

NPDES PERMIT

issued to

Cellu Tissue LLC
2 Forbes Street
East Hartford, CT 06108

Location Address:
2 Forbes Street
East Hartford, CT 06108

Facility ID: 043-048

Permit ID: CT0002127

Receiving Stream: Hockanum River

Permit Expires: October 6, 2013

SECTION 1: GENERAL PROVISIONS

- (A) This permit is reissued 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, 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 an N.P.D.E.S. permit program.
- (B) **Cellu Tissue LLC**, ("Permittee"), shall comply with all conditions of this permit including the following sections of the RCSA which have been adopted pursuant to section 22a-430 of the CGS and are hereby incorporated into this permit. Your attention is especially drawn to the notification requirements of subsection (i)(2), (i)(3), (j)(1), (j)(6), (j)(8), (j)(9)(C), (j)(10)(C), (j)(11)(C), (D), (E), and (F), (k)(3) and (4) and (l)(2) of section 22a-430-3.

Section 22a-430-3 General Conditions

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

Section 22a-430-4 Procedures and Criteria

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

- (C) Violations of any of the terms, conditions, or limitations contained in this permit may subject the Permittee to enforcement action including, but not limited to, seeking penalties, injunctions and/or forfeitures pursuant to applicable sections of the CGS and RCSA.
- (D) Any false statement in any information submitted pursuant to this permit may be punishable as a criminal offense under section 22a-438 or 22a-131a of the CGS or in accordance with section 22a-6, under section 53a-157b of the CGS.
- (E) The authorization to discharge under this permit may not be transferred without prior written approval of the Commissioner of Environmental Protection ("Commissioner"). To request such approval, the Permittee and proposed transferee shall register such proposed transfer with the Commissioner, at least 30 days prior to the transferee becoming legally responsible for creating or maintaining any discharge which is the subject of the permit transfer. Failure, by the transferee, to obtain the Commissioner's approval prior to commencing such discharge(s) may subject the transferee to enforcement action for discharging without a permit pursuant to applicable sections of the CGS and RCSA.
- (F) 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.
- (G) Nothing in this permit shall relieve the Permittee of other obligations under applicable federal, state and local law.
- (H) An annual fee shall be paid for each year this permit is in effect as set forth in section 22a-430-7 of the Regulations of Connecticut State Agencies.

SECTION 2: DEFINITIONS

- (A) The definitions of the terms used in this permit shall be the same as the definitions contained in section 22a-423 of the CGS and section 22a-430-3(a) and 22a-430-6 of the RCSA, except for "No Observable Acute Effect Level (NOAEL)" which is redefined below.

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

"----" in the limits column on the monitoring table means a limit is not specified but a value must be reported on the DMR

"Annual" in the context of any sampling frequency found in Section 5, shall mean the sample must be collected in the month of October. In the event that the discharge does not occur in this sampling month, the Permittee shall sample during the next discharge event. The Permittee is required to sample the discharge one time a year.

"Average Monthly Limit"; means the maximum allowable "Average Monthly Concentration" as defined in section 22a-430-3(a) of the RCSA when expressed as a concentration (e.g. mg/l); otherwise, it means "Average Monthly Discharge Limitation" as defined in section 22a-430-3(a) of the RCSA.

"Critical Test Concentration (CTC)" means the specified effluent dilution at which the Permittee is to conduct a single-concentration Aquatic Toxicity test.

"Daily Concentration" means the concentration of a substance as measured in a daily composite sample, or, the arithmetic average of all grab sample results defining a grab sample average.

"Daily composite" means (1) a composite sample taken over a full operating day consisting of grab samples collected at equal intervals of no more than sixty (60) minutes and combined proportionally to flow, or (2) a composite sample continuously collected over a full operating day proportionally to flow. Upon submission of documentation by the applicant satisfactory to the commissioner that a discharge is of consistent effluent quality, the commissioner may allow equal sampling intervals of up to four (4) hours for a daily composite sample.

"Daily Quantity" means the quantity of waste discharged during an operating day.

"Grab Sample Average" means the arithmetic average of all grab sample analyses. Grab samples shall be collected at least once every four hours over a full operating day for as long as a discharge exists on that day (minimum of two grab samples per day).

"Instantaneous Limit" means the highest allowable concentration of a substance as measured by a grab sample, or the highest allowable measurement of a parameter as obtained through instantaneous monitoring.

"In stream Waste Concentration (IWC)" means the concentration of a discharge in the receiving water after mixing has occurred in the allocated zone of influence.

"Maximum Daily Limit", means the maximum allowable "Daily Concentration" (defined above) when expressed as a concentration (e.g. mg/l); otherwise, it means the maximum allowable "Daily Quantity" as defined above, unless it is expressed as a flow quantity. If expressed as a flow quantity it means "Maximum Daily Flow" as defined in section 22a-430-3(a) of the RCSA.

"NA" as a Monitoring Table abbreviation means "not applicable".

"NR" as a Monitoring Table abbreviation means "not required".

"No Observable Acute Effect Level (NOAEL)" means any concentration equal to or less than the critical test concentration in a single concentration (pass/fail) toxicity test conducted pursuant to section 22a-430-3(j)(7)(A)(i) RCSA demonstrating greater than 50% survival of test organisms in 100% (undiluted) effluent and 90% or greater survival of test organisms at the CTC.

"Quarterly", in the context of a sampling frequency, means sampling is required in the months of January, April, July, and October.

"Range During Month" ("RDM"), as a sample type, means the lowest and the highest values of all of the monitoring data for the reporting month.

"Range During Sampling" ("RDS"), as a sample type, means the maximum and minimum of all values recorded as a result of analyzing each grab sample of; 1) a Composite Sample, or, 2) a Grab Sample Average. For those Permittees with continuous monitoring and recording pH meters, Range During Sampling means the maximum and minimum readings recorded with the continuous monitoring device during the Composite or Grab Sample Average sample collection.

"Semi-Annual" in the context of a sampling frequency, means the sample must be collected in the months of January and July.

"ug/l" means micrograms per liter.

SECTION 3: COMMISSIONER'S DECISION

- (A) The Commissioner, has issued a final determination and found that continuance of the existing system to treat the discharge will protect the waters of the state from pollution. The Commissioner's decision is based on Application No. 200701197 for permit reissuance received on April 23, 2007 and the administrative record established in the processing of that application.
- (B) The Commissioner hereby authorizes the Permittee to discharge in accordance with the provisions of this permit, the above referenced application, and all approvals issued by the Commissioner or the Commissioner's authorized agent for the discharges and/or activities authorized by, or associated with, this permit.
- (C) The Commissioner reserves the right to make appropriate revisions to the permit in order to establish any appropriate effluent limitations, schedules of compliance, or other provisions which may be authorized under the Federal Clean Water Act or the CGS or regulations adopted thereunder, as amended. The permit as modified or renewed under this paragraph may also contain any other requirements of the Federal Clean Water Act or CGS or regulations adopted thereunder which are then applicable.

SECTION 4: GENERAL EFFLUENT LIMITATIONS

- (A) No discharge shall contain, or cause in the receiving stream, a visible oil sheen or floating solids; or, cause visible discoloration or foaming in the receiving stream.
- (B) No discharge shall cause acute or chronic toxicity in the receiving water body beyond any zone of influence specifically allocated to that discharge in this permit.
- (C) The temperature of any discharge shall not increase the temperature of the receiving stream above 85°F, or, in any case, raise the normal temperature of the receiving stream more than 4°F.

SECTION 5: SPECIFIC EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

- (A) The discharge shall not exceed and shall otherwise conform to the specific terms and conditions listed below. The discharge is restricted by, and shall be monitored in accordance with, the table below:

Table A

Discharge Serial Number: 001-1 | **Monitoring Location: 1**
Wastewater Description: Treated paper manufacturing wastewater (Krofta 1&2 effluent) and Main Adams Filter backwash wastewaters
Monitoring Location Description: At the final effluent discharge point prior to the treated/partially treated river water bypass connection
Allocated Zone of Influence (ZOI): 552,062 gph | **In stream waste concentration (IWC): 5.0 %**

PARAMETER	UNITS	FLOW/TIME BASED MONITORING				INSTANTANEOUS MONITORING			Mini Level Test ³
		Average Monthly Limit	Maximum Daily Limit	Sample/Reporting Frequency ²	Sample Type or Measurement to be reported	Instantaneous limit or required range	Sample/ Frequency ²	Reporting Frequency ²	
Aluminum, Total ⁵	mg/l	NA	---	Quarterly	Daily Composite	NA	NR	NA	*
Aquatic Toxicity, Daphnia pulex LC ₅₀ ⁴	%	NA	100	Quarterly	Daily Composite	100	NR	Grab	
Aquatic Toxicity, Pimephales promelas LC ₅₀ ⁴	%	NA	100	Quarterly	Daily Composite	100	NR	Grab	
BOD ₅ ⁵	mg/l	25.0	50.0	Weekly	Daily Composite	75.0	NR	Grab	
Chlorine, Total Residual ⁵	mg/l	0.15	0.3	Monthly	Grab Sample Average	0.45	NR	Grab	*
Epichlorohydrin	ug/l	NA	---	Annually	Grab Sample Average	NA	NR	Grab	*
Flow, Average and Maximum ¹	mgd	0.696	1.152	Continuous/Monthly	Total	NA	NR	Grab	
Flow, Day of Sampling	mgd	NA	1.152	Weekly	Total	NA	NR	Grab	
Formaldehyde	mg/l	NA	---	Quarterly	Daily Composite	NA	NR	Grab	
Nitrogen, Ammonia (total as N) ⁵	mg/l	NA	---	Monthly	Daily Composite	NA	NR	Grab	
Nitrogen, Kjeldahl Total ⁵	mg/l	NA	---	Monthly	Daily Composite	NA	NR	Grab	
Nitrogen, Nitrate, (total as N) ⁵	mg/l	NA	---	Monthly	Daily Composite	NA	NR	Grab	
Nitrogen, Nitrite, (total as N) ⁵	mg/l	NA	---	Monthly	Daily Composite	NA	NR	Grab	
Oil and Grease, Total	mg/l	10.0	20.0	Semi-Annual	Grab Sample Average	30.0	NR	Grab	
Pentachlorophenol ^{5,6}	ug/l	8.2	16.5	Quarterly	Daily Composite	16.5	NR	Grab	
pH, Continuous	S.U.	NA	NA	NR	NA	6.0 – 9.0	Continuous /Monthly	RDM	
pH, Day of Sampling	S.U.	NA	NA	NR	NA	6.0 – 9.0	Weekly	RDS	
Total Suspended Solids ⁵	mg/l	20.0	40.0	Weekly	Daily Composite	60.0	NR	Grab	
Trichlorophenol ^{5,6}	ug /l	6.5	13.0	Quarterly	Daily Composite	13.0	NR	Grab	
Volatile Organics ⁵	ug /l	NA	NA	NR	NA	---	Semi-Annual	Grab	
Zinc, Total ⁵	mg/l	0.2	0.41	Quarterly	Daily Composite	0.51	NR	Grab	*

Table A Footnotes :

- ¹ For this parameter the Permittee shall maintain at the facility a record of the total flow for each day of discharge and shall report the Average Daily Flow and the Maximum Daily Flow for each month.
- ² The first entry in this column is the ‘Sample Frequency’. If this entry is not followed by a ‘Reporting Frequency’ and the ‘Sample Frequency’ is more frequent than monthly then the ‘Reporting Frequency’ is monthly. If the ‘Sample frequency’ is specified as monthly, or less frequent, then the ‘Reporting Frequency’ is the same as the ‘Sample Frequency’.
- ³ Minimum Level Test refers to Section 6(A)(3) of this permit.
- ⁴ Record the LC₅₀ value result on the DMR.
- ⁵ Indicates that testing for this parameter shall be performed on the same sample used for aquatic toxicity testing.
- ⁶ Chlorophenolic biocides, including pentachlorophenol (pcp) and trichlorophenol (tcp), shall not be used in any of the facility operations. The Permittee shall attach an annual statement to the Discharge Monitoring Report (DMR) for the month of January, on a form provided (Attachment A), certifying there has been no use of pcp and tcp at the facility since filing of the last certification. Additionally, in the event that any of these chemical parameters are found to be present or are expected to be present based on changes that occur in the Permittee’s operations, the Permittee shall notify the Department and must immediately comply with the monitoring requirements provided in the table above.

- (1) All samples shall be comprised of only the wastewater described in this table. Samples shall be collected prior to combination with receiving waters or wastewater of any other type, and after all approved treatment units, if applicable. All samples collected shall be representative of the discharge during standard operating conditions.
- (2) In cases where limits and sample type are specified but sampling is not required by this permit, the limits specified shall apply to all samples, which may be collected and analyzed by the Department of Environmental Protection personnel, the Permittee, or other parties.
- (3) The limits imposed on the discharges listed in this permit take effect on the issuance date of this permit, hence any sample taken after this date which, upon analysis, shows an exceedance of permit limits will be considered non-compliance.

The monitoring requirements begin on the date of issuance of this permit if the issuance date is on or before the 12th day of a month. For permits issued on or after the 13th day of a month, monitoring requirements begin the 1st day of the following month.

SECTION 6: SAMPLE COLLECTION, HANDLING AND ANALYTICAL TECHNIQUES

(A) Chemical Analysis

- (1) Chemical analyses to determine compliance with effluent limits and conditions established in this permit shall be performed using the methods approved pursuant to the 40 CFR 136 unless an alternative method has been approved in writing 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 in this permit.
- (2) All metals analyses identified in this permit shall refer to analyses for Total Recoverable Metal as defined in 40 CFR 136 unless otherwise specified.
- (3) The Minimum Levels specified below represent the concentrations at which quantification must be achieved and verified during the chemical analyses for the parameters identified in Section 5 Tables A and B. Analyses for these parameters must include check standards within ten percent of the specified Minimum Level or calibration points equal to or less than the specified Minimum Level.

<u>Parameter</u>	<u>Minimum Level</u>
Aluminum	10.0 ug/L
Chlorine, total residual	20.0 ug/L
Zinc	10.0 ug/L
Epichlorohydrin	20.0 ug/L

- (4) The value of each parameter for which monitoring is required under this permit shall be reported to the maximum level of accuracy and precision possible consistent with the requirements of this section of the permit.
- (5) Effluent analyses for which quantification was verified during the analysis at or below the minimum levels specified in this section and which indicate that a parameter was not detected shall be reported as "less than x" where 'x' is the numerical value equivalent to the analytical method detection limit for that analysis.
- (6) Results of effluent analyses which indicate that a parameter was not present at a concentration greater than or equal to the Minimum Level specified for that analysis shall be considered equivalent to zero (0.0) for purposes of determining compliance with effluent limitations or conditions specified in this permit.

(B) Acute Aquatic Toxicity Test

- (1) Samples for monitoring of Aquatic Toxicity shall be collected and handled as prescribed in "Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms" (EPA/821-R-02-012).
 - (a) Composite samples shall be chilled, as they are collected. Grab samples shall be chilled immediately following collection. Samples shall be held at 4 degrees Centigrade until Aquatic Toxicity testing is initiated.
 - (b) Effluent samples shall not be dechlorinated, filtered, or, modified in any way, prior to testing for Aquatic Toxicity unless specifically approved in writing by the Commissioner for monitoring at this facility.
 - (c) Chemical analyses of the parameters identified in Section 5 Tables A shall be conducted on an aliquot of the same sample tested for Aquatic Toxicity.
 - (i) At a minimum, pH, specific conductance, total alkalinity, total hardness, and total residual chlorine shall be measured in the effluent sample and, during Aquatic Toxicity tests, in the highest concentration of test solution and in the dilution (control) water at the beginning of the test and at test termination. Dissolved oxygen, pH, and temperature shall be measured in the control and all test concentrations at the beginning of the test, daily thereafter, and at test termination.
 - (d) Tests for Aquatic Toxicity shall be initiated within 36 hours of sample collection.
- (2) Monitoring for Aquatic Toxicity to determine compliance with the permit limit on Aquatic Toxicity (invertebrate) above shall be conducted for 48-hours utilizing neonatal Daphnia pulex (less than 24-hours old)
- (3) Monitoring for Aquatic Toxicity to determine compliance with the permit limit on Aquatic Toxicity (vertebrate) above shall be conducted for 48-hours utilizing larval Pimephales promelas (1-14 days old with no more than 24-hours range in age).
- (4) Tests for Aquatic Toxicity shall be conducted as prescribed for static non-renewal acute tests in "Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms" (EPA/821-R-02-012), except as specified below.
 - (a) Definitive (multi-concentration) testing, with LC₅₀ as the endpoint, shall be conducted to determine compliance with limits on Aquatic Toxicity and monitoring conditions and shall incorporate, at a minimum, the following effluent concentrations:
 - (i) For Aquatic Toxicity Limits expressed as LC₅₀ values of 33% or greater: 100%, 75%, 50%, 25%, 12.5%, and 6.25%
 - (b) Organisms shall not be fed during the tests.
 - (c) Copper nitrate shall be used as the reference toxicant in tests with freshwater organisms.
 - (d) Synthetic freshwater prepared with deionized water adjusted to a hardness of 50 mg/L (plus or minus 5 mg/L) as CaCO₃ shall be used as dilution water in tests with freshwater organisms.
- (5) Compliance with limits on Aquatic Toxicity shall be determined as follows:

- (a) For limits expressed as a minimum LC₅₀ value, compliance shall be demonstrated when the results of a valid definitive Aquatic Toxicity test indicates that the LC₅₀ value for the test is greater than the Aquatic Toxicity Limit.
- (C) The Permittee shall annually monitor the chronic toxicity of the DSN 001-1 in accordance with the following specifications.
- (1) Chronic toxicity testing of the discharge shall be conducted annually during July, August, or September of each year.
 - (2) Chronic toxicity testing shall be performed on the discharge in accordance with the test methodology established in "Short term Methods For Estimating The Chronic Toxicity of Effluents and Receiving Water to Freshwater Organisms" (EPA-821-R-02-013) as referenced in 40 CFR 136 for Cerio daphnia survival and reproduction and Fathead Minnow larval survival and growth.
 - (3) Chronic toxicity tests shall utilize a minimum of five effluent dilutions prepared using a dilution factor of 0.5 (100% effluent, 50% effluent, 25 % effluent, 12.5 % effluent, 6.25 % effluent, 0 % effluent).
 - (4) A laboratory water control consisting of synthetic freshwater prepared in accordance with EPA-821-R-02-013 at a hardness of 50±5 mg/l shall be used as lab water control and dilution water for the toxicity tests.
 - (5) Hockanum River water collected immediately upstream (before the dam) of the area influenced by the discharge shall be included in the test protocol as a site water control in addition to the lab water control.
 - (6) Effluent toxicity results shall be compared with laboratory control water. If toxicity test results demonstrate that the site water meets test acceptability criteria, the effluent toxicity results shall also be compared to the site water.
 - (6) Daily composite samples of the discharge and grab samples of the Hockanum River for use as site water control and dilution water shall be collected on: day 0, for test solution renewal on day 1 and day 2 of the test; day 2, for test solution renewal on day 3 and day 4 of the test; and day 4, for test solution renewal on day 5, 6, and 7 of the test. Samples shall not be filtered, dechlorinated, pH or hardness adjusted, or chemically altered in any way.
 - (7) All samples of the discharge and the Hockanum River water used in the chronic toxicity test shall, at a minimum, be analyzed and results reported in accordance with the provisions listed in Section 6 (A) of this permit for the following parameters:

pH	Copper (Total recoverable and dissolved)
Hardness	Formaldehyde
Alkalinity	Lead, Total (Total recoverable and dissolved)
Aluminum	Nickel (Total recoverable and dissolved)
BOD ₅	Nitrogen, Ammonia (total as N)
Chlorine, (Total residual)	Nitrogen, Nitrite (Total as N)
Conductivity	Nitrogen, Nitrate (Total as N)
Zinc, (Total recoverable and dissolved)	Solids, Total Suspended

SECTION 7: REPORTING REQUIREMENTS

- (A) The results of chemical analyses and any aquatic toxicity test required above shall be entered on the Discharge

Monitoring Report (DMR), provided by this office, and reported to the Bureau of Materials Management and Compliance Assurance (Attn: DMR Processing) at the following address. The report shall also include a detailed explanation of any violations of the limitations specified. The DMR shall be received at this address by the last day of the month following the month in which samples are collected.

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

- (B) Complete and accurate aquatic toxicity test data, including percent survival of test organisms in each replicate test chamber, LC_{50} values and 95% confidence intervals for definitive test protocols, and all supporting chemical/physical measurements performed in association with any aquatic toxicity test, including measured daily flow and hours of operation for the 30 consecutive operating days prior to sample collection if compliance with a limit on Aquatic Toxicity is based on toxicity limits based on actual flows described in Section 7, shall be entered on the Aquatic Toxicity Monitoring Report form (ATMR) and sent to the Bureau of Water Protection and Land Reuse at the following address. The ATMR shall be received at this address by the last day of the month following the month in which samples are collected.

Bureau of Water Protection and Land Reuse (Attn: Aquatic Toxicity)
Connecticut Department of Environmental Protection
79 Elm St.
Hartford, CT 06106-5127

- (C) If this permit requires monitoring of a discharge on a calendar basis (e.g. Monthly, quarterly, etc.), but a discharge has not occurred within the frequency of sampling specified in the permit, the Permittee must submit the DMR and ATMR, as scheduled, indicating "NO DISCHARGE". For those Permittees whose required monitoring is discharge dependent (e.g. per batch), the minimum reporting frequency is monthly. Therefore, if there is no discharge during a calendar month for a batch discharge, a DMR must be submitted indicating such by the end of the following month.
- (D) A complete and thorough report of the results of the chronic toxicity monitoring specified in Section 6 (C) shall be prepared as outlined in Section 10 of EPA-821-R-02-013 and submitted to the Department for review on or before 60 days after test completion to the address specified above.

SECTION 8: RECORDING AND REPORTING OF VIOLATIONS, ADDITIONAL TESTING REQUIREMENTS

- (A) If any sample analysis indicates that an Aquatic Toxicity effluent limitation in Section 5 of this permit has been exceeded, or that the test was invalid, another sample of the effluent shall be collected and tested for Aquatic Toxicity and associated chemical parameters, as described above in Section 5 and Section 6, and the results reported to the Bureau of Materials Management and Compliance Assurance (Attn: DMR Processing), at the address listed above, within 30 days of the exceedance or invalid test. Results of all tests, whether valid or invalid, shall be reported.
- (B) If any two consecutive test results or any three test results in a twelve month period indicates that an Aquatic Toxicity Limit has been exceeded, the Permittee shall immediately take all reasonable steps to eliminate toxicity wherever possible and shall submit a report to Bureau of Water Protection and Land Reuse (Attn: Aquatic Toxicity) for the review and approval of the Commissioner in accordance with section 22a-430-3(j)(10)(c) of the RCSA describing proposed steps to eliminate the toxic impact of the discharge on the receiving water body. Such a report shall include a proposed time schedule to accomplish toxicity reduction and the Permittee shall comply with any schedule approved by the Commissioner.
- (C) The Permittee shall notify the Bureau of Materials Management and Compliance Assurance, Water Permitting and Enforcement Division, within 72 hours and in writing within thirty days of the discharge of any substance

listed in the application but not listed in the permit if the concentration or quantity of that substance exceeds two times the level listed in the application.

SECTION 9: COMPLIANCE SCHEDULE

- (A) On or before January 31, 2009, the Permittee shall accomplish the following modifications: 1) relocate the River Adams Filter backwash connection to after the monitoring location for DSN001, 2) relocate the treated river water pipeline from the 20,000 gallon tank to the main water process pipeline, and 3) relocate the bypass of treated/partially treated river water discharge piping to after the final effluent monitoring location for DSN001.
- (B) On or before January 31, 2009, the Permittee shall submit a letter certifying that the modifications in Section 9(A) have been completed.
- (C) The Permittee shall use best efforts to submit to the Commissioner all documents required by this section of the permit in a complete and approvable form. If the Commissioner notifies the Permittee that any document or other action is deficient, and does not approve it with conditions or modifications, it is deemed disapproved, and the Permittee shall correct the deficiencies and resubmit it within the time specified by the Commissioner or, if no time is specified by the Commissioner, within thirty days of the Commissioner's notice of deficiencies. In approving any document or other action under this Compliance Schedule, the Commissioner may approve the document or other action as submitted or performed or with such conditions or modifications as the Commissioner deems necessary to carry out the purposes of this section of the permit. Nothing in this paragraph shall excuse noncompliance or delay.
- (D) Dates. The date of submission to the Commissioner of any document required by this section of the permit shall be the date such document is received by the Commissioner. The date of any notice by the Commissioner under this section of the permit, including but not limited to notice of approval or disapproval of any document or other action, shall be the date such notice is personally delivered or the date three days after it is mailed by the Commissioner, whichever is earlier. Except as otherwise specified in this permit, the word "day" as used in this section of the permit means calendar day. Any document or action which is required by this section only of the permit, to be submitted, or performed, by a date which falls on, Saturday, Sunday, or a legal Connecticut or federal holiday, shall be submitted or performed on or before the next day which is not a Saturday, Sunday, or legal Connecticut or federal holiday.
- (E) Notification of noncompliance. In the event that the Permittee becomes aware that it did not or may not comply, or did not or may not comply on time, with any requirement of this section of the permit or of any document required hereunder, the Permittee shall immediately notify the Commissioner and shall take all reasonable steps to ensure that any noncompliance or delay is avoided or, if unavoidable, is minimized to the greatest extent possible. In so notifying the Commissioner, the Permittee shall state in writing the reasons for the noncompliance or delay and propose, for the review and written approval of the Commissioner, dates by which compliance will be achieved, and the Permittee shall comply with any dates that may be approved in writing by the Commissioner. Notification by the Permittee shall not excuse noncompliance or delay, and the Commissioner's approval of any compliance dates proposed shall not excuse noncompliance or delay unless specifically so stated by the Commissioner in writing.
- (F) Notice to Commissioner of changes. Within fifteen days of the date the Permittee becomes aware of a change in any information submitted to the Commissioner under this section of the permit, or that any such information was inaccurate or misleading or that any relevant information was omitted, the Permittee shall submit the correct or omitted information to the Commissioner.
- (G) Submission of documents. Any document, other than a discharge monitoring report, required to be submitted to the Commissioner under this section of the permit shall, unless otherwise specified in writing by the Commissioner, be directed to:

Enna Herrera, Sanitary Engineer
Department of Environmental Protection
Bureau of Materials Management and Compliance Assurance
Water Permitting and Enforcement Division
79 Elm Street
Hartford, CT 06106-5127

This permit is hereby issued on October 7, 2008.

/s/GINA MCCARTHY
Gina McCarthy
Commissioner

GM/EH

Certification: Waiver of Monitoring

Attachment A

“Based on my inquiry of the person or persons directly responsible for managing compliance with the Effluent Limitations Representing the Degree of Effluent Reduction Attainable by the Application of the Best Available Technology Economically Achievable (BAT) 40CFR 430.124 Pulp, Paper, and Paperboard Category. I certify that, to the best of my knowledge and belief, there has been no use of **pentachlorophenol** and **trichlorophenol** at the facility since filing of the last certification.

Authorized Official : _____ *Title:* _____

Signature: _____ *Date:* _____

DATA TRACKING AND TECHNICAL FACT SHEET

Permittee: Cellu Tissue LLC

PAMS Company ID: 118812

PERMIT, ADDRESS, AND FACILITY DATA

PERMIT #: CT0002127

APPLICATION #: 200701197

FACILITY ID. 043-048

<u>Mailing Address:</u>					<u>Location Address:</u>						
Street:	2 Forbes Street				Street:	2 Forbes Street					
City:	East Hartford	ST:	CT	Zip:	06108	City:	East Hartford	ST:	CT	Zip:	06108
Contact Name:	Christopher R. Fiedler				DMR Contact	David Gabryel					
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PERMIT INFORMATION

DURATION 5 YEAR X 10 YEAR 30 YEAR

TYPE New Reissuance X Modification

CATEGORIZATION POINT (X) NON-POINT () GIS #

NPDES (X) PRETREAT () GROUND WATER(UIC) () GROUND WATER (OTHER) ()

NPDES MAJOR (MA) X
NPDES SIGNIFICANT MINOR or PRETREAT SIU (SI)
NPDES or PRETREATMENT MINOR (MI)

PRETREAT SIGNIFICANT INDUS USER (SIU)
PRETREAT CATEGORICAL (CIU)

POLLUTION PREVENTION MANDATE ENVIRONMENTAL EQUITY ISSUE

COMPLIANCE ISSUES

COMPLIANCE SCHEDULE X YES NO (If yes check off what it is in relation to.)

POLLUTION PREVENTION TREATMENT REQUIREMENT WATER CONSERVATION

WATER QUALITY REQUIREMENT REMEDIATION OTHER X

IS THE PERMITTEE SUBJECT TO A PENDING ENFORCEMENT ACTION? NO X YES

OWNERSHIP CODE

Private X Federal State Municipal (town only) Other public

DEP STAFF ENGINEER: Enna Herrera

PERMIT FEES

<i>Discharge Code</i>	<i>DSN Number</i>	<i>Annual Fee</i>
<i>101054z</i>	<i>001-1</i>	<i>\$ 8,175.00</i>
<i>1060000</i>	<i>001-1</i>	<i>\$ 525.00</i>

FOR NPDES DISCHARGES

Drainage basin Code: 4500 *Present/Future Water Quality Standard:* C/B

NATURE OF BUSINESS GENERATING DISCHARGE

Cellu Tissue LLC produces tissue paper.

PROCESS AND TREATMENT DESCRIPTION (by DSN)

DSN 001-1: Tissue paper manufacturing and filter backwash wastewaters - two dissolved air flotation clarifier units (Krofta 1&2), flocculation, dewatering, and sludge press.

RESOURCES USED TO DRAFT PERMIT

- Federal Effluent Limitation Guideline 40 CFR 430 Subpart L*
Tissue, filter, non-woven, and paperboard from purchased pulp subcategory.
- Performance Standards*
- Federal Development Document* *name of category*
- Treatability Manual*
- Department File Information*
- Connecticut Water Quality Standards*
- Anti-degradation Policy*
- Coastal Management Consistency Review Form*
- Other – Explain (See General Comments)*

BASIS FOR LIMITATIONS, STANDARDS, OR CONDITIONS

- Case-by-Case Determination and Best Professional Judgment (See General Comments)*
DSN 001-1: total aluminum, BOD₅, total residual chlorine, epichlorohydrin, formaldehyde, ammonia, nitrate, nitrite, and total kjeldahl nitrogen, pH, total oil/grease and suspended solids, VOCs, and zinc.
- In order to meet in-stream water quality (See General Comments)*

GENERAL COMMENTS

The need to include water quality based discharge limitations in this permit was evaluated to be consistent with Connecticut Water Quality Standards and criteria, pursuant to 40 CFR 122.44(d). Each parameter was evaluated for consistency with the available aquatic life criteria considering the zone of influence allocated to the facility where appropriate. The statistical procedures outlined in the EPA Technical Support Document for Water Quality-based Toxics Control (EPA/505/2-90-001) were employed to calculate these limits. The calculated limits were then compared to the available effluent data. A comparison of the calculated limits to the effluent data suggests a statistical probability of exceeding such limits. Therefore, water quality based limits were included in this permit.

The differences between the effluent limitations and monitoring requirements in the last permit and this permit renewal are as follows:

A number of years ago, the Department put 2,3,7,8 Tetra-chloro-dibenzo-p-dioxin and 2,3,7,8 Tetra-chloro-dibenzofuran monitoring and limits into all the Connecticut Pulp and Paper manufacturing discharge permits to gather information on the level of these pollutants in these wastewaters. These permit requirements came about after EPA sampled certain pulp and paper wastewater discharges as part of their regulation development and follow-up work and discovered detectable levels of these pollutants at some of the facilities sampled. Since that time the Department has been removing the limits and monitoring for these pollutants from permits because 1) historical monitoring has shown that 2,3,7,8 Tetra-chloro-dibenzo-p-dioxin and 2,3,7,8 Tetra-chloro-dibenzofuran are not present in wastewaters and 2) facilities that performed bleached paper grade kraft and soda type processes were the operations more likely to have these pollutants in their wastewaters. Since a review of the Cellu Tissue's DMRs in the last five (7) years indicated that results for 2,3,7,8 Tetra-chloro-dibenzo-p-dioxin and 2,3,7,8 Tetra-chloro-dibenzofuran have been consistently below detection and Cellu Tissue does not perform bleached paper grade kraft and soda operations, DEP staff recommended that effluent limitations and monitoring requirements for these parameters not be included in this permit renewal.

Wastewater discharges from the production of paperboards are regulated under 40 CFR 430, Pulp, Paper, and Paperboard Category. Sections 430.122 (BPT) and 430.124 identifies the following parameters for regulation: BOD₅, TSS, pH, pentachlorophenol (pcp), and trichlorophenol (tcp). The Applicant has certified that they do not use either pcp or tcp in their operations. The Permittee shall attach an annual statement to the Discharge Monitoring Report (DMR) for the month of January, on a form provided (Attachment A), certifying there has been no use of pentachlorophenol and trichlorophenol at the facility. Additionally, in the event that any of these chemical parameters are found to be present or are expected to be present based on changes that occur in the Permittee's operations, the Permittee shall notify the Department and must immediately comply with the monitoring requirements provided in the Table B.

After reviewing the permit renewal application and conducting a site visit, it became apparent that Cellu Tissue has been diluting its treated paper manufacturing wastewaters (Krofta 1&2 effluent) with treated/partially treated river water and River Adams filter backwash since the installation of the new river water intake and treatment system in 2003. Prior to the intake installation in 2003, historical compliance monitoring for DSN001 has included some dilution from city water during start-up process operations. To correct these issues, this permit renewal includes a compliance schedule, which requires Cellu Tissue to accomplish the following modifications: 1) relocate the River Adams Filter backwash connection to after the monitoring location for DSN001, 2) relocate the treated river water pipeline from the 20,000 gallon tank to the main water process pipeline, and 3) relocate the bypass of treated/partially treated river water discharge piping to after the final effluent monitoring location for DSN001.

BASIS FOR DSN 001-1 LIMITS as Follows:

BOD₅ and TSS: Federal limitations for BOD₅ and TSS were calculated in accordance with 40 CFR 430, Subparts L. However, the calculated values exceed performance-based limits for DSN001-1. Therefore, case-by-case limits, using best professional judgment, are proposed for DSN 001-1 in this permit renewal. Moreover, the previous permit specified two BOD₅ concentration flow-based limits at the end of the pipe. The permit allowed discharges of BOD₅ at a maximum daily limit of 40.0 mg/l when the daily flow was greater than 850,000 gallons per day, and at a maximum

daily limit of 50.0 mg/l when the daily flow was less than 850,000 gpd. Based on the review of the effluent data for the last five years, Cellu Tissue only discharged one day above the 850,000 gallon per day flow value and, on average, discharged 577,300 gallons per day. Therefore, a uniform maximum daily limit of 50.0 mg/l for BOD₅ is proposed in this permit renewal.

Quarterly monitoring requirements were added in this permit for epichlorohydrin due to the potential for this constituent to be present in the discharge.

OTHER COMMENTS

Permit No. CT0002127 was transferred from the Cellu Tissue Corporation to Cellu Tissue LLC on October 7, 2003.

Cellu Tissue operates two Adams filters (Main Adams and River Adams). Only the filter backwash generated (750 gpd) from the main Adams filter is covered under this individual permit.

In May 2003, Cellu Tissue installed a new river filtration system to use river water for their process instead of city water. On April 23, 2003, Cellu Tissue submitted a Water Treatment Wastewater General Permit registration. The General Permit No. GWT000212 covers a continuous filter media backwash (25,000 gpd) of the new Parkson DynaSand filter unit, which currently enters the sewer system.

Also, General Permit No. GWT000221 was issued to Cellu Tissue on August 22, 2003 for the discharge of the river water bypass from their new river filtration system. The Permittee is revising this registration to cover the river Adams filter backwash wastewater discharge under this General Permit.