	700	1,342**	2,013**
305-2	2,200	3,300	1,992**	2,988**
306-2	N/A	N/A	1,867	2,800
307-2	N/A	N/A	2,867	4,300
308-2	N/A	N/A	3,200	4,800
309A-2	0	0	3,450**	5,175**
309B-2	0	0	2,533**	3,800**

*Interim Flow Limits listed above apply only to discharges from systems to be constructed or modified pursuant to Section 6 of this permit. The Interim Flow Limits for each such discharge are effective on the date of issuance of this permit and terminate upon the Commissioner's written approval to discharge to any such new or modified system issued under Section 6 of this permit. "N/A" denotes discharges that are not subject to Interim Flow Limits and for which Final Flow Limits are effective on the date of issuance of this permit.

**Final Flow Limits for each of these discharges are effective upon the Commissioner's written approval to discharge to any such new or modified system issued under Section 6 of this permit.

ATTACHMENT 2

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**TABLE E
INSPECTION, MONITORING AND MAINTENANCE REQUIREMENTS**

Discharge Serial Nos.: 301-2, 302-2, 303-2, 304-2, 305-2, 306-2, 307-2, 308-2, 309A-2, 309B-2		Monitoring Location: S
Wastewater Description: Domestic Sewage		
Inspection, Monitoring, or Maintenance	Discharge Serial No.	Minimum Frequency
Depth of sludge in septic tank(s)	All Systems	During pump-out
Pump out septic tank(s)	All Systems	Annually
Pump out grease trap(s)	303-2, 304-2, 305-2, 306-2, 307-2, 308-2, 309A-2, 309B-2	Quarterly
Mechanical inspection of septic tank baffles	All Systems	During pump-out
Mechanical inspection of grease trap baffles	303-2, 304-2, 305-2, 306-2, 307-2, 308-2, 309A-2, 309B-2	During pump-out
Mechanical inspection of septic tank effluent filter	All Systems	During pump-out
Clean septic tank effluent filter	All Systems	During pump-out
Mechanical inspection of pump station(s)	302-2, 303-2, 304-2, 305-2, 306-2, 309A-2, 309B-2	Quarterly
Pump out pump chamber(s)	302-2, 303-2, 304-2, 305-2, 306-2, 309A-2, 309B-2	Annually
Test run of emergency generator	308-2	Quarterly
Pump out holding tank	308-2	As needed
Water meter readings of water usage	All Systems	Weekly
Visual inspection of BioClere System	308-2	Monthly
Visual inspection of anoxic chambers	308-2	Monthly
Visual inspection of sequence batch reactor	308-2	Monthly
Mechanical inspection of alarms	308-2	Monthly
Mechanical inspection of blowers	308-2	Monthly
Mechanical inspection of carbon feed system	308-2	Monthly
Mechanical inspection of alkalinity feed system	308-2	Monthly
Mechanical inspection of valve chamber(s)	308-2	Monthly
Visual inspection of distribution boxes	All Systems	Monthly
Depth of ponding in leaching field(s)	All Systems	Quarterly
ADDITIONAL NOTES:		
<ol style="list-style-type: none"> 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. 2. The Pomperaug 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 Pomperaug Health District Director of Health. 		

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ATTACHMENT 3

TABLE F GROUNDWATER MONITORING			
Discharge Serial No. 301-A, 302-A, 303-A, 304-A, 305-A, 306-A, 307-A, 308-A, 309A-A, 309B-A		Monitoring Location: GW	
Groundwater Monitoring Location No.: MW-10A, MW-10B, MW-13B, MW-13C, MW-14		Description: Downgradient monitoring well	
Parameter	Units	Minimum Frequency of Sampling	Sample Type
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 Nos.: 201505789 & 201913502

PERMIT No.: UI0000120

DISCHARGER NAME AND ADDRESS

APPLICANT/PERMITTEE: Southhaven Associates, LLC

MAILING ADDRESS: 100 Main Street North, Suite 203, Southbury, CT 06488

CONTACT PERSON: Ansis Bergis

LOCATION ADDRESS: 100 Main Street North, Suite 203, Southbury, CT 06488

PERMIT TYPE

New () Reissuance (X) Modification (X) 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 (X) Ground Water (UIC) (X) Ground Water (Other) ()

Major () Significant Minor () Minor (X)

UIC PERMIT INFORMATION

Total Wells 9 Well Type 5W12

DEEP STAFF ENGINEER/ANALYST

Lauren Jones

NATURE OF BUSINESS GENERATING DISCHARGE

Discharges of domestic sewage are generated by retail and restaurant operations located within the shopping plaza.

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

DSN 301-2 (Existing System No. 1) represents the discharge generated from Unit Nos. 1A (upper level of Building No. 3) and 1B to an existing subsurface sewage disposal system consisting of: septic tanks, Soil Air system and an engineered leaching field with a total permitted discharge capacity of 7,000 gallons per day.

DSN 302-2 (Existing System No. 2) represents the discharge generated from Unit Nos. 24, 25, 17, 1A, 2, 3, 4, 5, 6, 7, 8, 9, and 10 to an existing subsurface sewage disposal system consisting of: septic tanks, pump chamber and an engineered leaching field with a total permitted discharge capacity of 4,100 gallons per day.

DSN 303-2 (Existing System No. 3) currently represents the discharge generated from Unit Nos. 22, 22B and 23 to an existing subsurface sewage disposal system consisting of: grease trap, septic tank, and pump chamber to and an engineered leaching field with a total permitted discharge capacity of 3,200 gallons per day.

DATA TRACKING AND TECHNICAL FACT SHEET

NOTE: Pursuant to Sections 6(C) and (E) of the proposed permit compliance schedule, the applicant permittee will modify Existing System No. 3 to redirect flow from Unit Nos. 22, 22B and 23 (currently DSN 303-2) to New System No. 9A (DSN 309A-2), and will utilize the Existing System No. 3 leaching fields for stormwater infiltration as part of the nitrogen dilution plan required to be submitted under a proposed permit compliance schedule.

DSN 304-2 (Existing System No. 4) currently represents the discharge generated from Unit Nos. 11, 12 and the maintenance building to an existing subsurface sewage disposal system consisting of: septic tanks, pump chamber and an engineered leaching field with a total interim permitted discharge capacity of 700 gallons per day, and a total final permitted discharge capacity of 2,013 gallons per day [as noted immediately below].

NOTE: Pursuant to Section 6(D) of the ~~Under a~~ proposed permit compliance schedule, Existing System No. 4 will be modified with the addition of a new grease trap, septic tank and pump chamber, and by changing the distribution system within the leaching field from high-level overflow to equal distribution. Once these modifications are completed, the total final permitted discharge capacity for Modified System No. 4 will be 2,013 gallons per day. The applicant will redirect flow from Unit Nos. 11, 12 and the maintenance building (currently DSN 304-2) to Modified System No. 5 (DSN 305-2), and will redirect flow for Unit No. 14 from Existing System No. 5 to Modified System No. 4.

DSN 305-2 (Existing System No. 5) currently represents the discharges generated from Unit Nos. 14 and 15 to an existing subsurface sewage disposal system consisting of: a grease trap, septic tanks, and an engineered leaching field with a total interim permitted discharge capacity of 3,300 gallons per day, and a total final permitted discharge capacity of 2,988 gallons per day [as noted immediately below].

NOTE: Pursuant to Section 6(D) of the ~~Under a~~ proposed permit compliance schedule, Existing System No. 5 will be modified with the addition of a pump chamber, an additional 48 feet of 4x4 concrete galleries to the existing leaching field, and by changing the distribution system within the leaching field from high-level overflow to equal distribution. Once these modifications are completed, the total final permitted discharge capacity will be 2,988 gallons per day. Upon completion of modifications to Existing Systems No. 4 and 5, the applicant will redirect flow for Unit No. 14 from Existing System No. 5 to Modified System No. 4, and will redirect flow from Unit Nos. 11, 12 and the maintenance building from Existing System No. 4 to Modified System No. 5.

DSN 306-2 (Existing System No. 6) represents the discharge generated from Unit Nos. 16, 19, 20A, and 20B to an existing subsurface sewage disposal system consisting of: grease traps, septic tanks, pump chamber and an engineered leaching field with a total permitted discharge capacity of 2,800 gallons per day.

DSN 307-2 (Existing System No. 7) represents the discharge generated from Unit No. 19 to an existing subsurface sewage disposal system consisting of: a grease trap, septic tank, Soil Air system and an engineered leaching field with a total permitted discharge capacity of 4,300 gallons per day.

DSN 308-2 (Existing System No. 8) represents the discharge from the existing alternative sewage treatment system serving Unit No. 13 consisting of: a grease traps, septic tanks, pump chambers, holding tank (for discharges resulting from floor stripping) and a dual train Bioclere Wastewater Treatment System. The Bioclere System is a fixed film biological treatment process with a current permitted process capacity of 4,800 gallons per day. There are two parallel treatment trains, each with two stages of treatment for nutrient removal. Pretreated effluent from the Bioclere System is discharged to an engineered leaching field for further nutrient renovation.

DATA TRACKING AND TECHNICAL FACT SHEET

DSN 309A-2 (New System No. 9A) will represent the discharge generated from Unit Nos. 22, 22B and 23 (redirected from Existing System 3) to a proposed subsurface sewage disposal system to be constructed by the applicant under a proposed permit compliance schedule consisting of: grease traps, septic tanks, pump chamber, Soil Air system and an engineered leaching field. Once construction has been completed, the total final permitted discharge capacity will be 5,175 gallons per day.

DSN 309B-2 (New System No. 9B) will represent the discharge generated from the lower level of Building No. 3 to a proposed subsurface sewage disposal system to be constructed by the applicant under a proposed permit compliance schedule consisting of: a grease trap, septic tanks, pump chamber, Soil Air system and an engineered leaching field. Once construction has been completed, the total final permitted discharge capacity will be 3,800 gallons per day.

<u>COMPLIANCE SCHEDULE</u>	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
- 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

The Commissioner issued Permit No. UI00000120 (“the Permit”) on February 28, 2006 authorizing the discharge of domestic sewage to the waters of the state under CGS Section 22a-430 for Existing System No. 8 (DSN 308-2). The Permit included a Compliance Schedule requiring the Permittee to investigate the adequacy of the wastewater treatment through Existing System Nos 1 through 7 by August 31, 2008, propose any necessary remedial actions for the Commissioner’s review and written approval, and perform such approved remedial actions on or before November 15, 2008. The Permittee did not complete all of the requirements of the Compliance Schedule.

DATA TRACKING AND TECHNICAL FACT SHEET

On August 21, 2015 Southaven Associates, LLC submitted an application (Application No. 201505789) for the renewal of the Permit authorizing the discharge of domestic sewage to the waters of the state through Existing System No. 8 (DSN 308-2). The Commissioner determined that this application was technically deficient. Specifically, such application failed to include the necessary technical information and a request for authorization to discharge domestic sewage to the waters of the states through Existing System Nos. 1 through 7 (DSNs 301-2 through 307-2).

On June 28, 2018, the Department issued Notice of Violation NOV WR SS 18 001 to Southaven Associates, LLC for failure to submit: the discharge monitoring reports, the results of groundwater monitoring, the results of quarterly inspection, monitoring or maintenance, and exceedances in effluent limitations for the identified time periods, as required by the Permit.

On September 12, 2019, Consent Order No. WR SS 19 001 (“the Order”) was issued requiring: the retention of a qualified consultant; submittal of a Compliance Statement pursuant to NOV No. NOVWRSS18001 that includes a proposal for remedial actions that will be taken to correct all violations and schedule for implementation of such plan; the submission of a complete wastewater discharge application for modification of the Permit under Section 22a-430 of the CGS for the addition of Existing System Nos. 1 through 7 which shall include: the investigation and evaluation of the existing systems for adequacy and effectiveness to protect human health and the environment and to meet present and future wastewater disposal needs, a site-wide nitrogen dilution analysis, information identified in the Department’s letter dated September 26, 2018, and engineered plans for the repair and or replacement of Existing System Nos. 3, 5 and 7. The Order authorized the continued discharge to existing System Nos. 1 through 8 as identified in Appendix A of the Order, pending compliance with the requirements of the Order.

Southaven Associates, LLC submitted Application No. 201913502 on November 7, 2019 for the modification of Permit: the addition of Existing System Nos. 1 through 7, the modification of Existing System Nos. 4 and 5, the construction of a New Systems (System Nos. 9A and 9B), and plans for a site-wide nitrogen dilution analysis that will repurpose Existing System No. 3 for stormwater infiltration upon complete construction of New System No. 9A. Accordingly, ~~t~~The draft permit contains a Compliance Schedule requiring: submittal of a Nitrogen Dilution Plan including proposed alternatives for demonstrating compliance with the Connecticut Water Quality Standards; modification of Existing System Nos. 3, 4 and 5 (DSNs 304-2 and 305-2); and the construction of New Systems Nos. 9A and 9B (DSNs 309A-2 and 309B-2).

PERMIT FEES

Discharge Code 312000a Representing DSN 301-2, 302-2, 303-2, 304-2, 305-2, 306-2, 307-2, 308-2, 309A-2 and 309B-2

Annual Fee \$1,100

PROJECT HISTORY

Applications received on August 31, 2015 and November 7, 2019

Notice of Sufficiency signed November 10, 2015 and November 14, 2019

**NOTICE OF TENTATIVE DECISION
INTENT TO REISSUE AND MODIFY 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 and modify a permit based on applications submitted by **Southhaven Associates, 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 the continuance of the existing alternative sewage treatment system and existing subsurface sewage disposal systems to treat the discharges, the modification of such existing subsurface sewage disposal systems, and installation of new subsurface sewage disposal systems pursuant to compliance actions required under the draft permit, would protect the waters of the state from pollution, and the Commissioner proposes to renew and modify the permit for this discharge to groundwaters in the Pomperaug River Watershed. The proposed permit would require the applicant to: prepare and submit a nitrogen reduction plan; submit construction plans and specifications for new and modified treatment systems within six (6) months after permit issuance; perform all such construction as approved by the Commissioner; and provide any additional information necessary to ensure the protection of the waters of the state from pollution.

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

Southhaven Associates, LLC proposes to discharge a maximum of 36,976 gallons per day of domestic sewage wastewaters through a combination of conventional subsurface sewage disposal systems and an alternative sewage treatment system to the groundwaters in the Pomperaug River watershed from operations at 100 Main Street North in Southbury, CT.

The name and mailing address of the permit applicant are: **Southhaven Associates, LLC, 100 Main Street North, Suite 203, Southbury, CT 06488**

The activity takes place at: **100 Main Street North, Southbury, CT 06488**

REGULATORY CONDITIONS

Type of Treatment: There are seven existing conventional subsurface sewage disposal systems consisting of: grease traps, septic tanks, pump chambers, SoilAir systems and engineered leaching fields; and an existing alternative sewage treatment system consisting of: grease trap, septic tanks, pump chambers, and a Bioclere Wastewater Treatment System. The Bioclere Wastewater Treatment System utilizes a fixed film biological treatment process and the pretreated effluent discharges to an engineered leaching field. In addition, the permittee proposes to modify two of the existing conventional subsurface sewage disposal systems and to construct two new conventional systems consisting of: grease traps, septic tanks, pump

chambers, SoilAir systems, and engineered leaching fields.

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 NOS. 201505789 & 201913502 PERMIT ID NO. UI0000120

Interested persons may obtain copies of the application from Ansis Bergs, Southaven Associates LLC, 100 Main Street North, Suite 203, Southbury, CT 06488.

The application is available for inspection by contacting Lauren Jones at (860) 424-3155 or Lauren.Jones@ct.gov 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.

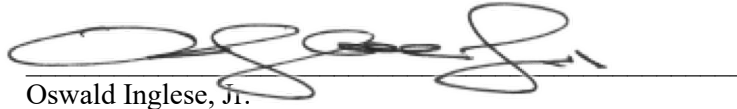
PUBLIC COMMENT

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 via mail to Lauren Jones, Bureau of Materials Management and Compliance Assurance, Department of Energy and Environmental Protection, 79 Elm Street, Hartford, CT 06106-5127 or via email to Lauren.Jones@ct.gov. 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 shall be submitted within thirty (30) days from the date of publication of this public notice and should include the application number noted above and also identify a contact person to receive notifications. Petitions should also identify a person who is authorized to engage in discussions regarding the application and, if resolution is reached, withdraw the petition. In order to facilitate the filing of requests for hearing during the COVID-19 emergency and consistent with the Department's Temporary Directive, the Office of Adjudications will accept electronically-filed petitions in addition to petitions submitted by mail. Petitions with required signatures may be filed by email to deep.adjudications@ct.gov or mailed to the DEEP Office of Adjudications, 79 Elm Street, Hartford, CT 06106. Within thirty (30) days of filing the petition, original petitions that were filed electronically must be also be mailed to the Office at the above-noted address. If the original petition exists only in electronic format or signatures were produced using a computer or typewriter, the petition must be submitted with a statement bearing the wet-ink signature of the petitioner that the petition is only available in that format and has been submitted to satisfy the requirement that an original petition be filed. If a hearing is held,

timely notice of such hearing will be published in a newspaper of general circulation and posted on the DEEP website at www.ct.gov/deep. Additional information at 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.

A handwritten signature in black ink, appearing to read 'Oswald Inglese, Jr.', is written over a horizontal line.

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

Dated: November 4, 2020

OI:KH:lj