

PRETREATMENT PERMIT

issued to

Mattatuck Industrial Scrap Metal, Inc.
28 Town Line Road
Wolcott, Connecticut 06716

Location Address:
28 Town Line Road
Wolcott, Connecticut

Permit ID: SP0002324

Permit Expires:

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 a modified Memorandum of Agreement (MOA) dated June 3, 1981, by the Administrator of the United States Environmental Protection Agency which authorizes the State of Connecticut to administer a Pretreatment Program pursuant to 40 CFR Part 403.
- (B) Mattatuck Industrial Scrap Metal Inc., ("Permittee"), shall comply with all conditions of this permit including the following sections of the RCSA which have been adopted pursuant to section 22a-430 of the CGS and are hereby incorporated into this permit. Your attention is especially drawn to the notification requirements of subsection (i)(2), (i)(3), (j)(1), (j)(6), (j)(8), (j)(9)(C), (j)(11)(C), (D), (E), and (F), (k)(3) and (4) and (l)(2) of section 22a-430-3.

Section 22a-430-3 General Conditions

- (a) Definitions
- (b) General
- (c) Inspection and Entry
- (d) Effect of a Permit
- (e) Duty
- (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. Specifically, civil penalties of up to twenty-five thousand dollars may be assessed per violation per day.
- (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 Environmental Protection ("the 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) Nothing in this permit shall relieve the Permittee of other obligations under applicable federal, state and local law.
- (G) 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.
- (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.

"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 generated 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.

"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".

"Quarterly", in the context of a sampling frequency, means that a representative sample shall be collected during each of the following periods: January – March, inclusive; April – June, inclusive; July – September, inclusive and; October – December, inclusive.

"ug/l" means micrograms per liter.

SECTION 3: COMMISSIONER'S DECISION

- (A) The Commissioner has made a final determination and found that **modification of the existing system or installation of a new system will protect the waters of the state from pollution**. The Commissioner's decision is based on Application No. 200900782 for permit reissuance received on March 13, 2009 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. SP0002324, issued by the Commissioner to the Permittee on June 30, 1999, the previous application submitted by the Permittee on June 13, 1997, and all modifications and approvals issued by the Commissioner or the Commissioner's authorized agent for the discharge and/or activities authorized by, or associated with, Permit No. SP0002324, issued by the Commissioner to the Permittee on June 30, 1999.
- (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. SP0002324, issued by the Commissioner to the Permittee on [DATE OF PERMIT ISSUANCE], Application No. 200900782 received by the Department on March 13, 2009, and all modifications and approvals issued by the Commissioner or the Commissioner's authorized agent for the discharge and/or activities authorized by, or associated with, Permit No. SP0002324, issued by the Commissioner to the Permittee on [DATE OF PERMIT ISSUANCE].
- (C) The Commissioner reserves the right to make appropriate revisions to the permit in order to establish any appropriate effluent limitations, schedules of compliance, or other provisions that may be authorized under the Federal Clean Water Act or the Connecticut General Statutes or regulations adopted thereunder, as amended. The permit as modified or renewed under this paragraph may also contain any other requirements of the Federal Clean Water Act or Connecticut General Statutes or regulations adopted thereunder which are then applicable.

SECTION 4: EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

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

(A)(1) **EFFECTIVE UPON PERMIT ISSUANCE**, 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: 201-1					Monitoring Location: 1			
Wastewater Description: Combined treated and untreated stormwater runoff from concrete storage pads								
Monitoring Location Description: Second manhole downgradient of diversion chamber (prior to mixing with sanitary sewage)								
Discharge is to: The City of Waterbury Water Pollution Control Facility								
PARAMETER	UNITS	FLOW/TIME BASED MONITORING				INSTANTANEOUS MONITORING		
		Average Monthly Limit	Maximum Daily Limit	Sample/Reporting Frequency ¹	Sample Type or Measurement to be reported	Instantaneous limit or required range	Sample/Reporting Frequency ¹	Sample Type or measurement to be reported
Aluminum, Total	mg/l	NA	NA	NR	NA	----	Quarterly	Grab
Biochemical Oxygen Demand	mg/l	NA	NA	NR	NA	----	Quarterly	Grab
Copper, Total	mg/l	NA	NA	NR	NA	----	Quarterly	Grab
Flow, Instantaneous (at time of sampling)	gpm	NA	NA	NR	NA	----	Quarterly	Instantaneous
Lead, Total	mg/l	NA	NA	NR	NA	----	Quarterly	Grab
Nickel, Total	mg/l	NA	NA	NR	NA	----	Quarterly	Grab
Nitrogen, Ammonia (total as N)	mg/l	NA	NA	NR	NA	----	Quarterly	Grab
Nitrogen, Nitrate (total as N)	mg/l	NA	NA	NR	NA	----	Quarterly	Grab
Nitrogen, Total Kjeldahl	mg/l	NA	NA	NR	NA	----	Quarterly	Grab
Oil and Grease, Total Petroleum Hydrocarbons (EPA Method 1664-A)	mg/l	NA	NA	NR	NA	----	Quarterly	Grab
pH, Day of Sampling	S.U.	NA	NA	NR	NA	----	Quarterly	Grab
Phosphorus, Total	mg/l	NA	NA	NR	NA	----	Quarterly	Grab
Total Suspended Solids	mg/l	NA	NA	NR	NA	----	Quarterly	Grab
Zinc, Total	mg/l	NA	NA	NR	NA	----	Quarterly	Grab

Table Footnotes and Remarks:

Footnotes:
¹The 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’.

Remarks:
 "Quarterly", in the context of a sampling frequency, means that a representative sample shall be collected during each of the following periods: January – June, inclusive and July – December, inclusive.

For the months when a sample is not collected, the Discharge Monitoring Report shall be submitted with the comment, “Monitoring Conditional”.

(A)(2) **EFFECTIVE UPON PERMIT ISSUANCE**, 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 B								
Discharge Serial Number: 201-A						Monitoring Location: 1		
Wastewater Description: Untreated stormwater runoff from concrete storage pads								
Monitoring Location Description: Discharge from diversion chamber at downgradient manhole								
Discharge is to: The City of Waterbury Water Pollution Control Facility								
PARAMETER	UNITS	FLOW/TIME BASED MONITORING				INSTANTANEOUS MONITORING		
		Average Monthly Limit	Maximum Daily Limit	Sample/Reporting Frequency ¹	Sample Type or Measurement to be reported	Instantaneous limit or required range	Sample/Reporting Frequency ¹	Sample Type or measurement to be reported
Aluminum, Total	mg/l	NA	NA	NR	NA	----	Quarterly	Grab
Biochemical Oxygen Demand	mg/l	NA	NA	NR	NA	----	Quarterly	Grab
Copper, Total	mg/l	NA	NA	NR	NA	----	Quarterly	Grab
Flow, Instantaneous (at time of sampling)	gpm	NA	NA	NR	NA	----	Quarterly	Instantaneous
Lead, Total	mg/l	NA	NA	NR	NA	----	Quarterly	Grab
Nickel, Total	mg/l	NA	NA	NR	NA	----	Quarterly	Grab
Nitrogen, Ammonia (total as N)	mg/l	NA	NA	NR	NA	----	Quarterly	Grab
Nitrogen, Nitrate (total as N)	mg/l	NA	NA	NR	NA	----	Quarterly	Grab
Nitrogen, Total Kjeldahl	mg/l	NA	NA	NR	NA	----	Quarterly	Grab
Oil and Grease, Total Petroleum Hydrocarbons (EPA Method 1664-A)	mg/l	NA	NA	NR	NA	----	Quarterly	Grab
pH, Day of Sampling	S.U.	NA	NA	NR	NA	----	Quarterly	Grab
Phosphorus, Total	mg/l	NA	NA	NR	NA	----	Quarterly	Grab
Total Suspended Solids	mg/l	NA	NA	NR	NA	----	Quarterly	Grab
Zinc, Total	mg/l	NA	NA	NR	NA	----	Quarterly	Grab

Table Footnotes and Remarks:

Footnotes:
¹The 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’.

Remarks:
 "Quarterly", in the context of a sampling frequency, means that a representative sample shall be collected during each of the following periods: January – June, inclusive and July – December, inclusive.

For the months when a sample is not collected, the Discharge Monitoring Report shall be submitted with the comment, “Monitoring Conditional”.

(A)(3) **EFFECTIVE UPON PERMIT ISSUANCE**, 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 C								
Discharge Serial Number: 201-B					Monitoring Location: 1			
Wastewater Description: Treated stormwater runoff from concrete storage pads								
Monitoring Location Description: Discharge from oil/water separator at downgradient manhole								
Discharge is to: The City of Waterbury Water Pollution Control Facility								
PARAMETER	UNITS	FLOW/TIME BASED MONITORING				INSTANTANEOUS MONITORING		
		Average Monthly Limit	Maximum Daily Limit	Sample/Reporting Frequency ¹	Sample Type or Measurement to be reported	Instantaneous limit or required range	Sample/Reporting Frequency ¹	Sample Type or measurement to be reported
Aluminum, Total	mg/l	NA	NA	NR	NA	----	Quarterly	Grab
Biochemical Oxygen Demand	mg/l	NA	NA	NR	NA	----	Quarterly	Grab
Copper, Total	mg/l	NA	NA	NR	NA	----	Quarterly	Grab
Flow, Instantaneous (at time of sampling)	gpm	NA	NA	NR	NA	----	Quarterly	Instantaneous
Lead, Total	mg/l	NA	NA	NR	NA	----	Quarterly	Grab
Nickel, Total	mg/l	NA	NA	NR	NA	----	Quarterly	Grab
Nitrogen, Ammonia (total as N)	mg/l	NA	NA	NR	NA	----	Quarterly	Grab
Nitrogen, Nitrate (total as N)	mg/l	NA	NA	NR	NA	----	Quarterly	Grab
Nitrogen, Total Kjeldahl	mg/l	NA	NA	NR	NA	----	Quarterly	Grab
Oil and Grease, Total Petroleum Hydrocarbons (EPA Method 1664-A)	mg/l	NA	NA	NR	NA	100.0	Quarterly	Grab
pH, Day of Sampling	S.U.	NA	NA	NR	NA	----	Quarterly	Grab
Phosphorus, Total	mg/l	NA	NA	NR	NA	----	Quarterly	Grab
Total Suspended Solids	mg/l	NA	NA	NR	NA	----	Quarterly	Grab
Zinc, Total	mg/l	NA	NA	NR	NA	----	Quarterly	Grab

Table Footnotes and Remarks:

Footnotes:
¹The 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'.

Remarks:
 "Quarterly", in the context of a sampling frequency, means that a representative sample shall be collected during each of the following periods: January – March, inclusive; April – June, inclusive; July – September, inclusive and; October – December, inclusive.

For the months when a sample is not collected, the Discharge Monitoring Report shall be submitted with the comment, "Monitoring Conditional".

(A)(4) EFFECTIVE 365 DAYS (1 YEAR) FROM THE DATE OF PERMIT ISSUANCE, 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 D								
Discharge Serial Number: 201-B					Monitoring Location: 1			
Wastewater Description: Pretreated stormwater runoff from concrete storage pads								
Monitoring Location Description: Discharge from stormwater treatment system								
Discharge is to: The City of Waterbury Water Pollution Control Facility								
PARAMETER	UNITS	FLOW/TIME BASED MONITORING				INSTANTANEOUS MONITORING		
		Average Monthly Limit	Maximum Daily Limit	Sample/Reporting Frequency ¹	Sample Type or Measurement to be reported	Instantaneous limit or required range	Sample/Reporting Frequency ¹	Sample Type or measurement to be reported
Aluminum, Total	mg/l	NA	NA	NR	NA	-----	Quarterly	Grab
Biochemical Oxygen Demand	mg/l	NA	NA	NR	NA	600.0	Quarterly	Grab
Copper, Total	mg/l	NA	NA	NR	NA	2.0	Quarterly	Grab
Flow, Instantaneous (at time of sampling)	gpm	NA	NA	NR	NA	-----	Quarterly	Instantaneous
Lead, Total	mg/l	NA	NA	NR	NA	0.5	Quarterly	Grab
Nickel, Total	mg/l	NA	NA	NR	NA	2.0	Quarterly	Grab
Nitrogen, Ammonia (total as N)	mg/l	NA	NA	NR	NA	50.0	Quarterly	Grab
Nitrogen, Nitrate (total as N)	mg/l	NA	NA	NR	NA	-----	Quarterly	Grab
Nitrogen, Total Kjeldahl	mg/l	NA	NA	NR	NA	-----	Quarterly	Grab
Oil and Grease, Total Petroleum Hydrocarbons (EPA Method 1664-A)	mg/l	NA	NA	NR	NA	100.0	Quarterly	Grab
pH, Day of Sampling	S.U.	NA	NA	NR	NA	5.0 – 11.0	Quarterly	Grab
Phosphorus, Total	mg/l	MA	NA	NR	NA	-----	Quarterly	Grab
Total Suspended Solids	mg/l	NA	NA	NR	NA	-----	Quarterly	Grab
Zinc, Total	mg/l	NA	NA	NR	NA	2.0	Quarterly	Grab

Table Footnotes and Remarks:

Footnotes:
¹The 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’.

Remarks:
 "Quarterly", in the context of a sampling frequency, means that a representative sample shall be collected during each of the following periods: January – March, inclusive; April – June, inclusive; July – September, inclusive and; October – December, inclusive.

For the months when a sample is not collected, the Discharge Monitoring Report shall be submitted with the comment, “Monitoring Conditional”.

- (B) All samples shall be comprised of only those wastewaters described in this schedule; therefore, samples shall be taken prior to combination with wastewaters of any other type and after all approved treatment units, if applicable. All samples taken shall be representative of the discharge during standard operating conditions.
- (C) In cases where limits and sample type are specified but sampling is not required, the limits specified shall apply to all samples which may be collected and analyzed by, the Department of Energy and Environmental Protection personnel, the Permittee, or other parties.

SECTION 5: SAMPLE COLLECTION, HANDLING AND ANALYTICAL TECHNIQUES AND REPORTING REQUIREMENTS

- (A) Chemical analyses to determine compliance with effluent limits and conditions established in this permit shall be performed using the methods approved by the Environmental Protection Agency pursuant to 40 CFR 136 unless an alternative method has been approved in writing in accordance with 40 CFR 136.4 or as provided in section 22a-430-3(j)(7) of the RCSA. Chemicals which do not have methods of analysis defined in 40 CFR 136 shall be analyzed in accordance with methods specified in this permit.
- (B) All metals analyses identified in this permit shall refer to analyses for Total Recoverable Metal as defined in 40 CFR 136 unless otherwise specified.
- (C) The results of chemical analysis 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 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 taken.

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

- (D) If this permit requires monitoring of a discharge on a calendar basis (e.g. Monthly, quarterly, etc.) but a discharge has not occurred within the frequency of sampling specified in the permit, the Permittee must submit the DMR as scheduled, indicating "NO DISCHARGE". For those permittees whose required monitoring is discharge dependent (e.g. per batch), the minimum reporting frequency is monthly. Therefore, if there is no discharge during a calendar month for a batch discharge, a DMR must be submitted indicating such by the end of the following month.
- (E) 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. Submittal of *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 deep.netdmr@ct.gov and initiate the NetDMR subscription

process for electronic submission of Discharge Monitoring Report (DMR) information. Information on NetDMR is available on the Department's website at www.ct.gov/deep/netdmr. 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 of Section 5(C) 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. The Permittee shall also electronically file any written report of non-compliance described in Section 6 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 deep.netdmr@ct.gov:

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

- (F) Copies of all DMRs shall be submitted concurrently to the local Water Pollution Control Authority(ies) ("WPCA") involved in the treatment and collection of the permitted discharge.

SECTION 6: RECORDING AND REPORTING OF VIOLATIONS, ADDITIONAL TESTING REQUIREMENTS

- (A) If any sample analysis indicates that an effluent limitation specified in Section 4 of this permit has been exceeded, a second sample of the effluent shall be collected and analyzed for the parameter(s) in question and the results reported to the Bureau of Materials Management and Compliance Assurance (Attn: DMR Processing) within 30 days of the exceedance.
- (B) The Permittee shall immediately notify the Bureau of Materials Management and Compliance Assurance and the local WPCA of all discharges that could cause problems to the Publicly Owned Treatment Works ("POTW"), including but not limited to slug loadings of pollutants which may cause a violation of the POTW's NPDES permit, or which may inhibit or disrupt the POTW, its treatment processes or operations, or its sludge processes, use or disposal.

- (C) In addition to the notification requirements specified in Section 1(B) of this permit, if any sampling and analysis of the discharge performed by the Permittee indicates a violation of limits specified in Section 4 of this permit, the Permittee shall notify the Bureau of Materials Management and Compliance Assurance within 24 hours of becoming aware of the violation.

SECTION 7: COMPLIANCE SCHEDULE

- (A) The Permittee shall achieve compliance with the effluent limitations in Table D of Section 4(A)(4) as soon as possible but in no event later than **365 days** after the date of issuance of this permit in accordance with the following:
- (1) **On or before 15 days after the date of issuance of this permit**, the Permittee shall retain one or more qualified consultants acceptable to the Commissioner to prepare the documents and implement or oversee the actions required by this section of the permit and shall, by that date, notify the Commissioner in writing of the identity of such consultants. The Permittee shall retain one or more qualified consultants acceptable to the Commissioner until the actions required by this section of the permit have been completed, and within ten days after retaining any consultant other than one originally identified under this paragraph, the Permittee shall notify the Commissioner in writing of the identity of such other consultant. The consultant retained to perform the studies and oversee any remedial measures required to achieve compliance with Section 4 limitations shall be a qualified professional engineer licensed to practice in Connecticut acceptable to the Commissioner. The Permittee shall submit to the Commissioner a description of a consultant's education, experience and training, which is relevant to the work required by this permit within ten days after a request for such a description. Nothing in this paragraph shall preclude the Commissioner from finding a previously acceptable consultant unacceptable.
 - (2) **On or before 60 days after the date of issuance of this permit**, the Permittee shall submit for the Commissioner's review and written approval a comprehensive and thorough report which describes and evaluates alternative actions which may be taken by the permittee to *treat, at a minimum, the volume of stormwater generated by the first inch of rainfall (or snowmelt) from the oily scrap metal pads to comply with the limitations in Table D of Section 4 of this permit, and to eliminate or reduce to the maximum extent possible the discharge of untreated stormwater from the scrap metal storage pads to the sanitary sewer.* Such report shall:
 - (a) evaluate alternative actions to achieve compliance with Section 4 limits including, but not limited to, pollutant source reduction, process changes/innovations, chemical substitutions, recycle and zero discharge systems, water conservation measures, and other internal and/or end-of-pipe treatment technologies;
 - (b) state in detail the most expeditious schedule for performing each alternative;
 - (c) list all permits and approvals required for each alternative, including but not limited to any permits required under sections 22a-32, 22a-42a, 22a-342, 22a-361, 22a-368, 22a-430, or 22a-430b of the Connecticut General Statutes;
 - (d) propose a preferred alternative or combination of alternatives with supporting justification; and
 - (e) propose a detailed program and schedule to perform all actions required by the preferred alternative including but not limited to a schedule for submission of engineering plans and specifications on any internal and/or end of pipe treatment facilities, start and completion of any construction activities related to any treatment facilities, applying for and obtaining all permits and approvals required for such actions.
- (B) The Permittee shall submit to the Commissioner **monthly** status reports beginning thirty days after the date of approval of the report referenced in Section 7(A)(2) above. Status reports shall include, but not be limited to, a detailed description of progress made by the Permittee in performing actions required by this section of the permit in accordance with the approved schedule including, but not limited to, development of engineering plans and specifications, construction activity, contract bidding, operational changes, preparation and submittal of permit applications, and any other actions specified in the program approved pursuant to paragraph (A)(2) of this section.
- (C) The Permittee shall perform the approved actions in accordance with the approved schedule, but in no event shall the approved actions be completed later than 365 days after the date of issuance of this permit. Within fifteen days after completing such actions, the Permittee shall certify to the Commissioner in writing that the actions have been completed as approved.

- (D) 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.
- (E) 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 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 of the permit to be submitted, or performed, by a date which falls on, Saturday, Sunday, or a Connecticut or federal holiday, shall be submitted or performed on or before the next day which is not a Saturday, Sunday, or Connecticut or federal holiday.
- (F) 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, 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, which 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.
- (G) 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.
- (H) 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:

Karen Allen
Department of Energy and Environmental Protection
Bureau of Materials Management and Compliance Assurance
Water Permitting and Enforcement Division
79 Elm Street
Hartford, CT 06106-5127

SECTION 8: COMPLIANCE CONDITIONS

In accordance with 40 CFR §403.8(f)(2)(viii), the Commissioner may provide public notification, in a newspaper of general circulation in the area of the respective POTW, of permittees that at any time in the previous twelve months were in significant noncompliance with the provisions of this permit. For the purposes of this provision, a permittee that is not a Significant Industrial User is in significant noncompliance if its violation(s) meet(s) one or more of the following criteria:

- **Discretionary:** Any violation of an effluent limit that the Department determines has caused, alone or in combination with other discharges, a violation of the POTW's NPDES permit, inhibition or disruption of the POTW, its treatment processes or operations, or its sludge processes, use or disposal.

- **Imminent Endangerment:** Any discharge of a pollutant that has caused imminent endangerment to human health, welfare or to the environment, or has resulted in the Department's exercise of its emergency authority under 40 CFR §403.8(f)(1)(vi)(B) to halt or prevent such a discharge.
- **BMPs:** Any other violation or group of violations, which may include a violation of Best Management Practices, which the Department determines will adversely affect the operation or implementation of the pretreatment program.

This permit is hereby issued on

Macky McCleary
Deputy Commissioner
Department of Energy and Environmental Protection

MM/KLA

cc: City of Waterbury POTW

WASTEWATER DISCHARGE PERMIT: DATA TRACKING AND TECHNICAL FACT SHEET

Permittee: **MATTATUCK INDUSTRIAL SCRAP METAL, INC.**

PERMIT, ADDRESS, AND FACILITY DATA

PERMIT #: SP0002324

APPLICATION #: 200900782

<u>Mailing Address:</u>					<u>Location Address:</u>						
Street:	28 Town Line Road				Street:	28 Town Line Road					
City:	Wolcott	ST:	CT	Zip:	06716	City:	Wolcott	ST:	CT	Zip:	06716
Contact Name:	Michael Tatalias, General Manager				DMR Contact	Michael Tatalias					
Phone No.:	203-879-4681				Phone No.:	203-879-4681					
Contact E-mail:	mike@mattatuckscrap.com				DMR Contact E-mail:						

PERMIT INFORMATION

DURATION 5 YEAR X 10 YEAR ___ 30 YEAR ___

TYPE New ___ Reissuance X Modification ___

CATEGORIZATION POINT (X) NON-POINT () GIS #
 NPDES () PRETREAT (X) GROUND WATER(UIC) () GROUND WATER (OTHER) ()

NPDES MAJOR(MA) ___
 NPDES SIGNIFICANT MINOR or PRETREAT SIU (SI) ___

NPDES or PRETREATMENT MINOR (MI) X

PRETREAT SIGNIFICANT INDUS USER(SIU) ___

PRETREAT CATEGORICAL (CIU) ___

Note: If it is a CIU then check off SIU

POLLUTION PREVENTION MANDATE ___ ENVIRONMENTAL EQUITY ISSUE

SIC CODE 5093

COMPLIANCE SCHEDULE YES X NO ___

POLLUTION PREVENTION ___ TREATMENT REQUIREMENT X WATER CONSERVATION ___

WATER QUALITY REQUIREMENT ___ REMEDIATION ___ OTHER ___

RECENT ENFORCEMENT HISTORY

Is the Permittee subject to a pending enforcement action? Yes ___ No X

(If yes explain)

OWNERSHIP CODE

Private X Federal ___ State ___ Municipal (town only) ___ Other public ___

DEEP STAFF ENGINEER Karen Allen

ERMIT FEES

Discharge Code	DSN Number	Annual Fee
5080000	201-1	\$2912. 50

FOR SEWER DISCHARGES

Discharge to the City of Waterbury POTW via the Town of Wolcott collection system.

NATURE OF BUSINESS GENERATING DISCHARGE

Recycling facility for the collection, segregation and packaging of ferrous and non-ferrous metals

PROCESS AND TREATMENT DESCRIPTION (by DSN)

Oily scrap metal is stored on two, 3-sided, unroofed, concrete pads, each approximately 40' x 80'. Rainwater that falls directly onto the scrap metal storage pads (as well as snowmelt) flows thru weep holes in the back wall into a trench at the rear of each concrete pad. The contaminated stormwater is piped from each trench into a 2,000 gallon diversion chamber. The chamber directs up to 60 gpm into a 4,000 gallon oil/water separator. Higher flows are discharged directly from the diversion chamber to a manhole and then to the sanitary sewer. The discharge from the oil/water separator also discharges to the same manhole and then to the sanitary sewer.

DSN 201-1

Discharge of combined treated and untreated stormwater runoff from the oily scrap metal pads.

DSN 201-A

Discharge of untreated stormwater runoff from the 2,000 gallon diversion chamber during high flow events.

DSN 201-B

Discharge of treated stormwater runoff from the 4,000 gallon oil/water separator.

RESOURCES USED TO DRAFT PERMIT

- ___ Federal Effluent Limitation Guideline 40CFR
name of category
- ___ Performance Standards
- ___ Federal Development Document
name of category
- ___ Treatability Manual
- X Department File Information
- ___ Connecticut Water Quality Standards

- Anti-degradation Policy
- Coastal Management Consistency Review Form
- Other - Explain

BASIS FOR LIMITATIONS, STANDARDS OR CONDITIONS

- X Case by Case Determination using Best Professional Judgement (See Comments)
 - DSN 201 – Interim and final limits for oil and grease (total petroleum hydrocarbons)
 - DSN 201 – Final limits for biochemical oxygen demand (BOD₅), ammonia-nitrogen
 - DSN 201 - Final limits for total copper, total lead, total nickel and total zinc
- X Section 22a-430-4(s) of the Regulations of Connecticut State Agencies
 - DSN 201 - Final limits for total copper, total lead, total nickel and total zinc

PERMITTING HISTORY and COMMENTS

Mattatuck Scrap Metal Inc. (the facility), was issued Permit No. SP0002324 on September 9, 1999 for the discharge of treated stormwater runoff to the sanitary sewer from oily scrap metal storage pads. Treatment consisted of a 2,000 gallon diversion chamber and a 4,000 gallon oil/water separator. The permit required sampling of the treated stormwater and contained a limit of 100 mg/l for oil and grease (hydrocarbon fraction) and monitoring for copper, lead, zinc and total suspended solids. Since permit issuance, the facility has reported chronic violations of the limit for oil and grease in the wastewater discharging from the oil/water separator. Modifications to the treatment system were made in 2001, however the exceedances continued. In addition, concentrations of copper, lead, and zinc reported on Discharge Monitoring Reports have frequently exceeded concentrations normally permitted for the discharge of any type of wastewater to the sanitary sewer.

On 3/13/2009, the facility submitted Application No. 200900782 (the application) for reissuance of Permit No. SP0002324. Attachment O of the application contains discharge information for samples collected before and after treatment through the existing oil/water separator. Extremely high concentrations of oil and grease hydrocarbon fraction (227 grams/liter) and biochemical oxygen demand (64 grams/liter) were reported for the untreated stormwater. Also, the information in the application, as well as DMRs from 2007 and 2008, show lead in the treated and untreated stormwater at concentrations equal to or greater than the hazardous waste threshold of 5 mg/l. In addition, the concentration of nickel (17.6 mg/l) identified in the treated wastewater is well in excess of acceptable concentrations for discharge to the sanitary sewer.

After reviewing the wastewater discharge information provided in the application and the facility's Discharge Monitoring Reports ("DMRs") from 2007 to the present, it was determined that Permit No. SP0002324 can only be renewed with a provision that a new or modified treatment system be installed. The current system is inadequate to treat the wastewater to a level acceptable for discharge to the sanitary sewer. In addition, the bypass component of the diversion chamber, although common in stormwater treatment systems, may allow the discharge of potentially hazardous waste to the sanitary sewer.

Compliance Schedule

Section 7 of the permit contains a 1 year compliance schedule for the facility to modify the existing system or install a new system to treat, at a minimum, the volume of stormwater generated by the first inch of rainfall (or snowmelt) from the oily scrap metal pads in order to meet the final limits shown in Table B of Section 4. This section also contains a requirement to propose and implement measures to eliminate, or reduce to the greatest possible extent, the discharge of untreated stormwater to the sanitary sewer.

The facility contact has stated that covering the oily scrap metal concrete pads is not possible because of the height of the equipment used to move scrap around the yard, but has proposed the installation of a new stormwater treatment system.

Effluent Limits

Concentrations of copper, lead, nickel, zinc, ammonia-nitrogen, and BOD₅ in the stormwater runoff from the scrap metal pads are significantly higher than concentrations permitted by DEEP for the discharge of industrial wastewaters to the sanitary sewer. Based on this information and using best professional judgment, the discharge is considered by staff to be equivalent to a miscellaneous process wastewater. Therefore, DEEP's General Permit for the Discharge of Miscellaneous Sewer Compatible Wastewaters was used as a reference for the final limits on the treated stormwater for copper, lead, nickel, zinc, ammonia-nitrogen and BOD₅. The limit on oil and grease (total petroleum hydrocarbons) continues to be 100 mg/l, as it was in the previous permit, and is the standard limit utilized in DEEP permits for wastewater discharges to municipal wastewater treatment plants. Monitoring for aluminum, phosphorus, nitrate-nitrogen, and total Kjeldahl nitrogen has been added as parameters of interest to the receiving POTW.

New Monitoring Requirements

The previous permit required monitoring only of the treated stormwater; however the system is designed with a high flow bypass that allows untreated stormwater to be discharged directly to the sanitary sewer. The limited data available indicates that this untreated overflow is of extremely poor quality, so this permit imposes new monitoring requirements on the discharge of untreated stormwater that overflows from the diversion chamber, and on the combined discharge of treated and untreated stormwater, prior to the water combining with domestic waste. This monitoring will provide the data needed to evaluate the impact of the entire discharge on the receiving POTW.

Permit Duration

Permit No. SP0002324 was originally issued on 9/9/1999 for a 10-year period. However, the effectiveness of the new and/or modified treatment system as well as the results of the additional monitoring must be evaluated after a shorter time period. This permit will be renewed for only 5 years.

Other Discharges

Mattatuck Scrap Metal Inc. has been registered for coverage under the General Permit for the Discharge of Stormwater Associated with Industrial Activity since 1992 for discharges of stormwater to the Mad River. The facility is currently registered under Permit No. GSI000861 issued 10/1/2011.

SUMMARY OF COMMENTS RECEIVED DURING THE PUBLIC NOTICE PERIOD AND THE DEPARTMENT'S RESPONSES

(NOTE: Staff needs to ensure that the language in this section matches what's in the Final Determination Memo)

**NOTICE OF TENTATIVE DETERMINATION
INTENT TO RENEW A STATE 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 **Mattatuck Industrial Scrap Metal, Inc.** ("the applicant") under section 22a-430 of the Connecticut General Statutes for a permit to discharge into the waters of the state.

In accordance with applicable federal and state law, the Commissioner has made a tentative determination that modification of the existing stormwater treatment system or installation of a new stormwater treatment system would protect the waters of the state from pollution. The draft permit contains a schedule for the permittee to submit a proposal to modify the existing system or install a new system and a timeframe for the permittee to comply with final effluent limitations.

The proposed permit, if issued by the Commissioner, will require treatment of contaminated stormwater runoff to meet the applicable effluent limitations.

APPLICANT'S PROPOSAL

Mattatuck Industrial Scrap Metal, Inc. presently discharges treated and untreated stormwater runoff from oily scrap metal storage pads to the City of Waterbury Water Pollution Control Facility via the Town of Wolcott collection system.

The name and mailing address of the permit applicant are: **Mattatuck Industrial Scrap Metal, Inc., 28 Town Line Road, Wolcott, Connecticut 06716.**

The activity takes place at: **28 Town Line Road, Wolcott, Connecticut.**

REGULATORY CONDITIONS

Type of Treatment

Oily scrap metal is stored on two concrete pads. Rainwater that falls directly on the concrete pads flows into a trench and is piped into a 2,000 gallon diversion tank. Up to 60 gallons per minute (gpm) of contaminated stormwater is directed from the diversion tank into a 4,000 gallon oil/water separator prior to discharging to the Town of Wolcott sanitary sewer collection system. Stormwater flows above 60 gpm discharge untreated into the sanitary sewer.

Effluent Limitations

This permit contains an interim monitoring requirement and final effluent limitations consistent with Section 22a-430-4(s) of the Regulations of Connecticut State Agencies as well as a Case by Case Determination using the criteria of Best Professional Judgment, 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(l) of the Regulations of Connecticut State Agencies the permit contains effluent limitations for the following types of toxic substances: heavy metals.

This permit contains effluent limitations on an internal waste stream (DSN 201-B).

Compliance Schedule

This permit contains an enforceable compliance schedule which requires the applicant to modify the existing treatment system or install a new treatment system in order to treat the volume of stormwater generated by the first inch of contaminated runoff from the oily scrap metal pads to meet final effluent limitations on or before one year following issuance of this permit. The permit also requires the permittee to implement measures to minimize the discharge of untreated stormwater from the oily scrap metal pads.

COMMISSIONER'S AUTHORITY

The Commissioner of Energy and Environmental Protection is authorized to approve or deny such permits pursuant to section 22a-430 of the Connecticut General Statutes and the Water Discharge Permit Regulations (section 22a-430-3 and 4 of the Regulations of Connecticut State Agencies).

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. 200900782

PERMIT ID NO. SP0002324

Interested persons may obtain copies of the application from Michael Tatalias, Mattatuck Industrial Scrap Metal, Inc., 28 Town Line Road, Wolcott, CT 06716. Telephone number: 203-879-4681.

The application is available for inspection by contacting Karen Allen at 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 Karen Allen, 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, 3rd floor, Hartford, CT, 06106-5127. Petitions cannot be sent by fax or email. Additional information can be found at www.ct.gov/deep/adjudications.

The Department of Energy and Environmental Protection is an Affirmative Action/Equal Opportunity Employer. Persons with a disability who may need information in an alternative format should contact the ADA Coordinator at 860-424-3194 or at DEEP.HRmed@CT.Gov. Persons who are limited English proficient who may need information in another language should contact the Title VI Coordinator at (860) 424-3035 or at DEEP.aaoffice@ct.gov. Persons who are hearing impaired should call the State of Connecticut relay number 711. Discrimination complaints should be filed with the Title VI Coordinator.

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

Dated: 12/21/2012