



Connecticut Department of
**ENERGY &
ENVIRONMENTAL
PROTECTION**

PRETREATMENT PERMIT

issued to

Phelps Dodge Industries, Inc., dba Freeport-McMoRan Copper Products
P.O. Box 970
Norwich, CT 06360

Location Address:

41 Wawecus Street
Norwich, CT 06360

Permit ID: SP0002326

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) Freeport-McMoRan Copper Products, ("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 sampling is required in the months of March, June, September, and December.

"Range During Sampling" or "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 shall mean the maximum and minimum readings recorded with the continuous monitoring device during the Composite or Grab Sample Average sample collection.

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

"ug/l" means micrograms per liter.

SECTION 3: COMMISSIONER'S DECISION

- (A) The Commissioner has made a final determination and found that continuance of the existing system to treat the discharge will protect the waters of the state from pollution. The Commissioner's decision is based on Application No. 200902674 for permit reissuance received on July 2, 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. SP0002326, issued by the Commissioner to the Permittee on January 5, 2005, the previous application submitted by the Permittee on September 12, 2002, 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. SP0002326, issued by the Commissioner to the Permittee January 5, 2005.
- (C) (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. SP0002326, issued by the Commissioner to the Permittee on [DATE OF PERMIT REISSUANCE], Application No. 200902674 received by the Department on July 2, 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. SP0002326, issued by the Commissioner to the Permittee on [DATE OF PERMIT REISSUANCE].

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.

Table A

Discharge Serial Number: 200-1 **Monitoring Location:** 1
Wastewater Description: Reverse Osmosis Reject Brine from RO#1 and/or RO#2 (recycled and treated copper forming wastewaters)
Monitoring Location Description: sample port after R.O. Storage tanks
Discharge is to: The City of Norwich Water Pollution Control Facility

PARAMETER	UNITS	FLOW/TIME BASED MONITORING				INSTANTANEOUS MONITORING		
		Average Monthly Limit	Maximum Daily Limit	Sample/Reporting Frequency ²	Sample Type or Measurement to be Reported	Instantaneous Limit or Required Range	Sample/Reporting Frequency ²	Sample Type or Measurement to be Reported
Chromium, Total	mg/l	1.0	2.0	Quarterly	Daily Composite	3.0	NR	NA
Copper, Total	mg/l	1.0	2.0	Weekly	Daily Composite	3.0	NR	Instantaneous
Lead, Total	mg/l	0.1	0.2	Quarterly	Daily Composite	0.3	NR	NA
Nickel, Total	mg/l	1.0	2.0	Quarterly	Daily Composite	3.0	NR	NA
Flow Rate (Average Daily) ¹	gpd	17,000	NA	Continuous	Daily Flow	NA	NR	NA
Flow, Maximum during 24 hr period ¹	gpd	NA	18,900	Continuous	Daily Flow	NA	NR	NA
Flow (Day of Sampling)	gpd	NA	18,900	Weekly	Daily Flow	NA	NR	NA
Oil and Grease, Hydrocarbon Fraction	mg/l	100	150	Monthly	Grab Sample Average	225	NR	Grab
pH, Day of Sampling	S.U.	NA	NA	NR	NA	6.0-10.0	Weekly	RDS
pH, Minimum	S.U.	NA	NA	NR	NA	6.0	Continuous	Continuous
pH, Maximum	S.U.	NA	NA	NR	NA	10.0	Continuous	Continuous
Sulfate	mg/l	-----	-----	Weekly	Daily Composite	NA	NR	NA
Sulfide	mg/l	NA	NA	NR	NA	-----	Weekly	Grab
Total Toxic Organics ³	mg/l	NA	2.13	Weekly	Grab Sample Average	3.2	NR	Grab
Zinc, Total	mg/l	1.0	2.0	Quarterly	Daily Composite	3.0	NR	NA

Table Footnotes:

¹ For this parameter the Permittee shall maintain at the facility a record of the Total Daily Flow for each day of discharge and shall report the Average Daily Flow and the Maximum Daily Flow for each month.

² The first entry in this column is the 'Sample Frequency'. If this entry is not followed by a 'Reporting Frequency' and the 'Sample Frequency' is more frequent than monthly then the 'Reporting Frequency' is monthly. If the 'Sample frequency' is specified as monthly, or less frequent, then the 'Reporting Frequency' is the same as the 'Sample Frequency'.

³ The term "Total Toxic Organics" shall mean the sum of the concentrations of each of the following toxic organic compounds that is found at a concentration greater than 0.010 mg/l. Benzene, 1,1,1-Trichloroethane, Chloroform, 2,6-Dinitrotoluene, Ethyl benzene, Methylene Chloride, Napthalene, N-nitrosodiphenylamine, Anthracene, Phenanthrene, Toluene, and Trichloroethylene.

- (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 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. 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 dep.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.
- (G) For Total Toxic Organics (TTO) monitoring, in accordance with 22a-430-4(l) of the RCSA and 40 CFR468 (Copper Forming), the Permittee may, in lieu of analyzing for TTO, include a statement on each DMR certifying compliance with its approved Solvent Management Plan. This certification statement shall be as follows:

"Based on my inquiry of the person or persons responsible for managing compliance with the permit limitation for Total Toxic Organics (TTO), I certify that, to the best of my knowledge and belief, no dumping of concentrated toxic organics into the wastewaters has occurred since filing the last discharge monitoring report which required such certification. I further certify that this facility is implementing the solvent management plan approved by the Commissioner."

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 1B 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 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 a Significant Industrial User is in significant noncompliance if its violation(s) meet(s) one or more of the following criteria:

- **Chronic violations:** Those in which sixty-six (66%) percent or more of all measurements taken for the same pollutant parameter during a six-month period exceed (by any magnitude) the Average Monthly, Maximum Daily, or Maximum Instantaneous Limit(s).
- **Technical Review Criteria violations:** Those in which thirty-three (33%) or more of all of the measurements taken for the same pollutant parameter during a six-month period equal or exceed the Average Monthly, Maximum Daily, or Maximum Instantaneous Limit(s) multiplied by 1.4 for BOD, TSS, fats, oil, and grease, or 1.2 for all other pollutants except pH.
- **Monitoring Reports:** Failure to provide, within 45 days after the due date, required reports such as DMRs.
- **Compliance Schedule:** Failure to meet within 90 days after the schedule date, a compliance schedule milestone contained in or linked to a respective permit for starting construction, completing construction, or attaining final compliance.
- **Noncompliance Reporting:** Failure to accurately report noncompliance in accordance with provisions identified in Section 6 of this permit.
- **Discretionary:** Any other 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

MM/SCE

cc: City of Norwich

Macky McCleary
Deputy Commissioner
Department of Energy and Environmental Protection

DATA TRACKING AND TECHNICAL FACT SHEET

Permittee: Phelps Dodge Industries, Inc., dba Freeport-McMoRan Copper Products

PERMIT, ADDRESS, AND FACILITY DATA

PERMIT #: SP0002326

APPLICATION #: 200902674

<u>Mailing Address:</u> <u>Street:</u> P.O. Box 970 <u>City:</u> Norwich <u>ST:</u> CT <u>Zip:</u> 06360	<u>Location Address:</u> <u>Street:</u> 41 Wawecus Street <u>City:</u> Norwich <u>ST:</u> CT <u>Zip:</u> 06360
<u>Contact Name:</u> Joe Carta <u>Phone No.:</u> 860-425-6953	<u>DMR Contact</u> Joe Carta <u>Phone No.:</u> 860-425-6953

PERMIT INFORMATION

DURATION 5 YEAR X 10 YEAR ___ 30 YEAR ___
TYPE New ___ Reissuance X Modification ___
CATEGORIZATION POINT (X) NON-POINT () GIS # 4254
NPDES () PRETREAT (X) GROUND WATER(UIC) () GROUND WATER (OTHER) ()
NPDES MAJOR(MA) ___
NPDES SIGNIFICANT MINOR or PRETREAT SIU (SI) X
NPDES or PRETREATMENT MINOR (MI) ___
PRETREAT SIGNIFICANT INDUS USER(SIU) X
PRETREAT CATEGORICAL (CIU) X
Note: If it is a CIU then check off SIU
POLLUTION PREVENTION MANDATE ___ ENVIRONMENTAL EQUITY ISSUE ___

COMPLIANCE ISSUES

COMPLIANCE SCHEDULE YES ___ NO X (If yes check off what it is in relation to.)
POLLUTION PREVENTION ___ TREATMENT REQUIREMENT ___ WATER CONSERVATION ___
WATER QUALITY REQUIREMENT ___ REMEDIATION ___ OTHER ___
IS THE PERMITTEE SUBJECT TO A PENDING ENFORCEMENT ACTION? NO X YES ___

OWNERSHIP CODE

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

DEEP STAFF ENGINEER: Stephen Edwards

PERMIT FEES

<u>Discharge Code</u>	<u>DSN Number</u>	<u>Annual Fee</u>
501017	001	\$8,425

FOR SEWER DISCHARGES

Discharge is to the City of Norwich POTW via its collection system.

NATURE OF BUSINESS GENERATING DISCHARGE

The facility performs copper forming processes that heat pure copper to liquid form and then form and roll it into a continuous rod. Some copper rod is drawn into welding electrode wire.

PROCESS AND TREATMENT DESCRIPTION (by DSN)

DSN001 consist of wastewaters from copper forming processes, water production wastewater and boiler blowdown. The treatment system consists of a clay/carbon filter, 3 bag filters, a mix tank, a floc tank, and a belt filter.

RESOURCES USED TO DRAFT PERMIT

- Federal Effluent Limitation Guideline 40 CFR 468.15 subpart A (Copper Forming)
name of category
- Performance Standards
- Federal Development Document _____
name of category
- Treatability Manual
- Department File Information
- Connecticut Water Quality Standards
- Anti-degradation Policy
- Coastal Management Consistency Review Form (See Other Comments)
- Other - Explain

BASIS FOR LIMITATIONS, STANDARDS OR CONDITIONS

Section 22a-430-4(s) of the Regulations of Connecticut State
Agencies
DSN 200 - Chromium, Copper, Lead, Nickel, and Zinc.

Best Professional Judgment (See Other Comments)

DSN 200 - Oil and Grease, Hydrocarbon Fraction, pH, Sulfate, Sulfide, and Total Toxic Organics.

GENERAL COMMENTS

In developing the permit's concentration limits, EPA Copper Forming Limits (40 CFR Part 468) and Section 22a-430-4(s)(2) of the Regulations of Connecticut State Agencies limits were compared. The Connecticut limits were found to be more stringent and thus incorporated in the permit (see Attachment A).

pH limits of 6.0 to 10.0 standard units are considered to be protective of sanitary sewer system.

TTO limits and monitoring are required under 40 CFR 468, PSNS (Subpart A) because the facility started operations after the promulgation of the 40 CFR 468.

Oil and Grease limits proposed for this permit are consistent with (1) limits used in permits with similar wastewaters involved and (2) the previous permit limits.

In accordance with 40 CFR 468.02(r), the Permit defines TTOs as the sum of the concentrations of each of the following toxic organic compounds that is found at a concentration greater than 0.010 mg/l: Benzene, 1,1,1-Trichloroethane, Chloroform, 2,6-Dinitrotoluene, Ethyl benzene, Methylene Chloride, Napthalene, N-nitrosodiphenylamine, Anthracene, Phenanthrene, Toluene, and Trichloroethylene.



**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 **Phelps Dodge Industries, Inc., dba Freeport-McMoRan Copper Products** ("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 continuance of the existing system to treat the discharge would protect the waters of the state from pollution and the Commissioner proposes to renew a permit for the discharge to the sanitary sewer.

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

APPLICANT'S PROPOSAL

Freeport-McMoRan Copper Products presently discharges up to 18,900 gallons per day of copper forming wastewaters to the Norwich Water Pollution Control Facility.

The name and mailing address of the permit applicant are: Freeport-McMoRan Copper Products, 41 Wawecus Street, P.O. Box 970, Norwich, CT 06360.

The activity takes place at: Freeport-McMoRan Copper Products, 41 Wawecus Street, P.O. Box 970, Norwich, CT 06360.

REGULATORY CONDITIONS

Type of Treatment

All wastewater is treated using a clay/carbon filter, 3 bag filters, a mix tank, a floc tank, and a belt filter.

Effluent Limitations

This permit contains effluent limitations consistent with Case by Case Determination using the criteria of Best Professional Judgment and Section 22a-430-4(s) of the Regulations of Connecticut State Agencies.

In accordance with section 22a-430-4(1) of the Regulations of Connecticut State Agencies the permit contains effluent limitations for heavy metals and volatile organic compounds.

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. 200902674 PERMIT ID NO. SP0002326

Interested persons may obtain copies of the application from Joe Carta, Freeport-McMoRan Copper Products, 41 Wawecus Street, P.O. Box 970, Norwich, CT 06360 at 860-425-6953.

The application is available for inspection by contacting Stephen Edwards 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 Stephen Edwards, 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/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.aaoffice@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: