



Connecticut  
Department of  
**ENERGY &**

**DRAFT**

**NPDES PERMIT**

**issued to**

United Aluminum Corporation  
100 United Drive  
North Haven, CT 06473

**Location Address:** 100 United Drive, North Haven, CT 06473

**Permit ID:** CT0030201

**Receiving Stream:** Muddy River

**Permit Expires:**

**Stream Segment Number:** CT5208-00\_01

**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) United Aluminum Corporation, ("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

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*Affirmative Action/Equal Opportunity Employer*

- (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
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  - (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 Energy and 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.
- (I) This permitted discharge is consistent with the applicable goals and policies of the Connecticut Coastal Management Act (section 22a-92 of the Connecticut General Statutes).

## 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.

"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 Quantity" means the quantity of waste discharged during an operating 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 90% or greater survival of test organisms at the CTC.

"°F" means degrees Fahrenheit.

"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.

"mg/l" means milligrams per liter.

### **SECTION 3: COMMISSIONER'S DECISION**

- (A) The Commissioner, has issued a final determination and found that continuance of the existing discharge will not cause pollution of the waters of the state. The Commissioner's decision is based on Application No. 201107001 for permit reissuance, received on October 21, 2011 and the administrative record established in the processing of that application.
- (B) (1) From the issuance of this permit through and including [**LAST DAY OF MONTH, MONTH OF PERMIT REISSUANCE**], the Commissioner hereby authorizes the Permittee to discharge in accordance with the terms and conditions of Permit No. CT0030201, issued by the Commissioner to the Permittee on August 17, 2007, the previous application submitted by the Permittee on July 21, 2003 application, and all approvals issued by the Commissioner or the Commissioner's authorized agent for the discharge and/or activities authorized by, or associated with, Permit No. CT0030201, issued by the Commissioner to the Permittee on August 17, 2007.
- (2) From [**FIRST DAY OF MONTH, MONTH FOLLOWING PERMIT REISSUANCE**] until this permit expires or is modified or revoked, the Commissioner hereby authorizes the Permittee to discharge in accordance with the terms and conditions of Permit No. CT0030201, issued by the Commissioner to the Permittee on [**DATE OF PERMIT REISSUANCE**], Application No. 201107001 received by the Department on October 21, 2011, and all approvals issued by the Commissioner or the Commissioner's authorized agent for the discharge and/or activities authorized by, or associated with, Permit No. CT0030201, issued by the Commissioner to the Permittee on [**DATE OF PERMIT REISSUANCE**].
- (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.
- (D) This permit also includes determinations regarding section 316(a) of the federal Water Pollution Control Act 33 U.S.C. § 1326(a) regarding the thermal component of the discharge, and compliance with this permit is sufficient to assure the protection and propagation of a balanced indigenous population of shellfish, fish and wildlife in and on the receiving waters.

### **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 beyond the approved thermal zone of influence.

**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:

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**Table A**

**Discharge Serial Number:** 001 **Monitoring Location:** 1

**Wastewater Description:** Non-contact cooling water

**Monitoring Location Description:** \*\*At the final outfall pipe catch basin for all parameters except for pH and temperature. pH and temperature sampling shall be collected at the V-notch weir in the United Aluminum drainage channel prior to discharging into the Muddy River

**Allocated Zone of Influence (ZOI):** 37,968 gph

**Instream waste concentration (IWC):** 34.5%

| PARAMETER  | UNITS | FLOW/TIME BASED MONITORING |                     |   |   | INSTANTANEOUS MONITORING              |   |   | Minimum Level Test <sup>3</sup> |
|--|-------|----------------------------|---------------------|---|---|---------------------------------------|---|---|---------------------------------|
|  |       | Average Monthly Limit      | Maximum Daily Limit | Sample/Reporting Frequency <sup>2</sup> | Sample Type or Measurement to be reported | Instantaneous limit or required range | Sample/Reporting Frequency <sup>2</sup> | Sample Type or measurement to be reported |                                 |
| Aluminum, Total <sup>5</sup>                                       | mg/l  | NA                         | NA                  | NR                                      | NA  | -----                                 | Quarterly                               | Grab                                      | *                               |
| Aquatic Toxicity, Duplex pulex <sup>4</sup><br>NOAEL = 100%        | %     | NA                         | NA                  | NR                                      | NA  | ≥ 90% Survival                        | Quarterly                               | Grab                                      |                                 |
| Aquatic Toxicity, Pimephales promelas <sup>4</sup><br>NOAEL = 100% | %     | NA                         | NA                  | NR                                      | NA  | ≥ 90% Survival                        | Quarterly                               | Grab                                      |                                 |
| Chronic Toxicity, Cerio daphnia <sup>6</sup>                       | %     | NA                         | NA                  | NR                                      | NA  | -----                                 | Annual                                  | Grab                                      |                                 |
| Chronic Toxicity, Fathead Minnow <sup>6</sup>                      | %     | NA                         | NA                  | NR                                      | NA  | -----                                 | Annual                                  | Grab                                      |                                 |
| Copper, Total <sup>5</sup>   | mg/l  | NA                         | NA                  | NR                                      | NA  | 0.014                                 | Quarterly                               | Grab                                      | *                               |
| Flow Rate (Average Daily) <sup>1</sup>                             | gpd   | 480,000                    | NA                  | Continuous/<br>Quarterly                | Daily Flow                                | NA                                    | NR                                      | NA  |                                 |
| Flow, Maximum during 24 hr period <sup>1</sup>                     | gpd   | NA                         | 486,000             | Continuous/<br>Quarterly                | Daily Flow                                | NA                                    | NR                                      | NA  |                                 |
| Flow (Day of Sampling)   | gpd   | NA                         | 486,000             | Quarterly                               | Daily Flow                                | NA                                    | NR                                      | NA  |                                 |
| Iron, Total <sup>5</sup>   | mg/l  | NA                         | NA                  | NR                                      | NA  | -----                                 | Quarterly                               | Grab                                      |                                 |
| Lead, Total <sup>5</sup>   | mg/l  | NA                         | NA                  | NR                                      | NA  | -----                                 | Quarterly                               | Grab                                      | *                               |
| Manganese, Total <sup>5</sup>                                      | mg/l  | NA                         | NA                  | NR                                      | NA  | -----                                 | Quarterly                               | Grab                                      |                                 |
| Oil & Grease, Total  | NA    | NA                         | NR                  | NA                                      | NA  | 5.0                                   | Semi-Annual                             | Grab                                      |                                 |
| pH, Day of Sampling  | S.U.  | NA                         | NA                  | NR                                      | NA  | 6.0 to 9.0                            | Quarterly                               | Grab                                      |                                 |
| pH, Minimum  | S.U.  | NA                         | NA                  | NR                                      | NA  | 6.0                                   | Continuous                              | Continuous/<br>Quarterly                  |                                 |
| pH, Maximum  | S.U.  | NA                         | NA                  | NR                                      | NA  | 9.0                                   | Continuous                              | Continuous/<br>Quarterly                  |                                 |
| Temperature  | °F    | NA                         | NA                  | NR                                      | NA  | 107.0                                 | Continuous                              | Continuous/<br>Quarterly                  |                                 |

**Table Footnotes and Remarks:**

**Footnotes:**

<sup>1</sup> 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 sampling month.

<sup>2</sup> The first entry in this column is the 'Sample Frequency'. If a 'Reporting Frequency' does not follow this entry 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'.

<sup>3</sup> Minimum Level Test refers to Section 6 Paragraph (A)(3) of this permit.

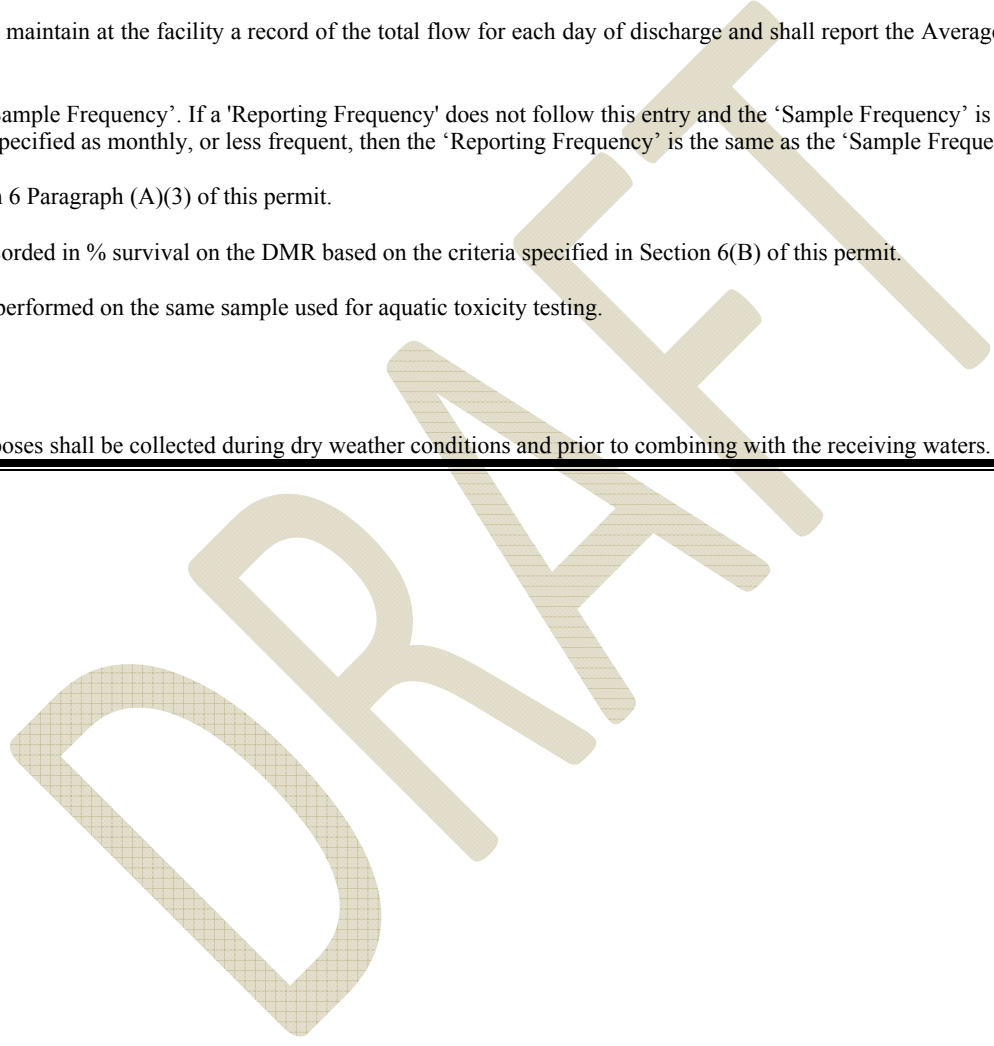
<sup>4</sup> The results of the toxicity tests are recorded in % survival on the DMR based on the criteria specified in Section 6(B) of this permit.

<sup>5</sup> Testing for these parameters shall be performed on the same sample used for aquatic toxicity testing.

<sup>6</sup> See Sections 6(C) and 7(E) below.

**Remark:**

\*\* Samples for permit compliance purposes shall be collected during dry weather conditions and prior to combining with the receiving waters.



- (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 Energy and Environmental Protection personnel, the Permittee, or other parties.
- (3) Samples for permit compliance purposes shall be collected during dry weather conditions and prior to combining with the receiving waters.

**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 by the Environmental Protection Agency pursuant to 40 CFR 136 unless an alternative method has been approved in writing in accordance with 40 CFR 136.4 or as provided in section 22a-430-3(j)(7) of the RCSA. Chemicals which do not have methods of analysis defined in 40 CFR 136 shall be analyzed in accordance with methods specified in this permit.
- (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 Table A. 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            |
| Copper           | 5.0 ug/l             |
| Lead             | 5.0 ug/l             |
| Zinc             | 10.0 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) Grab 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 Table A shall be conducted on an aliquot of the same sample tested for Aquatic Toxicity.
    - (i) At a minimum, pH, specific conductance, salinity, 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. If Total Residual Chlorine is not detected at test initiation, it does not need to be measured 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. Salinity shall be measured in each test concentration at the beginning of the test and at test termination.
  - (d) Tests for Aquatic Toxicity shall be initiated within 24 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) For Aquatic Toxicity Limits and for monitoring only conditions, expressed as an NOAEL value, Pass/Fail (single-concentration) tests shall be conducted at a specified Critical Test Concentration (CTC) equal to the Aquatic Toxicity Limit, or 100% in the case of monitoring only conditions, as prescribed in section 22a-430-3(j)(7)(A)(i) of the Regulations of Connecticut State Agencies, except that five replicates of undiluted effluent and five replicates of effluent diluted to the CTC shall be included.
    - (i) Organisms shall not be fed during the tests.
    - (ii) Copper nitrate shall be used as the reference toxicant in tests with freshwater organisms.
  - (b) Synthetic freshwater prepared with deionized water adjusted to a hardness of 50 mg/L (plus or minus 5 mg/L) as CaCO<sub>3</sub> 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 an NOAEL value, compliance shall be demonstrated when the results of a valid pass/fail Aquatic Toxicity test indicates there is 90% or greater survival in the undiluted effluent.
- (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-02-012) 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 single concentration test of 100% effluent.
  - (4) Muddy River water collected immediately upstream of the area influenced by the discharge shall be used as site water control (0% effluent) and dilution water in the toxicity tests.
  - (5) A laboratory water control consisting of synthetic freshwater prepared in accordance with EPA-821-R-02-013 at a hardness of  $50 \pm 5$  mg/l shall be included in the test protocol in addition to the site-water control.
  - (6) Grab samples of the discharge and grab samples of the Muddy 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 dechlorinated, pH or hardness adjusted, or chemically altered in any way.
  - (7) All samples of the discharge and the Muddy 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                                     | Aluminum, (Total recoverable and dissolved) |
| Alkalinity                                   | Nitrogen, Ammonia (total as N)              |
| Conductivity                                 | Nitrogen, Nitrate (Total as N)              |
| Chlorine, (Total residual)                   | Solids, Total Suspended                     |
| Iron, (Total recoverable and dissolved)      | Zinc, (Total recoverable and dissolved)     |
| Lead, (Total recoverable and dissolved)      |   |
| Manganese, (Total recoverable and dissolved) |   |

**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. Except for continuous monitoring, any monitoring required more frequently than monthly shall be reported on an attachment to the DMR, and any additional monitoring conducted in accordance with 40 CFR 136 or other methods approved by the Commissioner shall also be included on the DMR, or as an attachment, if necessary. The report shall also include a detailed explanation of 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 Energy and 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, LC50 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 Energy and 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) NetDMR Reporting Requirements

- (1) Prior to one-hundred and eighty (180) days after the issuance of this permit, the Permittee may either submit monitoring data and other reports to the Department in hard copy form or electronically using NetDMR, a web-based tool that allows Permittees to electronically submit discharge monitoring reports (DMRs) and other required reports through a secure internet connection. Unless otherwise approved in writing by the Commissioner, no later than one-hundred and eighty (180) days after the issuance of this permit the Permittee shall begin reporting electronically using NetDMR. Specific requirements regarding subscription to NetDMR and submittal of data and reports in hard copy form and for submittal using NetDMR are described below:

(a) NetDMR Subscriber Agreement

On or before fifteen (15) days after the issuance of this permit, the Permittee and/or the person authorized to sign the Permittee's discharge monitoring reports ("Signatory Authority") as described in RCSA Section 22a-430-3(b)(2) shall contact the Department at [dep.netdmr@ct.gov](mailto:dep.netdmr@ct.gov) and initiate the NetDMR subscription process for electronic submission of Discharge Monitoring Report (DMR) information. Information on NetDMR is available on the Department's website at [www.ct.gov/deep/netdmr](http://www.ct.gov/deep/netdmr). On or before ninety (90) days after issuance of this permit the Permittee shall submit a signed and notarized copy of the *Connecticut DEEP NetDMR Subscriber Agreement* to the Department.

(b) Submittal of Reports Using NetDMR

Unless otherwise approved by the Commissioner, on or before one-hundred and eighty (180) days after issuance of this permit, the Permittee and/or the Signatory Authority shall electronically submit DMRs and reports required under this permit to the Department using NetDMR in satisfaction of the

DMR submission requirement in paragraph (A) of this Section of this permit.

DMRs shall be submitted electronically to the Department no later than the 30th day of the month following the completed reporting period. All reports required under the permit, including any monitoring conducted more frequently than monthly or any additional monitoring conducted in accordance with 40 CFR 136, shall be submitted to the Department as an electronic attachment to the DMR in NetDMR. Once a Permittee begins submitting reports using NetDMR, it will no longer be required to submit hard copies of DMRs or other reports to the Department. Permittee shall also electronically file any written report of non-compliance described in Section paragraph (A) of this Section and in the following Section of this Permit as an attachment in NetDMR. NetDMR is accessed from: <http://www.epa.gov/netdmr>.

(c) Submittal of NetDMR Opt-Out Requests

If the Permittee is able to demonstrate a reasonable basis, such as technical or administrative infeasibility, that precludes the use of NetDMR for electronically submitting DMRs and reports, the Commissioner may approve the submission of DMRs and other required reports in hard copy form (“opt-out request”). Opt-out requests must be submitted in writing to the Department for written approval on or before fifteen (15) days prior to the date a Permittee would be required under this permit to begin filing DMRs and other reports using NetDMR. This demonstration shall be valid for twelve (12) months from the date of the Department’s approval and shall thereupon expire. At such time, DMRs and reports shall be submitted electronically to the Department using NetDMR unless the Permittee submits a renewed opt-out request and such request is approved by the Department.

All opt-out requests and requests for the NetDMR subscriber form should be sent to the following address or by email at [dep.netdmr@ct.gov](mailto:dep.netdmr@ct.gov):

**Attn: NetDMR Coordinator**  
**Connecticut Department of Energy and Environmental Protection**  
**79 Elm Street**  
**Hartford, CT 06106-5127**

- (E) 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-02-012 and submitted to the Department for review within 60 days of test completion to the address specified in Section 7(B) of this permit.

**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 Materials Management and Compliance Assurance (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.

This permit is hereby issued on

Macky McCleary  
Deputy Commissioner  
Department of Energy and Environmental Protection

MM/CN

DRAFT



Connecticut  
Department of  
**ENERGY &**

**NOTICE OF TENTATIVE DETERMINATION  
INTENT TO RENEW A NATIONAL POLLUTANT DISCHARGE ELIMINATION  
SYSTEM PERMIT FOR THE FOLLOWING DISCHARGE INTO THE WATERS OF  
THE STATE OF CONNECTICUT**

**TENTATIVE DETERMINATION**

The Commissioner of Energy and Environmental Protection hereby gives notice of a tentative determination to renew a permit based on an application submitted by **United Aluminum Corporation** ("the applicant") under section 22a-430 of the Connecticut General Statutes for a permit to discharge into the waters of the state. The tentative determination to renew this permit also includes a tentative determination regarding section 316(a) of the federal Water Pollution Control Act, U.S.C. § 1326(a) that with respect to the thermal component of the discharge from the facility, this permit will assure the protection and propagation of a balanced indigenous population of shellfish, fish and wildlife in and on the receiving waters.

In accordance with applicable federal and state law, the Commissioner has made a tentative determination that continuance of the existing discharge would not cause pollution of the waters of the state and the Commissioner proposes to renew a permit for the discharge to the Muddy River.

The proposed permit, if issued by the Commissioner, will require periodic monitoring to demonstrate that the discharge will not cause pollution.

**APPLICANT'S PROPOSAL**

United Aluminum Corporation presently discharges a maximum daily flow of 486,000 gallons per day of non-contact cooling water to the Muddy River from heat treating operations at an aluminum rolling facility.

The name and mailing address of the permit applicant are: United Aluminum Corporation, 100 United Drive, North Haven, CT 06473.

The activity taking place at: approximately 400 feet south from the facility building.

The activity is within the coastal area as defined in C.G.S. Section 22a-94. Pursuant to C.G.S. Section 22a-98, the applicant must demonstrate that the activities are consistent with all applicable goals and policies in C.G.S. Section 22a-92, and that such activities incorporate all

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reasonable measures mitigating any adverse impacts on coastal resources and future water-dependent development activities.

### **REGULATORY CONDITIONS**

#### Type of Treatment

Discharge Serial Number (DSN) 001- No treatment is necessary

#### Effluent Limitations

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

In accordance with section 22a-430-4(1) of the Regulations of Connecticut State Agencies the permit contains effluent limitations for the following types of toxic substances: heavy metals

### **COMMISSIONER'S AUTHORITY**

The Commissioner of Energy and Environmental Protection is authorized to approve or deny such permits pursuant to section 402(b) of the Federal Water Pollution Control Act, as amended, 33 USC 1251, *et. seq.* and section 22a-430 of the Connecticut General Statutes and the Water Discharge Permit Regulations (section 22a-430-3 and 4 of the Regulations of Connecticut State Agencies).

### **INFORMATION REQUESTS**

The application has been assigned the following numbers by the Department of Energy and Environmental Protection. Please use these numbers when corresponding with this office regarding this application.

APPLICATION NO. 201107001

PERMIT ID NO. CT0030201

Interested persons may obtain copies of the application from George Hennessey, Facilities & Maintenance Manager, 100 United Drive, North Haven, CT 06473, 203-239-5881.

The application is available for inspection by contacting Charles Neziyana 860-424-3018, at the Department of Energy and Environmental Protection, Bureau of Materials Management and Compliance Assurance, 79 Elm Street, Hartford, CT, 06106-5127 from 8:30 - 4:30, Monday through Friday.

Any interested person may request in writing that his or her name be put on a mailing list to receive notice of intent to issue any permit to discharge to the surface waters of the state. Such request may be for the entire state or any geographic area of the state and shall clearly state in writing the name and mailing address of the interested person and the area for which notices are requested.

### **PUBLIC COMMENT**

Prior to making a final decision to approve or deny any application, the Commissioner shall consider written comments on the application from interested persons that are received within 30 days of this public notice. Written comments should be directed to Charles Neziyana, Bureau of Materials Management and Compliance Assurance, Department of Energy and Environmental Protection, 79 Elm Street, Hartford, CT, 06106-5127. The Commissioner may hold a public hearing prior to approving or denying an application if in the Commissioner's discretion the public interest will be best served thereby, and shall hold a hearing upon receipt of a petition signed by at least twenty-five persons. Notice of any public hearing shall be published at least 30 days prior to the hearing.

Petitions for a hearing should include the application number noted above and also identify a contact person to receive notifications. Petitions may also identify a person who is authorized to engage in discussions regarding the application and, if resolution is reached, withdraw the petition. Original petitions must be *mailed or delivered* to: DEEP Office of Adjudications, 79 Elm Street, 3<sup>rd</sup> floor, Hartford, CT, 06106-5127. Petitions cannot be sent by fax or email. Additional information can be found at [www.ct.gov/dep/adjudications](http://www.ct.gov/dep/adjudications).

The Department of Energy and Environmental Protection is an affirmative action/equal opportunity employer and service provider. In conformance with the Americans with Disabilities Act, DEEP makes every effort to provide equally effective services for persons with disabilities. Individuals with disabilities who need this information in an alternative format, to allow them to benefit and/or participate in the agency's programs and services, should call 860-424-3035 or e-mail the ADA Coordinator, at DEP.aaooffice@CT.Gov. Persons who are hearing impaired should call the State of Connecticut relay number 711.

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

Dated: 5/3/2012