



National Pollutant Discharge Elimination System (NPDES) General Permit for Discharge of Stormwater Associated with Commercial Activity

Permit Number: CTGSC0000

This *National Pollutant Discharge Elimination System General Permit for the Discharge of Stormwater Associated with Commercial Activity* is issued in accordance with Section 22a-430 of Chapter 446k, Connecticut General Statutes (“CGS”), and Regulations of Connecticut State Agencies (“RCSA”) adopted thereunder, as amended, and Section 402(b) of the Clean Water Act (“CWA”), as amended, 33 USC 1251, et. seq., and pursuant to an approval dated September 26, 1973, by the Administrator of the United States Environmental Protection Agency for the State of Connecticut to administer a NPDES permit program. This general permit authorizes discharges to surface and ground waters of the State of Connecticut. Persons shall comply with all conditions of this permit.

This permit becomes effective [EFFECTIVE]. This permit and the authorization to discharge shall expire sixty (60) months (five (5) years) from the effective date. This permit expires on [EXPIRATION].

Issued: _____

Emma Cimino
Deputy Commissioner

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General Permit for the Discharge of Stormwater Associated with Commercial Activities

Section 1 Authority

This general permit is issued under the authority of Section 22a-430b of the Connecticut General Statutes (“CGS”).

Section 2 Authorization Under This General Permit

2.1 Eligible Activities

This general permit authorizes the discharge of stormwater from or associated with commercial activity as defined in this general permit to waters of the state of Connecticut provided the requirements of this section are satisfied and the activity is conducted in accordance with this permit.

2.1.1 Allowable Non-stormwater Discharges

In addition to the discharges of stormwater from the eligible activities described above, the following non-stormwater discharges are authorized under this permit provided such non-stormwater discharges do not contribute to a violation of instream water quality standards, and such non-stormwater discharges are documented in the Stormwater Management Plan:

- uncontaminated ground water discharges including, but not limited to, pumped groundwater, foundation drains, water from crawl space pumps and footing drains.
- irrigation water including, but not limited to, landscape irrigation and lawn watering runoff.
- residual pavement wash water associated with sweeping.
- emergency discharges or flows from firefighting activities utilizing potable water with no chemical additives, except where it’s identified as significant sources of pollutants to waters of the state.
- discharges of hydrant flushing water from a municipally owned or operated drinking water distribution system provided best management practices are employed.
- naturally occurring discharges such as uncontaminated rising ground waters, uncontaminated groundwater infiltration (as defined at 40 CFR 35.2005(20)), springs, diverted stream flows, and flows from riparian habitats and wetlands.

All other non-stormwater discharges except those specifically listed are not authorized by this permit. Such discharges to surface water must be authorized under a different permit issued by the Commissioner (pursuant to Section 22a-430 or 22a-430b of the Connecticut General Statutes).

2.2 Requirements of Authorization

This general permit authorizes the discharges listed in Section 2.1 of this general permit provided the following conditions are met:

2.2.1 Limitations of Coverage

Prohibited discharges under this general permit are as follows:

- discharges of water, substance, or material into the waters of the state other than eligible discharges specified in this general permit.
- eligible discharges to publicly or privately owned storm sewers or conveyances without written consent from the owner.
- discharges of polychlorinated biphenyl (“PCB”) compounds.
- discharges of mercury.

2.2.2 Complete Registration

A completed registration pursuant to Section 3 of this general permit shall be filed with the Commissioner.

2.2.3 Coastal Management Act

Such activity is consistent with all applicable goals and policies in Section 22a-92 of the Connecticut General Statutes and must not cause adverse impacts to coastal resources as defined in Section 22a-93(15) of the Connecticut General Statutes.

2.2.4 Endangered and Threatened Species

Such activity does not threaten the continued existence of any species listed pursuant to Section 26-306 of the CGS and will not result in the destruction of adverse modification of habitat designated as essential to such species.

2.2.5 Aquifer Protection

Such activity, if it is located within an aquifer protection area as mapped under section 22a-354b of the Connecticut General Statutes, must comply with regulations adopted pursuant to section 22a-354i of the Connecticut General Statutes.

2.2.6 Conservation and Preservation Restrictions

Such activity, if located within a conservation or preservation restriction area, complies with Section 47-42d of the CGS, by providing the following documentation to the commissioner: proof of written notice to the holder of such restriction of the proposed activity's registration pursuant to this general permit or a letter from the holder of such restriction verifying that the proposed activity is in compliance with the terms of the restriction.

2.2.7 Wild and Scenic Rivers Act

Such activity must be consistent with the Wild and Scenic Rivers Act (16 U.S.C. 1271-1287) for those river components and tributaries which have been designated as Wild and Scenic by the United States Congress. Further, such activity must not have a direct and adverse effect on the values for which such river designation was established.

2.2.8 Discharge to Publicly Owned Treatment Works (POTW)

The stormwater is not discharged to a Publicly Owned Treatment Works ("POTW") unless such discharge consists only of runoff from areas associated with gardening or nursery materials and such discharge has been approved in writing by the POTW. Portions of the site associated with commercial activity discharging to surface waters or a municipal separate storm sewer are covered by this general permit.

2.2.9 Discharge to Groundwater

The stormwater is not discharged entirely to groundwater.

2.2.10 Antidegradation Standards

Such activity is consistent with the Antidegradation Standards of Section 22a-426-8 of the Regulations of Connecticut State Agencies.

2.2.11 New or Increased Discharges to High Quality Waters

On or before thirty (30) days prior to the commencement of a new or increased discharge to High Quality Waters from its commercial activity, the permittee must document compliance with the Connecticut Anti-Degradation Implementation Policy in the Water Quality Standards, as amended. At a minimum, the permittee shall identify in its Stormwater Management Plan, the control measures it will implement to prevent the discharge of the Water Quality Volume to a surface water body.

2.2.12 New or Increased Discharges to Impaired Waters

A discharge is not authorized to an impaired waterbody that is listed in the most recent Connecticut Integrated Water Quality Report pursuant to Clean Water Act Section 303(d) and 305(b) unless the permittee provides to the Commissioner the following documentation demonstrating that the discharge is not expected to cause or contribute to an exceedance of the Water Quality Standard(s) that caused the impairment:

- 2.2.12.1 For discharges of pollutants which cause or contribute to the impairment of a water body segment without an established Total Maximum Daily Load (TMDL), the permittee must provide data and other technical information to the Commissioner sufficient to demonstrate that the discharge of the pollutant identified as an indicator of the impairment will meet in-stream water quality standards and criteria at the point of discharge to the waterbody.
- 2.2.12.2 For discharges to waterbody segments impaired for Aquatic Life Uses, discharges shall not contain concentrations of any pollutants with a Water Quality Criteria (WQC) identified in Table 3 of Section 22a-426-9 of the RCSA in concentrations greater than the more restrictive of the chronic aquatic life criteria or applicable human health criteria.
- 2.2.12.3 For discharges to waters with an established TMDL, the Commissioner must determine if there are sufficient allocations in the TMDL to allow the discharge. The Commissioner may authorize the discharge with additional permit conditions or compliance.

2.2.13 Other State and Local Authorization(s)

Such activity obtains all other state and/or local authorization(s) required for such a discharge.

2.3 Registration

Pursuant to the registration requirements in Section 3 of this general permit, a completed registration with respect to the commercial activity shall be filed with the Commissioner.

2.4 Geographic Area

This general permit applies throughout the State of Connecticut.

2.5 Effective Date and Expiration Date of this General Permit

This general permit is effective on the date it is issued by the Commissioner and expires five (5) years from such date of issuance. The general permit may be administratively continued in effect until the Department has reissued the permit in accordance with the CGS and RCSA. If the permit is administratively continued, permittees are required to comply with all permit terms and conditions, including the monitoring requirements and submittal of reports at their original frequency during the continuance of the permit.

2.6 Effective Date of Authorization

2.6.1 Authorization to Discharge for New Sites

The effective date for authorization to discharge under this general permit for a new site, that has never been authorized to discharge stormwater by a NPDES Commercial General Permit, will be provided in the Commissioner's Notice of Coverage letter. The Commissioner will review and approve, reject, or deny registrations in writing.

2.6.1 Authorization to Discharge for Existing Permittees

Upon the effective date of this general permit, permittees that had existing authorization to discharge under the *National Pollutant Discharge Elimination System General Permit for the Discharge of Stormwater Associated with Commercial Activity*, issued September 29, 2023, shall have continued authorization to discharge under the terms and conditions of this general permit upon the effective date of this general permit provided a complete registration and Stormwater Management Plan for this general permit is submitted to

the Commissioner on or before ninety (90) days of the permit effective date. If the owner or operator does not submit a timely, appropriate, complete, and accurate registration requesting authorization to discharge under the reissued general permit or a timely request for authorization under an individual or alternative general permit, authorization under this permit will terminate on the due date for the registration under the reissued general permit unless otherwise specified in the reissued general permit. The Commissioner will review and approve or reject registrations in writing.

2.7 Transition to and from an Individual Permit

No person shall operate or conduct an activity authorized by both an individual permit and this general permit. The requirements for transitioning authorization are as follows:

2.7.1 Transition from an Individual Permit to Authorization Under This General Permit

If an activity meets the requirements of authorization of this general permit and such operation or activity is presently authorized by an individual permit, the permittee may seek a modification to the permit to exclude such operation or activity from the individual permit or if the operation or activity is the sole operation or activity authorized by such permit, the permittee shall surrender its permit in writing to the commissioner. In either event, such permittee's individual permit shall continue to apply and remain in effect until authorization of such operation or activity under this general permit takes effect.

2.7.2 Transition from Authorization Under This General Permit to an Individual Permit

If an activity or operation is authorized under this general permit and the commissioner subsequently issues an individual permit for the same activity, then on the date any such individual permit is issued by the commissioner, the authorization issued under this general permit shall automatically expire.

Section 3 Registration Requirements

3.1 Who Must File a Registration

Any person or municipality that initiates, creates, originates, or maintains a discharge authorized by this general permit, pursuant to Section 2, from a site with five (5) or more acres of contiguous impervious surface, shall file a registration form which meets the registration requirements of this section of this general permit.

3.1.1 Possession and Operation by Others

3.1.1.1 Owner as the responsible party

If a site consisting of five (5) or more acres of contiguous impervious surface being used for commercial activity is in the possession of, or is operated by, more than one person or municipality other than the owner, the owner of such site shall be determined to be the person that initiated, created, originated, or is maintaining such discharge(s).

3.1.1.2 Other as the responsible party

If a site consisting of five (5) or more acres of contiguous impervious surface being used for commercial activity is in the possession of, or is operated by, a single person or municipality, and such person or municipality is solely responsible for the maintenance of the parking lot, catch basins, roof, and/or other impervious cover, such person or municipality shall be determined to be the person that initiated, created, originated, or is maintaining such discharge(s).

3.1.1 New Sites Without Existing Discharge Authorization

New sites not previously authorized under the *General Permit for the Discharge of Stormwater from Commercial Activities* issued on September 29, 2023, shall submit a complete application and Stormwater Management Plan filed with the Commissioner on or before ninety (90) days of the effective date of the permit or; for new sites or activities which begin discharging after the effective date of the general permit, on or before thirty (30) days prior to the date the commercial activity is initiated at such site.

3.1.2 Sites with Existing Discharge Authorization & a New Owner or Operator

This general permit is non-transferable. The existing permittee must submit a Notice of Termination form to the Commissioner on a prescribed form on or before thirty (30) days of the change of ownership from the site authorized for discharge under this general permit. Notices of Termination shall be e-mailed to DEEP.StormwaterStaff@ct.gov. Failure to submit the Notice of Termination may result in enforcement action.

The new owner or operator must submit a new registration to the Commissioner on or before thirty (30) days following the date of transfer.

3.1.3 Sites with Existing Discharge Authorization

Sites with existing authorization to discharge under the *General Permit for the Discharge of Stormwater from Commercial Activities* issued on September 29, 2023 shall submit a application and updated Stormwater Management Plan filed with the Commissioner on or before ninety (90) days after the effective date of this general permit.

3.1.4 Stormwater Discharges Authorized Under Another NPDES Permit

Sites from which all stormwater discharges are authorized under another NPDES permit (such as the *General Permit for the Discharge of Stormwater Associated with Industrial Activity*, the *General Permit for the Discharge of Stormwater from Small Municipal Separate Storm Sewer Systems*, or an individual NPDES permit) are not required to obtain authorization under this general permit. Sites from which only a portion of the stormwater discharges are authorized under another NPDES permit and which meet the conditions of Section 3.1, above, are required to submit a complete registration for the portion of the site not authorized under another NPDES permit.

3.2 Scope of Registration

A registrant shall submit one (1) registration form encompassing all discharges at a single site for which the permittee seeks authorization under this general permit. Discharges taking place at more than one (1) site may not be consolidated on one (1) registration form.

3.3 Contents of Registration

3.3.1 Registration Fees

A registration fee of \$625.00 shall be submitted with a completed registration form.

- 3.3.1.1 The fees for municipalities shall be half of those indicated above pursuant to Section 22a-6(b) of the Connecticut General Statutes. State and Federal agencies shall pay the full fees specified in this subsection.
- 3.3.1.2 The registration fee shall be paid to the Department of Energy and Environmental Protection.
- 3.3.1.3 A registration shall not be deemed complete, and no activity shall be authorized by this general permit unless the registration fee has been paid in full.
- 3.3.1.4 The registration fee is non-refundable.

3.3.2 Registration Form

A registration shall be filed on forms prescribed and provided by the Commissioner. Registration shall include but not be limited to the following information:

3.3.2.1 Permittee information

- a. Legal name, mailing address, telephone number, and e-mail address of the registrant. If the registrant is an entity transacting business in Connecticut and is required to register with the Connecticut Secretary of the State, provide the exact name as registered with the Connecticut Secretary of the State.
- b. Legal name, mailing address, telephone number, and e-mail address of the owner of the property on which the subject activity and discharge(s) are to take place.
- c. Legal name, mailing address, telephone number, and e-mail address of the registrant's attorney or other representative, if applicable.
- d. Legal name, mailing address, telephone number, and e-mail address of any consultant(s) or engineer(s) retained by the registrant to prepare the registration or to design or construct the subject activity.
- e. Legal name, telephone number, and e-mail address of the site contact person.

3.3.2.2 Site information

- a. Name, site address, and mailing address of the site with respect to which the registration is submitted. Location, facility and mailing address, and name of the site for which the registration is being submitted.
- b. Four-digit Standard Industrial Classification (SIC) codes for the primary activity(ies) occurring at the registered site.
- c. Six-digit North American Industry Classification System (NAICS) codes for the primary activity(ies) occurring at the registered site.
- d. 8 1/2" by 11" copy of the relevant portion or a full-sized original of a United States Geological Survey (USGS) quadrangle map, with a scale of 1:24,000, showing the exact location of the site and the area within a one-mile radius of the site.
- e. Total acreage of the site.

- f. Total acreage of contiguous impervious surface on the site.

3.3.2.3 Stormwater discharge information

- a. Number, type (e.g., swale or pipe), material (e.g., concrete or metal pipe, grass swale), and size of all conveyances, outfalls, or channelized flows that convey stormwater runoff from the site.
- b. Unique identifier and location of all stormwater discharge(s) including latitude and longitude.
- c. Type of structural and nonstructural treatment practice used at each outfall or upgradient from each outfall if one exists.
- d. Name of the separate storm sewer system or immediate surface water body or wetland to which the stormwater conveyance, outfall(s), and/or runoff discharges.
- e. Name and waterbody ID of receiving stream(s), watershed(s), or waterbody(s) to which the commercial activity discharges and indication of whether or not a receiving stream is listed as an impaired water with or without a TMDL, including identification of the impairment in the most recent State of Connecticut Integrated Water Quality Report or identification of the receiving stream as a high quality water in the Connecticut Water Quality Standards.
- f. Indication whether or not the site discharges within 500 feet of a tidal wetland.

3.3.2.4 Stormwater Management Plan

Include an electronic copy of the signed Stormwater Management Plan for the Commissioner's review. The electronic SMP shall be in PDF format or similar no-cost, publicly available format in common use.

3.3.2.5 NetDMR Subscriber Agreement

A completed Connecticut DEEP signed NetDMR Subscriber Agreement.

3.3.2.6 Additional forms

Include any additional forms and information that may be required pursuant to 2.2 of the general permit, "Requirements of Authorization", regarding compliance and/or consistency with the Coastal Management Act, Endangered and Threatened Species, Impaired Waters or Waterbodies subject to a TMDL or Phosphorus Strategy, and Aquifer Protection Areas.

3.4 Certification Requirements for Permittee and Preparer

The permittee and any other individual or individuals responsible for preparing the registration submits to the Commissioner a written certification which, at a minimum, complies with the following requirements:

3.4.1 Review

The permittee and any other individual or individuals responsible for preparing the registration and signing the certification has completely and thoroughly reviewed, at a minimum, this general permit and the following regarding the activities to be covered under such general permit:

- all registration information provided in accordance with Section 3.3 of such general permit.
- the site, based on a visual site inspection.
- compliance records.
- all stormwater conveyance and treatment systems and monitoring equipment, including any plans and specifications, operating records, and any Department approvals regarding such stormwater conveyance and treatment systems and monitoring equipment.

3.4.2 Affirmative Determination

The permittee and any other individual or individuals responsible for preparing the registration and signing the certification has, based on the review described in Section 3.7.1 of this general permit, made an affirmative determination to each of the following:

- comply with the terms and conditions of this general permit.
- maintain compliance with all plans and documents prepared pursuant to this general permit.
- properly operate and maintain all stormwater conveyance and treatment systems and monitoring equipment in compliance with the terms and conditions of this general permit to protect the waters of the state from pollution.

3.4.3 Permittee Certification

Such permittee certifies to the following statement:

“I hereby certify that I am making this certification in connection with a registration under such general permit, submitted to the Commissioner by [INSERT NAME OF REGISTRANT] for an activity located at [INSERT ADDRESS OF PROJECT OR ACTIVITY] and that such activity is eligible for authorization under such permit. I certify that the registration filed pursuant to this general permit is on complete and accurate forms as prescribed by the Commissioner without alteration of their text. I certify that I have personally examined and am familiar with the information that provides the basis for this certification, including but not limited to all information described in Section 3.3.2 of such general permit, and, based on reasonable investigation, including my inquiry of those individuals responsible for obtaining such information, that the information upon which this certification is based is true, accurate and complete to the best of my knowledge and belief. I further certify that I have made the affirmative determination required in accordance with Section 3.7.2 of this general permit and that my signing this certification constitutes conclusive evidence of my having made such affirmative determination.

I also understand that knowingly making any false statement in the submitted information and in this certification may be punishable as a criminal offense, including the possibility of fine and imprisonment, under section 53a-157b of the Connecticut General Statutes and any other applicable law.”

3.4.4 Preparer Certification

Any other individual or individuals responsible for preparing the registration certifies to the following statement:

“I hereby certify that I am making this certification in connection with a registration under such general permit, submitted to the Commissioner by [INSERT NAME OF REGISTRANT] for an activity located at [INSERT ADDRESS OF PROJECT OR ACTIVITY] and that such activity is eligible for authorization under such permit. I certify that the registration filed pursuant to this general permit is on complete and accurate forms as prescribed by the Commissioner without alteration of their text. I certify that I have personally examined and am familiar with the information that provides the basis for this certification, including but not limited to all information described in Section 3.3.2 of such general permit, and I certify, based on reasonable investigation, including my inquiry of those individuals responsible for obtaining such information, that the information upon which this certification is based is true, accurate and complete to the best of my knowledge and belief. I understand that the registration filed in connection with such general permit may be denied, revoked, or suspended for engaging in professional misconduct, including but not limited to the submission of false or misleading information, or making a false or inaccurate certification. I understand that knowingly making any false statement in the submitted information and in this certification may be punishable as a criminal offense, including the possibility of fine and imprisonment, under section 53a-157b of the Connecticut General Statutes and any other applicable law.”

3.5 Confidential Business Information

If the registrant claims that certain elements of their Stormwater Management Plan constitute a trade secret or are otherwise exempt from the disclosure requirements of the state Freedom of Information Act (Section 1-210 et seq of the Connecticut General Statutes, also called FOIA) as specified in that Act, they shall follow the procedures provided in the registration form instructions for this general permit regarding information subject to FOIA requirements. The process of complying with the FOIA requirements does not exempt the registrant from the registration and SMP preparation deadlines specified within this general permit.

3.6 Additional Information

The Commissioner may require an applicant, registrant, or permittee to submit additional information, which the Commissioner reasonably deems necessary to evaluate the consistency of the subject activity with the requirements for authorization under this general permit.

3.7 Additional Notification

For activities authorized under this permit that are discharged through a municipal separate storm sewer system, a copy of the registration shall also be submitted to the owner and operator of that system at the same time the registration is submitted to the Commissioner.

3.8 Where to File a Registration

A complete registration shall be filed with the Commissioner at the following address:

Central Permit Processing Unit
Department of Energy and Environmental Protection
79 Elm Street
Hartford, CT 06106-5127

Note: CT DEEP is in the process of creating a method to receive electronic applications. This section may be revised in the final permit.

3.9 Action by Commissioner

3.9.1 Approval with Permit Conditions

The Commissioner may approve a registration with or without reasonable permit conditions. If the Commissioner approves a registration with or without conditions, the permittee shall be bound by such conditions as if they are part of this general permit.

3.9.2 Rejection or Denial

The Commissioner may reject or deny without prejudice a registration if it is determined that it does not satisfy the registration requirements in Section 3 of this general permit, or if more than seven (7) days have elapsed since the Commissioner requested the permittee submit additional information to determine eligibility for permit coverage for authorization to discharge under this general permit. Any registration refiled after such a rejection shall be accompanied by the fee specified in Section 3.3.1 of this general permit.

3.9.3 Require Individual Permit

The Commissioner may require that a permittee obtain an individual permit for any discharge authorized by this permit in accordance with Section 22a-430b(c) of the Connecticut General Statutes.

3.9.4 Activity Inconsistent with Authorization Requirements

The Commissioner may reject or deny a registration if he or she finds that the subject activity is inconsistent with the “Requirements for Authorization” in Section 2.2 of this general permit, or for any other reason provided by law.

3.9.5 Notice to Registrant

Denial or rejection of a registration under this subsection shall constitute notice to the registrant that the subject activity may not lawfully be conducted or maintained without the issuance of an individual permit in accordance with Section 22a-430 of RCSA.

3.9.6 Notice in Writing

Rejection or denial of a registration shall be provided to the registrant in writing and state the reasons for such rejection or disapproval.

3.10 Termination of Discharge

A Notice of Termination form shall be submitted to the Commissioner on a prescribed form within fourteen (14) days of the cessation of the discharge or the transfer of site ownership.

Notices of Termination shall be e-mailed to DEEP.StormwaterStaff@ct.gov. Failure to submit the Notice of Termination may result in an enforcement action.

Section 4 Conditions of This General Permit

The permittee shall, at all times, continue to meet the requirements for authorization set forth in Section 2.2 of this general permit. In addition, a permittee shall assure that activities authorized by this general permit are conducted in accordance with the conditions in this section.

4.1 Conditions Applicable to Certain Discharges

4.1.1 Proximity to Tidal Wetlands

Any person who or municipality which initiates, creates, or originates a discharge of stormwater associated with commercial activity after the date of issuance of this permit, which discharge is located less than 500 feet from a tidal wetland which is not a fresh tidal wetland, shall discharge such stormwater through a system designed to retain and infiltrate the Water Quality Volume of stormwater runoff as defined in the Stormwater Quality Manual, as amended. If there are site constraints that would prevent retention of this volume on-site (e.g., brownfields, capped landfills, bedrock, elevated groundwater, etc.), documentation must be submitted, for the commissioner's review and written approval, which explains the site limitations and offers an alternative retention volume. In such cases, the portion of the Water Quality Volume that cannot be retained must be provided with additional stormwater treatment so as to protect water quality. Any such treatment shall be designed, installed, and maintained in accordance with the Stormwater Quality Manual, as amended.

4.1.2 Structures and Dredging in Coastal and Tidal Areas

If the permittee intends to initiate, create, or originate a discharge of stormwater below the coastal jurisdiction line into coastal, tidal, or navigable waters for which a permit is required under the Structures and Dredging Act in accordance with Section 22a-361(a) of the Connecticut General Statutes or into tidal wetlands for which a permit is required under the Tidal Wetlands Act in accordance with Section 22a-32 of the Connecticut General Statutes, the municipality shall obtain such permit(s) from the Commissioner prior to initiating, creating or originating such discharge.

4.1.3 Quality of Discharge

The discharge shall not contain visible floating scum, oil, trash, or other matter contained in the stormwater discharge. Excluded from this are naturally occurring substances such as leaves and twigs provided no person has placed such substances in or near the discharge.

4.1.4 Toxicity to Aquatic and Marine Life & Risk to Human Health

The discharge shall not result in pollution which may cause or contribute to acute or chronic toxicity to aquatic life, impair the biological integrity of aquatic or marine ecosystems, result in unacceptable bioaccumulation, risk to human health, or ecological communities.

4.1.5 Water Quality Standards

The stormwater discharge shall not cause or contribute to an exceedance of the applicable Water Quality Standards or Criteria in the receiving water.

4.1.6 High Quality Waters

Any new stormwater discharge to high quality waters (as identified by the Commissioner consistent with the Water Quality Standards) shall be discharged in accordance with the Connecticut Anti-Degradation Implementation Policy in the Water Quality Standards manual. At minimum, the permittee shall evaluate and implement to the Maximum Extent Practicable practices which will prevent the discharge of the Water Quality Volume to a surface water body or other practices necessary to protect and maintain designated uses and meet standards and criteria contained in the Water Quality Standards.

4.1.7 Future Construction

Note that any construction activity that disturbs greater than one (1) acre must be conducted in accordance with the *General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities* (as amended). All construction activities, regardless of size, shall comply with the Connecticut Guidelines for Soil Erosion and Sediment Control during construction, and the Connecticut Stormwater Quality Manual for the design and implementation of post-construction stormwater management measures.

4.2 Stormwater Management Plan

4.2.1 Development of Stormwater Management Plan

The permittee shall prepare, implement, and maintain a Stormwater Management Plan (“SMP”) which shall consist of all records, schedules, descriptions, narrative, instructions, or other materials kept on file at the registrant’s site in accordance with the Stormwater Control Measures and other provisions of Section 4 of this general permit. The Stormwater Control Measures as defined in Section 4.3 shall be implemented on or before the date such activity is initiated and shall be maintained thereafter.

4.2.2 Contents of Stormwater Management Plan

The Stormwater Management Plan shall be representative of current site conditions and shall address, at a minimum, the elements below. If an element is not applicable to the site, the SMP shall identify it and provide an explanation as to why the element does not apply.

4.2.2.1 Site Description

The permittee shall provide a list and detailed description of all the commercial activities at the site.

4.2.2.2 General Location Map

The permittee shall provide a general location map (e.g., U.S. Geological Survey (USGS) quadrangle map) with enough detail to identify the location of the site with crossroads and all receiving waters to which stormwater discharges.

4.2.2.3 Detailed Site Map

The permittee shall develop and provide a site map (at a defined or approximate scale) showing the following:

- a. a north arrow and surveyed or approximate property lines.
- b. location of existing buildings and structures.
- c. the overall site size in acres and amount of impervious coverage in acres.
- d. an outline of the drainage area, including the extent of impervious surface, for each stormwater outfall and direction of flow within the drainage area.
- e. existing structural control measures installed to reduce pollutants in stormwater runoff.
- f. locations of all stormwater conveyances including catch basins, ditches, pipes, and swales as well as the location of any non-stormwater discharges.
- g. the areal extent of any wetlands to which stormwater discharges.
- h. location where major spills or leaks pursuant to Section 4.2.2.5 have occurred.
- i. locations and identification of stormwater monitoring points including latitude and longitude.
- j. locations and identification of stormwater discharges to a municipal storm sewer system.
- k. locations of stormwater discharges to groundwater through an infiltration system.
- l. locations where any drainage run-on enters the site.
- m. location of each potential pollutant source identified pursuant to Section 4.2.2.4.

n. location of each of the following activities:

- fueling stations.
- vehicle and equipment maintenance and/or cleaning areas.
- loading/unloading areas.
- locations of dumpsters, compactors, and waste oil and grease storage.
- liquid storage tanks.
- de-icing material storage areas.
- storage areas, including used pallets.
- areas with the potential for erosion that may impact surface waters or wetlands or may have off-site impacts.
- any other known potential pollutant sources.

4.2.2.4 Potential Pollutant Sources

a. Inventory of Potential Pollutant Sources

The permittee shall provide an inventory of non-gaseous materials (e.g., pallets, products for sale, solid and liquid fertilizers, deicing materials, etc.) at the site for the following areas:

- loading and unloading operations.
- roof areas.
- outdoor storage activities (including lawn and garden centers).

This inventory shall include a description of potential pollutants associated with such materials and shall include all such materials that may be exposed to stormwater.

b. Management of Potential Pollutant Sources

For each of the potential pollutant sources identified in Section 4.2.2.4.a, the permittee shall provide a narrative summary which shall include each of the following:

- method and location of on-site storage or disposal.
- materials management practices employed to minimize contact of materials with stormwater runoff.
- the location and a description of existing structural and non-structural control measures to reduce pollutants in stormwater runoff.
- a description of any treatment the stormwater receives.

4.2.2.5 Spills and Leaks

The permittee shall maintain in the Stormwater Management Plan a list of spills and leaks of five (5) gallons or more of petroleum products, or of toxic or hazardous substances which could affect stormwater, as listed in section 22a-430-4 (Appendix B Tables II, III, and V, and Appendix D) of the Regulations of Connecticut State Agencies, and 40 CFR 116.4.

4.2.2.6 Control Measures

The permittee shall document the location and type of the Control Measures installed and implemented at the site pursuant to Section 4.3, “Stormwater Control Measures,” in the Stormwater Management Plan. For each Control Measure described in Section 4.3, the permittee shall provide a discussion of the appropriateness of each Control Measure which may be implemented to address the requirement and of the Control Measure which one the permittee has chosen to implement in order to comply with

the requirement. The SMP shall include a schedule for implementing such Control Measure at the site if they cannot be implemented immediately.

4.2.2.7 Non-stormwater Discharges

The permittee shall provide a description of all known non-stormwater discharges that could occur at the site which have the potential to commingle with stormwater run-off.

4.2.3 Keeping Plan Current

The permittee shall amend the Stormwater Management Plan whenever any of the following occurs:

- there is a change at the site which has an effect on the potential to cause pollution of the waters of the state.
- the actions required by the SMP fail to ensure or adequately protect against pollution of waters of the state.
- the Commissioner requests modification of the SMP.
- It's necessary to address any significant sources or potential sources of pollution identified as a result of any inspection or visual monitoring.
- a TMDL has been established for the receiving water to which the commercial activity discharges.

If significant changes are made to the site or to the SMP in accordance with list above, the SMP shall be recertified in accordance with Section 4.2.6 of this general permit. The permittee shall maintain compliance with such SMP thereafter.

4.2.4 Failure to Prepare or Amend Plan

In no event shall failure to complete, update, or maintain a Stormwater Management Plan in accordance with Section 4.2 of this general permit relieve a permittee of responsibility to implement actions required to protect the waters of the State, including inland wetlands and watercourses, complete any actions that would have been required by such SMP, and to comply with all conditions of this general permit.

4.2.5 Consistency with Other Plans and Permits

The Stormwater Management Plan may reference requirements contained in a Spill Prevention Control and Countermeasure ("SPCC") plan or a plan prepared or approved under the Resource Conservation and Recovery Act ("RCRA") and other plans required by state, federal or local law. A copy of the pertinent sections of any referenced plan must be kept with the SMP. The SMP shall identify all general and individual permits issued by the DEEP for which the site is authorized.

4.2.6 Certifications and Plan Review

The Stormwater Management Plan and any certifications shall be signed in accordance with Section 7.21. When a SMP or certification is signed by a duly authorized representative, a statement of authorization shall be included in the SMP.

4.2.6.1 Permittee Certification of Stormwater Management Plan

The permittee shall certify as follows:

"I certify under penalty of law that I have read and understand all conditions of *the General Permit for the Discharge of Stormwater Associated with Commercial Activity* issued on MONTH DD, YYYY. This Stormwater Management Plan and all attachments were prepared under my direction or supervision in accordance with a system designed to ensure that the information submitted has been properly gathered and evaluated. The Stormwater Management Plan has been prepared and implemented in accordance with the requirements of this general permit. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information contained in this Stormwater Management Plan is, to the best of my

knowledge and belief, true, accurate and complete. I am aware that there are penalties for submitting false information, including the possibility of fine and imprisonment for knowingly making false statements."

4.2.6.2 Other Certification of Stormwater Management Plan

For sites in the possession of or operated by a person or municipality other than the permittee, the permittee is responsible for providing a copy of the registration and the Stormwater Management Plan to such individual(s). Such individual(s) is/are then responsible for signing the following Certification:

"I certify under penalty of the law that I have read and understand the terms and conditions of *the General Permit for the Discharge of Stormwater Associated with Commercial Activity* issued on MONTH DD, YYYY and the Stormwater Management Plan certified in accordance with the "Certifications and Plan Review" (4.2.6), section of this general permit at the time of registration for this general permit. The permittee shall maintain compliance with such Stormwater Management Plan thereafter. I understand that I am authorized by this general permit, and must comply with the terms and conditions of this permit, including but not limited to the requirements of the Stormwater Management Plan prepared for this site."

4.2.6.3 Notification by Commissioner

The Commissioner may notify the permittee at any time that the Stormwater Management Plan does not meet one or more of the requirements of Section 4.2 of this general permit. Unless otherwise notified by the commissioner in writing, the permittee shall, within thirty (30) days of the date of such notification, revise the SMP and perform all actions required by the revised SMP. Information confirming that the necessary revisions have been made and implemented shall be filed with the commissioner in accordance with the certification requirements prescribed in Section 3.7 or 4.2.6 of this general permit.

4.3 Stormwater Control Measures

Control Measures are required Best Management Practices ("BMPs") that the permittee must implement to minimize the discharge of pollutants from the permitted site. The term "minimize" means reduce and/or eliminate to the extent achievable using Control Measures that are technologically available and economically practicable and achievable in light of best engineering practice and that, where applicable, conform to those in the Guidelines and the Connecticut Stormwater Quality Manual.

4.3.1 Control Measures Applicable to All Sites

The Control Measures in this Section must be implemented by all permittees.

4.3.1.1 Good Housekeeping

The permittee shall maintain a clean, orderly site (e.g., sweeping at regular intervals, appropriate storage practices, proper garbage and waste management, dust control measures, etc.) in all areas that are exposed to rainfall and are potential sources of pollutants.

4.3.1.2 Wash water

No water resulting from washing, cleaning, or rinsing of any raw materials, intermediate products, by-products, final products, products for sale, waste materials (including compactors, dumpsters, grease hoods, filters, mats, etc.), accessories, vehicles, equipment (including rental) storage areas, buildings, outside sales/garden areas, loading docks, parking areas, sidewalks, or vehicles (including non-profit or charity carwashes) shall be discharged to a stormwater conveyance system or waters of the state except in accordance with a permit issued by the DEEP pursuant to Section 22a-430 or 22a-430b of the Connecticut General Statutes. For any vehicle and equipment cleaning practices, the permittee shall minimize contamination of stormwater runoff from all areas used for vehicle/equipment cleaning. DEEP recommends the diversion of contaminated wash water to a holding tank for proper disposal.

4.3.1.3 Floor Drains

The permittee shall ensure that all floor drains located within buildings have been sealed, authorized by a local authority to discharge to sanitary sewer, or otherwise authorized by a permit issued by the Commissioner pursuant to Section 22a-430 or 22a-430b of the Connecticut General Statutes.

4.3.1.4 Roof Areas

The permittee shall identify roof areas that may be subject to drippage, dust, or particulates from exhausts or vents, or other sources of pollution. The permittee must inspect such areas to determine if any potential sources of pollution are present. If pollution is present, the permittee must take appropriate actions to minimize such sources or potential sources of pollution.

4.3.1.5 Minimize Exposure

The permittee shall minimize exposure to stormwater of materials identified pursuant to Section 4.2.2.4 of this general permit.

4.3.1.6 Sediment and Erosion Control

The permittee shall identify areas that have a potential for soil erosion due to topography, activities, or other factors, and shall implement measures to limit erosion and stabilize such areas. All construction activities on site shall be conducted in accordance with the Connecticut Guidelines for Soil Erosion and Sediment Control and Section 4.1.5 "Future Construction," of this general permit.

4.3.1.7 Management of Runoff

The permittee shall evaluate the need for stormwater management and treatment practices that shall be used to divert, infiltrate, reuse, or treat stormwater runoff in a manner that minimizes pollutants in stormwater discharges from the site. Any evaluation, construction, or modification of the design of a stormwater drainage system requires certification by a professional engineer licensed to practice in the State of Connecticut. The permittee shall consider implementation of stormwater management or treatment measures determined to be reasonable and appropriate to minimize the discharge of pollutants from the site.

In implementing infiltration practices, care must be taken to avoid groundwater contamination in accordance with Appendix B of this general permit. Any stormwater infiltration measures implemented by the permittee and located within an aquifer protection area as mapped under Section 22a-354b of the Connecticut General Statutes shall be conducted pursuant to Sections 8(c) and 9(b) of the Aquifer Protection Regulations in Section 22a-354i(1)-(10) of RCSA. The permittee must ensure that stormwater runoff generated from the regulated activity is managed in a manner so as to prevent pollution of groundwater and comply with all the requirements of this permit.

The permittee shall consider the potential of various sources at the site that contribute pollutants to stormwater discharges associated with the commercial activities when determining reasonable and appropriate control measures. Where feasible, the permittee shall divert uncontaminated run-on to avoid areas that may contribute pollutants. Other appropriate stormwater management or treatment measures may include, but are not limited to, vegetative swales or buffer strips, reuse of collected stormwater (such as for process water, cooling water or as an irrigation source), treatment technologies (e.g., swirl concentrators, sand filters, etc.), bioretention cells, green roofs, pervious pavement, and wet detention/retention basins. The permittee shall ensure that such measures are properly designed, implemented, and maintained in accordance with the Stormwater Quality Manual, as amended.

4.3.1.8 Preventative Measures Program

The permittee shall implement a Preventive Maintenance Program, which includes but is not limited to scheduled inspection and maintenance of stormwater management devices, visual inspection, testing and maintenance of on-site equipment, and any other means to identify potential equipment malfunctions or circumstances that result in discharges of pollutants. Records and logs shall be maintained in the Stormwater Management Plan.

4.3.1.9 Impervious Surface Sweeping

All parking areas, sidewalks, driveways, and other impervious surfaces (except roofs) shall be swept clean of trash, sand, salt, soil, plant debris, and any other possible pollutants at least four (4) times a year; twice in the fall (September 1 to December 31) and twice in the spring (March 1 to May 30). Additional sweepings shall be performed as needed based on the results of visual inspections conducted pursuant to Section 4.4. Records of sweeping shall be maintained in the Stormwater Management Plan.

4.3.1.10 Catch Basin Cleaning Program

The permittee shall develop, maintain, and implement a plan and schedule to maintain catch basins located on the site; such to ensure that no catch basin becomes excessively loaded. A catch basin is considered excessively loaded when the catch basin sump is more than fifty percent (50%) full. Catch basin cleanings shall be performed as needed based on the results of the visual inspections conducted pursuant to Section 4.4. Material removed from the catch basins must be properly disposed of. Records of the catch basin cleanings, such as the date, time, name of individual or contract service provider, disposal location, and weight of material shall be maintained in the Stormwater Management Plan.

4.3.1.11 Outside Storage

Any raw materials, intermediate products, by-products, final products, waste materials (including cardboard), pallets, deicing materials, accessories, or equipment (except those on display for sale or rent) stored outside (except for wood products or materials displayed in minimal quantities and exposed during loading/unloading operations) shall be covered, stored inside, or maintained in such a manner as to avoid the risk of any of these materials or their residue passing to a stormwater discharge.

4.3.1.12 Winter Maintenance Activities

The permittee shall consider methods to optimize the application of de-icing materials (e.g., road salt) to reduce the impact of associated pollutants such as chlorides to waters of the state. Methods considered and implemented shall be documented in the Stormwater Management Plan. Permittees shall track the type and weight of deicing material applied per winter season.

DEEP recommends all private contractors responsible for winter maintenance activities at the site including, but not limited to, snow plowing and deicing material application, have received Green Snow Pro training provided by the CT Training and Technical Assistance Center or alternative training(s) as directed by the Commissioner. Additional information regarding BMPs for winter maintenance activities can be found in the Stormwater Quality Manual, as amended.

4.3.1.13 Spill Prevention and Response

The permittee shall develop, maintain, and implement spill prevention and response procedures to minimize the potential for leaks, spills, and other unplanned or uncontrolled releases, which may cause or contribute to pollution of stormwater, surface waters, or ground water. Such procedures shall include but are not limited to:

- identifying areas of potential spills and corresponding drainage points.
- clearly labeling containers susceptible to leakage.
- establishing dry spill cleanup, containment, reporting, and emergency response procedures.

The permittee shall provide the necessary equipment to implement such procedures and shall ensure that all appropriate personnel (e.g., contractors, operators, office staff, etc.) are trained in these procedures in accordance with Employee Training described in Section 4.3.1.16.

In the event of any spill, leak, release, or discharge of non-stormwater not authorized by this permit or another permit, the operator must report it orally as soon as there is knowledge of the event by contacting:

The CT DEEP contact information must be in locations that are readily accessible and available to appropriate staff.

4.3.1.14 Dumpsters and other Temporary Waste Storage

The permittee must ensure that all temporary waste storage containers, such as dumpsters, trash compactors, “roll-off” containers, and grease disposal containers used to store waste or recyclable materials are in sound watertight condition, have covers and drain plugs intact and properly used, or are in covered/roofed areas that will prevent exposure to rainfall and will not allow any leakage to enter any stormwater drainage system or waters of the state. All covers on containers not under a roof must be closed when the container is not being loaded or unloaded.

4.3.1.15 Loading Docks

The permittee shall ensure that stormwater collection and drainage facilities adjacent to the loading dock be designed and maintained in a way that prevents any materials spilled or released at the loading dock from discharging to the stormwater conveyance system and waters of the state. DEEP recommends that loading docks (excluding those that allow a vehicle to enter the building) be protected with a permanent roof or other structure that protects the loading dock from direct rainfall.

4.3.1.16 Employee Training

The permittee shall ensure that all employees (including those of occupants) whose activities may affect stormwater quality receive training within ninety (90) days of employment and at least once a year thereafter to make them familiar with the components and requirements of all control measures and the Stormwater Management Plan. Training shall address topics such as emergency equipment location, spill response management, control measures, inspection requirements and protocols, good housekeeping, and materials management practices. A written record including the date(s), employee name, employee responsibility, and training agenda shall be maintained in the SMP.

4.3.2 Control Measures Applicable to Sites with Certain Activities

The Control Measures in this section are applicable to sites with the specified activity.

4.3.2.1 Solid De-icing Material Storage

For sites which store solid de-icing materials (including pure salt, salt alternatives, or either of these mixed with other materials) outdoors for any reason, including sale or on-site application, the permittee shall implement the following additional Control Measures:

- the permittee must ensure that storage piles of deicing materials that are in place for more than one-hundred-eighty (180) days per year shall be enclosed or covered by a rigid or flexible roof or other structural means. Such structure shall not allow for the migration or release of material outside of the structure through its sidewalls.
- for temporary storage piles of de-icing materials in place for less than one-hundred-eighty (180) days per year, a waterproof cover must be used to prevent exposure to precipitation except for exposure necessary to add or remove materials from the pile. Such cover shall not allow for the migration or release of material outside of the structure through its sidewalls.
- an impervious liner shall be utilized under all de-icing material pile(s) to prevent groundwater pollution for all storage piles located in an area with a groundwater classification of GA or GAA, within 250 feet of a public or private groundwater well utilized for potable drinking water supply, or within a Level A aquifer protection area as defined by mapping pursuant to section 22a-354c of the Connecticut General Statutes.

4.3.2.2 Fueling

For sites where fueling of vehicles and/or equipment (whether for public or private use) occurs outdoors, the permittee shall:

- provide accessible spill kits.
- utilize dry clean-up methods and prohibit wet clean-up practices where these practices would result in a discharge to a storm sewer system, surface water, wetland or groundwater.
- minimize discharge of pollutants to nearby stormwater infrastructure or catch basins.

DEEP highly recommends that the fueling area be covered and run-on to or run-off from the area be minimized.

4.3.2.3 Vehicle and Equipment Maintenance

Discharges of vehicle or equipment fluids to storm sewer systems, surface waters, wetlands, or groundwaters are prohibited under this permit. For sites which vehicle and/or equipment maintenance is performed outdoors, the permittee shall:

- utilize dry clean-up methods and prohibit wet clean-up practices where these practices would result in a discharge to a storm sewer system, surface water, wetland or groundwater.
- utilize drip pans.
- collect, treat and/or recycle collected stormwater runoff from areas where outdoor maintenance occurs.
- minimize discharge of pollutants to nearby stormwater infrastructure or catch basins.

DEEP recommends maintenance be performed indoors whenever possible and run-on to run-off from the area be minimized.

4.3.2.4 Outdoor Storage of Liquid Materials

For sites which store liquid materials outdoors the following additional Control Measures must be implemented:

For the purposes of this subsection, the following definitions apply:

- “storage” means any above-ground tank or container used for the storage of liquid chemicals or the storage, collection, or treatment of wastewater.
- “storage area” means an exterior area, which is or has the potential to be exposed to stormwater, that contains one or more tanks or containers used for the storage of liquid chemicals or for the collection, storage, or treatment of wastewater.

a. Stationary Storage

Any stationary storage or storage area shall, at a minimum, employ one of the following types of secondary containment:

- a double-walled above-ground tank or container.
- an impermeable secondary containment area which will hold at least one-hundred ten percent (110%) of the volume of the largest storage or ten percent (10%) of the total volume of all storage in the area, whichever is larger, without overflow from such secondary containment area.

If discharges from specific stationary storage or storage areas are authorized by a permit pursuant to CGS Sections 22a-430 or 22a-430b, then the abovementioned secondary containment requirements above do not apply to such storage or storage areas. The name, permit number, permit issuance and permit expiration date must be recorded in the SMP.

Where impermeable secondary containment is required, such areas shall be roofed to minimize stormwater entry to the containment area, except for a containment area which stores tanks or containers of one-hundred (100) gallon capacity or more, in which case a roof is not required.

Stormwater that may accumulate in a containment area may be discharged only after the permittee conducts testing to confirm that it does not contain any of the relevant pollutants stored therein. For petroleum storage containment areas, visual inspection for a sheen fulfills this requirement. If testing is not conducted or if it indicates the presence of a relevant pollutant, this containment water must be treated and/or disposed of in accordance with local, state, and federal regulations. The permittee must maintain all records of inspections, analysis, hauling records, volume, and ultimate disposal in the SMP.

b. Mobile or Portable Storage

Any mobile or portable storage shall employ the above secondary containment requirements, unless the following requirements are met:

- such mobile or portable storage and its control fixtures (e.g., piping, fittings, valves, gauges, alarms, switches, etc.) are designed, operated, and maintained in order to prevent releases as a result of physical or chemical damage, tampering, vandalism, or freezing and thawing; and
- in addition to the above requirements, for any mobile or portable storage and control fixtures that are affixed to a trailer, such trailer shall be a registered motor vehicle that is designed, operated, and maintained to be capable of transporting any released material.

c. Containment exemption for certain stationary above-ground storage tanks, containers, and areas:

The secondary containment requirements of Section 4.3.2.4.a above do not apply to stationary above-ground storage and treatment tanks and containers, and storage areas if such tanks, containers, and storage areas are associated with a discharge(s) authorized by a permit issued pursuant to Section 22a-430 or 22a-430b of the Connecticut General Statutes.

4.3.2.5 Lawn and Garden Centers

Discharges associated with the excessive watering of plants or floor washing are prohibited under this permit. For sites which store lawn and garden supplies and materials (including plants, fertilizers, mulch, and other landscaping supplies and materials) outdoors, either on a permanent or temporary basis, the permittee shall implement the following Control Measures and consider the recommendations provided:

a. Floor drains

Permittees shall identify the ultimate discharge location of floor drains in lawn and garden areas and ensure applicable staff are appropriately trained. DEEP recommends new lawn and garden areas (after the issuance of this general permit) be designed without floor drains and that existing floor drains be plugged to limit the discharge of pesticides, fertilizers, and amended soils into waters of the state.

b. Housekeeping

The permittee shall utilize dry clean-up methods and prohibit wet clean-up practices where these practices would result in a discharge to a storm sewer system, surface water, groundwater, or wetland.

c. Material storage

For lawn and garden materials stored outside, the permittee shall:

- store all liquid chemicals, fertilizers, pesticides and salt inside under permanent cover.
- store all powdered chemicals, fertilizers, pesticides, and salt under permanent cover to ensure the material does not enter the stormwater sewer system. Spilled material must be swept up immediately.

- store all soil, amended soil, bark, mulch, stone, concrete, pavers, potted plants, and trees under permanent or semi-permanent cover or maintained in waterproof packaging (such as plastic- or shrink-wrap) until needed for sale. Spilled material must be swept up immediately. Materials shall be stored away from floor drains, storm drains, catch basins or within secondary containment.
 - Damaged packaging must be repaired or replaced immediately, covered with impermeable material, or the materials moved under cover. Tarps or other impermeable material may be used for temporary cover but must move towards a permanent solution such as a tent or portable greenhouse by the end of the business day.

DEEP recommends that new lawn and garden areas (constructed after the issuance of this general permit) be graded such that spills of liquid, powder, or solid materials area are contained under cover and not exposed to stormwater, floor drains, storm drains, stormwater sewer conveyance systems, or catch basins.

d. Plants stored outside

For plants stored outside for sale, permittees shall:

- minimize overwatering to prevent discharge of water to floor drains, storm drains, stormwater sewer conveyance systems, or catch basins.
- sweep spilled soil immediately utilizing dry clean-up methods.

DEEP recommends the permittee store plants away from floor drains, storm drains, stormwater sewer conveyance systems, or catch basins to minimize the discharge of water and soil.

4.4 Inspections and Maintenance

The permittee shall establish an inspection and response procedure to regularly evaluate the condition of the site pursuant to the requirements of Section 4.3. Such procedure shall ensure that inspections are performed at the frequencies set forth in this section and the timely response to issues observed as a result of such inspections.

4.4.1 Routine Site Inspections

The permittee shall perform routine site inspections to assess the condition of the site and the implementation of all Control Measures. All inspection records must follow the recordkeeping requirements found in Section 4.6 of this general permit.

Routine inspections of the site shall be conducted according to the following schedules. Record of inspections shall be maintained in the Stormwater Management Plan.

4.4.1.1 Daily Inspections

The permittee shall, at a minimum, perform daily inspections of battery storage areas, garden centers, vehicle maintenance facilities, vehicle fueling areas, outside chemical, material, or other storage and containment areas, and any other areas where materials may be exposed to rainfall or runoff for indicators of containment issues, such as spills or damaged cover.

4.4.1.2 Weekly Inspections

The permittee shall, at minimum, perform weekly inspections of the site for surface debris such as litter, oil, gas, or sediment accumulation.

4.4.1.3 Monthly Inspections

The permittee shall, at minimum, perform monthly inspections of all areas covered by the SMP for implementation of Control Measures. Such inspections shall, in addition to the areas covered by the SMP, include visual inspection of all stormwater catch basins, structures, and outfalls on the site for floating or surface debris, oil or gas, and sediment.

4.4.2 Comprehensive Site Inspections

The permittee shall conduct comprehensive site inspections to assess the implementation and effectiveness of control measures. Such comprehensive site inspections shall be performed at appropriate intervals specified in the Stormwater Management Plan, but in no event less frequently than twice a year. Such evaluations shall, at a minimum, include the following elements:

4.4.2.1 Visual Inspection

The permittee shall perform a visual inspection of all areas covered by the SMP to assess the potential for pollutants entering the stormwater conveyance system or waters of the state. Visual inspection shall include, at minimum:

- the condition of all observable aspects of Control Measures implemented pursuant to Section 4.3.
- the condition of all stormwater structures, including catch basins, outfalls, and other conveyances.
- the condition of all equipment needed to implement the SMP, such as spill kits or legible signs.
- the condition of dumpsters and other temporary waste storage.
- the condition of secondary containment measures.
- general housekeeping and cleanliness of each area of the site.
- the need for additional Control Measures to prevent pollutants from entering the stormwater conveyance system or waters of the state.

4.4.2.2 Document Review

The permittee shall review all documents related to Section 4 required since completion of the previous comprehensive site inspection for completeness and incorporation into the SMP.

4.4.2.3 Inspection Report

The permittee shall prepare a report summarizing the scope of the inspection, personnel conducting the inspection, the start and end date(s) and times of the inspection, major observations related to each Control Measure and the SMP, actions taken or to be taken, and updates made to the SMP. Such report shall be made, signed by a responsible official, and retained in accordance with Section 4.6 of this general permit as part of the Stormwater Management Plan for at least five (5) years from the date of inspection.

4.5 Monitoring Requirements

4.5.1 Outfall Monitoring

All permittees must conduct stormwater outfall monitoring under this general permit. Permittees may be required to modify their SMP and Control Measures based on the monitoring results. All permittees are required to monitor for the standard parameters as specified in this subsection.

4.5.1.1 General monitoring requirements

Stormwater monitoring must be conducted annually.

Monitoring may be conducted in conjunction with the quarterly “Visual Monitoring” in Section 4.5.1.2. if there is a discharge. Analytical monitoring shall be conducted for the parameters listed below:

Table 4-1: Monitoring Parameters

Monitoring Parameters					
Parameter	Unit	Benchmark	Frequency	Sample Type	NeTDMR Code
Total Oil and Grease (O&G)	mg/L	Report Only	Annual	Grab	
pH	s.u.	Report Only	Annual	Grab	
Conductivity	umhos/cm	Report Only	Annual	Grab	
Hardness	mg/L	Report Only	Annual	Grab	
Total Copper	mg/L	Report Only	Annual	Grab	
Total Lead	mg/L	Report Only	Annual	Grab	
Total Zinc	mg/L	Report Only	Annual	Grab	
Total Aluminum	mg/L	Report Only	Annual	Grab	
Iron	mg/L	Report Only	Annual	Grab	
Chemical Oxygen Demand (COD)	mg/L	Report Only	Annual	Grab	
Total Suspended Solids (TSS)	mg/L	Report Only	Annual	Grab	
Total Dissolved Solids (TDS)	mg/L	Report Only	Annual	Grab	
Total Phosphorous (TP)	mg/L	Report Only	Annual	Grab	
Total Kjeldahl Nitrogen (TKN)	mg/L	Report Only	Annual	Grab	
Nitrate as Nitrogen	mg/L	Report Only	Annual	Grab	
Nitrite as Nitrogen	mg/L	Report Only	Annual	Grab	
Ammonia as Nitrogen	mg/L	Report Only	Annual	Grab	
Chloride	mg/L	Report Only	Annual	Grab	
Bacteria ¹	col/100 ml	Report Only	Annual	Grab	
Temperature	°F	Report Only	Annual	Grab	
¹ Samples collected for discharges to fresh water must sample for Escherichia Coli (E-coli) and Total Coliform. Samples collected for discharges to salt water or estuary (brackish) must sample for Enterococcus and Fecal Coliform.					

NOTE: NetDMR codes will be added in the final permit.

4.5.1.2 Visual Monitoring

Once each quarter, as defined in this general permit, for the entire permit term, the permittee must collect a stormwater sample from each outfall (or a representative outfall pursuant to Section 4.5.2.2) and conduct a visual assessment of each of these samples. These samples should be collected in such a manner that the samples are representative of the stormwater discharge.

If, based on the indicators below, the visual assessment indicates the Control Measures for the site are inadequate or are not being properly maintained, the permittee must review and revise the Control Measure selection, design, installation, and implementation of the Control Measure to ensure that the condition is remediated and will not be repeated in the future. The permittee shall maintain documentation of these procedures in the Stormwater Management Plan.

The sample for visual assessment must be collected in a clean, clear glass or plastic container, and examined in a well-lit area. The permittee must visually assess the sample for the presence of the following water quality characteristics:

Table 4-2: Visual Monitoring Parameters

Visual Monitoring		
Parameter	Monitoring Frequency	Sample Type
Color	Quarterly	Grab
Odor	Quarterly	Grab
Clarity	Quarterly	Grab
Floating solids	Quarterly	Grab
Settled solids	Quarterly	Grab
Suspended solids	Quarterly	Grab
Foam	Quarterly	Grab
Oil sheen	Quarterly	Grab
Other obvious indicators of stormwater pollution	Quarterly	Grab

4.5.2 Stormwater Monitoring Procedures

4.5.2.1 Sampling Conditions

All samples shall be collected from discharges resulting from a storm event that occurs at least seventy-two (72) hours after any previous storm event generating a stormwater discharge. Any sample containing snow or ice melt must be identified on the Stormwater Monitoring Report form.

For sites that discharge through a detention basin or other stormwater management structure, the sample shall be taken at the discharge location of the basin or structure.

Grab samples shall be representative of the discharge, collected after all treatment, prior to mixing with any other waters, and before discharged to waters of the state. Collection of grab samples shall begin during the first thirty (30) minutes of a storm event discharge (flow at sampling location). Samples shall be taken at the outfall or nearest feasible location representative of the discharge. All discharge samples at a site must be collected during the same storm event, if feasible.

4.5.2.2 Representative Discharge

When a site has two (2) or more outfalls that, based on a consideration of features (e.g., grass vs. pavement, slopes, catch basins vs. swales, etc.) and activities within the drainage area of the outfall, the permittee reasonably believes discharge substantially identical effluents, the permittee may test the effluent of one such outfall and report that the quantitative data is representative of the substantially identical outfalls.

The Stormwater Management Plan shall include a narrative of the rationale for designating outfalls as representative discharges, and, for each outfall that the permittee believes is representative, an estimate of the size of the drainage area (in square feet), an estimate of the runoff coefficient of the drainage area and a description of the substantially identical activities contributing to the discharge shall be provided in the SMP. In no case shall one (1) outfall test be substituted for more than three (3) outfalls.

4.5.2.3 Storm Event Information

The following information shall be collected for the storm events monitored:

- the date, discharge temperature, time of the start of the discharge, time of sampling, and magnitude (in inches) of the storm event sampled.
- the pH of the uncontaminated rainfall (before it contacts the ground).
- the duration between the storm event sampled and the end of the most recent storm event that produced a discharge.

4.5.2.4 Test Procedures

All samples shall be collected, handled, and analyzed in accordance with the methods approved under 40 CFR 136, unless another method is required under 40 CFR subchapter N or unless an alternative method has been approved in writing pursuant to 40 CFR 136.5 or as provided in section 22a-430-3(j)(7). To determine compliance with limits and conditions established in this permit, monitoring must be performed using sufficiently sensitive methods approved pursuant to 40 CFR 136 for the analysis of pollutants having approved methods under that part, unless a method is required under 40 CFR subchapter N or unless an alternative method has been approved. Chemicals which do not have methods of analysis defined in 40 CFR 136 shall be analyzed in accordance with methods specified by the Commissioner. Such analyses shall be performed by a laboratory certified by the Connecticut Department of Public Health, using sufficiently sensitive methods in accordance with 40 CFR Part 122.44(i)(1)(iv).

It is a violation of this permit for a permittee or his/her designated agent, to manipulate test samples in any manner, to delay sample shipment, or to terminate or to cause to terminate a toxicity test. Once initiated, all toxicity tests must be completed.

4.5.2.5 Inability to Collect a Sample

If a permittee is unable to collect a sample, the permittee shall submit the Discharge Monitoring Report form in accordance with the "Reporting" in Section 4.6.3 with a notation of "NO DISCHARGE" and the appropriate No Data Indicator (NODI) code, and an explanation of the limitations restricting the collection of an appropriate sample. Reasons may include the absence of a seventy-two (72) hour period of dry weather, the absence of a rain event that produces a stormwater discharge, the absence of a discharge from a detention or retention basin, or safety considerations preventing access to a stormwater discharge location.

Timing of a rain event is not an acceptable reason to fail to sample unless it precludes the analysis of a parameter within the acceptable hold time specified by a laboratory.

4.6 Recordkeeping & Reporting Requirements

4.6.1 Recordkeeping & Retention

The permittee shall retain copies of all application documents, laboratory analysis, calibration records, reports required by the permit, and documents required under the Stormwater Management Plan; including but not limited to inspection records, the site map, the spill control and response plan for each activity at the site, sweeping schedule and records, stormwater structure cleaning schedule and records, and employee training schedule for a period five (5) years following the expiration date of the general permit.

Records required by this general permit shall be retained on-site, or at the permittee's principal place of business in Connecticut, as required by section 22a-430-3(j). Records shall be made available to the Commissioner for inspection immediately (within five (5) business days) upon request.

The Commissioner may extend this period as he or she deems necessary upon written notice to the permittee, and this period is automatically extended for as long as a permittee is under an active order from the Commissioner under Chapter 446K of the Connecticut General Statutes or if the permittee is in litigation for any violation of any permit or order issued by the Commissioner under Chapter 446K of the Connecticut General Statutes.

4.6.2 Recording of Results

For each measurement or sample taken pursuant to the requirements of this permit, the discharger shall record, or maintain records of, all of the following information:

- the place, date, and time of sampling and the time the discharge started.
- the person(s) collecting samples.
- the dates and times the analyses were initiated.

- the person(s) or laboratory who performed the analyses.
- the analytical techniques or methods used.
- the results of all required analyses.

4.6.3 Reporting

4.6.3.1 NetDMR reporting requirements

a. Electronic reporting

The permittee shall report 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 portal. All reports required under the permit, including any additional monitoring conducted in accordance with 40 CFR 136, shall be submitted to DEEP as an attachment to the DMR in NetDMR.

b. Submittal of reports using NetDMR

The permittee and/or signatory shall electronically submit DMRs and reports required under this permit to the DEEP using NetDMR. DMRs shall be submitted electronically to DEEP no later than the last day of the month following the month during which the samples are collected.

4.6.3.2 Noncompliance during monitoring period

If permit noncompliance occurred in the monitoring period, the report required by this general permit detailing the violation of the any limitation or permit condition must be included as an attachment to the DMR.

4.6.3.3 No discharge during monitoring period

Should a qualifying rain event not occur during a monitoring period, the permittee must submit the DMR as scheduled indicating “NO DISCHARGE” and using the appropriate No Data Indicator (NODI) code.

4.6.3.4 Additional notification

In the case of stormwater discharges through a municipal separate storm sewer system, these results shall also be made available to the owner and operator of that system.

Section 5 Duty to Correct, Record, and Report Violations

5.1 Corrective Actions

Immediately upon learning of a violation of a condition of this general permit, the permittee shall immediately take all reasonable actions to determine the cause of the violation, correct the violation, mitigate the impact of the violation, and prevent its recurrence.

5.2 Reporting Violations

5.2.1 Noncompliance with Permit Terms or Conditions

In accordance with Section 22a-430-3(j)(8), 22a-430-3(j)(11)(D), 22a-430-3(k)(4), and 22a-430-3(i)(3) of the RSCA, the Permittee shall notify the Commissioner of the following actual or anticipated noncompliance with the terms or conditions of this permit within two hours of becoming aware of the circumstances. All other actual or anticipated violations of the permit shall be reported to the Commissioner within 24 hours of becoming aware of the circumstances:

- a noncompliance that is greater than two times an effluent limitation.
- a noncompliance of any minimum or maximum daily limitation or excursion beyond a minimum or maximum daily range.
- any condition that may endanger human health or the environment.
- a failure or malfunction of monitoring equipment used to comply with the monitoring requirements of this permit.
- any actual or potential bypass of the Permittee's collection system or treatment facilities.
- expansions or significant alterations of any wastewater collection, treatment components, or its method of operation for the purpose of correcting or avoiding a permit violation.

Notifications shall be submitted via the Commissioner's online Noncompliance Notification Form:

<https://portal.ct.gov/deep/water-regulating-and-discharges/industrial-wastewater/compliance-assistance/notification-requirements>.

5.2.2 Five-Day Follow Up Report

Within five (5) days of any notification of noncompliance in accordance with of this permit, the Permittee shall submit a follow-up report within five days of the noncompliance using the Commissioner's online Noncompliance Follow-up Report Form:

<https://portal.ct.gov/deep/water-regulating-and-discharges/industrial-wastewater/compliance-assistance/notification-requirements>.

The follow-up report shall contain, at a minimum, the following information:

- a description of the noncompliance and its cause.
- the period of noncompliance, including exact dates and times.
- if the noncompliance has not been corrected, the anticipated time it is expected to continue.
- steps taken or planned to correct the noncompliance and reduce, eliminate and prevent recurrence of the noncompliance.

Notification of an actual or anticipated noncompliance or site modification does not stay any term or condition of this permit.

5.2.3 Additional Notification Requirements

In accordance with Section 22a-430-3(j)(11)(ED) of the RSCA, the Permittee shall notify the Commissioner within seventy-two (72) hours and in writing within 30 days when he or she knows or has reason to believe that the concentration in the discharge of any substance listed in the application, or any toxic substance as listed in Appendix B or D of RSCA Section 22a-430-4, has exceeded or will exceed the highest of the following levels:

- one hundred micrograms per liter.
- two hundred micrograms per liter for acrolein and acrylonitrile, five hundred micrograms per liter for 2,4-dinitrophenol and for 2-methyl-4, 6-dinitrophenol; and one milligram per liter for antimony.
- an alternative level specified by the Commissioner, provided such level shall not exceed the level which can be achieved by the permittee's treatment system.

The 72-hour initial notifications and thirty (30) day follow-up reports shall be submitted via the Commissioner's online Noncompliance Follow-up Report Form. The Forms are available on the DEEP website here:

<https://portal.ct.gov/deep/water-regulating-and-discharges/industrial-wastewater/compliance-assistance/notification-requirements> .

Section 6 Regulations of Connecticut State Agencies Incorporated into this General Permit

Unless specific conditions, terms or limitations within this general permit are more restrictive, the permittee shall comply with the following Regulations of Connecticut State Agencies which are hereby incorporated into this general permit, as if fully set forth herein:

6.1 Section 22a-430-3

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

6.2 Section 22a-430-4

Subsection (a) Duty to Apply
Subsection (b) Duty to Reapply
Subsection (c) Application Requirements
Subsection (d) Permit or Application Transfer
Subsection (e) Revocation, Denial, Modification
Subsection (f) Variances
Subsection (g) Prohibitions

Section 7 Standard Conditions

The following standard conditions have been included in this general permit for the convenience of the permittee and are generally duplicative of the incorporated regulations in Section 6 of this general permit. If there are conflicting requirements, the regulations in section 22a-430 take precedence.

7.1 Inspection and Entry

The Commissioner or his or her authorized representative may take any actions authorized by sections 22a-6 (5), 22a-425 or 22a-336 of the CGS as amended.

7.2 Reliance on Registration

When evaluating a registration, the commissioner relies on information provided by the registrant. If such information proves to be false or incomplete, the authorization issued under this general permit may be suspended or revoked in accordance with law, and the commissioner may take any other legal action provided by law.

7.3 Submission of Documents

Any document, other than a DMR, required to be submitted to the commissioner under this section of the permit will, unless otherwise specified in writing by the commissioner or through this general permit, be directed to DEEP.StormwaterStaff@ct.gov with the subject line: "ATTN: Commercial Stormwater GP".

7.4 Violations

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 Connecticut General Statutes and RCSA.

7.5 Enforcement

The Commissioner may take any enforcement action provided by law, including but not limited to seeking injunctions, penalties and forfeitures as provided in sections 22a-6, 22a-7, 22a-430, 22a-432, 22a-435, 22a-438 and 22a-471 of the Connecticut General Statutes as amended, for any violations or acts of noncompliance with chapter 446k of the Connecticut General Statutes or any regulation, order, permit or approval issued there under.

7.6 Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit.

7.7 No Assurance

No provision of this permit and no action or inaction by the 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.

7.8 Relief

Nothing in this permit shall relieve the permittee of other obligations under applicable federal, state, and local law.

7.9 Duty to Provide Information

The Commissioner may require any permittee to provide within a reasonable time (30 days) any information which the Commissioner may request to determine whether cause exists for modifying or revoking the permit or to determine compliance with the permit, including but not limited to copies of records required to be kept by the permittee.

7.10 Duty to Comply

The permittee shall comply with all terms and conditions of the permit. Any permit noncompliance constitutes a violation of Chapter 446k of the Connecticut General Statutes. Permit noncompliance is grounds for enforcement action, permit revocation or modification, or denial of a permit renewal application.

The permittee shall comply with effluent limitations, standards or prohibitions established under section 307 (a) CWA which are adopted in subsection (l) of section 22a-430-4 of the Regulations of Connecticut State Agencies for toxic substances upon adoption, even if the permit has not yet been modified to incorporate the requirement.

Except for any toxic effluent standards and prohibitions imposed under section 307 CWA, compliance with a permit during its term shall constitute compliance, for purposes of enforcement, with sections 301, 302, 306, 307, 318, 403 and 405 of the Clean Water Act.

The Commissioner may modify or revoke a permit during its term for cause as provided in section 22a-430-4 of the RCSA.

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit.

7.11 Duty to Mitigate

The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of the permit or any discharge which has a reasonable likelihood of adversely affecting human health or the environment.

7.12 Sludge Disposal

The permittee shall dispose of screenings, sludges, chemicals, and oils and any solid or liquid wastes resulting from the wastewater treatment processes at locations approved by the Commissioner for disposal of such materials, or by means of a waste hauler licensed under the provisions of the Connecticut General Statutes.

7.13 Resource Conservation

All permittees shall implement and maintain practices and/or facilities which, to the maximum extent practicable, result in the minimum amount of wastewater discharged. Such results may be achieved by methods including but not limited to water conservation, resource recovery, waste recycling, wastewater reuse, and material or product substitution. Excessive use of water or the addition of water to dilute an effluent in order to meet any permit limitations or conditions is prohibited.

7.14 Spill Prevention and Control

The permittee shall maintain practices, procedures and facilities designed to prevent, minimize and control spills, leaks, or such other unplanned releases of all toxic or hazardous substances and any other substances as the Commissioner deems necessary to prevent pollution of the waters of the state. Such requirements shall, unless otherwise allowed by the Commissioner, apply to all facilities used for storing, handling transferring, loading, or unloading such substances, including manufacturing areas.

The requirements of this section do not apply to site components or systems already covered by plans prepared or approved under the Resource Conservation and Recovery Act and the Spill Prevention, Control and Countermeasure program.

7.15 Duty to Reapply

The permit shall be effective for a fixed term not to exceed five (5) years unless administratively extended.

7.16 Equalization

All treatment facilities shall be designed to prevent upsets, malfunctions or instances of noncompliance resulting from variations in wastewater strength or flow rate, and shall include, as the Commissioner deems necessary, equalization facilities separate from the treatment facilities.

7.17 Effect of an Upset

An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation. In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof.

A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

- an upset occurred and that the permittee can identify the cause(s) of the upset;
- the permitted site was at the time being properly operated;
- the permittee submitted notice of the upset timely as required in Section 5.2 of this general permit; and
- the permittee complied with all remedial measures.

7.18 Bypass

The permittee shall not at any time bypass the collection system or treatment facilities or any part thereof unless such bypass is unanticipated, unavoidable, and necessary to prevent loss of life, personal injury or severe property damage, and there were no feasible alternatives to the bypass, including but not limited to the use of auxiliary or back-up treatment facilities, retention of untreated wastes, stopping the discharges, or maintenance during normal periods of equipment downtime; or the permittee receives prior written approval of the bypass from the Commissioner in order to perform essential maintenance, and the bypass does not cause effluent limitations to be exceeded.

7.18.1 Necessary Bypass

In the event such a bypass is necessary, the permittee shall to the extent possible minimize or halt production and/or all discharges until the site is restored or an alternative method of treatment is provided.

7.18.2 Bypass Prevention

In order to prevent a bypass, the permittee may schedule maintenance during periods when no discharge is occurring or employ any necessary means, including but not limited to duplicate units and systems or alternative collection and treatment or pretreatment schemes. Any such means shall insure that the effluent limitations specified in the permit are achieved; be approved by DEEP in writing prior to its use, which approval shall include an alternative schedule for monitoring if appropriate; and be discontinued upon completion of the performance of the essential maintenance.

7.18.3 Notification to DEEP

- 7.18.3.1 The permittee shall provide notice to DEEP not less than twenty-four (24) hours prior to the use of any alternative scheme and monitor and record the quality and quantity of the discharge in accordance with permit terms and conditions or an approved alternative schedule. Such monitoring shall be submitted with the next monitoring report required by the permit and shall not be used to meet routine scheduled monitoring report requirements of the permit.
- 7.18.3.2 If any bypass occurs or may occur, the permittee shall, within two hours of becoming aware of such condition or need, notify DEEP during normal business hours (860-424-3021), and the department's Emergency Response Unit at all other times (860-424-3338 or 866-337-7745) and submit within five days a written report including the cause of the problem, duration including dates and times and corrective action taken or planned to prevent other such occurrences.
- 7.18.3.3 If the permittee has reason to believe that any effluent limitation specified in the permit may be violated, the permittee shall immediately take steps to prevent or correct such violation, including but not limited to employing an alternative scheme of collection or treatment, and/or control the production of the wastewater and shall monitor and record the quality and quantity of the discharge in accordance with the permit terms and conditions or an approved alternative schedule. Such monitoring shall be

submitted with the next monitoring report required by the permit and shall not be used to meet the routine monitoring requirements of the permit.

7.19 Proper Operation and Maintenance

The permittee shall at all times properly operate and maintain all facilities and systems and parts thereof for wastewater collection, storage, treatment, and control which are installed or used by the permittee to achieve compliance with the terms and conditions of the permit. Proper operation and maintenance includes, but is not limited to, effective performance, adequate funding, and adequate operator staffing and training, including the employment of certified operators as may be required by the Commissioner pursuant to sections 22a-416-1 through 22a-416-10 of the RCSA, as amended, and adequate laboratory and process controls, including appropriate quality assurance procedures.

In accordance with sections 22a-416 through 22a-471 of the Connecticut General Statutes as amended, the permittee is required to install and operate a back-up or auxiliary facilities or similar systems or the inventory of spare parts and appurtenances.

7.20 Instrumentation, Alarms, and Flow Records

Except for batch treatment systems unless required by the Commissioner, process wastewater treatment systems shall include instrumentation to automatically and continuously indicate, record and/or control those functions of the system and characteristics of the discharge which the Commissioner deems necessary to assure protection of the waters of the state.

7.21 Signatory Requirements

7.21.1 Signatory

All permit applications and permit modification requests submitted to the Commissioner shall be signed as follows:

7.21.1.1 For a corporation the signatory shall be a responsible corporate officer.

For the purposes of this section, a responsible corporate officer means a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function; any other person who performs similar policy-or decision-making functions for the corporation; or the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding twenty-five million dollars (in second quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

7.21.1.2 For a partnership or sole proprietorship the signatory shall be a general partner or the proprietor, respectively.

7.21.1.3 For a municipality, State, Federal, or other public agency the signatory shall be either a principal executive officer or a ranking elected official.

For purposes of this section, a principal executive officer of a federal agency includes the chief executive officer of the agency, or a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.

7.21.2 Duly Authorized Representative

All reports required by permits, and other information submitted to the Commissioner shall be signed by a person described in Section 7.21.1 of this general permit or by a duly authorized representative of that person. A person is a duly authorized representative only if:

- the authorization is made in writing by a person described in Section 7.21.1 of this general permit,
- the authorization specifies either an individual or a position having responsibility for the overall operation of the regulated site or activity, such as the position of plant manager, operator of a well or

well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. A duly authorized representative may thus be either a named individual or any individual occupying a named position; and

- the written authorization is submitted to the Commissioner.

7.21.3 Notification to DEEP

If an authorization under this subsection is no longer accurate because a different individual or position has assumed the applicable responsibility, a new authorization satisfying the requirements of this section must be submitted to the Commissioner prior to or together with any reports or other information to be signed by an authorized representative.

7.21.4 Certification

Any person signing a document under this section shall make the following certifications:

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

“I have personally examined and am familiar with the information submitted in this document and all attachments thereto, and I certify that, based on reasonable investigation, including my inquiry of those individuals responsible for obtaining the information, the submitted information is true, accurate and complete to the best of my knowledge and belief. I understand that a false statement made in the submitted information may be punishable as a criminal offense, in accordance with section 22a- 6 of the Connecticut General Statutes, pursuant to section 53a-157b of the Connecticut General Statutes, and in accordance with any other applicable statute.”

7.22 Date of Filing

For purposes of this general permit, the date of filing with the Commissioner of any document is the date such document is received by the Commissioner.

7.23 False Statements

Any false statement in any information submitted pursuant to this general permit may be punishable as a criminal offense, in accordance with section 22a-6 of the Connecticut General Statutes, pursuant to section 53a-157b of the Connecticut General Statutes, and in accordance with any other applicable statute.

7.24 Correction of Inaccuracies

Within fifteen (15) days after the date a permittee becomes aware of a change in any of the information submitted pursuant to this general permit, becomes aware that any such information is inaccurate or misleading, or that any relevant information has been omitted, such permittee shall correct the inaccurate or misleading information or supply the omitted information in writing to the Commissioner. Such information shall be certified in accordance with Section 7.21.4 of this general permit.

7.25 Transfer of Authorization

Any authorization under this general permit shall not be transferable.

7.26 Other Applicable Law

Nothing in this general permit shall relieve the permittee of the obligation to comply with any other applicable federal, state, and local law, including but not limited to the obligation to obtain any other authorizations required by such law.

7.27 Duty to Reapply

The permit will be effective for a fixed term not to exceed five (5) years unless administratively extended. The general permit will provide instructions on how and when to reapply.

7.28 Other Rights

This general permit is subject to and does not derogate any present or future rights or powers of the State of Connecticut and conveys no rights in real or personal property nor any exclusive privileges and is subject to all public and private rights and to any federal, state, and local laws pertinent to the property or activity affected by such general permit. In conducting any activity authorized hereunder, the permittee may not cause pollution, impairment, or destruction of the air, water, or other natural resources of this state. The issuance of this general permit shall not create any presumption that this general permit should or will be renewed.

7.29 Effect of a Permit

The issuance of a permit does not convey any property rights of any sort, or any exclusive privilege, authorize any injury to persons or property or invasion of other private rights, authorize any infringement of the Connecticut General Statutes, Regulations of Connecticut State Agencies or municipal ordinances, or affect the responsibility of the permittee to obtain all applicable federal, State and municipal authorizations or permits for the discharge and activities which generate the discharge.

Section 8 Commissioner's Powers

8.1 Abatement of Violations

The commissioner may take any action provided by law to abate a violation of this general permit, including the commencement of proceedings to collect penalties for such violation. The commissioner may, by summary proceedings or otherwise and for any reason provided by law, including violation of this general permit, revoke a permittee's authorization hereunder in accordance with sections 22a-3a-2 through 22a-3a-6, inclusive, of the Regulations of Connecticut State Agencies. Nothing herein shall be construed to affect any remedy available to the commissioner by law.

8.2 General Permit Revocation, Suspension, or Modification

The commissioner may, for any reason provided by law, by summary proceedings or otherwise, revoke or suspend this general permit or modify it to establish any appropriate conditions, schedules of compliance, or other provisions which may be necessary to protect human health or the environment.

8.3 Filing of an Individual Permit Application

If the commissioner notifies a permittee in writing that such permittee must obtain an individual permit to continue lawfully conducting the activity authorized by this general permit, the permittee may continue conducting such activity only if the permittee files an application for an individual permit within sixty (60) days of receiving the commissioner's notice. While such application is pending before the commissioner, the permittee shall comply with the terms and conditions of this general permit. Nothing herein shall affect the commissioner's power to revoke a permittee's authorization under this general permit at any time.

Section 9 Definitions

The definitions of terms used in this general permit shall be the same as the definitions contained in Section 22a-423 of the General Statutes and Section 22a-430-3(a) of the Regulations of Connecticut State Agencies. In addition, the following definitions shall apply:

“Approval of Registration” means an approval of registration issued under Section 3 of this general permit.

“Aquifer Protection Area” means that term as defined in Section 22a-354 of the General Statutes.

“Authorized Activity” means any activity authorized by this general permit.

“Best Management Practice” or *“BMP”* means a schedule of activities, practice (and prohibitions of practices), structure, vegetation, maintenance procedure, and other management practices to prevent or reduce the discharge of pollutants to waters of the state consistent with state, federal or other equivalent and technically supported guidance. BMPs also include treatment requirements, operating procedures, and practices to control site runoff, spillage or leaks, sludge or waste disposal, or drainage from material storage.

“Clean Water” means water which in the judgment of the Commissioner is of a quality substantially similar to that occurring naturally in the receiving stream under consideration. Clean water may include minor cooling waters, residential swimming pool water, and stormwater.

“Commercial Activity” means any activity, site, or facility under the Standard Industrial Classifications (SIC) and/or under the North American Industry Classification System (NAICS) codes identified in appendix A of this general permit. An activity, site, or facility with a SIC or NAICS code already authorized by the *General Permit for the Discharge of Stormwater Associated with Industrial Activity* is not included in this definition. The Commissioner may determine that other commercial activities not covered by the SIC or NAICS codes identified in Appendix A may be subject to this general permit.

“Coastal Waters” means those waters of Long Island Sound and its harbors, embayments, tidal rivers, streams and creeks which contain a salinity concentration of at least five hundred parts per million under low flow conditions.

“Commissioner” means Commissioner as defined by Section 22a-2(b) of the Connecticut General Statutes.

“Control Measures” means any BMPs, or other methods used to prevent or reduce the discharge of pollutants to waters of the state.

“Day” means the calendar day; if any date specified in the general permit falls on a Saturday, Sunday, or legal holiday, such deadline shall be the next business day thereafter.

“DEEP” or *“Department”* means the Department of Energy and Environmental Protection.

“Discharge” means the emission of any water, substance, or material into the waters of the state, whether or not such substance causes pollution as defined in section 22a-423 of the Connecticut General Statutes.

“DOT” means the Connecticut Department of Transportation.

“DOT MS4” means conveyances for stormwater including, but not limited to, roads with drainage systems, streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains owned or operated by the Connecticut Department of Transportation and discharging directly to surface waters of the state.

“DMR” means Discharge Monitoring Report.

“Facility” means any facility at which a discharge may originate.

“Fresh-Tidal Wetland” means a tidal wetland located outside of coastal waters.

“Grab Sample” means an individual sample collected in less than fifteen (15) minutes.

“Guidelines” means the Connecticut Guidelines for Soil Erosion and Sediment Control, as amended, established pursuant to section 22a-328 of the Connecticut General Statutes.

“Hydrant flushing” means potable water generated from the flushing of municipally owned or operated hydrants to maintain pipes and water mains, assess water flow and pressure, and to examine conditions of the water distribution system to determine any needed improvements.

“Illicit Discharge” means any unpermitted discharge to waters of the state that does not consist entirely of stormwater or uncontaminated ground water except those discharges identified in Section 2.1.1 of this general permit provided such non-stormwater discharges are not significant contributors of pollution.

“Impaired Water(s),” for the purposes of this permit, means any waterbody that does not meet applicable water quality standards, including but not limited to waters listed in categories 5 or 4b on the Connecticut Integrated Report of waters listed pursuant to Clean Water Act section 303(d) and 305(b). Impaired Waters are also known as “Water Quality Limited Waters.”

“Impervious Surface” means hard surfaces which prevent or impede the infiltration of water. Such surfaces include, but are not limited to, roof areas, compacted gravel, paved walkways, paved parking areas, paved driveways, and other paved surfaces.

“Individual Permit” means a permit issued to a named permittee under Section 22a-430 of the Connecticut General Statutes.

“Inland Wetland” means a wetland as that term is defined in section 22a-38 of the General Statutes.

“Interconnection” means the point (excluding sheet flow over impervious surfaces) where the permittee’s discharges to an MS4 or other storm sewer system, through which the discharge is eventually conveyed to a waters of the state. Interconnections shall be treated similarly to outfalls throughout the permit.

“Low Impact Development” or *“LID”* means a site design strategy that maintains, mimics, or replicates pre-development hydrology through the use of numerous site design principles and small-scale treatment practices distributed throughout a site to manage runoff volume and water quality at the source.

“Municipal Separate Storm Sewer System” or *“MS4”* means conveyances for stormwater (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) owned or operated by any municipality and discharging directly to surface waters of the state.

“Municipality” means any metropolitan district, town, consolidated town and city, consolidated town and borough, city, borough, village, fire and sewer district, sewer district and each municipal organization having authority to levy and collect taxes or make charges for its authorized function as defined by section 22a-423 of the Connecticut General Statutes.

“New discharger” means any building, structure, facility, or installation:

- (a) from which there is or may be a “discharge of pollutants;”
- (b) that did not commence the “discharge of pollutants” at a particular “site” prior to August 13, 1979;
- (c) which is not a “new source;” and
- (d) which has never received a finally effective NPDES permit for discharges at that “site.”

“New or Increased Discharge” means new discharge or activity as defined in section 22a-426-8(b)(3) and increased discharge or activity as defined in section 22a-426-8(b)(2), as referenced to the Regulations of Connecticut State Agencies.

“New source” means any building, structure, facility, or installation from which there is or may be a “discharge of pollutants,” the construction of which commenced:

- (a) after promulgation of standards of performance under section 306 of CWA which are applicable to such source; or
- (b) after proposal of standards of performance in accordance with section 306 of CWA which are applicable to such source, but only if the standards are promulgated in accordance with section 306 within 120 days of their proposal.

“North American Industry Classification System Code” or *“NAICS Code”* means those codes provided in the *North American Industry Classification System Manual*, as amended.

“NPDES Permit” means a permit authorizing a discharge to the surface waters of the state either directly, or indirectly by means other than through a POTW or the ground waters, which is issued by the Commissioner pursuant to section 22a-430 of the Connecticut General Statutes.

“Operate” means to conduct business or activity.

“Permittee” unless the context indicates otherwise, means any person who or municipality which initiates, creates, originates, or maintains a discharge of stormwater under the authority of this general permit.

“Person” means person as defined by Section 22a-2(c) of the Connecticut General Statutes.

“Point Source” means any man-made or natural discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged. Point source does not include agricultural stormwater discharges and return flows from irrigated agriculture.

“Possession” means the right to use or occupy real property, including, but not limited to rights to possess or occupy pursuant to a lease or license.

“Primary Activity” means the activity most indicative of the nature of the activities conducted on the site on a daily basis.

“Publicly Owned Treatment Works” or *“POTW”* means a system used for the collection, treatment, and/or disposal of sewage from more than one lot as defined in section 22a-430-1 of the Regulations of Connecticut State Agencies which discharges to the waters of the state and which is owned by a municipality or the state.

“Qualified Professional” means a professional engineer who has, for a minimum of eight (8) years, engaged in the planning and designing of engineered systems for the collection and treatment of sanitary, industrial, and commercial wastewaters including, but not limited to, a minimum of four years in responsible charge of the planning and designing of such engineered systems.

“Qualifying Storm Event” means a storm event that results in an actual discharge that follows the preceding qualifying storm event by at least 72 hours (three days).

“Quarterly” means periods of time beginning January 1, April 1, July 1, and October 1.

“RCSA” means Regulations of Connecticut State Agencies.

“*Registrant*” means a person who or municipality which files a complete registration.

“*Registration*” means a registration form filed with the commissioner pursuant to Section 3 of this general permit.

“*Retain*” means to hold runoff on-site to promote vegetative uptake and groundwater recharge through the use of runoff reduction or LID practices or other measures. In addition, it means there shall be no subsequent point source release to surface waters from a storm event defined in this general permit or as approved by the Commissioner.

“*Semi-annually*” means the periods of time starting March 1 and October 1.

“*Site*” means geographically contiguous land or water on which an authorized activity takes place or on which an activity for which authorization is sought under this general permit is proposed to take place. Non-contiguous land or water owned by the same person and connected by a right-of-way which such person controls and to which the public does not have access shall be deemed the same site.

“*Standard Industrial Classification Code*” or “*SIC Code*” means those codes provided in the *Standard Industrial Classification Manual*, Executive Office of the President, Office of Management and Budget 1987.

“*Stormwater*” means waters consisting of rainfall runoff, including snow or ice melt during a rain event.

“*Stormwater Discharge Associated with Commercial Activity*” means the stormwater discharge from a point source, including all stormwater structures, treatment devices and conveyances, which discharge is related to the commercial activity, access thereto or parking therefor, including but not limited to stormwater discharged from: roofs, ground surfaces within or immediately adjacent to said activity and its access and parking areas; material handling areas; refuse storage or disposal areas; areas used for the storage and maintenance of material handling equipment; shipping and receiving areas; manufacturing areas; storage areas for raw materials, intermediate products and finished products and products for sale; and areas where industrial or commercial activity has taken place in the past and where materials remain and are exposed to stormwater.

“*Stormwater Quality Manual*” means the *Connecticut Stormwater Quality Manual* published by the Connecticut Department of Energy & Environmental Protection, as amended, and maintained at <http://www.ct.gov/deep/stormwaterqualitymanual>.

“*Sufficiently Sensitive*” means using a sufficiently sensitive analytical method as defined in 40 CFR §122.44(i)(1)(iv).

“*Surface Waters*” means those waters of the state which are not ground water and the waters of Long Island Sound, its harbors, embayments, tidal wetlands, and creeks; rivers and streams, brooks, waterways, lakes, ponds, marshes, swamps, bogs, federal jurisdictional wetlands, and other natural or artificial, public or private, vernal or intermittent bodies of water. Surface water does not include ground water.

“*Tidal Wetland*” means a wetland as that term is defined in section 22a-29(2) of the General Statutes.

“*Total Maximum Daily Load*” or “*TMDL*” means a calculation of the maximum amount of a pollutant that a waterbody can receive and still meet water quality standards, and an allocation of that amount to the pollutant's sources. A TMDL includes wasteload allocations (“WLAs”) for point source discharges, load allocations (“LAs”) for nonpoint sources and/or natural background, and must include a margin of safety (“MOS”) and account for seasonal variations. “*Vehicle and Equipment Rinse Water*” means wastewater generated from rinsing the exterior surfaces of vehicles or equipment without the use of detergents or other added chemicals. Vehicle rinse water includes wastewater generated from the rinsing of all exterior surfaces, including the vehicles tires, but excludes any areas of the vehicle which may reasonably be expected to be exposed to oil or other pollutants, including but not limited to engine compartments, steering, braking, lubrication and suspension systems, heating and cooling systems, and hydraulic systems. Equipment rinse water includes

wastewater generated from the rinsing of all exterior surfaces but excludes any part of the equipment which may reasonably be expected to be exposed to oil or other pollutants, including but not limited to engine compartments, mechanical systems, lubrication systems, heating and cooling systems and hydraulic systems.

“Water Quality Standards or Classifications” means those water quality standards or classifications contained in Sections 22a-426-1 through 22a-426-9, inclusive, of the Regulations of Connecticut State Agencies and the Classification Maps adopted pursuant to Section 22a-426 of the Connecticut General Statutes, which together constitute the Connecticut Water Quality Standards., as may be amended.

“Watercourse” means a watercourse as that term is defined in section 22a-38 of the General Statutes.

“Water Quality Volume” or *“WQV”* means the volume of runoff generated on a site by the Water Quality Storm as defined in the Connecticut Stormwater Quality Manual, as amended.

APPENDIX A: Applicable SIC & NAICS Codes

Discharges of stormwater from sites associated with the activities listed in this appendix are eligible for authorization under this general permit. Site upon which the primary activity can most accurately be described by one of the industry group codes listed in this appendix for either classification system which meet the conditions set forth in Section 3.1 (“Who Must File a Registration”) of this general permit, a registration must be submitted pursuant to Section 3 of this general permit.

A.1 SIC Codes for Coverage Under this General Permit

The following SIC Groups and their subsequent subgroups are authorized under this general permit unless otherwise noted in the “except” column. For more detailed descriptions of these industries, refer to the 1987 SIC Manual.

SIC Code	Except	Description
<i>SIC Division A: Agriculture, Forestry, and Fishing</i>		
078		Landscape and Horticultural Services
<i>SIC Division F: Wholesale Trade</i>		
50		Wholesale Trade (Durable Goods)
	5015	Motor Vehicle Parts, Used
	5093	Scrap and Waste Materials
51		Wholesale Trade (Durable Goods)
	5171	Petroleum Bulk Stations and Terminals
<i>SIC Division G: Retail Trade</i>		
52		Building Materials, Hardware, Garden Supply, and Mobile Home Dealers
53		General Merchandise Stores
54		Food Stores
55		Automotive Dealers and Gasoline Service Stations
	5551	Boat Dealers
56		Apparel and Accessory Stores
57		Home Furniture, Furnishings, and Equipment Stores
58		Eating and Drinking Places
59		Miscellaneous Retail
<i>SIC Division H: Finance, Insurance, and Real Estate</i>		
60		Depository Institutions
61		Non-depository Institutions
62		Security and Commodity Brokers, Dealers, Exchanges, and Services
63		Insurance Carriers
6512		Operators of Nonresidential Buildings
6531		Real Estate Agents and Managers
<i>SIC Division I: Services</i>		
70		Hotels, Rooming Houses, Camps, and Other Lodging Places
72		Personal Services
73		Business Services
75		Automotive Repair, Services, and Parking
76		Miscellaneous Repair Services
78		Motion Pictures
79		Amusement and Recreation Services
80		Health Services
81		Legal Services
82		Educational Services
83		Social Services

SIC Code	Except	Description
SIC Division I: Services (continued)		
84		Museums, Art Galleries, and Botanical and Zoological Gardens
86		Membership Organizations
87		Engineering, Accounting, Research, Management, and Related Services

A.2 NAICS Codes for Coverage Under this General Permit

The following NAICS Sectors and their subsequent subsectors are authorized under this general permit unless otherwise noted in the “except” column. For more information and more detailed descriptions of these industries, refer to the 2022 NAICS Manual.

NAICS Code	Except	Description
NAICS Sector 42: Wholesale Trade		
423		Merchant Wholesalers, Durable Goods
	423140	Motor Vehicle Parts (Used) Merchant Wholesalers
424		Merchant Wholesalers, Nondurable Goods
	424710	Petroleum Bulk Stations and Terminals
NAICS Sector 44-45: Retail Trade		
441		Motor Vehicle and Parts Dealers
444		Building Material and Garden Equipment and Supplies Dealers
445		Food and Beverage Retailers
449		Furniture, Home Furnishings, Electronics, and Appliance Retailers
455		General Merchandise Retailers
456		Health and Personal Care Retailers
457		Gasoline Stations and Fuel Dealers
458		Clothing, Clothing Accessories, Shoe, and Jewelry Retailers
459		Sporting Goods, Hobby, Musical Instrument, Book, and Miscellaneous Retailers
NAICS Sector 51: Information		
512		Motion Picture and Sound Recording Industries
513		Publishing Industries
516		Broadcasting and Content Providers
517		Telecommunications
518		Computing Infrastructure Providers, Data Processing, Web Hosting, and Related Services
519		Web Search Portals, Libraries, Archives, and Other Information Services
NAICS Sector 52: Finance and Insurance		
521		Monetary Authorities-Central Bank
522		Credit Intermediation and Related Activities
523		Securities, Commodity Contracts, and Other Financial Investments and Related Activities
524		Insurance Carriers and Related Activities
525		Funds, Trusts, and Other Financial Vehicles
NAICS Sector 53: Real Estate and Rental and Leasing		
531120		Lessors of Nonresidential Buildings (except Miniwarehouses)
531130		Lessors of Miniwarehouses and Self-Storage Units
531190		Lessors of Other Real Estate Property
531312		Nonresidential Property Managers
532		Rental and Leasing Services
NAICS Sector 54: Professional, Scientific, and Technical Services		
541		Professional, Scientific, and Technical Services

NAICS Code	Except	Description
NAICS Sector 55: Management of Companies and Enterprises		
551		Management of Companies and Enterprises
NAICS Sector 61: Educational Services		
611		Educational Services
NAICS Sector 62: Health Care and Social Assistance		
621		Ambulatory Health Care Services
622		Hospitals
623		Nursing and Residential Care Facilities
624		Social Assistance
NAICS Sector 71: Arts, Entertainment, and Recreation		
711		Performing Arts, Spectator Sports, and Related Industries
712		Museums, Historical Sites, and Similar Institutions
713		Amusement, Gambling, and Recreation Industries
	713930	Marinas
NAICS Sector 72: Accommodation and Food Services		
721		Accommodation
722		Food Services and Drinking Places
NAICS Sector 81: Other Services (except Public Administration)		
811		Repair and Maintenance
812		Personal and Laundry Services

APPENDIX B: Aquifer Protection Areas and Other Groundwater Drinking Supply Areas

In considering the use of stormwater infiltration, the Stormwater Management Plan should consider measures to reduce or mitigate potential impacts to both ground water (aquifers) and surface waters, taking into consideration both quantity and quality of the runoff. The emphasis should be to minimize, to the extent possible, changes between pre-development and post-development runoff rates and volumes.

The basic stormwater principals for Aquifer Protection Areas (and other groundwater drinking supply areas) are to prevent inadvertent pollution discharges/releases to the ground, while encouraging recharge of stormwater where it does not endanger groundwater quality. Measures include:

- prevent illicit discharges to storm water, including fuel/chemical pollution releases to the ground.
- minimize impervious coverage and disconnect large impervious areas with natural or landscape areas.
- direct paved surface runoff to aboveground type land treatment structures – sheet flow, surface swales, depressed grass islands, detention/retention and infiltration basins, and wet basins. These provide an opportunity for volatilization of volatile organic compounds to the extent possible before the stormwater can infiltrate into the ground.
- provide necessary impervious pavement in high potential pollutant release areas. These “stormwater hot spots” include certain lands use types or storage and loading areas, fueling areas, intensive parking areas and roadways (see table C-1 below).
- only use subsurface recharge structures such as dry wells, galleries, or leaching trenches, to directly infiltrate clean runoff such as rooftops, or other clean surfaces. These structures do not adequately allow for attenuation of salts, solvents, fuels, or other soluble compounds in groundwater that may be contained in runoff.
- restrict pavement deicing chemicals or use an environmentally suitable substitute such as sand only, or alternative de-icing agents such as calcium chloride or calcium magnesium.

Infiltration of stormwater should be restricted under the following site conditions:

- ***Land Uses or Activities with Potential for Higher Pollutant Loads:*** Infiltration of stormwater from these land uses or activities, also referred to as stormwater “hotspots,” can contaminate public and private groundwater supplies. Infiltration of stormwater from these land uses, or activities may be allowed by the review authority with appropriate pretreatment. Pretreatment could consist of one or a combination of the primary or secondary treatment practices described in the Stormwater Quality Manual provided that the treatment practice is designed to remove the stormwater contaminants of concern. Examples of these land uses or activities include:
 - vehicle fueling.
 - vehicle servicing.
 - fleet storage areas.
 - commercial parking lots with high usage (such as shopping malls, fast food restaurants, and supermarkets).
 - road salt storage.
 - commercial nurseries.
 - facilities with outdoor storage and loading/unloading of hazardous substances or materials, regardless of the primary land use of the facility, site, or development.
 - any other activity as identified in the most current version of the Stormwater Quality Manual.
- ***Subsurface Contamination:*** Infiltration of stormwater in areas with soil or groundwater contamination such as brownfield sites and urban redevelopment areas can mobilize contaminants.
- ***Groundwater Supply and Wellhead Areas:*** Infiltration of stormwater can potentially contaminate groundwater drinking water supplies in immediate public drinking water wellhead areas.



National Pollutant Discharge Elimination System (NPDES) General Permit for the Discharge of Stormwater Associated with Commercial Activity Fact Sheet

Permit ID: CTGSC0000

This fact sheet sets forth the significant factual, legal, and policy considerations examined during preparation of this draft general permit. This action has been prepared in accordance with the Connecticut State Statutes and its implementing regulations, the Regulations of Connecticut State Agencies. Issuance of a general permit serves to simplify and streamline the National Pollutant Discharge Elimination System (“NPDES”) and state groundwater permitting process for similar types of discharges; in lieu of each facility having to obtain an individual permit. This general permit provides permit conditions and limitations to protect waters of the State from pollution.

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General Permit for the Discharge of Stormwater Associated with Commercial Activity 2025 Reissuance Fact Sheet

1.0 General Permit History & Authority

1.1 Regulatory Authority

In 1965, the Connecticut Clean Water Task Force was commissioned to investigate the condition of rivers and harbors in Connecticut. In 1966, the Connecticut Clean Water Task Force developed an action program called Clean Water for Connecticut. Then, in 1967, Connecticut's Clean Water Bill was signed into law, inaugurating the state's modern water pollution control program. And, in 1970, the Connecticut Water Quality Standards were first approved by the federal government. The U.S. Environmental Protection Agency (U.S. EPA) was created in 1971 and Congress began writing the federal legislation for the first national Clean Water Act – using Connecticut's Clean Water Act as a guide.

Congress passed the Federal Water Pollution Control Act of 1972 (“Clean Water Act” or “CWA”) on October 18, 1972, 33 U.S.C. 1251 et seq., with the objective to "restore and maintain the chemical, physical, and biological integrity of the Nation's waters" (section 101(a), 33 U.S.C. 1251(a)). To help achieve this objective, the CWA provides that “the discharge of any pollutant by any person shall be unlawful” except in compliance with other provisions of the statute, CWA section 301(a), 33 U.S.C. 1311(a).

The Water Quality Act of 1987 amended the CWA, adding section 402(p) which required implementation of a comprehensive program for addressing municipal stormwater discharges, industrial stormwater discharges, and any other stormwater discharge (or category of discharges) determined to contribute to a violation of an instream water quality standard or is a significant contributor of pollutants to waters of the United States. EPA was instructed to develop stormwater regulations in two phases and promulgated the Phase I and II Stormwater Rules in 1990 and 1999, respectively. In recent years, the authority granted by the CWA to designate additional stormwater discharges or categories of discharges not expressly included in the CWA has become known as Residual Designation Authority (“RDA”).

1.2 Delegation and Permitting

The Connecticut Department of Energy and Environmental Protection (“DEEP” or “Department”) is a delegated authority to implement the federal National Pollutant Discharge Elimination System (“NPDES”) Program. In accordance with this delegation, DEEP has been provided the authority to promulgate regulations and issue permits in accordance with the Connecticut General Statutes (“CGS”) and Regulations of Connecticut State Agencies (“RCSA”).

DEEP first issued the *General Permit for the Discharge of Stormwater Associated with Commercial Activity* (“Commercial Stormwater GP” or “general permit”) on August 1, 1995 under Section 22a-430b of the Connecticut State Statutes (“CGS”) in response to public concern about the environmental impact of big box and warehouse stores which were beginning to expand into the state. The purpose of the general permit is to protect the waters of the state from pollution originating from stormwater runoff associated with commercial activities. The Commercial Stormwater GP has been reissued multiple times, most recently on September 29, 2023. For discharges that enter a separate storm sewer system prior to discharge, the first waters of the state to which the permittee discharges are the waterbody that

receives the stormwater discharge from the separate storm sewer system. Interconnections shall be treated similarly to outfalls throughout the general permit.

1.3 Residual Designation Authority

In recent years, several states have exercised RDA to regulate stormwater discharges from properties in specific watersheds based on the activity conducted on the property and the amount of impervious surface on the property; many made the decision to exercise RDA following a petition from the Conservation Law Foundation (“CLF”). In December 2021, the CLF filed a petition in Connecticut requesting DEEP make a determination that stormwater from privately-owned commercial, industrial, and institutional (“CII”) properties with half an acre or more of impervious surface were contributing to water quality impairments in watersheds located in Torrington and Winchester and exercise RDA to regulate these discharges.

DEEP responded to CLF’s petition in March 2022 acknowledging that increased impervious cover presents a documented threat to water quality pursuant to the findings of the *Connecticut Watershed Response Plan for Impervious Cover* (CTDEEP, 2015), but that such threat did not necessarily equate to the parcel size stated in the petition. DEEP pointed to existing efforts by the Department to address stormwater discharges from large impervious areas – namely the conditions of this general permit and the *General Permit for the Discharge of Stormwater from Small Municipal Separate Storm Sewer Systems* – and provided information regarding plans to modify these general permits. In April 2022, CLF responded to DEEP by emphasizing several regional and national court rulings stating that the existence of other regulatory programs in the stormwater sector is not sufficient to justify a decision against exercising Residual Designation Authority. DEEP has continued to meet and collaborate with CLF on pathways that will continue to protect water quality from discharges of stormwater using a systematic process to identify potential sources of pollution.

2.0 Water Quality & Pollutants of Concern

Stormwater is water resulting from rain or snowmelt that runs off surfaces such as rooftops, paved streets, highways, and parking lots. Along the way, stormwater may pick up and transport pollutants including motor oils, gasoline, antifreeze, and brake dust (commonly found on pavements), fertilizers and pesticides (found on landscaped areas), and soils and sediments (from farms and construction sites). The water eventually flows into a local stream, river, or lake, or into a stormdrain and continues through the system until it is released – untreated – into a local waterbody. Stormwater can result in significant pollution to surface water affecting primary contact recreation such as swimming and aquatic life use support. Stormwater discharges can be highly intermittent, are usually characterized by high flows occurring over relatively short time intervals, and can carry a variety of pollutants whose source, nature, and extent varies.

The term “pollutant” is defined in CWA section 502(6) and § 122.2 and in RCSA 22a-430-3(a)(3). Pollutants are grouped into three (3) categories: conventional, non-conventional, and toxic. By definition, there are five (5) conventional pollutants: 5-day biochemical oxygen demand (“BOD_{5-day}”), total suspended solids (“TSS”), bacteria, pH, and oil and grease. Toxic or “priority” pollutants are those defined in Section 307(a)(1) of the CWA (and listed in 40 CFR §401.15) and include metals and manmade organic compounds. Nonconventional pollutants are those pollutants which do not fall under either of the above categories including such parameters as ammonia, nitrogen, phosphorus, chloride, chemical oxygen demand (“COD”), and whole effluent toxicity (“WET”). Stormwater runoff generated from different land surfaces impacted by the behaviors and activities of humans often contain sediment, bacteria, nutrients, and metals. This draft

general permit includes provisions to ensure that discharges do not cause or contribute to exceedances of water quality standards.

Nationally, urban stormwater runoff may contain the following pollutants of concern:

2.1 Nutrients

Nutrients such as nitrogen and phosphorus are essential to the health of waterbodies, providing necessary components to support growth. However, when present in excess, nutrients can contribute to the overgrowth of algae resulting in harmful algal blooms. Then, when this excess algae decays, it consumes an outsized amount of the dissolved oxygen typically available in the water, depriving other plants and animals of necessary oxygen and leading to ecological damage. Human-related activities can contribute to this issue. Activities such as soil disturbance, fertilizer overuse, and improper waste disposal practices can all introduce additional nutrients into the environment. Stormwater can then transport these nutrients to receiving waters.

This permit requires permittees to address potential sources of nutrients through permit conditions designed to reduce or eliminate discharges of nutrients through increased awareness, elimination of improper discharges, management of stormwater runoff, and good housekeeping practices.

2.2 Bacteria & Pathogens

Bacteria and pathogens occur naturally in the environment but can pose a risk to human health if ingested. Water that has been contaminated with bacteria or pathogens can become unsafe to drink, recreate in, and shellfish harvested from contaminated water can become unsafe to eat. Human-related activities can introduce additional bacteria or pathogens to the environment. Activities such as improper waste disposal practices, manure management, soil disturbance, and poor housekeeping can all contribute to higher amounts of bacteria and pathogens. Stormwater can transport these pollutants to receiving waters.

This permit requires permittees to implement various Best Management Practices to reduce the potential for these constituents to be released into the environment through increased awareness, elimination of improper discharges, and good housekeeping practices.

2.3 Sediment

Erosion is a naturally occurring process, but excessive erosion exacerbated by human activities such as construction can cause significant amounts of sediment to be transported to receiving waterbodies, contributing to water quality issues and habitat impacts. While eroded sediment can be transported by various means, the most severe type is transport by water. Stormwater travelling over disturbed soil and impervious surfaces can transport and deposit large quantities of potentially contaminated sediment.

Excess sediment transported by stormwater runoff can cause various issues in receiving waterbodies, such as the displacement of aquatic habitats in the receiving waterbodies and excessive turbidity caused by deposited sediment can limit the growth of aquatic plants, damaging aquatic ecosystems. Most troubling is sediment's ability to act as a vector to transport other pollutants such as nutrients and

bacteria. Contaminated sediment can cause further damage to water quality and habitats in the receiving waterbody.

This permit requires compliance with the Connecticut Guidelines for Soil Erosion and Sediment Control (as amended). These guidelines provide guidance intended to minimize the discharge and unintentional displacement of soil and sediment from land disturbing activities. In addition, this permit requires permittees to implement good housekeeping practices, such as street sweeping and catchbasin cleaning, to prevent the accumulation of metals and contaminated sediment on impervious surfaces, reducing the potential for these constituents to be discharged to receiving waterbodies.

For more information on sediment and sediment impacts, refer to the Connecticut Soil Erosion and Sediment Control Guidelines: <https://portal.ct.gov/DEEP/Water/Soil-Erosion-and-Sediment-Control-Guidelines>.

2.4 Chlorides

Chlorides are salt components which primarily enter the environment as a result of the application of deicing materials. During the winter, these deicing materials are used to prevent the formation of ice on roadways, sidewalks, and other paved surfaces to enhance public safety during winter weather events. Through the season, chlorides build-up on surfaces and can be transported by stormwater runoff (including snowmelt) to waters of the state, potentially violating acute water quality criteria and/or contaminating public and private drinking water wells.

Recognizing the prevalence of these materials and the important role they play in maintaining public safety through the winter, this general permit does not require the elimination of these materials. Permittees are encouraged to optimize their use of deicing materials while balancing the safety benefits with the potential environmental impacts. Permittees are required to quantify any such efforts by tracking the amount of deicing material applied each winter season.

For more information on chlorides and chloride impacts, refer to the following CTDEEP webpages:

- Salt Impacts & Our Environment (<https://portal.ct.gov/deep/salt/salt-main-page>)
- Road Salt: More Than Just a Grain of Salt (<https://storymaps.arcgis.com/stories/ab89278ae4df47469c6726924c47d92a>)

2.5 Metals

Metals such as lead, zinc, copper, and cadmium are common components of urban stormwater runoff due to their association with vehicle and tire wear. Though present in the environment, in high concentrations metals can bioaccumulate in aquatic plants and animals and can become toxic if not addressed. Stormwater travelling over impervious surfaces like roads, parking lots, and driveways can transport accumulated metals deposited by vehicles to receiving waterbodies.

Due to their relationship to sediment, BMPs effective at controlling sediment will also be effective at reducing the transport of metals by that sediment. This permit requires permittees to implement good housekeeping practices, such as street sweeping and catchbasin cleaning, to prevent the accumulation of metals and contaminated sediment on impervious surfaces, reducing the potential for these constituents to be discharged to receiving waterbodies.

2.6 Oil and Grease

Oil and Grease is the term for a wide range of organic compounds that can be both petroleum-related (e.g., hydrocarbons) and non-petroleum (e.g., vegetable and animal oils and greases, fats, and waxes). While constituents in this category have many varying properties, oils and greases most commonly float on the surface of receiving waterbodies or absorb into floating or settled sediment. Oil and grease and related compounds can be lethal to fish, benthic organisms, and water-dwelling wildlife.

Due to their relationship to sediment, BMPs effective at controlling sediment will also be effective at reducing the transport of oils and greases by that sediment. Good housekeeping practices, such as street sweeping and catch basin cleaning prevent the accumulation of oil and grease and contaminated sediment on impervious surfaces, reducing the potential for these constituents to be discharged to receiving waterbodies.

3.0 Authorization under this General Permit

This general permit authorizes stormwater discharges to waters of the state (direct, to wetlands, or through separate storm sewer systems (municipal or private)) associated with commercial activity from sites with five (5) acres or more of impervious surface. “Commercial Activities” are defined in this permit as those activities or facilities under the Standard Industrial Classifications (“SIC”) and North American Industry Classification System (“NAICS”) codes identified in Appendix A of the general permit. The industrial classification codes identified in Appendix A of the general permit consist primarily of those codes associated with wholesale trade, retail trade, and professional and personal services.

Commercial activities on sites with five (5) acres or more of impervious surface are expected to share common traits, such as large parking areas and outdoor storage of materials or outdoor display of products for sale.

The general permit is issued for a five (5) year duration and applies to the entire State of Connecticut. If the permit is administratively continued, permittees are required to comply with all permit terms and conditions, including the monitoring requirements at the original frequency during the continuance of the permit.

3.1 Who Must Register

Sites with five (5) or more acres of impervious surface that host one or more of the commercial activities described in Appendix A of the proposed general permit are required to seek authorization under this permit. This five (5) acre impervious surface threshold is consistent with previous iterations of this permit. Sites with less than five (5) acres of impervious surface will not be required to register under this permit unless directed by the Commissioner, however the Commissioner encourages sites under the acreage threshold to evaluate their sites and minimize pollutant discharges to waters of the state.

DEEP is proposing that the site owner be responsible for submitting a registration and ensuring implementation of the requirements of this permit in most cases. The owner will not be responsible for submitting a registration if the site is operated by a single operator and that operator is solely responsible for the maintenance of the entire parking lot, catch basins, roof, and other impervious cover. In such a case, the operator would be responsible for submitting a registration and ensuring implementation of the requirements of this permit.

3.1.1 Sites Authorized under the 2023 Commercial Stormwater GP

For sites with existing authorization under the 2023 Commercial Stormwater GP, interim permit coverage will be provided and permittees will have ninety (90) days from the date of issuance to submit a new registration. If a timely registration is not submitted, authorization will be terminated.

3.1.2 Sites Not Authorized under the 2023 Commercial Stormwater GP

For existing sites without existing authorization under the 2023 Commercial Stormwater GP, registrants must submit a complete application within ninety (90) days after the issuance date of the permit or, for new activities, thirty (30) days prior to the date the commercial activity is initiated at such site.

3.1.3 Sites with a New Owner or Operator

This general permit is non-transferable. The existing permittee must submit a Notice of Termination form for any discharge from a site authorized for discharge under this general permit for which the registrant has been transferred to a new entity must submit a new registration on or before thirty (30) days following the date of transfer.

3.1.4 Sites with Authorization under Another NPDES Permit

Sites from which all stormwater discharges are covered by another NPDES permit will not be required to obtain authorization under this permit. Sites from which only a portion of the stormwater discharges are covered by another NPDES permit which meet the requirements of this permit must submit a registration for those stormwater discharges not authorized under another NPDES permit. Sites from which discharges other than stormwater are authorized under another NPDES are not exempt from this permit.

3.2 Obtaining Permit Coverage

Any person who initiates, creates, originates, or maintains a discharge authorized by this general permit shall file a registration with the Commissioner that meets the registration requirements of the general permit. Such registration shall be submitted within the timeframe specified in the general permit, include the applicable fee, and a copy of the site's Stormwater Management Plan ("SMP").

3.3 Registration Process

On October 22, 2015, the United States Environmental Protection Agency published the National Pollutant Discharge Elimination System ("NPDES") Electronic Reporting Rule ("NPDES eRule"), 40 CFR 127. The rule replaces most paper-based NPDES reporting requirements with electronic reporting and details in Appendix A to Part 127 – Minimum Set of NPDES Data, the data required to be sent to EPA's Central Data Exchange ("CDX"). To comply with the federal regulations, in 2016 DEEP developed an eRule Implementation Plan. As part of that plan, on November 6, 2023, DEEP signed a Memorandum of Understanding ("MOU") with US EPA to develop an online application system. At the time of drafting this general permit, DEEP had not begun the development of the Commercial Stormwater online application and has been working with US EPA to develop the Industrial Stormwater General Permit application. Once the Industrial Stormwater General Permit application is in production, DEEP will determine which general permit will be developed next.

Working towards meeting DEEPs 20by26 Goal 10, "Expand Tools for Online Services," WPED is proposing to modernize the current paper based application submittal process. Applicants will follow a two-step process: (1) Submit an application transmittal form, and (2) upload an electronic application

to a shared online portal. During the duration of the general permit, DEEP intends to continue working with EPA to develop an application using CDX and may require permittees to use the new process once deployed.

4.0 Summary of Proposed Changes to the General Permit

The proposed general permit contains substantial changes that are summarized below:

4.1 Standardized Language and Fees

The format and language of the proposed general permit has been updated to be consistent with DEEP and division formats. This change is primarily cosmetic and does not affect the conditions of the permit.

Permit application fees have been increased from \$300 to \$625 to align with recently issued general permits. Under Section 22a-6(b) of the Connecticut General Statutes, municipalities pay half the application fee.

4.2 Expanded Permit Coverage

DEEP is proposing to expand the types of activities considered to be commercial activities under this permit. Under previous iterations of this permit, activities had been designated as “commercial activities” by use of the *Standard Industrial Classification Manual* (“SIC Manual”). The SIC Manual was last updated in 1987 and has since been superseded by the *North American Industrial Classification System Manual* (“NAICS Manual”). The proposed general permit utilizes both the 1987 SIC Manual and the 2022 NAICS Manual to designate activities as “commercial activities.” The use of both manuals preserves the intent of previously issued permits while establishing a vector for forward growth.

In addition to the use of both the above-mentioned classification systems, DEEP is also proposing to designate several additional SIC/NAICS codes as “commercial activities” to accommodate differences between the two classification systems while providing coverage for additional activities which are expected to have similar property types (i.e., large amounts of impervious surface and/or the outdoor storage of materials and products) to those activities covered under previous iterations of this permit.

Proposed additional commercial activities, referred to here by their SIC description designations, include:

- Landscaping and Horticultural Services
- Depository Institutions
- Non-depository Institutions

- Security and Commodity Brokers, Dealers, Exchanges, and Services
- Insurance Carriers
- Operators of Nonresidential Buildings
- Real Estate Agents and Managers
- Professional, Social, and Educational Services
- Museums, Art Galleries, and Botanical and Zoological Gardens
- Membership Organizations

A full list of SIC/NAICS codes and descriptions proposed to be covered under this general permit can be found in Appendix A of the draft general permit.

4.3 Expanded Stormwater Management Plan Requirements

The following changes will allow DEEP to assess eligibility and compliance more efficiently under this permit.

DEEP is proposing to require permittees submit a detailed Stormwater Management Plan (“SMP”) at the time of registration. Previously, permittees were required to develop a SMP but were not required to submit the document to DEEP unless requested.

DEEP is proposing to expand the documentation permittees must provide within the SMP. Permittees will be required to provide a detailed description of the facility as well as a detailed site map including, but not limited to, the extent of the property and the location of existing buildings and structures, stormwater control structures (such as outfalls and catch basins), and certain activities (such as fueling and material storage).

4.4 Expanded Control Measure Implementation

DEEP is proposing to increase the water quality protections offered by this permit by expanding the control measures permittees are required to implement at their sites. Control measures are designed to prevent and/or reduce the discharge of pollutants from a site and consist of structural and non-structural measures. Structural control measures such as stormwater retention ponds are typically used to control the quantity of stormwater at a site, therefore minimizing discharges and potentially mitigating flooding. Non-structural control measures are practices or behaviors such as street sweeping and routine inspections which are typically used to prevent the accumulation of pollutants, therefore improving discharge quality.

Some existing control measures in this general permit have been modified and several new control measures have been proposed.

4.4.1 Modified Existing Control Measures:

- Sweeping Schedule

Regular sweeping of impervious surfaces removes surface pollutants, reducing the amount of potential pollutants which may be transported by stormwater runoff. To increase the beneficial effects of sweeping, the draft general permit proposes to increase the required frequency of sweeping from twice per year (once in the fall and once in the spring) to four (4) times per year (twice in the fall and twice in the spring).

- Catch Basin Cleaning Schedule

Catch basins become less effective at both pollutant reduction and flood mitigation when excessively loaded with sediment, trash, and debris. The rate at which catchbasins become full of sediment and trash, however, is dependent on site conditions and use. Therefore, the draft general permit proposes to change the frequency from once per year, to a minimum frequency based on regular inspections of the catch basin.

- **Routine Site Inspection Schedule**

Routine site inspections ensure that the permittee is aware of the conditions of the site and can respond to potential issues in a timely manner. To promote greater awareness, the draft general permit proposes additional daily inspections in sensitive areas such as battery storage areas and lawn and garden centers.

4.4.2 New Control Measures Proposed in this General Permit:

- **Floor Drains**

Interior floor drains may be inappropriately connected to and discharging to the stormwater collection system. The draft general permit requires permittees to ensure that all interior floors drains are either appropriately authorized or sealed to prevent unlawful discharges.

- **Roof Areas**

Exhausts, ducts, and other mechanisms typically located on roofs may be subject to drippage which can comingle with stormwater runoff. The draft general permit requires permittees to inspect roof areas to determine if there are any sources of potential pollution and mitigate discharges from such sources if identified.

- **Minimize Exposure**

Certain materials may have a higher potential to contribute pollutants than other materials. The draft general permit requires permittees to inventory and minimize exposure of such materials to stormwater.

- **Sediment and Erosion Control**

Areas with steep slopes or other factors which make them more susceptible to erosion may contribute sediment to the stormwater collection system or receiving waters. The draft general permit requires permittees to identify and limit erosion from such areas.

- **Management of Runoff**

If a permittee observes the need for additional or improved stormwater management at a site, the draft general permit requires permittees ensure any evaluation, construction, or design of such systems be performed by a professional engineer licensed to practice in the state of Connecticut.

- **Winter Maintenance Activities**

Deicing materials (such as road salt) provide essential public safety benefits; however, these materials can also contribute significant pollution to receiving waters. Therefore, it is essential to optimize applications of deicing materials to ensure safety while minimizing environmental impacts. The draft general permit requires permittees to consider methods to optimize deicing

material application and track the amount of deicing material applied each season to quantify such efforts.

- **Loading Docks**

Spills occurring at loading docks have a higher potential to contribute pollutants due to the wide variety of products and materials that are handled in these areas. The draft general permit requires permittees to maintain catch basins in such areas to ensure spills or other releases in these areas do not discharge to the stormwater collection system.

- **Fueling**

Fueling areas have a higher potential to contribute pollutants due to the quantity and type of materials stored in these areas. The draft general permit requires permittees to take measures to reduce the risk of such materials being discharged to the stormwater collection system, such as providing accessible spill kits and utilizing dry clean-up methods in such areas.

- **Vehicle and Equipment Maintenance**

Areas where vehicle and equipment maintenance is performed outdoors have a higher potential to contribute pollutants due to the activities performed and type of materials stored in these areas. The draft general permit requires permittees to take measures to reduce the risk of such materials being discharged to the stormwater collection system, such as utilizing drip pans and dry clean-up methods in such areas.

- **Lawn and Garden Centers**

Lawn and Garden Centers areas have a higher potential to contribute pollutants due to the quantity and type of materials stored in these areas. The draft general permit requires permittees to take measures to reduce the risk of such materials being discharged to the stormwater collection system, such as storing materials under cover, utilizing dry clean-up methods, and minimizing the overwatering of plants.

4.5 Outfall and Visual Monitoring

DEEP is proposing to require, for the first time, analytical monitoring for all permittees under this general permit. The proposed monitoring program consists of nineteen parameters to be sampled annually for each stormwater outfall at the site. These parameters were chosen based on known pollutants of concern related to pavement and other impervious surfaces. The proposed analytical monitoring is “report-only” and does not have associated effluent limits or benchmark thresholds or other baseline values for comparison.

Monitoring data collected through this permit will be used to inform future iterations of the permit, including the need for additional or advanced control measures and or BMPs, the need for continued analytical monitoring, and the applicability of the five (5) acre impervious surface threshold.

DEEP is also proposing to require quarterly visual monitoring for all permittees under this general permit. Visual monitoring consists of collecting a stormwater sample from an outfall and observing it for indicators of pollution, such as color, odor, or sheen. Permittees are required to keep a record of observations, but no analytical testing is required for samples collected for visual evaluations. The results of visual monitoring are to be used by the permittee to assess the implementation of control measures at their site.

5.0 Conditions of this General Permit

Under this general permit, the permittee shall ensure all authorized activities and discharges are conducted in accordance with the following general permit conditions: Stormwater Management Plan (“SMP”), Control Measures, Monitoring, Reporting, and Record Keeping.

5.1 Discharges to a Waterbody With or Without Total Maximum Daily Loads

DEEP is required by Section 303(d) of the federal Clean Water Act to assess state waterbodies to determine if such waterbodies are meeting their designated use(s). If a waterbody is not meeting the designated use, the waterbody is listed as impaired and DEEP is required to develop a plan – such as a Total Maximum Daily Load (“TMDL”) or Action Plan – which identifies potential sources that may be contributing to the impairment and sets forth a plan aimed at restoring and/or maintaining the designated use of the waterbody.

The draft permit continues to implement these TMDLs and Action Plans through permit requirements designed to reduce or eliminate the discharge of pollutants. The majority of waterbodies that have been identified as impaired (with or without TMDLs) for which stormwater is a potential source, are caused by excess discharges of phosphorus, nitrogen, bacteria, and sediment.

5.1.1 Long Island Sound Nitrogen TMDL

Long Island Sound (“LIS”) has an approved TMDL to achieve water quality standards for dissolved oxygen by addressing sources of nitrogen in the watershed. The watershed for the LIS encompasses virtually the entire state of Connecticut as well as portions of Massachusetts, Vermont, New Hampshire, and Quebec, Canada. Nitrogen is the primary limiting nutrient for the growth of algal blooms in LIS. Algal growth and decay contribute to low dissolved oxygen levels and the subsequent impairment of the designated uses of the waterbody. While nitrogen naturally occurs in the environment and is essential to the health of the waterbody, excess nitrogen caused by human-related disturbances can have significant impacts on the receiving water. Stormwater runoff from urban areas is considered to be a significant source of nitrogen into LIS.

The draft permit continues to address potential sources of nitrogen throughout the state through permit conditions designed to reduce or eliminate discharges of nitrogen through awareness, elimination of improper discharges, management of stormwater runoff, and good housekeeping practices.

For more information on the Long Island Sound Nitrogen TMDL, refer to the core document: https://portal.ct.gov/-/media/DEEP/water/lis_water_quality/nitrogen_control_program/tmdlpdf.pdf.

5.1.2 Connecticut Statewide Bacteria TMDL

The presence of bacteria and other pathogens in surface waters can pose a risk to human health through contact with and ingestion of contaminated waters or through consumption of shellfish harvested from contaminated waters. The draft revised Connecticut Statewide Bacteria TMDL Core Document (2024) identifies several ways by which bacteria and other pathogens can be deposited in surface waters including water pollution control facilities, urban stormwater runoff, construction activities, illicit connections, failing subsurface disposal systems (i.e., septic systems), and waste from pets, livestock, and wildlife. Connecticut uses indicator bacteria such as Total Coliform, *Escherichia coli* (*E. coli*), fecal coliform bacteria, and *Enterococcus* as evidence of pathogenic contamination.

The draft permit continues to address potential sources of bacteria throughout the state through permit conditions designed to reduce or eliminate discharges of bacteria through awareness, elimination of improper discharges, management of stormwater runoff, and good housekeeping practices.

For more information on the Connecticut Statewide Bacteria TMDL, refer to the core document: https://portal.ct.gov/-/media/deep/water/water-quality-action-plans/tmdl/2024_draft_bacteria_tmdls/ctbacteriatmdl_core-doc_2024draft.pdf?rev=9e525ad1214b470eb90d9159c85e2b39&hash=1987CA3CC64531CE6EE027878C332D30.

5.1.3 Connecticut Advance Restoration Plan for Total Phosphorus

While phosphorus naturally occurs in the environment and is essential to the health of the waterbody, excess phosphorus caused by human-related disturbances can have significant impacts on the receiving water, such as the promotion of algal blooms and subsequent low dissolved oxygen. The Connecticut Advance Restoration Plan For Total Phosphorus in Non-Tidal Surface Waters (2024) identifies erosion and stormwater runoff from urban areas as potential sources of phosphorus.

The draft permit continues to address potential sources of phosphorus throughout the state through permit conditions designed to reduce or eliminate discharges of phosphorus through awareness, elimination of improper discharges, management of stormwater runoff, and good housekeeping practices.

For more information on the Connecticut Advance Restoration Plan for Total Phosphorus, refer to the core document: <https://www.epa.gov/system/files/documents/2024-12/ct-statewide-phosphorus-advance-restoration-plan-for-freshwater-rivers.pdf>.

5.1.4 Northeast Regional Mercury TMDL

The presence of mercury in surface waters can pose a risk to human health primarily through consumption of fish or shellfish harvested from mercury contaminated waters. The majority of mercury released into the environment is released into the air and reaches waterbodies via atmospheric deposition. Although stormwater runoff is included in this TMDL as a potential source, it is expected that “all significant decreases in mercury loading to the region will come from reductions in atmospheric deposition” (Northeast Regional Mercury TMDL, 2007).

The draft permit continues to address potential sources of mercury throughout the state through permit conditions designed to reduce or eliminate discharges of mercury through awareness and good housekeeping practices.

For more information on the Northeast Regional Mercury TMDL, refer to the core document: https://portal.ct.gov/-/media/DEEP/water/tmdl/CTFinalTMDL/ne_hg_tmdl.

5.2 Water Quality and Technology Based Effluent Limits

Similar to the approach taken with other EPA stormwater permits, this general permit requires permittees to comply with non-numeric technology-based and water quality-based effluent limits expressed narratively implementing control measures, commonly referred to as best management practices (“BMPs”). In limited circumstances, BMPs take the place of numeric effluent limitations to control or abate the discharge of pollutants, including, but not limited to, control of stormwater discharges authorized under section 402(p) of the CWA and where reasonable to achieve effluent limitations and standards or to carry out the purpose of the CWA (40 CFR § 122.44(k)(3) and (4)). Due to the variability associated with stormwater and in accordance with 40 CFR § 122.44(k)(3), BMPs are currently the most appropriate method to regulate discharges of stormwater from conveyance systems under this general permit. At the same time, where necessary, DEEP also includes clear, specific, and measurable permit requirements to protect water quality standards.

5.3 Stormwater Management Plan

The Stormwater Management Plan (“SMP”) is a site-specific document developed by the permittee which describes, in detail, current site conditions and the measures in place to comply with the general permit requirements. It describes how the site will be managed and operated to minimize or eliminate the potential to discharge pollutants through stormwater run-off from the site. The SMP is a living document and is intended to be updated regularly to reflect current site conditions.

The SMP must address, at minimum, the following elements (these elements are described in more detail in Section 4 of the proposed general permit):

- Facility description – detailed description of activities taking place at the site.
- General location map – map showing the site and the surrounding features such as roads and receiving waters.
- Detailed site map – map showing the boundaries of the site and the locations of buildings, facilities, stormwater structures, and certain activities.
- Inventory and management of potential pollutant sources – inventory of potential pollutant sources at the site and a description of how they are managed.
- Spills and leaks – inventory of spills and leaks of more than five (5) gallons that have occurred at the site which could affect the quality of stormwater run-off.

- Control measures – description of the measures implemented at the site to comply with each of the measures listed in Section 4 of the proposed general permit.
- Non-stormwater discharges – description of all known non-stormwater discharges at the site which may commingle with stormwater run-off.

Permittees are responsible for keeping the SMP up to date. The SMP should be evaluated annually and updated whenever there is a change at the site that may affect stormwater discharges (including how control measures are implemented), the actions of the SMP fail to adequately protect against pollution, or the Commissioner requests modification of the SMP.

5.4 Control Measures

Control Measures are measures designed to prevent and/or reduce the discharge of pollutants from a site. The permittee shall describe how each Control Measure is implemented at their site in the Stormwater Management Plan and implemented to the Maximum Extent Achievable (“MEA”).

The proposed general permit divides Control Measures into two categories: “Control Measures applicable to all sites” and “Control Measures applicable to sites with certain conditions.” This division was made in recognition that commercial sites have a wide variety of conditions and that not all conditions will apply to every site.

5.4.1 Measures Applicable to All Permittees

- Good Housekeeping – requires that permittees maintain a clean and orderly site.
- Washwater – requires permittees prohibit the discharge of washwater from washing, rinsing, or cleaning to a stormwater collection system or waters of the state (except in accordance with a permit issued by DEEP).
- Floor Drains – requires permittees to confirm that no interior floor drain discharges to a stormwater collection system or waters of the state (except in accordance with a permit issued by DEEP).
- Roof Areas – requires permittees inspect roof areas for potential pollution sources and, if sources are identified, minimize the potential of pollution from such sources.
- Minimize Exposure – requires permittees to minimize the exposure of potential pollutant sources to stormwater.
- Sediment and Erosion Control – requires permittees to identify areas of the site with potential soil erosion and limit erosion in such areas.
- Management of Runoff – requires permittees to investigate the need for stormwater management or treatment practices at the site and install and maintain any deemed reasonable and appropriate.
- Preventative Measures – requires permittees to implement a preventive maintenance program to regularly inspect, test, evaluate, and repair equipment with may result in a discharge of pollutants if malfunction were to occur.

- Sweeping – requires permittees to sweep impervious surfaces at least four times a year – twice in the fall (September 1 to December 31) and twice in the spring (March 1 to May 30) – and perform additional sweeping as needed.
- Outside Storage – requires permittees to maintain materials stored outside in such a way that minimizes the potential of stormwater exposure or contamination.
- Winter Maintenance Activities – requires permittees to consider methods to optimize the application of deicing materials at the site and record the type and weight of material applied each winter season.
- Spill Prevention and Response – requires permittees to minimize the potential for leaks, spills, and other uncontrolled releases and the impact from such releases by identifying potential risks and establishing appropriate response procedures.
- Dumpsters – requires permittees to ensure dumpsters and other temporary waste storage containers are in sound, watertight condition and have intact covers and drain plugs.
- Loading Docks – requires permittees to maintain loading areas in such a way to prevent spilled materials from entering the stormwater collection system.
- Employee Training – requires permittees provide annual training to employees on implementation of the Stormwater Management Plan.

5.4.2 Measures Applicable to Sites with Certain Activities

- Solid De-icing Material Storage – requires permittees storing deicing materials outdoors at the site to provide cover for such materials when not in use; different requirements exist for temporary and permanent storage of deicing materials, as well as for deicing materials stored outdoors in certain areas.
- Fueling – requires permittees with outdoor fueling of vehicles and/or equipment to provide accessible spills kits, utilize dry clean-up methods, and minimize the discharge of pollutants within fueling areas.
- Vehicle and Equipment Maintenance – requires permittees performing vehicle and equipment maintenance outdoors to utilize drip pans and dry clean-up methods in such areas and treat and/or recycle collected stormwater runoff from such areas.
- Outdoor Storage or Liquid Materials – requires permittees with liquid materials stored outdoors to provide sufficient containment for such materials (110% of the volume of the largest container in an area or 10% of all the containers in an area, whichever is larger).
- Lawn and Garden Centers – requires permittees with lawn and garden centers located on-site to maintain such areas in such a way to prevent the discharge of pollutants, including utilizing dry clean-up methods, storing certain liquid materials indoors, storing certain solid materials under cover, and minimizing overwatering of plants.

5.5 Inspections and Maintenance

Permittees are required to regularly evaluate the condition of the site and respond to observed issues in a timely manner. There are two types of inspection: “routine site inspections” and “comprehensive site inspections.”

5.5.1 Routine Site Inspections

Assess the condition of the site and the implementation of the control measure established by the SMP. These inspections are to be performed at the following intervals:

- Daily – inspect sensitive areas such as battery storage areas, lawn and garden centers, and outdoor storage areas for evidence of containment issues, such as spills and leaks.
- Weekly – inspect the site for surface debris such as accumulating litter or sediment.
- Monthly – inspect all areas covered by the SMP to evaluate control measure implementation and inspect all stormwater structures for debris and sediment accumulation.

5.5.2 Comprehensive Site Inspections

Evaluate the implementation of all Control Measures in the permittee's SMP, including a report assessing the sufficiency of those measures and the documentation kept. These inspections are to be performed twice a year. A report summarizing the findings of the inspection will be reviewed and signed by the permittee and maintained for a minimum of five years.

5.6 Monitoring

Monitoring stormwater discharges leaving the site informs permittees as to the effectiveness of the Control measures implemented on the site. Samples must be collected during wet-weather after a period of seventy-two (72) hours or more of dry-weather. Monitoring is separated into two categories: "Outfall Monitoring" and "Visual Monitoring."

5.6.1 Outfall Monitoring

Permittees are required to collect a stormwater sample and have that sample analyzed for nineteen (19) parameters. These parameters were chosen to represent known sources of pollution likely to be present at commercial sites. Permittees are required to conduct outfall monitoring once annually for each outfall at the site and submit the results of the analysis electronically to DEEP. The parameters to be sample are as follows:

Total Oil & Grease, mg/l

pH, s.u.

Conductivity, umhos/cm

Hardness, mg/l

Total Copper, mg/l

Total Lead, mg/l

Total Zinc, mg/l

Total Aluminum, mg/l

Iron, mg/l

Chemical Oxygen Demand (COD), mg/l

Total Suspended Solids (TSS), mg/l

Total Dissolved Solids (TDS), mg/l

Total Phosphorus, mg/l

Total Kjeldahl Nitrogen (TKN), mg/l

Nitrate as Nitrogen, mg/l

Nitrite as Nitrogen, mg/l

Ammonia as Nitrogen, mg/l

Chloride, mg/l

Bacteria, col/100 ml

The proposed outfall monitoring is "report-only" and does not have associated benchmark thresholds or other baseline values for comparison.

5.6.2 Visual Monitoring

Permittees are required to observe a stormwater sample for discernable indicators of pollution such as color, odor, foam, and oil sheen. Permittees are required to conduct visual monitoring quarterly and maintain records of observations made with the SMP.

5.7 Recordkeeping and Reporting

Permittees are responsible for retaining copies of all records required under this general permit for a minimum period of five (5) years after the date of termination of the permit or after the permit expires.

All stormwater data collected must be submitted through EPA's online NetDMR portal as identified in the permit, or otherwise specified by the Commissioner. Additional information and guidance can be found DEEP's [Stormwater Management webpage](#).

Future outreach and guidance documents will be provided to assist in the new system. DEEP encourages existing permittees to educate themselves with the current training tools available on EPAs website.

5.8 Duty to Correct, Record, and Report Violations

Consistent with the Regulations of Connecticut State Agencies, permittees are required to immediately take all reasonable actions to correct known noncompliance with the conditions of this general permit. In the event that, such noncompliance may endanger human health or the environment, the permittee must notify DEEP. This section was modified to provide concise and consistent requirements for how and when to report a permit violation. DEEP has developed an online Noncompliance Reporting web-based platform accessible on our website: <https://portal.ct.gov/DEEP/Water-Regulating-and-Discharges/Stormwater/Stormwater-Management>.

Permittees must report violations as soon as knowledge of the violation becomes available and submit the required five (5) day follow-up report. If the permittee discharges through a MS4, these reports must also be submitted to the MS4 owner/operator.

5.9 Analytical Methods

All sample analysis required under this general permit shall be conducted by a laboratory certified in accordance with the certification requirements specified in section 19-29a of the General Statutes. All samples shall be analyzed using sufficiently sensitive test methods pursuant to 40 CFR 136 unless an alternative method has been approved in writing by the Commissioner pursuant to 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 by the Commissioner.

5.10 Regulations of Connecticut State Agencies

The permittee shall comply with sections 22a-430-3 and 22a-430-4 of the Regulations of Connecticut State Agencies which are hereby incorporated into this general permit, as is fully set forth herein.

5.11 Federal Standard Conditions

The federal and state standard conditions in 40 CFR 122.41-Conditions applicable to all permits, are hereby incorporated into this general permit, as is fully set forth herein.

5.12 Antidegradation

Such activity is consistent with the Antidegradation Standards of section 22a-426 of the RCSA.

5.13 Appendix A – Applicable SIC & NAICS Codes

Appendix A of the general permit lists those SIC and NAICS codes considered to be “commercial activities.” Discharges of stormwater from sites where the primary activity occurring at the site can be most accurately described by one of the codes (SIC or NAICS) listed in this appendix are eligible for coverage under this general permit. Those sites that are eligible for coverage which have five (5) or more acres of impervious surface are required to seek authorization under this general permit. This permit includes both of these classification systems to provide clarity to the permitted community on who must register.

Section A.1 describes SIC codes considered to be “commercial activities.” Of these codes, all those listed under “SIC Division H: Finance, Insurance, and Real Estate,” those codes beginning with 8 listed under “SIC Division I: Services,” and the industry “Landscape and Horticultural Services” are newly added to the definition of commercial activity. These codes were added due to their similarity to codes previously included in this general permit.

Section A.2 describes NAICS codes considered to be “commercial activities.” As NAICS were not previously included in the definition of commercial activities, all codes in this section are newly added. NAICS codes were added to the definition of commercial activities in order to preserve the intent of the previous permits while establishing a vector for forward growth.

5.14 Appendix B – Aquifer Protection Areas and Other Groundwater Drinking Supply Areas

Appendix B of the general permit provides guidance to permittees regarding stormwater management in aquifer protection areas.

6.0 Public Participation

6.1 Public Comments

Interested persons may obtain a copy of this public notice, the revised draft Commercial Stormwater General Permit and the general permit fact sheet on the DEEP website at www.ct.gov/deep/publicnotices. The general permit materials are also available for inspection at the DEEP Bureau of Materials Management and Compliance Assurance, Water Permitting and Enforcement Division, 79 Elm Street, Hartford, CT from 8:30am – 4:30pm, Monday through Friday. Questions may be directed to Nicole Kibbe at nicole.kibbe@ct.gov.

Prior to making a final decision to reissue the proposed general permit, the Commissioner shall consider written comments from interested persons that are received within thirty (30) days of this public notice. Written comments should be directed to: Nicole Kibbe, Water Permitting and Enforcement Division, Bureau of Materials Management and Compliance Assurance, Department of Energy and Environmental Protection, 79 Elm Street, Hartford, CT 06106-5127 or may be submitted via electronic mail to: DEEP.StormwaterStaff@ct.gov. Electronic mail is recommended.

6.2 Petitions for Public Hearing

The Commissioner may conduct a public hearing if the Commissioner determines that the public interest will be best served thereby or shall hold a hearing upon receipt of a petition signed by at least twenty-five persons. Petitions should include the name of the general permit noted above and also identify a contact person to receive notifications. Petitions may also identify a person who is authorized to engage in discussions regarding the proposed general permit and, if resolution is reached, withdraw the petition. Original signed petitions may be scanned and sent electronically to deep.adjudications@ct.gov or may be mailed or delivered to: DEEP Office of Adjudications, 79 Elm Street, 3rd floor, Hartford, CT 06106-5127. All petitions must be received within the comment period noted above. If submitted electronically, original signed petitions must also be mailed or delivered to the address above within ten days of electronic submittal. If a hearing is held, timely notice of such hearing will be published in a newspaper of general circulation.



Notice of Tentative Determination Intent to Reissue the General Permit for the Discharge of Stormwater Associated with Commercial Activity

1.0 Tentative Determination

The Commissioner of the Department of Energy and Environmental Protection (“DEEP”) hereby gives notice of a tentative determination to reissue and administer the General Permit for the Discharge of Stormwater Associated with Commercial Activity (“Commercial Stormwater General Permit” or “general permit”) under the authority of sections 22a-430 and 22a-430b of the Connecticut General Statutes (“CGS”) authorizing point source discharges to surface water.

2.0 Commissioner’s Findings

The purpose of the general permit is to protect the waters of the state from stormwater runoff discharging from sites engaged in commercial activities. The current Commercial Stormwater General Permit became effective on September 30, 2023 with a permit duration of two (2) years and an expiration date of September 30, 2025.

In accordance with applicable federal and state law, the Commissioner has made a tentative determination that discharges in accordance with, and authorized under, the Commercial Stormwater General Permit would not cause pollution to the waters of the state. The proposed general permit, if issued as drafted, will require registration for new and existing permittees and the development and implementation of a site-specific Stormwater Management Plan (“SMP”).

3.0 General Permit Regulatory Conditions

The general permit authorizes the discharge of stormwater from commercial activities to surface waters of the state of Connecticut. Any discharge of water, substance or material into the waters of the state other than the ones specified in the general permit are not authorized by this general permit.

The general permit requires eligible facilities to submit a registration to obtain permit coverage, develop and implement a SMP, perform site inspections and visual assessments, and conduct stormwater outfall monitoring. The SMP must include detailed information describing the site, potential pollution sources, structural and non-structural stormwater control measures, best management practices (“BMPs”), and procedures for performing inspections and stormwater monitoring.

Permit coverage for permittees covered under the current general permit will be maintained for an interim period of time, provided a complete registration for this permit has been submitted to the Commissioner within 90 days after the issuance date.

4.0 Proposed Updates

Significant changes to the general permit include the following: an updated format and permit fees consistent with similar general permits issued by the division; an expansion of the definition of “commercial activities” to include the North American Industrial Classification System (“NAICS”); additional registration and SMP requirements to provide more site detail, and to better document the types of potential pollutants exposed to stormwater and the stormwater control measures being implemented; the inclusion of visual assessments and analytical stormwater monitoring requirements to evaluate impacts of stormwater runoff to the receiving waterbody; updates to existing control measures; enhanced best management practices for lawn and garden centers; increased routine inspections for certain activities; and, the utilization of new electronic DMR reporting and a new online noncompliance notification reporting tool;

To comply with the NPDES Electronic Reporting Rule (40 CFR 127), registration and reporting requirements under the general permit will transition to electronic filing. Applicants will follow a two-step process: (1) Submit an application transmittal form and (2) upload an electronic application to a shared online portal. Permittees will then submit their stormwater monitoring data electronically through the NetDMR platform.

5.0 Commissioner’s Authority

The Commissioner is authorized to issue this general permit pursuant to sections 22a-430 and 22a-430b of the CGS and the Water Discharge Permit Regulations (sections 22a-430-3 and 4 of the Regulations of Connecticut State Agencies). The Commissioner is authorized to approve or deny any registration under this general permit pursuant to CGS section 22a-430b.

6.0 Public Comment

Interested persons may obtain a copy of this public notice, the revised draft Commercial Stormwater General Permit and the general permit fact sheet on the DEEP website at www.ct.gov/deep/publicnotices. The general permit materials are also available for inspection at the DEEP Bureau of Materials Management and Compliance Assurance, Water Permitting and Enforcement Division, 79 Elm Street, Hartford, CT from 8:30am – 4:30pm, Monday through Friday. Questions may be directed to Nicole Kibbe at Nicole.kibbe@ct.gov.

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6.0 Petitions for Public Hearing

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original signed petitions must also be mailed or delivered to the address above within ten days of electronic submittal. If a hearing is held, timely notice of such hearing will be published in a newspaper of general circulation.



Emma Cimino
Deputy Commissioner

Date: March 13, 2025

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.

Draft Commercial Stormwater General Permit and Fact Sheet: www.ct.gov/deep/stormwater