

## UIC PERMIT

### **Issued to**

Wal-Mart Stores East, Limited Partnership  
702 SW 8<sup>th</sup> Street  
Bentonville, AR 72716

And

Shoreline Plaza, LLC  
C/o Brooks Proprieties, Inc.  
1169 Main Street, Suite 5  
Branford, CT 06405

### **Location Address:**

Shoreline Plaza  
900 Boston Post Road  
Guilford, CT 06437

**Permit ID:** UI0000523  
**Watershed:** Sluice Creek  
**Basin Code:** 5109

**Issuance Date:** [Date of Signature]  
**Effective Date:** [1<sup>st</sup> day of next month]  
**Permit Expires:** [10 years from Effective Date]

## **SECTION 1: GENERAL PROVISIONS**

- (A) This permit is issued in accordance with section 1421 of the Federal Safe Drinking Water Act 42 USC 300h et. seq., section 22a-430 of Chapter 446k, Connecticut General Statutes (“CGS”), and Regulations of Connecticut State Agencies (“RCSA”) adopted thereunder, as amended.
- (B) Wal-Mart Stores East, Limited Partnership and Shoreline Plaza, LLC, (“Permittees”), 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 Permittees to enforcement action, including but not limited to, seeking penalties, injunctions and/or forfeitures pursuant to applicable sections of the CGS and RCSA.
- (D) Any false statement in any information submitted pursuant to this permit may be punishable as a criminal offense under section 22a-438 or 22a-131a of the CGS or in accordance with section 22a-6, under section 53a-157 of the CGS.
- (E) The Permittees shall comply with Section 22a-416-1 through Section 22a-416-10 of the RCSA concerning operator certification.
- (F) No provision of this permit and no action or inaction by the Commissioner of Energy & Environmental Protection (“Commissioner”) shall be construed to constitute an assurance by the Commissioner that the actions taken by the Permittees pursuant to this permit will result in compliance or prevent or abate pollution.
- (G) The authorization to discharge under this permit may not be transferred without prior written approval of the Commissioner. To request such approval, the Permittees and proposed transferee shall register such proposed transfer with the Commissioner at least 30 days prior to the

transferee becoming legally responsible for creating or maintaining any discharge which is the subject of the permit transfer. Failure, by the transferee, to obtain the Commissioner's approval prior to commencing such discharge(s) may subject the transferee to enforcement action for discharging without a permit pursuant to applicable sections of the CGS and RCSA.

- (H) Nothing in this permit shall relieve the Permittees of other obligations under applicable federal, state and local law.
- (I) An annual fee shall be paid for each year this permit is in effect as set forth in section 22a-430-7 of the RCSA.
- (J) This permitted discharge is consistent with the applicable goals and policies of the Connecticut Coastal Management Act (section 22a-92 of the CGS).

## **SECTION 2: DEFINITIONS**

- (A) The definitions of the terms used in this permit shall be the same as the definitions contained in section 22a-423 of the CGS and sections 22a-430-3(a) and 22a-430-6 of the RCSA.
- (B) In addition to the above, the following definitions shall apply to this permit:

“Annual”, in the context of a sampling frequency, shall mean the sample must be taken in the month of March.

“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.

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

“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.

“Twice per month”, when used as a sample frequency, shall mean two samples per calendar month collected no less than 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 system to treat the discharge will protect the waters of the state from pollution. The

Commissioner's decision is based on Application No.: 201603407 for permit issuance received on March 11, 2016 and the administrative record established in the processing of that application.

- (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 Permittees to discharge a maximum flow of 4,530 gallons per day of domestic sewage in accordance with the terms and conditions of this permit, 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 Permittees shall assure that groundwater affected by the subject discharge shall conform to the Connecticut Water Quality Standards.
- (D) The Permittees 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 recycle pumping system, Bioclere advanced pretreatment, aeration equipment, aeration tank, mixing equipment, anoxic tank, chemical feed systems, effluent filters or any other process equipment necessary for the optimal removal of pollutants. The Permittees shall not bypass or 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 Tables 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 Permittees shall report pH values, specifically maximum and minimum, for each day of sample collection.

- (G) The Permittees 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 Permittees 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 II operator pursuant to C.G.S. 22a-416(d) and the regulations adopted thereunder. The Permittees 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 Permittees shall monitor, inspect and maintain the treatment facilities in accordance with Table C, which is incorporated into this permit as Attachment 2.
- (L) The Permittees 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 30 days of the exceedance. Resampling for a permit violation is in addition to routine required sampling.
- (C) The Permittees 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 Permittees 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 Permittees 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 Permittees 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 Permittees 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 Permittees 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 Permittees 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 the Permittees begin submitting reports using NetDMR, they will no longer be required to submit hard copies of DMRs to the Department. The Permittees 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 Permittees are 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 the Permittees 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 Permittees submit 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.

## **SECTION 6: COMPLIANCE SCHEDULE**

- (A) On or before seven (7) days after issuance of this permit, the Permittees shall record a copy thereof on the land records in the Town of Guilford. On or before one (1) month after issuance of this permit, the Permittees shall submit written verification to the Commissioner that this permit has been recorded on the land records in the Town of Guilford.
- (B) On or before thirty (30) days after the date of issuance of this permit, The Permittees 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(C) and 6(D) below of this permit and shall, by that date, notify the Commissioner in writing of the identity of such consultants. The Permittees 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 Permittees 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.
- (C) On or before one hundred eighty (180) days after the date of issuance of this permit, the Permittees shall: a) investigate the existing alternative sewage treatment 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 comply with the terms and conditions of this permit, 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 any necessary permanent repair to or replacement of the existing system to ensure adequate wastewater renovation and compliance with this permit, and a detailed work plan and schedule for performing the remedial plan and monitoring the effectiveness of the remedial plan.
- (D) Every two (2) years, on or before the anniversary date of the issuance of this permit, the Permittees 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 Permittees 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 WPCA and to the local Health Department.

This permit is hereby issued on

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Jennifer L. Perry, P.E., Chief  
Bureau of Materials Management and Compliance Assurance  
Department of Energy and Environmental Protection

BW:ald

cc: Local Health Dept.  
DMR

ATTACHMENT 1

<b>TABLE A</b>				
Discharge Serial No. 301-2			Monitoring Location: G	
Wastewater Description: Domestic Sewage Influent				
Monitoring Location Description: Septic Tank				
Average Daily Flow: 3,020 gallons per day			Maximum Daily Flow: 4,530 gallons per	
<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	Once a 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: Pump chamber following the final settling tank					
<b>FLOW/TIME BASED MONITORING</b>					
<b>Parameter</b>	<b>Units</b>	<b>Average Daily Flow Limit</b>	<b>Maximum Daily Flow Limit</b>	<b>Sample Type</b>	<b>Sample Frequency</b>
Flow Rate (Average daily) <sup>1</sup>	gpd	3,020	4,530	Daily flow	Continuous
<b>INSTANTANEOUS MONITORING</b>					
<b>Parameter</b>	<b>Units</b>	<b>Average Monthly Limit</b>	<b>Maximum Concentration</b>	<b>Sample Type</b>	<b>Sample Frequency</b>
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
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
Methanol	mg/l	---	---	Grab	Twice per month
Alkalinity	mg/l	---	---	Grab	Twice per month
<b>FOOTNOTES:</b>					
1. For this parameter, the Permittees 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.					

ATTACHMENT 2

<b>TABLE C INSPECTION, MONITORING AND MAINTENANCE REQUIREMENTS</b>	
Discharge Serial No.: 301-2	Monitoring Location: S
Wastewater Description: Domestic Sewage	
Average Daily Flow: 3,020 gallons per day	Maximum Daily Flow: 4,530 gallons per day
<b>Inspection, Monitoring, or Maintenance</b>	<b>Minimum Frequency</b>
Mechanical inspection of EQ/Dosing Tank	Monthly
Mechanical inspection of Bioclere system pumps	Monthly
Mechanical inspection of alkalinity feed system	Monthly
Mechanical inspection of carbon feed system	Monthly
Mechanical inspection of anoxic reactor pumps	Monthly
Mechanical inspection of septic tank and grease trap baffles	During pump-out
Visual inspection of Bioclere systems	Monthly
Visual inspection of anoxic reactor	Monthly
Visual inspection of final settling tank	Monthly
Visual inspection of surface condition of leaching fields	Quarterly
Depth of sludge in septic tank	During pump-out
Water meter readings of water usage	Monthly
Test run of emergency generator	Quarterly
Pump out septic tank	Annually
Pump out grease trap	Quarterly
Pump out sludge from Bioclere units	Annually
Pump out anoxic reactor	Every 2 years
Pump out settling tank	Every 3 years
<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 Guilford 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 Guilford Director of Health.</li> </ol>	

ATTACHMENT 3

<b>TABLE D GROUNDWATER MONITORING</b>			
<b>Discharge Serial No. 301A, 301B, 301C</b>		<b>Monitoring Location: GW</b>	
<b>Groundwater Monitoring Location No.:</b> MW1, MW2, MW3		<b>Description:</b> Downgradient and upgradient monitoring wells	
<b>Parameter</b>	<b>Units</b>	<b>Minimum Frequency of Sampling</b>	<b>Sample Type</b>
Fecal Coliform	col/100ml	Quarterly	Grab
Groundwater Depth (Standard depth below grade)	Ft	Quarterly	Instantaneous
Ammonia Nitrogen	mg/l	Quarterly	Grab
Nitrate Nitrogen	mg/l	Quarterly	Grab
Nitrite Nitrogen	mg/l	Quarterly	Grab
Total Kjeldahl Nitrogen	mg/l	Quarterly	Grab
Total Nitrogen	mg/l	Quarterly	Grab
pH	S.U.	Quarterly	Instantaneous
Total Dissolved Phosphorous	mg/l	Quarterly	Grab

**DATA TRACKING AND TECHNICAL FACT SHEET**

**APPLICATION No.:** 201603407

**PERMIT No.:** UI0000523

**DISCHARGER NAME AND ADDRESS**

**APPLICANT/PERMITTEE:** Wal-Mart Stores East, Limited Partnership and Shoreline Plaza, LLC

**MAILING ADDRESS:**

Wal-Mart Stores East, Limited Partnership  
702 SW 8<sup>th</sup> Street  
Bentonville, AR 72716

Shoreline Plaza, LLC  
1169 Main Street, Suite 5  
Branford, CT 06405

**DISCHARGER NAME AND ADDRESS DATA**

**CONTACT PERSON:** Wal-Mart Stores East, Limited Partnership, Toni McCrory,  
Phone No.: (479) 277-3468  
Shoreline Plaza, LLC, c/o Brooks Properties, Jamie Lynch,  
Phone No.: (203) 481-0788

**LOCATION ADDRESS:** Shoreline Plaza, 900 Boston Post Road, Guilford, CT 06437

**PERMIT TYPE**

New (X)                      Reissuance ( )                      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 (X)                      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**

Antoanela Daha

**NATURE OF BUSINESS GENERATING DISCHARGE**

Wal-Mart Stores East, Limited Partnership and Shoreline Plaza, LLC discharge a maximum of 4,530

gallons per day of domestic sewage to the groundwaters in the Sluice Creek Watershed from retail store operations.

**PROCESS AND TREATMENT DESCRIPTION (by DSN)**      **AT(X)**      **RECYCLE ()**  
DSN 301-2 represents the discharge from the existing alternative sewage treatment system consisting of a grease trap, a septic tank, two Bioclere treatment units and an anoxic fixed film reactor unit followed by an engineered pressure distributed subsurface leaching field.

**COMPLIANCE SCHEDULE**    YES (X)      NO ()  
Pollution Prevention ()    Treatment Requirement ()      Water Conservation ()  
Permit Steps ()      Water Quality Requirement ()      Remediation ()  
Audit Language (X)      Other (X) See below:

The compliance schedule requires an evaluation of the alternative sewage treatment system to be performed within 180 days following permit issuance to determine whether any further system modifications may be needed, and biennial compliance audits to evaluate compliance with all permit terms and conditions.

**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)

**PERMIT FEES**

DISCHARGE CODE 312000a REPRESENTING DSN 301-2 ANNUAL FEE \$1,110

## **OTHER COMMENTS**

Wastewater discharge permit no. UI0000384 was previously issued on March 14, 2006 to Wal-Mart Stores, Inc. as a 10-year permit for the discharge of up to 4,350 gallons per day of treated domestic sewage generated from store operations to groundwaters via Walmart's alternative sewage treatment system. On March 11, 2016, Wal-Mart Stores East, Limited Partnership submitted an untimely application for permit renewal. The permit expired on March 14, 2016. Applicant Wal-Mart Stores East, Limited Partnership subsequently amended its permit application to include the plaza owner—Shoreline Plaza, LLC, as the co-applicant.

Walmart's alternative sewage treatment system, which was constructed in 2006, is primarily operated, maintained and monitored by Walmart and provides biological pretreatment for the removal of BOD, TSS and nitrogen prior to discharging to the onsite subsurface leaching field. Because of Walmart's increased use of low flow fixtures and other store changes over the years, Walmart generates a high strength wastewater and its treatment system has undergone several modifications since 2006 to enhance overall treatment efficiency. These modifications include the addition of a supplemental aeration system for the first Bioclere unit to improve biological treatment efficiency, instituting sludge recirculation from the Bioclere units and pump station to the septic tanks to enhance septic tank performance, upgrading the chemical feed system from manual to computer automated to improve chemical delivery of both sodium bicarbonate (alkalinity) and Micro-C (carbon source) in order to enhance the nitrification/denitrification process, and also the addition of MicroCat microbial additive to further improve denitrification.

Data submitted by the applicant during 2021 confirms improvements in both treatment system performance and resulting effluent quality consistent with permit effluent limits, which is in contrast with past data on system performance reported between 2009 and 2015 during which system modifications were underway. Downgradient groundwater monitoring well data indicates that further nitrogen renovation occurs in subsurface soils underlying and downgradient of the leaching area and that renovated effluent is consistent with state water quality standards. One of the downgradient monitoring wells, however, appears to be impacted by nitrogen contributions from neighboring development. This is evidenced by upgradient monitoring well data indicating that groundwater containing slightly elevated nitrate levels periodically enters the Shoreline Plaza site. In addition, it is noted that there are also several upgradient septic systems located in close proximity to Shoreline Plaza, which may be contributing some nitrogen in upgradient groundwater. The proposed permit will require continued monitoring of both the alternative sewage treatment system and groundwater, an evaluation of the alternative sewage treatment system within 180 days following permit issuance to determine whether any further system modifications may be needed, and biennial compliance audits to evaluate compliance with all permit terms and conditions.

## **PROJECT HISTORY**

Application received on March 11, 2016.

Notice of Sufficiency signed on May 19, 2016.



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

**TENTATIVE DECISION**

The Commissioner of Energy and Environmental Protection hereby gives notice of a tentative decision to issue a permit based on an application submitted by **Wal-Mart Stores East, Limited Partnership and Shoreline Plaza, 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 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 Sluice Creek Watersheds.

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

**APPLICANT'S PROPOSAL**

Wal-Mart Stores East, Limited Partnership and Shoreline Plaza, LLC presently discharges up to 4,530 gallons per day of treated domestic sewage to groundwaters in the Sluice Creek Watersheds from operations of a retail store.

The name and mailing address of the permit applicant are: Wal-Mart Stores East, Limited Partnership, 702 SW 8<sup>th</sup> Street, Bentonville, AR 72716 and Shoreline Plaza, LLC, 1169 Main Street, Suite 5, Branford, CT 06405. The activity takes place at: Walmart Store, 900 Boston Post Road, Guilford, CT 06437.

**REGULATORY CONDITIONS**

Type of Treatment

The treatment consists of a grease trap, a septic tank, secondary treatment with two Bioclere units in series followed by an anoxic fixed film reactor unit, prior to discharging to a pressure distributed subsurface leaching field.

Effluent Limitations

This permit contains effluent limitations consistent with a Case-by-Case Determination using the criteria of Best Professional Judgement and which will protect the waters of the state from pollution when all the conditions of this permit have been met.

Compliance Schedule

The proposed permit includes a compliance schedule requiring the applicant to: 1) Investigate the existing alternative sewage treatment system and perform any necessary system modifications at the facility to ensure compliance with all permit limits and conditions; and 2) submit the results of a detailed permit compliance audit every two years.

## **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.: 201603407

PERMIT ID NO.: UI0000523

The application is available for inspection by contacting Antoanela Daha at [Antoanela.Daha@ct.gov](mailto:Antoanela.Daha@ct.gov) or at 860-424-3025, 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 Antoanela Daha, 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 (25) 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 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](mailto: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 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: <https://www.ct.gov/deep>. Additional information can be found at: <https://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. Please contact Antoanela Daha at 860-424 3025 or via email at [Antoanela.Daha@ct.gov](mailto:Antoanela.Daha@ct.gov) if you are seeking a communication aid or service, have limited proficiency in English, or require some other accommodation. If you wish to file an ADA or Title VI discrimination complaint, you may submit your complaint to the DEEP Office of Diversity and Equity at (860) 418-5910 or via email at [deep.accommodations@ct.gov](mailto:deep.accommodations@ct.gov). In order to facilitate efforts to provide an accommodation, please request all accommodations as soon as possible following notice of any agency hearing, meeting, program or event.



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

March 23, 2022

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Date