Connecticut Department of
Energy & Environmental Protection
Bureau of Materials Management & Compliance Assurance
Water Permitting & Enforcement Division

General Permit for the Discharge of Stormwater from Department of Transportation Separate Storm Sewer Systems

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General Permit for the Discharge of Stormwater from Department of Transportation Separate Storm Sewer Systems

Table of Contents

Section 1. Authority....4

Section 2. Definitions....4

Section 3. Authorization Under This General Permit....8

(a) Eligible Activities....8
(b) Requirements for Authorization....9
(c) Registration....12
(d) Geographic Area....12
(e) Effective Date and Expiration Date of this General Permit....13
(f) Effective Date of Authorization....13
(g) Transition to and from an Individual Permit....13

Section 4. Registration Requirements....13

(a) Who Must File a Registration....13
(b) Scope of Registration....13
(c) Contents of Registration....13
(d) Availability of Registrations, Stormwater Management Plan, and Annual Reports....15
(e) Where to File a Registration....16
(f) Additional Information....16
(g) Additional Notification....17
(h) Action by Commissioner....17

Section 5. Requirements of this General Permit....17

(a) Conditions Applicable for Certain Discharges....17
(b) Stormwater Management Plan....18

Section 6. Development of Stormwater Management Plan (Plan)....19

(a) Minimum Control Measures....19
(b) Sharing Responsibility....39
(c) Proper Operation and Maintenance....40
(d) Signature Requirements....40
(e) Plan Review Fee....40
(f) Keeping Plans Current....40
(g) Failure to Prepare or Amend Plan....41
(h) Plan Review Certification....41

(i) Monitoring Requirements **41**
(j) Reporting & Record Keeping Requirements **48**
(k) Discharges to Impaired Waters or Water bodies subject to a Pollutant Load Reduction within a TMDL **50**

Section 7. Additional Requirements of this General Permit **51**

(a) Regulations of Connecticut State Agencies Incorporated into this General Permit **51**
(b) Reliance on Registration **52**
(c) Duty to Correct and Report Violations **52**
(d) Duty to Provide Information **52**
(e) Certification of Documents **52**
(f) Date of Filing **52**
(g) False Statements **53**
(h) Correction of Inaccuracies **53**
(i) Other Applicable Law **53**
(j) Other Rights **53**

Section 8. Commissioner's Powers **53**

(a) Abatement of Violations **53**
(b) General Permit Revocation, Suspension, or Modification **53**
(c) Filing of an Individual Application **54**

Appendix A Small MS4 Municipalities

Appendix B Illicit Discharge Detection and Elimination (IDDE) Program Protocol

Appendix C Aquifer Protection Areas and Other Groundwater Drinking Supply Areas Guidance

Appendix D Impaired Waters Guidance

Section 1. Authority

This general permit is issued under the authority of Section 22a-430b of the Connecticut General Statutes.

Section 2. Definitions

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

"x-year, 24-hour rainfall event" means the maximum 24-hour precipitation event with a probable recurrence interval of once in the given number of years (i.e. x=2, 25 or 100), as defined by the National Oceanic and Atmospheric Administration (NOAA) Atlas 14, Volume 10 Point Precipitation Frequency (PF) Estimates: CT (http://hdsc.nws.noaa.gov/hdsc/pfds/pfds_map_cont.html?bkmrk=ct), or equivalent regional or state rainfall probability information developed therefrom.

"Aquifer protection area" means aquifer protection area as defined in section 22a-354h of the Connecticut General Statutes.

"Best engineering practices" means the design of engineered control measures to control pollution to the maximum extent achievable using measures that are technologically available and economically practicable.

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

"Catchment area" means the land area from which stormwater runoff is collected by a permittee's MS4 and discharges through a single outfall to surface water.

"Coastal area" means coastal area as defined in Section 22a-94 of the Connecticut General Statutes.

"Coastal Jurisdiction Line" or "JDL" means coastal jurisdiction line as defined in Section 22a-359(c) of the Connecticut General Statutes.

"Coastal waters" means coastal waters as defined in Section 22a-93 of the Connecticut General Statutes.

"Commissioner" means Commissioner as defined in section 22a-423 of the Connecticut General Statutes.

"Control Measures" means any BMPs or other methods (including effluent limitations) used to prevent or reduce the discharge of pollutants to waters of the state.

"Department" means the Department of Energy & Environmental Protection.

"Directly Connected Impervious Area (DCIA)" means that impervious area from which stormwater runoff discharges *directly* to waters of the state or *directly* to a storm sewer system that discharges to waters of the state. Impervious areas that discharge through a system designed to retain the appropriate portion of the Water Quality Volume (pursuant to Section 6(a)(5)(C)(i) or (ii) of this general permit) are not considered DCIA.

"DOT" means the Connecticut Department of Transportation.

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

"Fresh-tidal wetland" means a tidal wetland located outside of coastal waters.

"Grab sample" means an individual sample collected in less than fifteen minutes.

"Guidelines" means the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control, as amended, established pursuant to Section 22a-328 of the Connecticut General Statutes.

"High Quality Waters" means those waters defined as high quality waters in the Connecticut Water Quality Standards pursuant to Section 22a-426-1(36) of the Regulations of Connecticut State Agencies.

"Illicit Discharge" means any unpermitted discharge to waters of the state that does not consist entirely of stormwater or uncontaminated ground water except those discharges identified in Section 3(*a*)(2) of this general permit when such non-stormwater discharges are not significant contributors of pollution to a discharge from an identified MS4.

"Impaired water(s)" means those surface waters of the state designated by the Commissioner as impaired pursuant to Section 303(d) of the federal Clean Water Act and as identified in the most recent State of Connecticut Integrated Water Quality Report within Categories 4 or 5, including any subdivisions of these categories.

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

"Inland wetland" means wetlands as that term is defined in Section 22a-38 of the Connecticut General Statutes.

"Isolated Catchment Area" means any catchment area (as defined in this section) that is limited to drainage within the DOT right-of-way and is separated from outside activities and influence due to its physical location or topography and that neither crosses nor is in proximity to sanitary sewer alignments.

"Legal Authority" or *"Legal Authorities"* means statutes, rules, regulations, permits, easements, policies, procedures, contracts, orders, standard conditions of approval, construction requirements, and/or other appropriate authority or regulatory mechanism.

"Low Impact Development" or *"LID"* means a site design strategy that maintains, mimics or replicates pre-development hydrology through the use of numerous site design principles and small-

scale treatment practices distributed throughout a site to manage runoff volume and water quality at the source.

"Minimize", for purposes of implementing the minimum control measures in Section 6 of this general permit, means to reduce and/or eliminate to the Maximum Extent Practicable (MEP) as described in Section 5(*b*).

"Municipal separate storm sewer system" or *"MS4"* means conveyances for stormwater (including roads with drainage systems, streets, catch basins, curbs, gutters, ditches, man-made channels or storm drains) owned or operated by any municipality or by any state or federal institution and discharging to surface waters of the state.

"Municipality" means a city, town or borough of the state as defined in section 22a-423 of the Connecticut General Statutes.

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

"Permittee" means the Connecticut Department of Transportation that initiates, creates, originates or maintains a discharge authorized by this general permit and that has filed a registration pursuant to Section 4 of this permit.

"Point Source" means any discernible, confined and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged.

"Qualified professional engineer" means a professional engineer licensed in accordance with chapter 391 of the Connecticut General Statutes who: (1) has, for a minimum of eight (8) years, engaged in the planning and designing of engineered stormwater management systems for (i) municipal separate storm sewer systems and (ii) residential and commercial construction projects in accordance with the Guidelines and the Stormwater Quality Manual including, but not limited to, a minimum of four (4) years in responsible charge of the planning and designing of engineered stormwater management systems for such projects; or (2) is currently certified as a Professional in MS4 Stormwater Compliance as designated by EnviroCert International, Incorporated, or other certifying organization acceptable to the Commissioner, and for a minimum of six (6) years, has engaged in the planning and designing of engineered stormwater management systems for (i) municipal separate storm sewer systems and (ii) residential and commercial construction projects in accordance with the Guidelines and the Stormwater Quality Manual including, but not limited to, a minimum of two (2) years in responsible charge of the planning and designing of engineered stormwater management systems for such projects; or (3) currently provides engineering services for the Permittee by employ or by contract.

"Redevelopment" means any construction activity (including, but not limited to, clearing and grubbing, grading, excavation, and dewatering) within existing drainage infrastructure or at an existing site to modify or expand or add onto existing buildings or structures, grounds, or infrastructure.

"Registrant" means Connecticut Department of Transportation which files a registration pursuant to Section 4 of this general permit.

"Registration" means a registration form filed with the Commissioner pursuant to Section 4 of this general permit.

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

"Runoff reduction practices" means those post-construction stormwater management practices used to reduce post-development runoff volume delivered to the receiving water, as defined by retaining the volume of runoff from a storm up to the first half (1/2) inch or one (1) inch of rainfall in accordance with Sections 6(*a*)(5)(B)(i) or (ii), respectively. Runoff reduction is quantified as the total annual post-development runoff volume reduced through canopy interception, soil amendments, evaporation, rainfall harvesting, engineered infiltration, extended filtration or evapotranspiration.

"Sanitary Sewer Overflow" or *"SSO"* means a discharge of untreated sanitary wastewater from a municipal sanitary sewer.

"Scupper" means a stormwater drainage outlet from a bridge, viaduct or other elevated structure that discharges directly to land or water surface without connection to a storm sewer system or other stormwater collection system.

"Small MS4" means any municipally-owned or -operated MS4 (as defined above) including all those located partially or entirely within an Urbanized Area that have at least 1,000 residents in the Urbanized Area (as determined by the 2000 or 2010 census) and all state- and federally-operated MS4s (except DOT) and any other MS4s located outside an Urbanized Area as may be designated by the Commissioner. (Note: A list of Small MS4 municipalities is included in Appendix A of this general permit. They are authorized under a separate permit.)

"Standard of care", as used in Section 3(*b*)(10), means to endeavor to perform in a manner consistent with that degree of care and skill ordinarily exercised by members of the same profession currently practicing under similar circumstances.

"State or Federal Institution" or "*institution"* means any facility (including, but not limited to, state and federal prisons, office complexes, hospitals; university campuses, public housing authorities, schools, or other special districts) consisting of more than one building that is owned by an agency or department of the State of Connecticut (except the Department of Transportation) or a federal agency and has an average daily population of 1,000 people or more.

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

"Stormwater Quality Manual" means the Connecticut Stormwater Quality Manual published by the Connecticut Department of Energy & Environmental Protection in 2004, as amended and maintained at http://www.ct.gov/deep/stormwaterqualitymanual.

"Surface water" means those waters as defined in Section 22a-426-1(60) of the Regulations of Connecticut State Agencies.

"Tidal wetland" means a wetland as that term is defined in Section 22a-29(2) of the Connecticut General Statutes.

"Total Maximum Daily Load (*TMDL*)" means a water quality implementation plan established pursuant to Section 303 of the federal Clean Water Act.

"Urbanized Area (*UA*)" means the areas of the State of Connecticut so defined by the U.S. Census Bureau for the 2000 or 2010 census.

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

"Water Quality Volume" or *"WQV"* means the volume of runoff generated by one inch of rainfall on a site as defined in the Connecticut Stormwater Quality Manual.

Section 3. Authorization Under This General Permit

(a) Eligible Activities

(1) This general permit authorizes the discharge of stormwater from or associated with the Connecticut Department of Transportation (DOT) MS4, provided the requirements of subsection (b) of this section are satisfied and the activity is conducted in accordance with the conditions listed in Section 5 of this general permit to the Maximum Extent Practicable (as defined in Section 5(b)).

(2) This permit authorizes the following non-stormwater discharges provided: the permittee controls such non-stormwater discharges to the Maximum Extent Practicable (MEP) as required by this general permit; such non-stormwater discharges do not contribute to a violation of water quality standards; and such non-stormwater discharges are documented in the Stormwater Management Plan and do not contribute a significant amount of pollutants to any identified MS4:

- uncontaminated ground water discharges including, but not limited to, pumped ground water, foundation drains, water from crawl space pumps and footing drains;
- irrigation water including, but not limited to, landscape irrigation and lawn watering runoff;
- residual street wash water associated with sweeping;
- water generated from operations conducted under the DOT Structure Cleaning Program
- discharges or flows from firefighting activities (except training);
- Water generated by water-based fire suppression system testing; and
- naturally occurring discharges such as rising ground waters, uncontaminated ground water infiltration (as defined at 40 CFR 35.2005(20)), springs, diverted stream flows and flows from riparian habitats and wetlands.

(3) Any non-stormwater discharge to the MS4 authorized by a permit issued pursuant to Section 22a-430 or 22a-430b of the Connecticut General Statutes is also authorized under this general permit.

(b) Requirements for Authorization

This general permit authorizes the activity listed in the "Eligible Activities" section (Section 3(a)) of this general permit provided:

(1) Coastal Management and Permitting

Such activity is consistent with all applicable goals and policies in Section 22a-92 of the Connecticut General Statutes, and shall not cause adverse impacts to coastal resources as defined in Section 22a-93(15) of the Connecticut General Statutes or if such activity is located, wholly or in part, waterward of the coastal jurisdiction line in tidal, coastal or navigable waters of the State or in tidal wetlands, the activity is authorized pursuant to sections 22a-359 through 22a-363f, inclusive, or 22a-28 through 22a-35, inclusive.

(2) Endangered and Threatened Species

Such activity shall not threaten the continued existence of any species listed as endangered or threatened pursuant to Section 26-306 of the Connecticut General Statutes and shall not result in the destruction or adverse modification of habitat designated as essential to such species.

(3) Aquifer Protection Areas

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

(4) Discharge to Publicly Owned Treatment Works (POTW)

The stormwater is *not* discharged to a POTW.

(5) Discharge to Groundwater

The stormwater is *not* discharged entirely to groundwater, meaning a stormwater discharge to a surface water will not occur up to a 100-year, 24-hour rainfall event.

(6) New or Increased Discharges to High Quality Waters

On or before thirty (30) days prior to the commencement of a new or increased discharge to High Quality Waters from its MS4, the permittee must document compliance with the Connecticut Anti-Degradation Implementation Policy in the Water Quality Standards, as amended. Before commencing any new or increased discharge, the permittee shall identify in its Stormwater Management Plan ("Plan"), the control measures it will implement to ensure compliance with anti-degradation provisions and the terms of this Permit. At a minimum, the permittee shall evaluate and implement to the Maximum Extent Practicable practices to prevent the discharge of the Water Quality Volume to a surface water body or implement other practices necessary to protect and maintain designated uses and meet standards and criteria contained in the Water Quality Standards.

(7) New or Increased Discharges to Impaired Waters

There shall be no increase in the volume of stormwater discharged from the DOT MS4 to impaired waters listed in categories 5 or 4b of the most recent Connecticut Integrated Water Quality Report of waters listed pursuant to Clean Water Act section 303(d) and 305(b) unless the permittee demonstrates that there is no net increase in loading by the DOT MS4 of the pollutant(s) for which the waterbody is impaired. The permittee may demonstrate no net increase by either:

(A) Documenting that the pollutant(s) for which the waterbody is impaired is not present in the MS4's discharge and retain documentation of this finding with the Plan; or

(B) Documenting that the total load of the pollutant(s) of concern from the MS4 to any impaired portion of the receiving water will not increase as a result of the activity and retain documentation of this finding in the Plan. Compliance with the requirements for Runoff Reduction and Low Impact Development measures for new development and redevelopment in Sections 6(a)(5)(A) and (B) shall be considered as demonstrating no net increase. Requirements for discharges to impaired waters are included in Section 6(k) of this general permit.

(8) Conservation and Preservation Restrictions

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

(9) Certification Requirements for Registrants and other Individuals

As part of the registration for this general permit, the Commissioner must receive a written certification from the registrant and any other individual(s) responsible for preparing the registration that, at a minimum, complies with the following requirements:

(A) The registrant and any other individual(s) responsible for preparing the registration and signing the certification have completely and thoroughly reviewed this general permit and the following regarding the activities to be authorized under such general permit: (i) all registration information provided in accordance with Section 4(*c*)(2) of such general permit, (ii) the Stormwater Management Plan, and (iii) any plans, specifications and Department approvals regarding such Stormwater Management Plan;

(B) The registrant and any other individual(s) responsible for preparing the registration and signing the certification pursuant to this general permit have, based on the review described in section 3(*b*)(9)(A) of this general permit, made an affirmative determination to: (i) comply with the terms and conditions of this general permit; (ii) maintain compliance with all plans and documents prepared pursuant to this general permit, including, but not limited to, the Stormwater Management Plan; (iii) properly implement and maintain the elements of the Stormwater Management Plan; and (iv) properly operate and maintain all stormwater management measures and systems in compliance

with the terms and conditions of this general permit to protect the waters of the state from pollution;

(C) Such registrant and any other individual(s) responsible for preparing the registration certifies to the following statement:

"I hereby certify that I am making this certification in connection with a registration under the General Permit for the Discharge of Stormwater from Department of Transportation Separate Storm Sewer Systems, submitted to the Commissioner by the Connecticut Department of Transportation for an activity located at or within the State of Connecticut and that all terms and conditions of the general permit are being met for all discharges which have been created, initiated or maintained and such activity is eligible for authorization under such permit. I further certify that a system is in place to ensure that all terms and conditions of this general permit will continue to be met for all discharges authorized by this general permit at the site. I certify that I have personally examined and am familiar with the information that provides the basis for this certification, including but not limited to all information described in Section 3(*b*)(9)(A) of such general permit, and I certify, based on reasonable investigation, including my inquiry of those individuals responsible for obtaining such information, that the information upon which this certification is based is true, accurate and complete to the best of my knowledge and belief. I certify that I have made an affirmative determination in accordance with Section 3(*b*)(9)(B) of this general permit. I understand that the registration filed in connection with such general permit is submitted in accordance with and shall comply with the requirements of Section 22a-430b of Connecticut General Statutes, as amended by Public Act 12-172. I also understand that knowingly making any false statement made in the submitted information and in this certification may be punishable as a criminal offense, including the possibility of fine and imprisonment, under section 53a-157b of the Connecticut General Statutes and any other applicable law."

(10) Stormwater Management Plan Certification

As part of the registration for this general permit, the Commissioner must receive a written certification from the registrant that is by a qualified professional engineer who has reviewed the Stormwater Management Plan (Plan) in accordance with the following requirements:

(A) The qualified professional engineer has, at a minimum, completely and thoroughly reviewed this general permit and the following regarding the discharges to be authorized under such general permit: (i) all registration information provided in accordance with Section 4(*c*)(2) of such general permit, (ii) the Stormwater Management Plan, and (iii) all non-engineered and engineered stormwater management measures and systems, including any plans, specifications and Department approvals regarding such stormwater management measures and systems.

(B) Affirmative Determination

A qualified professional engineer signing the certification must have made an affirmative determination, based on the review described in section 3(*b*)(10)(A) of this general permit and on best engineering practices, that the Plan and control measures therein are adequate to assure that the activity authorized under this general permit will

comply with the terms and conditions of such general permit and all non-engineered and engineered stormwater management measures and systems: (i) have been designed in accordance with best engineering practices; (ii) will function properly as designed; (iii) are adequate to ensure compliance with the terms and conditions of this general permit; and (iv) will protect the waters of the state from pollution.

(C) The qualified professional engineer, as specified in section 3(*b*)(10)(A), shall certify to the following statement:

"I hereby certify that I am a qualified professional engineer, as defined in the General Permit for the Discharge of Stormwater from Department of Transportation Separate Storm Sewer Systems. I am making this certification in connection with a registration under such general permit, submitted to the Commissioner by the Connecticut Department of Transportation for an activity located at or within the State of Connecticut. I have personally examined and am familiar with the information that provides the basis for this certification, including but not limited to all information described in Section 3(*b*)(10)(A) of such general permit, and I certify, based on reasonable investigation, including my inquiry of those individuals responsible for obtaining such information, that the information upon which this certification is based is true, accurate and complete to the best of my knowledge and belief. I certify, based on my review of all information described in Section 3(*b*)(10)(A) of such general permit and on the standard of care for such projects, that I have made an affirmative determination in accordance with Section 3(*b*)(10)(B) of this general permit. I understand that this certification is part of a registration submitted in accordance with Section 22a-430b of Connecticut General Statutes and is subject to the requirements and responsibilities for a qualified professional in such statute. I also understand that knowingly making any false statement in this certification may be punishable as a criminal offense, including the possibility of fine and imprisonment, under section 53a-157b of the Connecticut General Statutes and any other applicable law."

(D) Nothing in this subsection shall be construed to authorize or require a qualified professional engineer to engage in any profession or occupation requiring a license under any other provision of the Connecticut General Statutes without such license.

(c) Registration

Pursuant to the "Registration Requirements" section (Section 4) of this permit, the permittee shall submit a Registration Form (accessible from the DEEP website) to the Commissioner at least ninety (90) days prior to the effective date of this general permit. The form will guide the registrant to submit the appropriate information.

Include any additional forms and information regarding new or increased stormwater discharges to address compliance and/or consistency with the Coastal Management Act, High Quality Waters, Impaired Waters (including TMDL requirements), Endangered and Threatened Species, and Aquifer Protection Areas that may be required pursuant to the "Requirements of Authorization" section (Section 3(*b*)).

(d) Geographic Area

This general permit applies throughout the State of Connecticut.

(e) Effective Date and Expiration Date of this General Permit

This general permit is effective July 1, 2019 and expires on June 30, 2024.

(f) Effective Date of Authorization

An activity is authorized by this general permit: on the date the general permit becomes effective; on the date the authorized activity is initiated; or on another date approved by the Commissioner, whichever is latest.

(g) Transition to and from an Individual Permit

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

(1) Transition from an Individual Permit to Authorization under this General Permit

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

(2) Transition from Authorization under this General Permit to an Individual Permit

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

Section 4. Registration Requirements

(a) Who Must File a Registration

The Connecticut Department of Transportation shall file with the Commissioner a registration form that meets the requirements of this section of this general permit. Such form shall be submitted within the timeframe specified in Section 3(*c*).

(b) Scope of Registration

A registrant shall register on one registration form by the date indicated in Section 3(*c*) for all discharges that are owned or operated by the Department of Transportation (DOT). DOT may not submit more than one (1) registration under this general permit.

(c) Contents of Registration

(1) Fees

No registration fee is required for this general permit.

(2) Registration Form

The registration shall be filed on a form prescribed and provided by the Commissioner and shall include the following:

(A) The name, title, address, and telephone number of the Commissioner of Transportation.

(B) Name, address, email address and telephone number of the primary and district contact persons for the DOT.

(C) Name, primary contact, address, email address and telephone number of any consultant(s) or engineer(s) retained by the DOT to prepare the registration,

(D) Assurance that the Stormwater Management Plan for the MS4 is consistent with the following provisions of state statutes and regulations, as appropriate:

(i) For sites within the Coastal Jurisdiction Line, the permittee must address all applicable goals and policies in Section 22a-92 of the Connecticut General Statutes, and must not cause adverse impacts to coastal resources as defined in Section 22a-93(15) of the Connecticut General Statutes.

(ii) The permittee's Stormwater Management Plan will not threaten the continued existence of any species listed pursuant to section 26-306 of the Connecticut General Statutes as endangered or threatened and will not result in the destruction or adverse modification of habitat designated as essential to such species.

(iii) The implementation of the permittee's Stormwater Management Plan for any part of the MS4 located within an aquifer protection area (see Appendix C) as mapped under section 22a-354b of the Connecticut General Statutes will comply with regulations adopted pursuant to section 22a-354i of the Connecticut General Statutes. For any activity regulated pursuant to sections 8(c) and 9(b) of the Aquifer Protection Regulations (section 22a-354i(1)-(10) of the Regulations of Connecticut State Agencies), the Stormwater Management Plan must assure that stormwater run-off generated from the MS4 is managed in a manner so as to prevent pollution of groundwater.

(iv) The Stormwater Management Plan has been reviewed for consistency with state Historic Preservation statutes, regulations, and policies including identification of any potential impacts on property listed or eligible for listing on the Connecticut Register of Historic Places. A review conducted for an Army Corps of Engineers Section 404 wetland permit would meet this qualification.

(v) The Stormwater Management Plan appropriately addresses new or increased discharges to high quality waters, as specified in Section 3(*b*)(6).

(vi) The Stormwater Management Plan appropriately addresses new or increased discharges to impaired waters, as specified in Section 3(*b*)(7).

(E) For each of the Minimum Control Measures in Section 6(a), the following information shall be included:

(i) each Best Management Practice (BMP) to be implemented;

(ii) the person(s) responsible for implementing and maintaining each BMP;

(iii) the date by which each BMP will be implemented;

(iv) the measurable goal(s) by which each BMP will be evaluated.

(F) Provide an internet address (URL) where the Stormwater Management Plan required by Section 5(*b*) and the annual reports required by Section 6(*j*) are accessible for public review. Also provide a physical address where a paper copy of the Plan and annual reports are available for inspection. If the registrant claims that certain elements of their Plan constitute secure information (pursuant to Section 4(*d*)(2)) or are otherwise exempt from the disclosure requirements of the state Freedom of Information Act (section 1-210 et seq of the Connecticut General Statutes, also called FOIA) as specified in that Act, the registrant shall follow the procedures provided in the registration form instructions for this general permit regarding information subject to FOIA requirements. The process of complying with the FOIA requirements does not exempt the registrant from the registration and Plan preparation deadlines of this general permit.

(G) The certification of the registrant and of the individual(s) responsible for actually preparing the registration, in accordance with Section 3(*b*)(9).

(H) Certification (pursuant to the requirements and conditions of Section 3(*b*)(10)) that the Stormwater Management Plan has been reviewed by a qualified professional engineer (as defined in Section 2) licensed in the State of Connecticut.

(d) Availability of Registrations, Stormwater Management Plans and Annual Reports

(1) Registration Availability

Within thirty (30) days of receipt of the registration, the Commissioner shall post the registration on the DEEP website and identify the location where the Stormwater Management Plan is available.

On or before sixty (60) days from the date the Commissioner posts the registration, members of the public may review the registration and submit written comments to the Commissioner.

(2) Stormwater Management Plan Availability

The permittee shall make its Stormwater Management Plan (Plan) available, electronically and at a publicly available location, for public review and comment at least ninety (90) days prior to the effective date of this general permit. The permittee shall also provide the internet address (URL) where the Plan may be located or an electronic copy to the Commissioner. Within thirty (30) days of receipt of a Stormwater Management Plan (or its URL), the Commissioner shall post the Plan on the DEEP website and identify any other location where the Plan will be available for review. In addition to the internet address (URL) required as part of the registration (pursuant to Section 4(*c*)(2)(F)), reasonable

efforts to inform the public of this document shall be undertaken by the permittee. The Plan shall be made available at the permittee's main office, designated district office(s), or other publicly available location for public inspection and copying consistent with the federal and state Freedom of Information Acts. On or before sixty (60) days from the date of the availability of the Plan, members of the public may review the Plan and submit written comments on it to the Commissioner.

If the registrant claims that certain elements of their Plan constitute secure information subject to restrictions related to Homeland Security or other security issues exempt from the disclosure requirements of the state Freedom of Information Act (section 1-210 et seq of the Connecticut General Statutes, also called FOIA), they shall follow the procedures for information subject to FOIA requirements provided in the registration form instructions for this general permit. The process of complying with the FOIA requirements does not exempt the registrant from the registration and Plan preparation deadlines in this general permit.

Following the comment period specified above, the final Plan shall remain available for public inspection on-line and a paper copy made available at the location(s) specified above during regular business hours.

(3) Annual Report Availability

At least forty five (45) days prior to submission of each annual report to the Department, pursuant to Section 6(*j*), the permittee shall make a draft copy of the report available for public review and comment. Written comments on the annual report may be submitted to the permittee and are *not* submitted to the Commissioner. Reasonable efforts to inform the public of this document shall be undertaken by the permittee. Such draft copies shall be made available electronically on the permittee's website for public inspection and copying consistent with the federal and state Freedom of Information Acts and at least one of the following locations: the permittee's main office, designated district office, or other central publicly available location. Following submission of the annual report (pursuant to Section 6(*j*)), a copy of the final report shall be made available for public inspection during regular business hours.

(e) Where to File a Registration

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

CENTRAL PERMIT PROCESSING UNIT
DEPARTMENT OF ENERGY & ENVIRONMENTAL PROTECTION
79 ELM STREET
HARTFORD, CT 06106-5127

(f) Additional Information

The Commissioner may require the permittee to submit additional information that the Commissioner reasonably deems necessary to evaluate the consistency of the subject activity with the requirements for authorization under this general permit. A response to the Commissioner's request for additional information shall be submitted to the Department within thirty (30) days of the Commissioner's request.

(g) Additional Notification

For discharges authorized by this general permit to a regulated Small MS4 or to the City of Stamford, a copy of the registration and all attachments thereto shall also be submitted to the owner and operator of that system.

For discharges within a public drinking water supply watershed or aquifer protection area, the permittee shall notify the water company of the availability (pursuant to Sections 4(*d*)(1) and (2)) of the registration and the Plan described in subsection 5(*b*) of this general permit or the registration and Plan shall be submitted to the water company upon request.

For discharges to river components and tributaries that have been designated as Wild and Scenic under the Wild and Scenic Rivers Act, the applicable Wild and Scenic Coordinating Committee shall be notified that a copy of the registration and the Plan described in 5(*b*) of this general permit are available upon request.

(h) Action by Commissioner

(1) The Commissioner may reject a registration without prejudice if it is determined that it does not satisfy the requirements of Section 4(*c*) of this general permit or if more than thirty days (30) have elapsed since the Commissioner requested that the registrant submit additional information and the registrant has not submitted such information.

(2) The Commissioner may disapprove a registration if it is found that the subject activity is inconsistent with the requirements for authorization under Section 3 of this general permit, or for any other reason provided by law.

(3) Disapproval of a registration under this subsection shall constitute notice to the registrant that the subject activity may not lawfully be conducted or maintained without the issuance of an individual permit.

(4) Rejection or disapproval of a registration shall be in writing.

Section 5. Requirements of this General Permit

The permittee shall at all times continue to meet the requirements for authorization set forth in Section 3 of this general permit. In addition, a permittee shall ensure to the Maximum Extent Practicable (MEP) that authorized activities are conducted in accordance with the following conditions:

(a) Conditions Applicable for Certain Discharges

(1) If the permittee initiates, creates, or originates a discharge of stormwater which is located less than 500 feet from a tidal wetland that is not a fresh-tidal wetland, such discharge shall flow through a system designed to retain the Water Quality Volume, as defined in Section 2.

(2) If the permittee wishes to initiate, create, or originate a discharge of stormwater below the coastal jurisdiction line into coastal, tidal, or navigable waters for which a permit is required under the Structures and Dredging Act in accordance with Section 22a-361(a) of the Connecticut General Statutes or into tidal wetlands for which a permit is required under

the Tidal Wetlands Act in accordance with Section 22a-32 of the Connecticut General Statutes, the permittee shall obtain such permit(s) from the Commissioner prior to initiating, creating or originating such discharge.

(3) There shall be no floating scum, oil or other matter distinctively visible in the stormwater discharge. Naturally occurring substances such as leaves and twigs are excluded provided that no person has placed such substances in or near the discharge.

(4) The stormwater discharge shall not result in pollution which may cause or contribute to acute or chronic toxicity to aquatic life, impair the biological integrity of aquatic or marine ecosystems, or result in an unacceptable risk to human health.

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

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

(7) Any stormwater discharge to waters identified in Appendix D shall be managed for the Stormwater Pollutant of Concern identified in the appendix consistent with the requirements in Section 6 of this permit.

(b) Stormwater Management Plan

The permittee shall develop, implement, and enforce a stormwater management plan designed to reduce the discharge of pollutants from the DOT MS4 to the maximum extent practicable (MEP), to protect water quality, and to satisfy the appropriate water quality requirements of the federal Clean Water Act. Maximum Extent Practicable (MEP) is a technology-based standard established by Congress in the Clean Water Act Section 402(p)(3)(B)(iii). Since no precise definition of MEP exists, it allows for maximum flexibility on the part of MS4 operators as they develop their programs. (40CFR 122.2, See also: Stormwater Phase II Compliance Assistance Guide EPA 833-R-00-002, March 2000). When trying to reduce pollutants to the MEP, there must be a serious attempt to comply, and practical solutions may not be lightly rejected. Factors such as the conditions of receiving waters, specific local concerns, MS4 size, climate, implementation schedules, current ability to finance the program, beneficial uses of receiving water, hydrology, geology, and capacity to perform operation and maintenance should be considered in determining whether the permittee has complied with this general permit to the Maximum Extent Practicable.

Under this program, the permittee shall prepare a Stormwater Management Plan pursuant to Section 6 of this general permit and complete the plan in the time specified in Section 4(*d*)(2) of this general permit. The permittee shall continue to implement the Stormwater Management Plan and all Minimum Control Measures required by this general permit throughout the entire term of the general permit. The permittee shall continue to provide for adequate staffing and economic resources for such implementation throughout the entire term of the general permit. If at any time the Commissioner finds that the Plan is not adequate to protect the waters of the

state from pollution, the Commissioner may terminate authorization under this permit and require the permittee to submit an individual permit application.

Failure to implement all elements of the Stormwater Management Plan to the MEP is a violation of this permit.

Section 6. Development of Stormwater Management Plan (Plan)

The Stormwater Management Plan (Plan) shall address the Minimum Control Measures as indicated in this section. Section 6(*a*) contains the requirements for the DOT MS4. These measures shall be implemented to the MEP throughout the boundaries of the DOT MS4 that are within the jurisdiction of any Small MS4 authorized by the General Permit for the Discharge of Stormwater from Small Municipal Separate Storm Sewer Systems except as otherwise indicated in this section. The Plan shall identify and provide supporting justification for any of the Minimum Control Measures which, in whole or in part, are not applicable to the DOT MS4 or which cannot otherwise be met. If, as of the effective date of this permit, DOT does not have or is otherwise unable to obtain the Legal Authority required for a particular Minimum Control Measure, DOT shall develop policies and procedures in the Plan to address the requirements of the measure including, but not limited to, coordination with adjacent and/or interconnected MS4s and with the Commissioner.

(a) Minimum Control Measures

For each Minimum Control Measure, the permittee shall: define appropriate BMPs; designate a person(s) and job title responsible for each BMP; define a time line for implementation of each BMP; where appropriate, identify the location, including the address and/or latitude and longitude, for each BMP; and define measurable goals for each BMP. The Minimum Control Measures in the Plan include, but are not limited to:

(1) Public education and outreach

The goals of this minimum control measure are:

- To raise awareness that polluted stormwater runoff is the most significant source of water quality problems;
- To inform permittee's community (i.e. general public, municipalities, business and commerce, staff, contractors, etc.) to use Best Management Practices (BMPs) to reduce polluted stormwater runoff; and
- To reduce polluted stormwater runoff as a result of increased awareness and utilization of BMPs.

(A) Within two (2) years following the effective date of this general permit, the permittee must implement a public education program to distribute educational materials to the permittee's community and conduct appropriate outreach activities about the sources and impacts of stormwater discharges on waterbodies along with steps the public can take to reduce pollutants in stormwater runoff. The education program shall include, but not be limited to, information on management of pet waste, application of fertilizers, herbicides, and pesticides, impervious cover and impacts of illicit discharges and improper disposal of waste into the MS4. The form and content of the education program will be dependent on the audience and identified areas of concern. DOT may coordinate with other MS4 permittees in the same area to develop and implement a

public education program. Educational information may be developed and/or acquired from municipal or institutional small MS4 permittees, governmental agencies, community and non-governmental organizations, councils of government, academia, and/or environmental advocacy organizations. Outreach resources will be available from the DEEP stormwater webpage at www.ct.gov/deep/stormwater. Information shall be communicated to an audience by methods including, but not limited to, citizens utilizing DOT roadways and/or facilities (e.g. parking facilities, rest areas and service areas) with flyers, brochures, signage, billboards, storm drain labeling, television public service announcements, and/or web based tools. Each annual report shall summarize the types, sources, number of, and methods by which materials are disseminated.

(B) To implement the public education and outreach program, the permittee shall develop or acquire current educational material from DEEP and other sources that identifies the pollutants (such as pathogens/bacteria, nitrogen, phosphorus, sediments, metals, oils & greases) associated with stormwater discharges, the potential sources of the pollutants, the environmental impacts of these pollutants, and related pollution reduction practices.

(C) Additional measures for discharges to waters associated with a Stormwater Pollutant of Concern

These measures may be implemented solely by the permittee or as part of a collaborative regional or statewide program to address the issue. However, the permittee retains sole responsibility for compliance with this section. The method of implementation shall be indicated in the permittee's Plan.

(i) For waters for which **Phosphorus** is a Stormwater Pollutant of Concern (as identified by the Connecticut Integrated Water Quality Report), educational materials shall be specifically tailored and targeted to educate on the sources, impacts, and available pollution reduction practices from the following:

a. Septic systems
b. Fertilizer use
c. Grass clippings and leaf management
d. Detergent use
e. Discharge of sediment (to which Phosphorus binds) from Construction sites
f. Other erosive surfaces

(ii) For waters for which **Nitrogen** is a Stormwater Pollutant of Concern (as identified by the Connecticut Integrated Water Quality Report), educational materials shall be specifically tailored and targeted to educate on the sources, impacts, and available pollution reduction practices from the following:

a. Septic systems
b. Fertilizer use
c. Grass clippings and leaf management
d. Discharge of sediment (to which Nitrogen binds) from Construction sites
e. Other erosive surfaces

(iii) For waters for which **Bacteria** is a Stormwater Pollutant of Concern (as identified by the Connecticut Integrated Water Quality Report), educational materials shall

be specifically tailored and targeted to educate on the sources, impacts, and available pollution reduction practices from the following:

a. Septic systems
b. Sanitary cross connections
c. Waterfowl
d. Pet waste
e. Manure piles associated with livestock and horses

(iv) For waters for which **Mercury** is a Stormwater Pollutant of Concern(as identified by the Connecticut Integrated Water Quality Report), educational materials shall be specifically tailored and targeted to educate on the sources, impacts and available recycling programs for elemental mercury and mercury-containing items such as:

a. Thermometers
b. Thermostats
c. Fluorescent lights
d. Button cell batteries

(D) Suggested Strategies.

(i) Target specific populations: The permittee is encouraged to direct such outreach program and/or materials at specific populations. Such target populations may include, for example, school age populations, farming populations, and urban populations. For each Stormwater Pollutant of Concern noted in Section 6(*a*)(1)(C), DEEP will make sample educational materials available.

(ii) Partner with local organizations: The permittee may wish to include in its outreach efforts various local organizations or municipal/institutional small MS4 permittees which may be able to assist in helping to spread the stormwater message.

(2) Public Involvement/Participation

The permittee shall provide opportunities to engage their community to participate in the review and implementation of the permittee's Plan. The goal of this minimum control measure is to involve the community in both the planning and implementation process of improving water quality. Public participation is beneficial to the successful implementation of a stormwater management program because it allows for a broader public support, additional expertise, and a conduit to other programs. Community members are also more likely to apply these lessons/BMPs at home if they are a part of the process.

(A) Publish a public notice on the DOT website, through an email or mailing list (if the permittee maintains one) or in newspapers with general circulation in the state to inform the public of the Plan and the annual report required by Section 6(*j*) of this permit and to solicit comments on the Plan and annual report. The notice shall provide a contact name (with phone number, address, and email) to whom the public can send comments and publicly accessible locations (such as the DOT Headquarters and district offices, rest areas, service areas, or local libraries or other publicly available locations) and/or a URL where the Plan and annual report are available for public review. The public notice shall, at a minimum, allow for a thirty (30) day comment period. DOT

shall annually publish this public notice no later than thirty (30) days following the anniversary of the effective date of this general permit.

(B) The permittee is encouraged to enlist local organizations to help implement the elements of their Plan. However, the permittee retains sole responsibility for permit compliance.

(C) No requirements in addition to those specified in subsections (A)-(B), are specified for discharges to waters impaired for Phosphorus, Nitrogen, Bacteria, or Mercury.

(3) Illicit discharge detection and elimination.

Within two (2) years following the effective date of this general permit the permittee shall develop a written Illicit Discharge Detection and Elimination (IDDE) program designed to: provide the Legal Authority to prohibit and eliminate illicit discharges (as defined in Section 2 except for those discharges noted in the Section 3(*a*)(2) of this permit) to its MS4; find the source of any illicit discharges; eliminate those illicit discharges; and ensure ongoing screening and tracking to prevent and/or eliminate future illicit discharges. Failure to implement all elements of the IDDE program to the MEP is a violation of this permit.

(A) IDDE Program Elements

(i) The permittee shall, at a minimum, implement the IDDE program elements in this section and the IDDE protocol in Appendix B within the Urbanized Area and those catchment areas of the MS4 with either Directly Connected Impervious Area (DCIA) of greater than 11% (as identified on maps available at www.ct.gov/deep/municipalstormwater) or which discharge to impaired waters ("priority" areas). The permittee is encouraged to develop a prioritizing strategy to identify areas outside these identified areas to further implement these IDDE measures. This prioritizing strategy should utilize the prioritizing elements included in Section (A)(7)(c) of Appendix B.

(ii) Illicit discharges to the DOT MS4 by any person are prohibited. Any such discharges are not authorized by the general permit, are unlawful, and remain unlawful until they are eliminated. The permittee shall prohibit all illicit discharges from entering its MS4. Upon detection, the permittee shall eliminate illicit discharges as soon as possible and require the immediate cessation of such discharges upon confirmation of responsible parties in accordance with its Legal Authorities established pursuant to subsection (B) of this Section. When elimination of an illicit discharge within sixty (60) days of its confirmation is not possible, the permittee shall establish a schedule for its elimination not to exceed 180 days (six (6) months). The permittee shall immediately commence actions necessary for elimination and shall diligently pursue the elimination of all illicit discharges. In the interim, the permittee shall take all reasonable and prudent measures to minimize the discharge of pollutants to its MS4.

(iii) The permittee shall develop a program for citizens to report illicit discharges. This may include maintaining a website, email list or mailing program that provides clear instructions for the public describing how citizens can submit an illicit discharge report. The reporting program shall provide an email address and/or a phone number or other means for submissions. The permittee shall affirmatively

investigate and eliminate any illicit discharges reported to it by any citizen or organization, provided that such report incorporates a time and location of an observed discharge. The permittee shall commence an inspection of such a reported outfall or manhole promptly after receiving a report, and incorporate those reported outfalls into its IDDE program subject to all provisions of this subsection (3) and of Appendix B. All citizen reports and the response to those reports shall be included in the annual report.

(iv) The permittee shall implement outfall screening and an illicit discharge detection protocol pursuant to Appendix B to identify, prioritize, and investigate separate storm sewer catchments for suspected illicit discharges of pollutants.

(v) The permittee shall maintain a record of illicit discharge abatement activities including, at a minimum: location (identified with an address or latitude and longitude), description, date(s) of inspection, sampling data (if applicable), action(s) taken, date of removal or repair and responsible party(ies). This information shall be included in the permittee's annual report pursuant to the Section 6(*j*) of this permit.

(vi) Timelines – permittees shall implement IDDE program elements in accordance with the schedules included in this section and in Appendix B.

(B) Within two (2) years following the effective date of this general permit, establish and implement the necessary Legal Authorities to eliminate illicit discharges, which shall:

(i) prohibit illicit discharges to its storm sewer system and require removal of such discharges consistent with subsection (3)(A), above; and

(ii) control the discharge of spills and prohibit the dumping or disposal of materials including, but not limited to, residential, industrial and commercial wastes, trash, used motor vehicle fluids, pesticides, fertilizers, food preparation waste, leaf litter, grass clippings, and animal wastes into its MS4; and

(iii) authorize pursuit of penalties and/or recoup costs incurred by the permittee from anyone creating an illicit discharge, spilling or dumping as specified in subsection (3)(A), above.

(C) By the end of the fifth (5^{th}) year following the effective date of this general permit, develop a list (spreadsheet or database) and map or series of maps at a minimum scale of 1"=2000' and maximum scale of 1"=100' showing at least fifty percent (50%) of all stormwater discharges from a pipe or conduit located within the DOT MS4 and owned or operated by the DOT and all interconnections with other MS4s. The mapping of the remainder of DOT stormwater discharges shall be completed within ten (10) years following the effective date of this general permit. The map(s) should, if possible, be developed in a GIS format.

(i) The list and map(s) shall include the following for each discharge:

a. Type, material, size, and location (identified with a latitude and longitude) of conveyance, outfall or channelized flow (e.g. 24" concrete pipe);

b. the name, water body ID and Surface Water Quality Classification of the immediate surface waterbody or wetland to which the stormwater runoff discharges;

c. if the outfall does not discharge directly to a named waterbody, the name and water body ID of the nearest named waterbody to which the outfall eventually discharges;

d. the name of the watershed, including the subregional drainage basin number (available from CT ECO at www.cteco.uconn.edu) in which the discharge is located and an indication of whether or not a receiving stream is listed as an impaired water, with or without a TMDL, including identification of the impairment in the most recent State of Connecticut Integrated Water Quality Report or identification of the receiving stream as a high quality water by the Commissioner as defined in the Connecticut Water Quality Standards.; and

e. the spreadsheet or database should, if possible, be prepared in a format compatible with Microsoft Excel.

(D) For waters for which **Phosphorus**, **Nitrogen**, or **Bacteria** is a Stormwater Pollutant of Concern:

To address septic system failures, the IDDE program shall give highest priority for areas with the highest potential to discharge bacteria, phosphorus, and nitrogen to the MS4. Such areas shall be identified based on assessment of the following criteria: historic on-site sanitary system failures, proximity to bacteria impaired waters, low infiltrative soils, and shallow groundwater. Consultation with local or state health officials is strongly encouraged. The annual report shall include a summary of the program, the number of areas identified with failing systems, actions taken by the permittee to respond to and address the failures, and the anticipated pollutant reduction.

(E) No requirements in addition to those specified in subsections (A) - (C) above exist for discharges to waters for which **Mercury** is a Stormwater Pollutant of Concern.

(4) Construction Site Stormwater Runoff Control

The permittee shall implement and enforce a program to control stormwater discharges (to its MS4) associated with land disturbance or development (including re-development) activities from sites (as defined in the Department's General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities) with one (1) acre or more of soil disturbance, whether considered individually or collectively as part of a larger common plan. Such program shall include the following elements:

(A) Legal Authority

(i) Within three (3) years following the effective date of this permit, the permittee shall establish Legal Authorities that require:

a. All discharges to or from the DOT MS4 to maintain consistency with the 2002 Guidelines for Soil Erosion and Sedimentation Control, as amended, the

Connecticut Stormwater Quality Manual, and all stormwater discharge permits issued by the DEEP for discharges to the DOT MS4 pursuant to CGS 22a-430 and 22a-430b. This shall include:

i. developers and construction site operators for projects that discharge to the DOT MS4; and

ii. engineers, consultants and contractors employed by, or under contract to the DOT for discharges from the DOT MS4;

b. the implementation of additional measures to protect/improve water quality (in addition to those requirements set forth in Section (6)(*a*)(4)(A)(i)(a)) as deemed necessary by DOT;

c. DOT or its consultant or contractor to carry out all inspection, surveillance and monitoring procedures necessary to determine compliance with DOT or state regulations, ordinances, programs or institutional requirements related to the management of the permittee's MS4. Specifically, inspections shall be conducted, where allowed, to inventory the number of privately-owned retention ponds, detention ponds and other stormwater basins that discharge to or receive drainage from the permittee's MS4;

d. the owner of a site seeking approval to connect to the DOT MS4 to provide and comply with a long term maintenance plan and schedule to ensure the performance and pollutant removal efficiency of retention ponds, detention ponds and other stormwater basins that discharge to the permittee's MS4 including short-term and long-term inspection and maintenance measures to be implemented by the private owner; and

e. the permittee to control through interagency or inter-jurisdictional agreements, the contribution of pollutants between the permittee's MS4 and MS4s owned or operated by others.

(B) Consistency with DEEP Requirements

The permittee shall ensure that all DOT manuals are, and remain, consistent with the construction measures in the 2002 Guidelines for Soil Erosion and Sedimentation Control, as amended, the Connecticut Stormwater Quality Manual and the General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities. These manuals shall include, but are not limited to, the following DOT manuals (as amended) and all supplements thereto: DOT Construction Manual, DOT Highway Design Manual, DOT Consultant Engineers Manual, DOT Bridge Design Manual, DOT Drainage Manual and DOT Form 817.

(C) Interdepartmental Coordination

(i) The permittee will develop and implement a plan outlining how all internal departments with jurisdiction over the review, permitting, or approval of land disturbance and development projects within the DOT MS4 will coordinate their functions with one another.

(ii) This measure shall be implemented upon the effective date of this permit.

(D) Site Review and Inspection

For all construction projects that discharge to the DOT MS4:

(i) The permittee shall confirm that a site plan review was conducted by the appropriate authority (i.e. DOT, DEEP or adjacent MS4) that incorporates consideration of stormwater controls or management practices to prevent or minimize impacts to water quality; and

(ii) The permittee shall confirm that the site inspection(s) and enforcement by the appropriate authority (i.e. DOT, DEEP or adjacent MS4) to assess the adequacy of the installation, maintenance, operation, and repair of construction and post construction control measures will be performed; and

(iii)The permittee shall implement this measure to the MEP upon the effective date of this permit.

(E) State Permit Notification

(i) The permittee will implement a procedure for notifying developers conducting projects that will connect to the DOT MS4s, and any consultants or contractors working under contract to DOT, of their obligation to comply with the DEEP's General Permit for the Discharge of Stormwater and Dewatering Wastewaters Associated with Construction Activities ("construction general permit") if their development or redevelopment project disturbs one (1) or more acres of land, either individually or collectively, as part of a larger common plan, and results in a point source discharge to the surface waters of the state directly to the permittee's MS4. The notification shall include a provision informing the developer/contractor of their obligation to provide a copy of the Storm Water Pollution Control Plan (required by the construction general permit) to the permittee upon request.

(ii) The permittee shall implement this procedure upon the effective date of this permit.

(F) For construction discharges to waters for which **Phosphorus**, **Nitrogen**, **Bacteria**, or **Mercury** is a Stormwater Pollutant of Concern no additional measures are included in this section except as may be required by Sections 3(*b*)(7) or 6(*k*).

(5) Post-construction stormwater management in new development or redevelopment

(A) Legal Authority

In order to meet or exceed the low impact development ("LID") and runoff reduction practices identified in the Stormwater Quality Manual, the permittee shall, within three (3) years following the effective date of this permit, establish Legal Authority that requires, to the MEP: (1) developers or contractors seeking the permittee's approval for discharges to the DOT MS4 consider the use of LID and runoff reduction site planning and development practices prior to the consideration of other

practices, and; (2) DOT, for construction projects over one (1) acre, consider the use of LID and runoff reduction site planning and development practices prior to the consideration of other practices. Such Legal Authority shall include the following standards: 1) for redevelopment of sites that are currently developed with Directly Connected Impervious Area (DCIA) of forty percent (40%) or more, retain on-site half (1/2) the water quality volume for the site, or 2) for new development and redevelopment of sites with less than forty percent (40%) DCIA, retain the water quality volume for the site, or 3) an alternate retention/treatment standard as outlined in subsections 5(C)(i)-(ii) below. The permittee shall identify and, where appropriate, reduce or eliminate, to the MEP, existing barriers to implementing LID and runoff reduction practices. These barriers may include site planning requirements, road design criteria, or infrastructure specifications that address minimal dimensional criteria for the creation of roadways, parking lots, and other DCIA. If such barriers cannot be eliminated within the timeframe dictated, the permittee shall provide in the annual report(s) required by Section 6(*j*) a justification and a revised schedule for implementation.

In establishing such Legal Authority, the permittee shall consider the following watershed protection elements to manage the impacts of stormwater on receiving waters, except where noted:

(i) Minimize the amount of DCIA (roads, parking lots, roofs, etc.) by minimizing the creation, extension, and widening of parking lots, roads, and associated development and encouraging the use of Low Impact Development or green infrastructure practices.

(ii) Preserve, protect, create and restore ecologically sensitive areas that provide water quality benefits and serve critical watershed functions. These areas may include, but are not limited to: riparian corridors, headwaters, floodplains and wetlands.

(iii) Implement stormwater management practices that prevent or reduce thermal impacts to streams, including requiring vegetated buffers along waterways, and disconnecting discharges to surface waters from impervious surfaces such as parking lots.

(iv) Seek to avoid or prevent hydromodification of streams and other water bodies caused by development, including roads, highways, and bridges.

(v) Implement standards to protect trees and other vegetation with evapotranspirative qualities.

(vi) Implement policies to protect native soils, prevent topsoil stripping, and prevent compaction of soils.

(B) Consistency with DEEP Requirements

The permittee shall ensure that all DOT manuals are, and remain, consistent with the post-construction measures in the Connecticut Stormwater Quality Manual and the General Permit for the Discharge of Stormwater and Dewatering Wastewaters from

Construction Activities. These manuals shall include, but are not limited to, the following DOT manuals (as amended) and all supplements thereto: DOT Construction Manual, DOT Highway Design Manual, DOT Consultant Engineers Manual, DOT Bridge Design Manual, DOT Drainage Manual and DOT Form 817.

(C) Runoff Reduction/Low Impact Development ("LID") Measures

Within three (3) years following the effective date of this permit, pursuant to the requirements of subsection 5(A)(i) above, the permittee shall require the party responsible (i.e. the Permittee, municipality, interconnecting MS4 or any developer/contractor seeking connection to the DOT MS4) for development and redevelopment projects of 1 acre or more within its MS4 to do the following:

(i) Requirements for Non-DOT Projects.

For projects not conducted by, or through contract to, DOT, the Permittee shall document that the municipality approving the project has confirmed that such project has met the requirements of the General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities (Construction General Permit) and, if applicable, the requirements of the General Permit for the Discharge of Stormwater from Small Municipal Separate Storm Sewer Systems (MS4 General Permit).

(ii) Requirements for DOT Projects

For projects conducted by, or through contract to, DOT, the Permittee shall document that the requirements of the Construction General Permit and the applicable runoff reduction/retention and alternative requirements specified below have been met.

a. For development or redevelopment of sites that are currently developed with Directly Connected Impervious Area (DCIA) of forty percent (40%) or more, the Permittee shall retain fifty percent (50%) of the water quality volume at the site.

b. For all new development and for redevelopment of sites with DCIA less than forty percent (40%), the Permittee shall retain one-hundred percent (100%) of the water quality volume at the site.

c. For any project that may be unable to meet the retention requirement specified in subparagraph (ii)a. or (ii)b., above, the Permittee shall implement the applicable retention requirement at the site to the maximum extent achievable using control measures that are technologically available and economically practicable and achievable in light of best industry practice, and shall also provide additional stormwater treatment to the maximum extent achievable using control measures that are technologically available and economically practicable and achievable in light of best industry practice at the project site for the removal of sediment, floatables and nutrients for the volume above that which can be retained up to the water quality volume. Additionally, in such cases, the permittee shall implement to the MEP stormwater mitigation for such project on another site within existing DOT right-of-way within the same

local drainage basin that will achieve an amount of runoff reduction similar to the amount by which the original project failed to achieve retention of the appropriate portion of the water quality volume.

d. For linear redevelopment projects that connect to the DOT MS4 (e.g. roadway reconstruction or widening) for the developed portion of the right of way, the Permittee shall implement either: (1) one of the retention requirements specified in subparagraph (ii)a., (ii)b., or (ii)c.; or (2) if such project will not increase the DCIA within a given watershed, the applicable retention requirement will not be required to be met if the Permittee implements measures for the treatment of stormwater for the removal of sediment, floatables and nutrients up to one-hundred percent (100%) of the water quality volume.

e. If there are site constraints that would prevent meeting the retention requirements in subparagraphs (ii)a. or (ii)b. and the Permittee is implementing the requirements of (ii)c., above, (e.g. brownfields, capped landfills, bedrock, elevated groundwater, proximity to drinking water wells, etc.), documentation must be maintained for such project, which: explains the site limitations; provides a description of the runoff reduction practices implemented; provides an explanation of why this constitutes the maximum extent achievable; offers an alternative retention volume; provides a description of any stormwater mitigation project or the reason such project is not achievable; and provides a description of any measures used to provide additional stormwater treatment for sediment, floatables and nutrients above the alternate volume up to the water quality volume, including estimated pollutant removal efficiencies.

f. Consider the limitation of turf areas to those areas necessary to construct buildings, utilities, stormwater management measures, parking, access ways, reasonable lawn areas and contouring necessary to prevent future site erosion,

g. Maintain consistency with the Connecticut Stormwater Quality Manual, or if inconsistent, provide an explanation of why consistency is not feasible or practicable and information that the proposed plan of development is adequately protective.

h. In areas served by on-site sewage disposal (septic) systems, the permittee should coordinate with the state or local health official, as appropriate, to confirm that any infiltration measures are appropriately sized, located and constructed in a manner consistent with the Connecticut Department of Public Health's *Technical Standards for Subsurface Sewage Disposal Systems*, Section 19-13-B100A of the Regulations of Connecticut State Agencies and/or DEEP requirements for on-site sewage disposal systems.

(D) Directly Connected Impervious Area

Using digital mapping provided by the Commissioner (available at www.ct.gov/deep/municipalstormwater) or other equivalent source, the permittee shall calculate the Directly Connected Impervious Area (DCIA) that contributes stormwater runoff to fifty percent (50%) of its MS4 outfalls (i.e. catchment area) within five (5) years following the effective date of this general permit. The permittee shall plan to

calculate the remainder of the DCIA that contributes to their MS4 by the end of the tenth (10^{th}) year following the effective date of this general permit. The DCIA calculation shall be based upon the criteria available through the DEEP stormwater webpage (www.ct.gov/deep/municipalstormwater) and the precise methodology and assumptions shall be described in the permittee's Plan and initial annual report. Each annual report shall document the progress of this task until its completion. The Permittee shall revise its DCIA estimate as development, redevelopment, or retrofit projects effectively add or remove DCIA to its MS4.

(E) Long Term Maintenance

(i) Within three (3) years following the effective date of this general permit, the permittee shall implement a maintenance plan for ensuring the long-term effectiveness of retention or detention ponds located in the Urbanized Area and those catchment areas of the MS4 with either DCIA of greater than 11% or which discharge to impaired waters and which discharge to, or receive stormwater from, its MS4. This shall include ponds that are owned by the permittee and all privately-owned ponds where the permittee holds a permit for connection to the DOT MS4 or maintains an easement or other Legal Authority pursuant to Section 6(*a*)(4)(A)(i) of this permit. At a minimum, the permittee shall annually inspect all such retention or detention ponds and remove accumulated sediment to restore full solids capture design capacity where found to be in excess of 50% design capacity.

(ii) The permittee shall implement a maintenance plan for ensuring the long-term effectiveness of stormwater treatment structures or measures (such as swirl concentrators, oil/grit separators, water quality wetlands or swales, etc.) installed within the Urbanized Area and those catchment areas of the MS4 with either DCIA of greater than 11% or which discharge to impaired waters. This shall include structures that are owned by the permittee or those for which the permittee holds a permit for connection to the DOT MS4 or maintains an easement or other Legal Authority pursuant to Section 6(*a*)(4)(A)(i) of this permit. At a minimum, the permittee shall annually inspect all such structures/measures and remove accumulated pollutants (such as sediment, oils, leaves, litter, etc.) to restore full solids capture design capacity where found to be in excess of 50% design capacity.

(F) Additional measures for discharges to impaired waters (with or without a TMDL)

(i) For waters for which **Nitrogen, Phosphorus** or **Bacteria** is a Stormwater Pollutant of Concern:

To address erosion and sediment problems noted during the course of conducting the inspections required by subsection E above, or identified by other means, the permittee shall develop, fund, implement, and prioritize these problems under the Retrofit program specified in Section 6(a)(6)(B). These problems must be corrected within a specific timeframe and the permittee must establish short term and long term maintenance. Each annual report shall include which problem areas were retrofitted, the cost of the retrofit, and the anticipated pollutant reduction.

(ii) No requirements in addition to those specified in subsections (A)-(D), above, exist for discharges to waters for which **Mercury** is a Stormwater Pollutant of Concern.

(6) Pollution Prevention/Good Housekeeping

The permittee shall implement an operations and maintenance program for permittee-owned or -operated MS4s that has a goal of preventing or reducing pollutant runoff and protecting water quality from all permittee-owned or -operated MS4s.

(A) Employee Training

Within two (2) years following the effective date of this permit, the permittee shall implement a formal employee training program to increase awareness of water quality related issues in management of its MS4. In addition to providing key staff with topical training regarding standard operating procedures and other activities necessary to comply with the provisions of this permit, the training program shall also establish an awareness of the general goals and objectives of the Plan; identification and reporting of illicit discharges and improper disposal; spill response protocols; and respective responsibilities of involved personnel.

(B) Infrastructure Repair, Rehabilitation and Retrofit

(i) The permittee shall repair and rehabilitate its MS4 infrastructure in a timely manner to reduce or eliminate the discharge of pollutants from its MS4 to receiving waters.

Within three (3) years following the effective date of this permit, the permittee shall develop a program to identify conveyances, structures and outfalls in need of repairing, retrofitting or upgrading utilizing new and existing information on outfalls discharging pollutants, impaired waters, inspection observations or observations made during outfall mapping pursuant to Section 6(*a*)(3)(C) of this permit.

(ii) Retrofit Program

The goal of the retrofit program is to "disconnect" existing Directly Connected Impervious Areas (DCIA). An area of DCIA is considered disconnected when the appropriate portion of the Water Quality Volume has been retained in accordance with the requirements of Section 6(*a*)(5)(C)(i) or (ii) of this general permit. This may be accomplished through retrofits or redevelopment projects (public or private) that utilize Low Impact Development (LID) and runoff reduction measures or any other means by which stormwater is infiltrated into the ground or reused for other purposes without a surface or storm sewer discharge. A redevelopment project, as that term is used here and in Section 6(*a*)(5)(C)(i) and (ii), is one that modifies an existing developed site for the purpose of enhancing, expanding or otherwise modifying its function or purpose. A retrofit project is one that modifies an existing developed site for the primary purpose of disconnecting DCIA. The DCIA calculation performed pursuant to Section 6(*a*)(5)(D) shall serve as the baseline for the retrofit program required in this section.

a. DCIA Disconnection Tracking

Beginning on the effective date of this general permit, the permittee shall annually track the total acreage of DCIA that is disconnected as a result of

redevelopment or retrofit projects within catchment areas that discharge from the DOT MS4. Tracking the disconnection of DCIA means documenting the amount of existing DCIA within a given redevelopment or retrofit project that is modified such that it is disconnected. This tracking may include disconnections of DCIA from redevelopment or retrofit projects implemented as early as five (5) years prior to the effective date of this permit. Any redevelopment or retrofit of an existing developed site, whether public (municipal, state or federal) or private (residential, commercial or industrial) that discharges to the MS4 shall be included in this tracking.

Tracking the disconnection of DCIA does not apply for sites that were previously undeveloped as there were no existing impervious surfaces on those sites. The total amount of DCIA disconnected during a given year shall be reported in that year's annual report.

b. Retrofit Planning

On or before the end of the third year following the effective date of this general permit, the permittee shall develop a plan to implement retrofit projects to meet the goals of this section. The permittee shall identify and prioritize projects that may be suitable for retrofit. Considerations for prioritizing retrofit projects may include outfall catchment areas that discharge to impaired waters, areas within the Urbanized Area of the MS4 or catchment areas with greater than eleven percent (11%) DCIA. The permittee shall select from the list of prioritized projects those that it will implement to meet the goals in subparagraph (c) of this subsection. In the annual report for the third year of this general permit, the permittee shall report on its identification and prioritization process, the selection of the projects to be implemented, the rationale for the selection of those projects and the total DCIA to be disconnected upon implementation of the projects.

c. Retrofit Schedule

By the end of this permit term, the permittee shall commence the implementation of the retrofit projects identified in subparagraph (b), above, with a goal of disconnecting one percent (1%) per year of the permittee's calculated DCIA for the fourth and fifth years of this general permit, or a total of two percent (2%) of the calculated DCIA, to the MEP. The two percent (2%) goal may be achieved by compiling the total disconnected DCIA tracked pursuant to subparagraph (a), above, or the retrofit projects designated in subparagraph (b), above, or a combination of the two.

If the two percent (2%) goal will not be met, the permittee shall include in the annual report a discussion of what percentage of calculated DCIA will actually be disconnected and why the remainder of the two percent (2%) goal could not be achieved based on the MEP standard outlined in Section 5(*b*). The permittee shall also provide in the annual report for the fifth (5^{th}) year of this permit for continuation of the retrofit program and continue such program with a goal to disconnect one percent (1%) of calculated DCIA in each year thereafter.

(C) MS4 Property and Operations Maintenance

Permittee-owned or -operated properties, parks, parking facilities, rest areas, service areas and other facilities that are owned, operated, or otherwise the legal responsibility of the permittee, shall be maintained to minimize the discharge of pollutants to its MS4. Such maintenance shall include, but not be limited to:

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(i) Parks and open space

The permittee shall optimize the application of fertilizers by DOT employees or private contractors on lands and easements for which it is responsible for maintenance. Optimization practices considered may include conducting soil testing and analysis to determine soil phosphorus levels, the reduction or elimination of fertilizers, reduction of usage by adhering to the manufacturers' instructions, and use of alternative fertilizers forms (i.e. products with reduced, slow-releasing, or insoluble phosphorus compositions). Additional optimization practices to be considered include: proper storage and application practices (i.e. avoid impervious surfaces), application schedule (i.e. appropriate season or month) and timing (i.e. coordinated with climatic conditions to minimize runoff potential); development of standard operating practices for the handling, storage, application, and disposal of pesticides and herbicides in compliance with applicable state and federal laws; evaluate lawn maintenance and landscaping activities to promote water quality (protective practices include reduced mowing frequencies, proper disposal of lawn clippings, and use of alternative landscaping materials like drought resistant and native plantings); and establish procedures for management of trash containers at parks (scheduled cleanings; sufficient number).

The permittee shall establish practices for the proper disposal of grass clippings and leaves at permittee-owned lands. Clippings shall be either composted or otherwise appropriately disposed. Clippings should not enter the MS4 system or waters of the state.

(ii) Pet waste management

The permittee shall identify locations within its jurisdiction (e.g. parking facilities, rest areas, service areas, etc.) where inappropriate pet waste management practices are apparent and pose a threat to receiving water quality due to proximity and potential for direct conveyance of waste to its storm system and waters. In such areas, the permittee shall implement targeted management efforts such as public education and enforcement (e.g. increased patrol, penalties for violators, etc.). In permittee-owned areas where dog walking is allowed, the permittee shall install educational signage, pet waste baggies, and disposal receptacles (or require carry-out). The permittee shall document its efforts in its annual reports and should consider including information regarding the scope and extent of its education, compliance, and enforcement efforts (including the number of violations pursued and penalties or other enforcement taken).

(iii) Waterfowl management

Identify lands under permittee jurisdiction where waterfowl congregate and feeding by the public occurs. To raise awareness regarding the water quality impacts, the

permittee shall install signage or use other targeted techniques to educate the public about the detrimental impacts of feeding waterfowl (including the resulting feces deposition) and discourage such feeding practices. The permittee shall also implement practices that discourage the undesirable congregation of waterfowl in these areas, or otherwise isolate the direct drainage from these areas away from its storm system and waters.

(iv) Buildings, parking facilities, rest areas, service areas and other facilities under the jurisdiction of the permittee

Evaluate the use, storage, and disposal of both petroleum and non-petroleum products; ensure, through employee training, that those responsible for handling these products know proper procedures; ensure that Spill Prevention Plans are in place, if applicable, and coordinate with the local fire officials as necessary; develop management procedures for dumpsters and other waste management equipment; sweep parking lots and keep areas surrounding the facilities clean to minimize runoff of pollutants; and ensure that all interior building floor drains are not connected to the MS4. This permit does not authorize such discharges; wastewaters from interior floor drains must be appropriately permitted.

(v) Vehicles and Equipment

Establish procedures for the storage of permittee-owned or -operated vehicles; require vehicles with fluid leaks to be stored indoors or in contained areas until repaired; evaluate fueling areas owned by the permittee and used by permittee-owned or -operated vehicles and if possible, place fueling areas under cover in order to minimize exposure; establish procedures to ensure that vehicle wash waters are not discharged to the DOT MS4 or to surface waters. This permit does not authorize such discharges; wastewaters from interior floor drains must be appropriately permitted.

(vi) Leaf Management

For roadways other than limited access highways, the permittee shall establish and implement an inspection program with a goal to minimize or prevent the deposition of leaves in catch basins, streets, parking lots, driveways, sidewalks or other paved surfaces that may interfere with drainage to the MS4.

(D) Street, Parking & DOT MS4 Infrastructure Maintenance

The permittee shall implement a program to provide for regular inspection and maintenance of permittee-owned or -operated streets, parking facilities, rest areas, service areas and other DOT MS4 infrastructure.

(i) Sweeping

a. Establish and implement procedures for sweeping permittee-owned or -operated streets and parking lots to the MEP. All streets and parking lots within the Urbanized Area of the MS4, and outside the Urbanized Area within the catchment areas of the MS4 with either DCIA of greater than 11% or which discharge to impaired waters, shall be inspected annually and swept and/or

cleaned, as necessary, in the spring following the cessation of winter maintenance activities (i.e. sanding, deicing, etc.). The procedures shall also include more frequent inspections, cleaning and/or sweeping of targeted areas determined by the permittee to have increased pollutant potential based on the presence of active construction activity or other potential pollutant sources. The permittee shall identify such potential pollutant sources based upon surface inspections, catch basin cleaning or inspection results, land use, winter road deicing and/or sand application, impaired or TMDL waters or other relevant factors as determined by the permittee. If wet dust suppression is conducted, the use of water should be minimized so that a discharge of excess water to surface waters and/or the storm sewer system does not occur.

For highways, roads, rest areas, service areas and parking facilities outside the Urbanized Area and outside the catchment areas of the MS4 with either DCIA of greater than 11% or which discharge to impaired waters, including any rural uncurbed streets and parking lots with no catch basins, the permittee shall either meet the minimum frequencies in this subsection, or develop and implement an inspection, documentation and targeted sweeping and/or cleaning plan within one (1) year following the effective date of the general permit, and submit such plan with its year one (1) annual report. For new and redeveloped parking facilities, rest areas or service areas, evaluate options from reducing stormwater runoff to surface waters and/or the storm sewer system by installing pervious pavements and/or other measures to promote stormwater sheet flow.

b. Ensure the proper disposal of street sweepings in accordance with Department policies, guidance and regulations. Sweepings shall not be discharged back into the storm drain system and/or surface waters.

c. In its annual report, the permittee shall document results of its sweeping program including, at a minimum: a summary of inspection results, curb miles swept, dates of cleaning, volume or mass of material collected, and method(s) of reuse or disposal. The permittee shall also include documentation of any alternate sweeping plan for rural uncurbed streets and any runoff reduction measures implemented.

(ii) Catch Basin Cleaning

The Permittee shall conduct routine cleaning of all catch basins to the MEP. The Permittee shall track catch basin inspection observations. Utilizing information compiled through its inventory of catch basins, operational staff and public complaints, the Permittee shall optimize routine cleaning frequencies for particular structures or catchment areas as follows to maintain acceptable sediment removal efficiencies:

a. Inspect all permittee-owned catch basins within the Urbanized Area of the MS4 and outside the Urbanized Area within the catchment areas of the MS4 with either DCIA of greater than 11% or which discharge to impaired waters at least once by the end of the third (3rd) year following the effective date of this general permit. Catch basins outside the Urbanized Area and outside the catchment areas of the MS4 with either DCIA of greater than 11% or which

discharge to impaired waters shall be inspected by the end of the fifth (5^{th}) year following the effective date of this general permit.

b. Prioritize inspection and maintenance for permittee-owned catch basins located near impaired waters and construction activities. Clean catch basins in such areas more frequently if inspection and maintenance activities indicate excessive sediment or debris loadings.

c. Establish a schedule where the frequency of routine cleaning will ensure that no catch basin at any time will be more than fifty percent (50%) full.

d. For the purposes of this subsection, an excessive sediment or debris loading is a catch basin sump more than fifty percent (50%) full. A catch basin sump is more than fifty percent (50%) full if the contents within the sump exceed one half (1/2) the distance between the bottom interior of the catch basin to the invert of the deepest outlet of the catch basin.

e. If a catch basin sump is more than fifty percent (50%) full during two (2) consecutive routine inspections/cleaning events, the permittee shall document that finding, investigate the contributing drainage area for sources of excessive sediment loading, and to the maximum extent practicable, abate contributing sources. The permittee shall describe any actions taken in its annual report.

f. The permittee shall document in the Plan and its first annual report its plan for optimizing catch basin cleaning, inspection plans, or its schedule for gathering information to develop the optimization plan. Documentation shall include metrics and other information used to reach the determination that the established plan for cleaning and maintenance is optimal for the MS4. The permittee shall keep a log of catch basins cleaned or inspected.

g. The permittee shall report in each annual report the total number of catch basins, number inspected and number cleaned.

h. In the case of limited access highways and other DOT roads with limited rights-of-way, the permittee may develop an alternate program to inspect and evaluate catch basins where such program may be more limited than the other provisions of this subsection due to the need to address safety issues inherent to this type of roadway (i.e. lane closures, confined space entry)..

(iii) Structure Rinsing Operations

Any and all structure rinsing conducted by the permittee shall minimize the discharge of pollutants to the MS4 or waters of the state to the MEP and shall be in accordance with the "Department of Transportation Structure Rinsing Program", dated March 2013, or as amended.

(E) Snow Management Practices

(i) Deicing Material Management

Develop and implement standard operating practices for the use, handling, storage, application, and disposal of deicing products to minimize exposure to stormwater; consider means to minimize the use and optimize the application of chloride-based salts or other salts or deicing products (while maintaining public safety) and consider opportunities for use of alternative materials; for any exterior containers of liquid deicing materials installed after the effective date of this permit, provide secondary containment of at least 110% of the largest container or 10% of the total volume of all containers, whichever is larger, without overflow from the containment area.

(ii) Snow and Ice Control Practices

The permittee shall implement and refine its standard operating practices regarding its snow and ice control to minimize the discharge of sand, anti-icing or de-icing chemicals and other pollutants (while maintaining public safety) to the MEP. The permittee shall establish goals for the optimization of sand and/or chemical application rates through the use, where practicable, of automated application equipment (e.g. zero-velocity spreaders), anti-icing and pre-wetting techniques, implementation of pavement management systems, snow melting operations, and alternate chemicals. The permittee shall maintain records of the application of sand, anti-icing and/or de-icing chemicals to document the reduction of chemicals to meet established goals. The permittee shall ensure the proper training for deicing applications for municipal employees, institutional staff, or private contractors on lands and easements for which it is responsible for maintenance.

The permittee shall manage and dispose of snow accumulations in accordance with DEEP's Best Management Practices for Disposal of Snow Accumulations from Roadways and Parking Lots, revised 2/4/11 and as amended (see link at: www.ct.gov/deep/stormwater). In its annual report, the permittee shall document results of its snow removal program including, at a minimum: the type of staff training conducted on application methods and equipment, type(s) of deicing materials used; lane-miles treated; total amount of each deicing material used; type(s) of deicing equipment used; any changes in deicing practices (and the reasons for the change); and snow disposal methods.

(iii) Snow Melting Operations

Any and all snow melting operations conducted by the permittee utilizing a snow melting unit shall minimize the discharge of pollutants to the MS4 or waters of the state. Snow melting operations utilizing a snow melting unit will only be utilized by the permittee for the disposal of snow accumulations in the event winter storm(s) accumulations exceed the snow storage capacity available both on-site and in the nearby right of way. The permittee shall ensure that the discharge from the snow melting unit is directed to an existing stormwater drainage system that is capable of handling the additional runoff volume from the snow melting unit without impacting the receiving waterbody.

The discharge from the snow melting unit must be clear and not contain any floating or solid materials. If any floatables, gross solids, and/or oily (or otherwise discolored snow/ice) runoff is observed from the snow melting units then the permittee shall utilize additional Best Management Practices (BMPs) to treat the runoff. The following BMPs may be implemented when utilizing snow melting units: filter bags or similar filtration (i.e. settling ponds, portable tanks, etc.) devices to collect suspended solids, silt sacks for the receiving catch basin(s), as well as an absorbent oil pad/boom or similar devices that will help eliminate oily/discolored runoff. If these BMPs do not suffice, the permittee will properly collect, contain, and dispose the material generated. The permittee shall make every effort to ensure that the runoff temperature from the snow melting unit does not exceed 48°F. All snow melting operations shall be conducted by the permittee in accordance with their Stormwater Management Plan to the MEP.

(F) Interconnected MS4s

As part of interagency agreements established pursuant to Section 6(*b*)(3) of this permit, the Permittee shall coordinate with operators of interconnected MS4s (such as neighboring municipalities and institutions) regarding the contribution of potential pollutants from the storm sewer systems, contributing land use areas and stormwater control measures in the respective MS4s. This same coordination shall be conducted regarding operation and maintenance procedures utilized in the respective systems.

(G) Sources contributing pollutants to the MS4

The permittee shall develop and implement a program to control the contribution of pollutants to its MS4 from commercial, industrial, municipal, institutional or other facilities, not otherwise authorized by permit issued pursuant to Sections 22a-430 or 22a-430b of the Connecticut General Statutes.

(H) Additional measures for discharges to impaired waters (with or without a TMDL)

(i) For waters for which **Nitrogen** or **Phosphorus** is a Stormwater Pollutant of Concern:

On Permittee-owned or -operated lands, implement a turf management practices and procedures policy which includes, but is not limited to, procedures for proper fertilizer application and the planting of native plant materials to lessen the amount of turf area requiring mowing and the application of chemicals. Each annual report shall discuss the actions taken to implement this policy with an estimate of fertilizer and turf reduction.

(ii) For waters for which **Bacteria** is a Stormwater Pollutant of Concern:

On Permittee-owned or -operated lands with a high potential to contribute bacteria (such as rest areas, service areas, parks with open water, sites with failing septic systems), the permittee shall develop, fund, implement, and prioritize a retrofit or source management program to correct the problem(s) within a specific timeframe. Each annual report shall identify problem areas for which a retrofit or source management program were developed, the location of the closest outfall monitored

in accordance with Section 6(*i*), the cost of such retrofit or program, and the anticipated pollutant reduction.

On Permittee-owned or -operated lands, prohibit the feeding of geese or waterfowl and implement a program to manage geese and waterfowl populations. Each annual report shall discuss the actions taken to implement this program.

(iii) No additional requirements in addition to those specified in subsections (A)-(C), above, exist for discharges to waters for which **Mercury** is a Stormwater Pollutant of Concern.

(b) Sharing Responsibility

(1) Qualifying Local Program

The permittee may satisfy the requirement to implement a BMP for a Minimum Control Measure by having a third party implement the BMP. See note below.

When the permittee is relying on a third party to implement one or more BMP(s), the permittee shall note that fact in the registration and in the annual report required in Section 6(*j*) of this general permit. If the third party fails to implement the BMP(s), the permittee remains responsible for its implementation.

(Note: For example, if a local watershed organization performs an annual "river clean-up," this event may be used to satisfy a BMP for the Public Participation and/or the Pollution Prevention and Good Housekeeping Minimum Control Measure.)

(2) Qualifying Municipal, State or Federal Program

If a BMP or Minimum Control Measure is the responsibility of a third (3rd) party under another NPDES stormwater permit, the permittee is not required to include such BMP or Minimum Control Measure in its stormwater management plan. The permittee shall reference this qualifying program in their Stormwater Management Plan. However, the permittee is not responsible for its implementation if the third (3rd) party fails to perform. The permittee shall periodically confirm that the third party is still implementing this measure. If the third party fails to implement the measure, the Stormwater Management Plan may be modified to address the measure, if necessary. See note below.

In the case of a permitted DOT industrial activity that is covered by the General Permit for the Discharge of Stormwater Associated with Industrial Activity, the permittee may reference the activity's Stormwater Pollution Prevention Plan to address a portion of the permittee's Stormwater Management Plan.

(Note: For example, the permittee may reference a municipality's agreement to perform maintenance activities on DOT property abutting the town's property or a DOT maintenance garage covered under the General Permit for the Discharge of Stormwater Associated with Industrial Activity. These types of actions may be used to address a portion of the permittee's requirement under the Good Housekeeping and Pollution Prevention Minimum Control Measure.)

(3) Coordination of Permit Responsibilities

Where a portion of the separate storm sewer system within the DOT MS4 is owned or otherwise the responsibility of a municipality, an institution, or a state or federal agency, the entities shall coordinate the development and implementation of their respective Stormwater Management Plans to address all the elements of Section 6. A description of the respective responsibilities for these elements shall be included in the Stormwater Management Plan for such MS4.

(Note: For example, a storm sewer system within a municipality may be operated and maintained by the DOT. In cases such as these, the two entities shall coordinate their Stormwater Management Plans to address the Minimum Control Measures, particularly at the interface between the two storm sewer systems.)

(c) Proper Operation and Maintenance

The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control, including related appurtenances, which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance includes adequate laboratory controls and appropriate quality assurance procedures. Proper operation and maintenance requires the operation of backup or auxiliary facilities or similar systems, installed by a permittee when necessary to achieve compliance with this permit.

(d) Signature Requirements

The Plan shall be signed by the Commissioner of Transportation or his/her agent. The Plan shall be retained by the Commissioner of Transportation and copies retained by DOT district offices or employees responsible for implementation of the Plan.

(e) Plan Review Fee

No plan review fee is required for this general permit.

(f) Keeping Plans Current

The permittee shall amend the Plan whenever; (1) there is a change that has the potential to cause pollution of the waters of the state; or (2) the actions required by the Plan fail to prevent pollution of the waters of the state or fail to otherwise comply with any other provision of this general permit; or (3) the Commissioner requests modification of the Plan. The amended Plan and all actions required by such Plan shall be completed within a time period determined by the Commissioner.

The Commissioner may notify the permittee in writing at any time that the Plan does not meet one or more requirements of this general permit. Within thirty (30) days of such notification, unless otherwise specified by the Commissioner in writing, the permittee shall respond to the Commissioner indicating how they plan to modify the Plan to address these requirements. Within ninety (90) days of this response or within one hundred twenty (120) days of the original notification, whichever is less, unless otherwise specified by the Commissioner in writing, the permittee shall then revise the Plan, perform all actions required by the revised Plan, and shall certify to the Commissioner that the requested changes have been made and implemented. The permittee shall provide such information as the Commissioner requires to

evaluate the Plan and its implementation. If at any time the Commissioner finds that the Plan is not adequate to protect the waters of the state from pollution, the Commissioner may terminate authorization under this permit and require the permittee to submit an individual permit application.

(g) Failure to Prepare or Amend Plan

In no event shall failure to complete or update a Plan in accordance with Sections 5(*b*) and 6 of this general permit relieve a permittee of responsibility to implement actions required to protect the waters of the state and to comply with all conditions of this general permit.

(h) Plan Review Certification

A copy of the Plan review certification made in accordance with Section 3(*b*)(10) shall be maintained with the Plan.

(i) Monitoring Requirements

The permittee shall comply with the screening and/or monitoring requirements in either subsection (1) or subsection (2) of this section for outfalls that discharge directly to impaired waters, as identified in Section 6(*k*), and submit, for written approval, the corresponding monitoring program for outfall screening and/or monitoring.

(1) Option 1 – Automatic Outfall Sampling Protocol

If using the methodologies in this subsection, the permittee shall develop an outfall sampling program using a model similar or equal to the Stochastic Empirical Dilution Model (SELDM) by the United States Geological Service (USGS) and any data collected from previous sampling activities as outlined in subsection (2) of this Section. The permittee's model shall be able to assess impaired water body segments to determine whether highway runoff may be contributing to the impairment in question and whether stormwater runoff from the permittee's roadways, including documentation of existing treatment BMPs, have a reasonable potential to cause an exceedance of water quality standards.

(A) Automatic Outfall Sampling Site Selection

The permittee shall select, in consultation with USGS, representative outfall locations that discharge directly to impaired waters. The permittee shall identify those representative outfalls based upon the following factors: (1) Type of roadway that drains to the outfall, specifically representative roadways of Low, Moderate, High, and Very High levels of Annual Average Daily Traffic; (2) The size of the drainage system and network shall be significant enough to represent similar discharge scenarios across the state; (3) The substantially identical land use within the catchment area for each representative outfall; (4) Interconnection with substantially identical MS4 connections other than DOT; (5) Within an Urbanized Area with impervious cover representative of the Urbanized Area; (6) In near proximity to a USGS Gaging Station; and (7) located in an area that is safely accessible.

(B) Sampling Methodology

The permittee shall collect samples for a minimum of one (1) year at primary locations identified in the written sampling plan. Samples shall be collected utilizing an automatic sampler that samples from a stormwater outfall during any rain event that results in a discharge from the outfall. The samples shall be collected on a flow proportional basis up to the first (1st) inch of rainfall.

(i) Samples from each rainfall event shall, at a minimum, be collected and analyzed by a State-certified laboratory for the following analytes:
- Phosphorous
- Nitrogen
- Total Suspended Solids
- Calcium
- Magnesium
- Sodium
- Chloride
- Cadmium
- Copper
- Chromium
- Iron
- Lead
- Manganese
- Mercury
- Nickel
- Zinc
- Polycyclic Aromatic Hydrocarbons; and
- Conductivity shall be collected on a continuous basis.

(ii) The permittee shall conduct additional analysis of samples from the representative outfalls for pollutants other than those in subsection (i) if listed as a pollutant of concern.

(iii) The permittee shall screen the representative outfalls for Bacteria based upon the discharge location as outlined in Section 6(*a*)(3)(C).

(C) Utilization of Data

Once the sampling has been completed and all results entered into the model, if the modeling activities do not support a potential link between the impairment and the outfall discharge, the permittee must document the basis for this conclusion and include this documentation in its annual report.

If the modeling activities do support a potential link between the impairment and the outfall discharge, the permittee shall conduct follow-up investigations pursuant to subsection (D) of this Section that place priority on the assessment on those outfall locations and pollutants where the existing data suggest that the concentration of the constituent of concern in the outfall discharge may exceed the applicable water quality standards.

(D) Follow-up Investigations

The permittee shall conduct follow-up investigations for the drainage areas associated with the outfalls identified as potentially contributing to an impairment as a result of the representative outfall characterizations in subsection (A), above, and analyses conducted pursuant to subsection (B), above.

(i) Drainage Area Investigation

The permittee shall investigate activities within the drainage area contributing to each representative outfall selected pursuant to the factors enumerated in subsection (A), above. This investigation shall include factors potentially associated with the cause of the related stream impairment. Such factors may include: land use or development patterns; business or commercial activities; industrial activities; DCIA; natural contributors; potential MS4 maintenance issues; residential activities; and any other activities identified by the permittee as potentially contributing to the related impairment.

Once the permittee has identified the factors potentially associated with the cause of the stream impairment, it shall identify these outfalls potentially contributing to impairments and factors for control measures implementation in subparagraph (ii), below.

(ii) Control Measure Implementation

In each outfall drainage area identified for follow-up investigation, the permittee shall implement a BMP program focusing on the impaired waters provisions of each of the Control Measures in Section 6(*a*) of this general permit and on the findings of the drainage area investigation in subparagraph (i), above.

(iii) Inventory of Outfalls Potentially Contributing to Impairments

By the end of the term of this permit, the permittee shall develop an inventory of any mapped DOT MS4 outfall drainage areas containing factors similar to those of the monitored representative outfalls that were identified as potentially contributing to an impairment. This inventory will be used to identify other drainage areas within the DOT MS4 where implementation of additional control measures may be appropriate to reduce impairments.

(2) Option 2 – Impaired Waters Outfall Investigation and Monitoring

If using the methodologies in this subsection, the permittee must create an inventory of all outfalls that discharge directly to impaired waters utilizing the list and mapping prepared pursuant to Section 6(*a*)(3)(C). The permittee shall then screen these outfalls for the pollutant identified as the pollutant of concern for the impairment in accordance with the following procedures. If the permittee has wet weather sampling data for an outfall pursuant to their sampling conducted under the Draft DOT Stormwater Management Plan or other appropriate wet weather sampling, they may use such data for their outfall screening and will not be required to screen that outfall under this general permit.

(A) Outfall Screening for Phosphorus and Nitrogen

The permittee shall screen outfalls from the MS4 identified in Section 6(*a*)(3)(C) that discharge to impaired waters for which phosphorus or nitrogen is the pollutant of concern. The permittee may take a sample at the outfall during any rain event that results in a discharge from the outfall in accordance with subsection (2) of this Section. This screening shall be conducted for all such outfalls at least once during the term of this general permit in accordance with subparagraphs (i) and (ii) below.

(i) Nitrogen Screening

The permittee may take a sample for laboratory analysis or use a portable nitrogen meter to take a field reading during the wet weather discharge. If the nitrogen reading exceeds the following threshold, the outfall shall be identified for follow-up investigation pursuant to subsection (D) below.

Total Nitrogen > 2.5 mg/l

(ii) Phosphorus Screening

The permittee may take a sample for laboratory analysis or use a portable phosphorus meter to take a field reading during the wet weather discharge. If the phosphorus reading exceeds the following threshold, the outfall shall be identified for follow-up investigation pursuant to subsection (D) below.

Total Phosphorus > 0.3 mg/l

(B) Outfall Screening for Bacteria

The permittee shall screen outfalls from the MS4 that discharge to impaired waters for which bacteria is the pollutant of concern. The permittee may take a sample at the outfall during any rain event that results in a discharge from the outfall in accordance with subsection (2), below. The sample shall be analyzed for the following:

- E. coli and Total Coliform (col/100ml) (for discharges to Class AA, A and B surface waters)
- Fecal coliform and Enterococci (col/100ml) (for discharges to Class SA and SB surface waters)

The outfall shall be identified for follow-up investigation pursuant to subsection (D) below if any of the following conditions apply:

- E. coli >235 col/100ml for swimming areas and >410 col/100ml for all others, or
- Total Coliform >500 col/100ml, or
- Fecal coliform >31 col/100ml for Class SA and >260 col/100ml for Class SB, or

- Enterococci >104 col/100ml for swimming areas and >500 col/100ml for all others.

If the permittee can document that bacteria levels at an outfall that exceed these levels are solely the result of natural sources of bacteria, they are not required to conduct a follow-up investigation for that outfall. Natural sources may include wildlife or runoff from undeveloped wooded areas but do not include pet waste or waterfowl congregating at parks, ponds or other attractive nuisance areas.

(C) Outfall Screening for Other Pollutants of Concern

The permittee shall screen outfalls from the MS4 identified in Section 6(*a*)(3)(C) that discharge directly to impaired waters for which pollutants other than phosphorus, nitrogen or bacteria are listed as the pollutant of concern. The permittee shall take a sample at the outfall and in-stream immediately upstream or otherwise outside the influence of the outfall. The sample may be taken during any rain event that results in a discharge from the outfall in accordance with subsection (2) of this Section. These samples shall be analyzed for turbidity. The permittee may take a sample for laboratory analysis or use a field turbidity meter for these analyses. If the outfall sample is more than 5 NTU greater than the turbidity in the in-stream sample, the outfall shall be identified for follow-up investigation pursuant to subsection (E), below.

(D) Representative Outfalls

When a permittee has two (2) or more outfalls discharging to the same impaired waterbody segment and believes these outfalls discharge substantially identical effluents, the permittee may sample the effluent of one (1) such outfall and report that the quantitative data is representative of the substantially identical outfalls. The permittee shall identify those representative outfalls based upon the following factors: (1) Type of roadway that drains to the outfall; (2) The impaired water body segment to which the outfall drains; (3) The substantially identical land use within the catchment area for each representative outfall; and (4) Interconnection with substantially identical MS4 connections other than DOT.

The permittee shall document each instance where representative outfalls will be utilized. Except as provided in subparagraph (i) of this subsection, no more than ten (10) substantially identical outfalls shall be substituted with one representative outfall. Regardless of the designation of representative outfalls, at least one (1) outfall shall be sampled within each impaired water body segment. The Permittee shall maintain a narrative of the rationale for designating outfalls as representative discharges and, for each outfall that the permittee believes is representative, an estimate of the size of the drainage area, amount of impervious area and the land use. Where representative outfalls are utilized to comply with the Impaired Waters monitoring requirements of Section 6(*i*), the permittee shall rotate sampling locations during each permit term. Sample location selection shall take into account the safety of the sampler and the accessibility of the representative outfall location.

(i) Scuppers

In the case of discharges to an impaired waterbody through scuppers, a single scupper may be sampled as a representative sample from multiple bridge(s) within

a local watershed or other elevated structure regardless of the number of scuppers in the structure.

(E) Follow-up Investigations

The permittee shall conduct follow-up investigations for the drainage areas associated with the outfalls identified as potentially contributing to an impairment as a result of the analyses conducted pursuant to subsections (A) – (C), above.

(i) Drainage Area Investigation

The permittee shall investigate activities within the drainage area contributing to each outfall identified for follow-up investigation pursuant to subsections (A) – (C), above. This investigation shall include factors potentially associated with the cause of the related stream impairment. Such factors may include: land use or development patterns; business or commercial activities; industrial activities; DCIA; natural contributors; potential MS4 maintenance issues; residential activities; and any other activities identified by the permittee as potentially contributing to the related impairment.

(ii) Control Measure Implementation

In each outfall drainage area identified for follow-up investigation pursuant to subsections (A) – (C), above, the permittee shall implement a BMP program focusing on the impaired waters provisions of each of the Control Measures in Section 6(*a*) of this general permit and on the findings of the drainage area investigation in subparagraph (i), above.

(iii) Prioritized Outfall Monitoring

Once outfall screening has been completed for at least half of the outfalls identified pursuant to this section, the permittee shall utilize the screening results to select six (6) of the highest contributors of any of the pollutants of concern in each of the Major Drainage Basins (as shown on drainage basin mapping on CTECO at www.cteco.uconn.edu). In each major basin, these six (6) outfalls shall be sampled annually for the appropriate pollutant of concern in accordance with the schedule in subsection (3), below. If more than one pollutant of concern is identified for any monitored outfall (i.e. more than one (1) impairment), all of these pollutants shall be monitored. If fewer than six (6) outfalls were identified for follow-up investigation in each major basin, all of these outfalls shall be monitored, but no more than six (6) in each major basin.

(3) Monitoring Schedule and Reporting

(A) Schedule

(i) Impaired Waters Discharge Mapping

Inventory and mapping of fifty percent (50%) of DOT MS4 discharges to impaired waters prepared pursuant to this section shall be completed within five (5) years from the effective date of this general permit. The Permittee shall plan to complete

the inventory and mapping of the remainder of these discharges by the end of the tenth (10th) year following the effective date of this general permit.

(ii) Outfall Monitoring and Screening

Either Automatic Outfall Sampling (pursuant to subsection (1), above) or Impaired Waters Outfall Investigation and Monitoring (pursuant to subsection (2), above), as appropriate, shall begin within two (2) years of the effective date of this general permit. If the permittee samples in accordance with Automatic Outfall Sampling in subsection (1), the monitoring program shall be completed no sooner than three (3) years after the effective date of this general permit and no later than five (5) years after the effective date of this general permit. If the permittee samples in accordance with Impaired Waters Outfall Investigation and Monitoring in subsection (2), at least fifty percent (50%) of these outfalls shall be screened no later than the end of the fourth year following the effective date of this general permit. In such case, all such outfalls shall be screened on or before ten (10) years following the effective date of this general permit.

(iii) Follow-up Investigations

The permittee shall commence follow-up investigations identified pursuant to subsection (1)(D) or subsection (2)(E), above, as appropriate, no later than the expiration date of this general permit.

(iv) Prioritized Outfall Monitoring

If the permittee elects to conduct Impaired Waters Outfall Investigation and Monitoring pursuant to subsection (2), above, the permittee shall commence annual monitoring of the six (6) outfalls identified pursuant to subsection (2)(E)(iii), above, no later than beginning of the fifth (5th) year following the effective date of this general permit.

(B) Reporting

The permittee shall report on the progress of their automatic outfall sampling protocol or impaired waters investigation and monitoring program, as appropriate, in their annual report beginning in the second (2nd) year following the effective date of this general permit. The report shall include a listing of the outfalls sampled or screened during the year, the number of outfalls identified for follow-up investigation, the progress of drainage area investigations, and a description of the control measure implementation for the different impairments. In addition, if the permittee pursues Option 2 (subsection (2), above), identification of the six (6) monitored outfalls and the results of the prioritized outfall monitoring shall also be included in the annual report.

(4) Stormwater Monitoring Procedures

(A) Wet Weather Outfall Screening or Monitoring

Samples shall be collected from discharges resulting from any rain storm that produces a discharge from the outfall(s) being monitored and that occurs at least 48 hours after any previous rain storm that produced a discharge from the outfall. Runoff events

resulting from snow or ice melt alone cannot be used to meet these monitoring requirements. However, monitoring may be conducted during a rain event that may include insignificant amounts of snow or ice melt. For automatic sampling conducted pursuant to subsection (1), above, monitoring shall be conducted in accordance with subsection (1)(B) (Sampling Methodology), above. For outfall screening conducted pursuant to subsection (2), above, sampling shall consist of a single grab sample taken within the first six (6) hours of discharge from the outfall

(B) Rain Event Information

The following information shall be collected for the rain events during which monitoring is conducted:

(i) The date, temperature, time of the start of the discharge, time of sampling, and magnitude (in inches) of the rain event sampled.

(ii) The duration between the rain event sampled and the end of the previous measurable (greater than 0.1 inch rainfall) rain event.

(C) Test Procedures

Unless otherwise specified in this permit, all pollutant parameters shall be tested according to methods prescribed in Title 40, CFR, Part 136 (1990). Outfall screening for nitrogen, phosphorus or turbidity pursuant to subsection (2), above, may be conducted with portable devices in the field, if desired.

(j) Reporting & Record Keeping Requirements

(1) The permittee shall keep records required by this permit for at least 5 years following its expiration or longer if requested by the Commissioner in writing. Such records, including the Stormwater Management Plan, shall be available to the public at reasonable times during regular business hours.

(2) Annual Report

Within one year plus ninety (90) days following the effective date of this general permit and annually thereafter by ninety (90) days following the anniversary of the effective date of this general permit, the permittee shall electronically submit an annual report for the preceding permit year to the Department in a format acceptable to the Commissioner. The DEEP MS4 stormwater webpage (www.ct.gov/deep/municipalstormwater) will provide guidance on annual report submittal. The annual report must be in Microsoft Word©, Adobe Acrobat© or other format acceptable to the Commissioner. In the event that electronic submission is not available or possible, please contact the Stormwater Section at (860) 424-3025.

The report shall include:

(A) A written discussion of the status of compliance with this general permit including, but not limited to:

(i) a listing and brief description (including, where appropriate, the address or latitude and longitude) of all BMPs within each Minimum Control Measure;

(ii) any reporting requirements enumerated in the controls measures sections 6(*a*) and its subsections;

(iii) an implementation schedule for each BMP and an indication of whether or not the BMP or any portion of the BMP was scheduled to be implemented during the year covered by the annual report;

(iv) the status of implementation for each BMP scheduled to be completely or partially implemented during the year covered by the annual report, including an assessment of the appropriateness of the BMP and progress towards achieving the implementation dates and measurable goals for that BMP;

(v) for any portion of a BMP implementation scheduled for the year covered by the annual report that was *not* completed as scheduled, a discussion of the circumstances and reasons for non-implementation, a modified implementation schedule, and, if necessary, a modified or alternate BMP to replace the BMP not implemented including the rationale for such modification or alternate BMP;

(vi) the overall status of each of the six (6) categories of the Minimum Control Measures and a discussion of the effectiveness of each category in achieving its goals;

(vii) a discussion of any changes to personnel responsible for the Plan or BMP implementation;

(viii) a description of any new BMPs added to the Plan during the year along with a description of the BMP, the reason or rationale for adding the BMP, the timeline for implementation, the party responsible for implementation and the measurable goal for the BMP and, where appropriate, the location for each BMP, including the address and latitude and longitude;

(ix) a discussion of the progress and status of the MS4's IDDE program (see Section 6(*a*)(3)) including outfall screening, mapping, drainage area evaluation and prioritization, illicit discharge tracking activities, IDDE field monitoring results, number and type of illicit discharges detected, and number of illicit discharges eliminated;

(x) a discussion of measures included in the Plan for the control of discharges to impaired waters (see Section 6(*k*)) including a list of BMPs in the Minimum Control Measures that are targeted for such discharges, progress in implementing these measures, any evaluation of the effectiveness of these measures in meeting the goals of the Plan's impaired waters program, and any new or modified BMPs to be added to the Plan to improve its effectiveness;

(xi) a discussion of the MS4's stormwater monitoring program describing the status of monitoring for the year of the report, the overall status of the monitoring program, a summary of the findings, any significant observations regarding the results, any modifications to the Plan as a result of the monitoring results; and

(xii) a discussion of any planned BMP implementation in the coming year, including a discussion of any new or modified BMPs planned for future implementation.

(B) All monitoring data collected and analyzed pursuant to Section 6(*i*).

(C) All other information collected and analyzed, including data collected under the Illicit Discharge Detection Protocol (Appendix B), during the reporting period.

(k) Discharges to Impaired Waters or Water bodies subject to a Pollutant Load Reduction within a TMDL

Outfalls from the DOT MS4 that discharge directly to impaired waters (with or without a TMDL), waters for which nitrogen, phosphorus, bacteria or mercury are stormwater pollutants of concern, or waters which have pollution load reductions specified within a TMDL are required to meet certain criteria identified in this section and other sections of this general permit.

(1) Existing Discharge to an Impaired Water without an Established TMDL

If the permittee discharges to an impaired water without an established TMDL, the permittee must follow:

(A) For waters for which Phosphorus, Nitrogen, Bacteria, or Mercury are stormwater pollutants of concern, the control measures in Section 6(*a*) and the screening and monitoring requirements of Section 6(*i*),

(B) For all other impairments, implement control measures to reduce the discharge of the pollutant(s) associated with the impairment and follow the requirements of Section 6(*i*), or as directed by the Commissioner.

(2) Existing Discharge to a Water with an Established TMDL or with a Pollutant Load Reduction specified within the TMDL

If the permittee discharges to a water included in a TMDL, the permittee must follow:

(A) For waters for which Phosphorus, Nitrogen, Bacteria, or Mercury is a stormwater pollutant of concern, the control measures in Section 6(*a*) and the screening and monitoring requirements of Section 6(*i*),

(B) For all other discharges subject to a pollutant load reduction contained within a TMDLs, implement control measures to be consistent with the Waste Load Allocation in the specific TMDL. The permittee must also conduct the appropriate screening and monitoring in accordance with Section 6(*i*).

(C) The permittee shall implement BMPs as necessary to achieve the Waste Load Allocation, Load Allocation or Water Quality Targets specified within the TMDL (see Appendix D).

(3) New Discharge to an Impaired Water without an Established TMDL

If a new discharge to an impaired water without a TMDL is authorized pursuant to the conditions of Section 3(*b*)(7), the permittee must implement and maintain any control measures or conditions on the site that enabled such authorization, and modify such measures or conditions as necessary to maintain such authorization. The permittee must also maintain compliance with this subsection and Section 6(*i*) and maintain documentation of these measures and conditions in their Plan.

(4) New Discharge to a Water with an Established TMDL or with a Pollutant Load Reduction specified within the TMDL

If a new discharge to a water with a TMDL or with a pollutant load reduction established within the TMDL is authorized pursuant to the conditions of Section 3(*b*)(7), the permittee must follow the discharge requirements consistent with the applicable Wasteload Allocations, Load Allocations or Water Quality Targets for that TMDL. The permittee must also conduct the appropriate screening and monitoring in accordance with Section 6(*i*) and maintain documentation of these measures and conditions in their Plan.

Section 7. Additional Requirements of this General Permit

(a) Regulations of Connecticut State Agencies Incorporated into this General Permit

The permittee shall comply with all laws applicable to the subject discharges, including but not limited to, the following Regulations of Connecticut State Agencies which are hereby incorporated into this general permit, as if fully set forth herein:

(1) Section 22a-430-3:

Subsection (b) General - subparagraph (1)(D) and subdivisions (2), (3), (4) and (5)
Subsection (c) Inspection and Entry
Subsection (d) Effect of a Permit - subdivisions (1) and (4)
Subsection (e) Duty to Comply
Subsection (f) Proper Operation and Maintenance
Subsection (g) Sludge Disposal
Subsection (h) Duty to Mitigate
Subsection (i) Facility Modifications, Notification - subdivisions (1) and (4)
Subsection (j) Monitoring, Records and Report Requirements - subdivisions (1), (6), (7), (8), (9) and (11) (except subparagraphs (9) (A) (2) and (9) (c)
Subsection (k) Bypass
Subsection (m) Effluent Limitation Violations
Subsection (n) Enforcement
Subsection (p) Spill Prevention and Control
Subsection (q) Instrumentation, Alarms, Flow Recorders
Subsection (r) Equalization

(2) Section 22a-430-4

Subsection (t) Prohibitions
Subsection (p) Revocation, Denial, Modification
Appendices

(b) Reliance on Registration

In evaluating the permittee's registration, the Commissioner has relied on information provided by the permittee. If such information proves to be false or incomplete, the permittee's authorization may be suspended or revoked in accordance with law, and the Commissioner may take any other legal action provided by law.

(c) Duty to Correct and Report Violations

Upon learning of a violation of a condition of this general permit, a permittee shall immediately take all reasonable action to determine the cause of such violation, correct and mitigate the results of such violation and prevent further such violation. The permittee shall report in writing such violation and such corrective action to the Commissioner within five (5) days of the permittee's learning of such violation. Such information shall be filed in accordance with the certification requirements prescribed in Section 7(e) of this general permit.

(d) Duty to Provide Information

If the Commissioner requests any information pertinent to the authorized activity or to compliance with this general permit or with the permittee's authorization under this general permit, the permittee shall provide such information within thirty (30) days of such request. Such information shall be filed in accordance with the certification requirements prescribed in Section 7(e) of this general permit.

(e) Certification of Documents

Any document, including but not limited to any notice, information or report, which is submitted to the Commissioner under this general permit shall be signed by, as applicable, the Commissioner of Transportation in accordance with section 22a-430-3(b)(2) of the Regulations of Connecticut State Agencies, and by the individual or individuals responsible for actually preparing such document, each of whom shall certify in writing as follows:

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

(f) Date of Filing

For purposes of this general permit, the date of filing with the Commissioner of any document is the date such document is received by the Commissioner. The word "day" as used in this general permit means the calendar day; if any date specified in the general permit falls on a Saturday, Sunday, or legal holiday, such deadline shall be the next business day thereafter.

(g) False Statements

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

(h) Correction of Inaccuracies

Within fifteen (15) days after the date the permittee becomes aware of a change in any information in any material submitted pursuant to this general permit, or becomes aware that any such information is inaccurate or misleading or that any relevant information has been omitted, the permittee shall correct the inaccurate or misleading information or supply the omitted information in writing to the Commissioner. Such information shall be filed in accordance with the certification requirements prescribed in Section 7(*e*) of this general permit.

(i) Other Applicable Law

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

(j) Other Rights

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

Section 8. Commissioner's Powers

(a) Abatement of Violations

The Commissioner may take any action provided by law to abate a violation of this general permit, including but not limited to penalties of up to $25,000 per violation per day under Chapter 446k of the Connecticut General Statutes, for such violation. The Commissioner may, by summary proceedings or otherwise and for any reason provided by law, including violation of this general permit, revoke a permittee's authorization hereunder in accordance with Sections 22a-3a-2 through 22a-3a-6, inclusive, of the Regulations of Connecticut State Agencies. Nothing herein shall be construed to affect any remedy available to the Commissioner by law.

(b) General Permit Revocation, Suspension, or Modification

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

(c) Filing of an Individual Application

If the Commissioner notifies a permittee in writing that such permittee shall obtain an individual permit under Section 22a-430 of the Connecticut General Statutes if he wishes to continue lawfully conducting the authorized activity, the permittee shall file an application for an individual permit within thirty (30) days of receiving the Commissioner's notice, or at such other date as the Commissioner may allow. While such application is pending before the Commissioner, the permittee shall comply with the terms and conditions of this general permit and the subject approval of registration. If the Commissioner issues an individual permit to a permittee under this general permit, this general permit, as it applies to such permittee, shall automatically terminate on the date such individual permit is issued. Nothing herein shall affect the Commissioner's power to revoke a permittee's authorization under this general permit at any time.

Issued:

Robert Kaliszewski
Deputy Commissioner

Appendix A – Small MS4 Municipalities

Connecticut Municipalities with >1,000 People in Urbanized Areas		
Ansonia	Avon	Beacon Falls
Berlin	Bethany	Bethel
Bloomfield	Bolton	Branford
Bridgeport	Bristol	Brookfield
Brooklyn	Burlington	Canton
Cheshire	Chester	Clinton
Cromwell	Danbury	Darien
Deep River	Derby	Durham
East Granby	East Hartford	East Haven
East Lyme	East Windsor	Easton
Ellington	Enfield	Essex
Fairfield	Farmington	Glastonbury
Granby	Greenwich	Griswold
Groton (City)	Groton (Town)	Guilford
Haddam	Hamden	Hartford
Hebron	Killingly	Ledyard
Lisbon	Madison	Manchester
Marlborough	Meriden	Middlebury
Mansfield	Middlefield	Middletown
Milford	Monroe	Montville
Naugatuck	New Britain	New Canaan
New Fairfield	New Hartford	New Haven
New London	New Milford	Newington
Newtown	North Branford	North Haven
Norwalk	Norwich	Old Lyme
Old Saybrook	Orange	Oxford
Plainfield	Plainville	Plymouth
Portland	Prospect	Putnam
Redding	Ridgefield	Rocky Hill
Seymour	Shelton	Simsbury
Somers	South Windsor	Southbury
Southington	Sprague	Stonington (Town & Borough)
Stratford	Suffield	Thomaston
Thompson	Tolland	Trumbull
Vernon	Wallingford	Waterbury
Waterford	Watertown	West Hartford
West Haven	Westbrook	Weston
Westport	Wethersfield	Wilton
Willington	Windsor	Windsor Locks
Wolcott	Woodbridge	Woodbury

Appendix B
Illicit Discharge Detection and Elimination (IDDE) Program Protocol

(A) Illicit Discharge Detection and Elimination (IDDE) Program

Objective: The permittee shall implement an IDDE program to systematically find and eliminate sources of non-stormwater discharges to its MS4 and implement procedures to prevent such discharges.

(1) Definitions and Prohibitions

The permittee shall prohibit, to the MEP, illicit discharges and sanitary sewer overflows (SSOs) to its MS4 and require removal of such discharges consistent with subsections (2) and (4), below.

An SSO is a discharge of untreated sanitary wastewater from a municipal sanitary sewer.

An illicit discharge is any discharge to an MS4 that is not composed entirely of stormwater, *except*:

(a) discharges authorized under a separate NPDES permit that authorize a discharge to the MS4

(b) non-stormwater discharges allowed by Section 3(a)(2) of this general permit

(2) Elimination of Illicit Discharges

(a) Upon detection, the permittee shall eliminate illicit discharges as soon as possible and require immediate termination of such discharges upon confirmation by responsible parties in accordance with its Legal Authorities established pursuant to subsection (B), below. When elimination of an illicit discharge within sixty (60) days of its confirmation is not possible, the permittee shall establish a schedule for its elimination not to exceed 180 days (six (6) months). The permittee shall immediately commence actions necessary for elimination. The permittee shall diligently pursue elimination of all illicit discharges. In the interim, the permittee shall take all reasonable and prudent measures to minimize the discharge of pollutants to its MS4.

(b) The period between identification and elimination of an illicit discharge is not a grace period. Discharges from an MS4 that are mixed with an illicit discharge are not authorized by this general permit, are unlawful, and remain unlawful until eliminated.

(3) Non-Stormwater Discharges

The permittee may presume that the sources of non-stormwater listed in Section 3(a)(2) of this permit need not be addressed. However, if the permittee identifies any of these sources as significant contributors of pollutants to the MS4, then the permittee shall implement measures to control these sources so they are no longer significant contributors of pollutants, and/or eliminate them entirely, consistent with this appendix.

(4) Sanitary Sewer Overflows

(a) Upon detection of an SSO, the permittee shall eliminate it as soon as possible and take interim mitigation measures to minimize the discharge of pollutants to and from its MS4 until elimination is completed.

(b) The permittee shall identify all known locations reported to the MS4 by interconnected MS4s where SSOs have discharged to the MS4 within the previous five (5) years. This shall include SSOs resulting from inadequate conveyance capacities during dry or wet weather, or where interconnectivity of the storm and sanitary sewer infrastructure allows for communication of flow between the systems. Within 120 days of the effective date of the permit, the permittee shall develop an inventory of all reported SSOs indicating:

- Location (approximate street crossing/address and receiving water, if any);
- A clear statement of whether the discharge entered a surface water directly or entered the MS4;
- Date(s) and time(s) of each reported SSO occurrence (i.e. beginning and end of any known discharge);
- Estimated volume(s) of the occurrence;
- Description of the occurrence indicating known or suspected cause(s);
- Mitigation and corrective measures completed by the permittee or the interconnected MS4 with dates implemented; and
- Mitigation and corrective measures planned by the permittee or the interconnected MS4 with implementation schedules.

The permittee shall maintain the inventory as a part of the Plan and update the inventory annually.

(c) Within five (5) days of becoming aware of the SSO occurrence, the permittee shall provide written notice to the Commissioner and shall include the information in the updated inventory. The notice shall contain all of the information listed in subsection (b), above.

(d) The permittee shall include and update the SSO inventory in its annual report and state the status of mitigation and corrective measures implemented by the permittee to address each SSO identified pursuant to this appendix.

(e) The period between identification and elimination of a discharge from the SSO to the MS4 is not a grace period. Discharges from an MS4 that are mixed with an SSO are not authorized by this general permit, are unlawful and remain unlawful until eliminated.

(5) Outfall/Interconnection Inventory

The permittee shall develop an outfall and interconnection inventory that: identifies each outfall and interconnection discharging from the MS4; records its location and condition; and provides a framework for tracking inspections, screenings and other activities under the permittee's IDDE program pursuant to Section 6(*a*)(3) of this general permit.

(a) An outfall means a point source as defined by 40 CFR § 122.2 and in Section 2 of this general permit as the point where the MS4 discharges to waters of the state. An outfall does not include: open conveyances connecting two (2) separate storm sewers or pipes; tunnels or other conveyances that connect segments of the same stream; or other waters of the state and that are used to convey waters of the state. However, it is strongly recommended that a permittee inspect all accessible portions of the system as part of this process. Culverts longer than a simple road crossing shall be included in the inventory unless the permittee can confirm that they are free of any connections and simply convey waters of the state.

An interconnection is the point where the permittee's MS4 discharges to another MS4 or other storm sewer system, through which the discharge is conveyed to waters of the state or to another storm sewer system and eventually to a water of the state.

(b) The permittee shall complete its outfall and interconnection inventory in accordance with the timeline in Section 6(*a*)(3)(C) and shall include the progress of this inventory in each annual report. The inventory shall be updated annually to include data collected in connection with the dry weather screening under subsection (7(d)), below, and other relevant inspections conducted by the permittee.

(c) The inventory shall include the following information: unique identifier, receiving water, date of most recent inspection, dimensions, shape, material (concrete, PVC), spatial location (latitude and longitude with a minimum accuracy of +/-30 feet, physical condition and indicators of potential non-stormwater discharges (including presence or evidence of suspect flow and sensory observations such as odor, color, turbidity, floatables, or oil sheen) as of the most recent inspection.

(6) System mapping

The permittee shall develop a map of its MS4 that shall include, at a minimum, parts of the MS4 within the Urbanized Area and those catchment areas of the MS4 with either DCIA of greater than 11% or which discharge to impaired waters ("priority" areas). This map shall be completed in accordance with Section 6(*a*)(3)(C) of this general permit.

(a) The mapping shall include, at a minimum, a depiction of the permittee's separate storm sewer system in the priority areas. The mapping is intended to facilitate the identification of key infrastructure and factors influencing proper system operation, and the potential for illicit sanitary sewer discharges. The map shall include the required infrastructure and water resources information as indicated in subparagraph (i), below, and shall include the information in subparagraph (ii), below, where available. The Commissioner also recommends the inclusion of additional items as indicated in subparagraph (iii), below.

(i) Required mapping elements

- DOT separate storm sewer system
  - outfalls and receiving waters (required by previous permit)
  - pipes
  - open channel conveyances (swales, ditches, etc.)
  - catch basins
  - manholes
  - interconnections with other MS4s and other storm sewer systems
  - Permittee-owned stormwater treatment structures (e.g. detention and retention basins, infiltration systems, bioretention areas, water quality swales, gross particle separators, oil/water separators, or other proprietary systems)
- Catchment delineations as defined in Section 2 for use in priority rankings required in subsection (7)(c), below, or prioritizing BMP retrofits.
- Waterbodies identified by name and indication of all use impairments as identified on the most recent Integrated Water Quality Report pursuant to Clean Water Act section 303(d) and 305(b).

(ii) Elements required (within permittee property) where such information is available

- Municipal sanitary sewer system;
- Municipal combined sewer system, if applicable

(iii) Recommended elements

- Storm sewer material, size and age.
- Sanitary sewer system material, size and age
- Where a municipal sanitary sewer system exists within permittee property, properties known or suspected to be served by a septic system, especially in high-density urban areas
- Area where the permittee's MS4 has received or could receive flow from septic system discharges (e.g. areas with poor soils, or high ground water elevations unsuitable for conventional subsurface disposal systems)
- Seasonal high water table elevations impacting sanitary alignments
- Topography
- Orthophotography
- Alignments, dates and representation of work completed (with legend) of past illicit discharge investigations (e.g. flow isolation, dye testing, CCTV)
- Locations of suspected, confirmed and corrected illicit discharges (with dates and flow estimates)

(b) The mapping may be produced by hand or through computer-aided methods (e.g. GIS). The required scale and detail of the map shall be appropriate to facilitate a rapid understanding of the system by the permittee and the Commissioner. In addition, the mapping shall serve as a planning tool for the implementation and phasing of the IDDE program and demonstration of the extent of complete and planned investigations and corrections. The permittee shall update the mapping as necessary to reflect newly discovered information and required corrections or modifications.

(c) The permittee shall report on the progress towards the completion of the map required by this permit in each annual report.

(7) Written Illicit Discharge Detection and Elimination Program

The IDDE program shall be recorded in a written document pursuant to Section 6(*a*)(3) of the general permit. The IDDE program shall include each of the elements described in subsections (a) – (h), below, unless the permittee provides a written explanation within the IDDE program as to why a particular element is not applicable to the permittee.

Notwithstanding the permittee's explanation, the Commissioner may at any time determine that a particular element is in fact applicable to the permittee and require the permittee to add it to the IDDE program. The written IDDE program shall be completed within two (2) years following the effective date of this general permit. The permittee shall implement the IDDE program in accordance with the goals and milestones set forth in subsection (8), below.

(a) Legal Authority

The IDDE program shall provide that the permittee has adequate Legal Authority, pursuant to Section 6 of this general permit, to accomplish the following tasks: prohibit illicit discharges;

investigate suspected illicit discharges; eliminate illicit discharges, including discharges from properties not owned by or controlled by the MS4 that discharge into the MS4 system; and implement appropriate procedures and actions to bring about compliance. The permittee must establish this Legal Authority on or before two (2) years following the effective date of this permit. The written IDDE program shall include a reference or citation of the Legal Authority the permittee will use to implement all aspects of the IDDE program.

(b) Statement of IDDE Program Responsibilities

The permittee shall establish a written statement that clearly identifies responsibilities with regard to eliminating illicit discharges. The statement shall identify the lead permittee department(s) or personnel responsible for implementing the IDDE Program as well as any other departments or personnel that may have responsibilities for aspects of the program (e.g. state or local health officials responsible for overseeing septic system construction; inspectional services for enforcing plumbing codes; legal counsel responsibilities in referring or initiating enforcement actions, support staff etc.). In cases where multiple departments or personnel have responsibilities with respect to the IDDE program, specific areas of responsibility shall be defined and processes for coordination and data sharing shall be established and documented.

(c) Assessment and Priority Ranking of Catchments

The permittee shall assess and rank the catchments by priority as required by subsection (6)(a), above, in terms of their potential to have illicit discharges, SSOs and the related public health significance. This ranking will determine the priority order for outfall screenings and interconnections pursuant to subsection (d), below, catchment investigations for evidence of illicit discharges and SSOs pursuant to subsection (e), below, while providing the basis for determining permit milestones pursuant to subsection (8), below.

(i) The permittee shall classify each catchment into one of the following categories:

- Excluded catchments: Catchments with no potential for illicit discharges may be excluded from the IDDE program. This category is limited to roadway drainage in undeveloped areas with no dwellings and no sanitary sewers; isolated catchment areas; drainage for rest areas, parks or undeveloped green space and associated parking without services; cross-country drainage alignments (that neither cross nor are in proximity to sanitary sewer alignments) through undeveloped land.
- Problem catchments: Catchments with known or suspected contributions of illicit discharges based on existing information shall be designated as Problem Catchments. This shall include any catchments where previous outfall/interconnection screenings indicated sewer input based on olfactory/visual evidence or sampling results (ammonia $\geq$ 0.5 mg/l, surfactants $\geq$ 0.25 mg/l, and bacteria levels greater than the water quality criteria applicable to the receiving water; or ammonia $\geq$ 0.5 mg/l, surfactants $\geq$ 0.25 mg/l, and detectable levels of chlorine). Problem Catchments need not be screened pursuant to subsection (d), below, and shall be scheduled for catchment investigation pursuant to subsection (e), below. Problem catchments shall be identified during the initial ranking of catchments and subsequent rankings shall not add any catchments to the Problem Catchment category.
- High priority catchments: Catchments that discharge to areas of concern for public health such as public beaches, recreational areas, drinking water supplies or shellfish beds, and have not been classified as Problem Catchments; catchments determined by the permittee as high priority based on outfall/interconnection screening under

subsection (d), below, and catchment characteristics assessment under subparagraph (c)(ii), below. Any catchment where outfall/interconnection screening indicates sewer input based on olfactory/visual evidence or sampling results (ammonia ≥ 0.5 mg/l, surfactants ≥ 0.25 mg/l, and bacteria levels greater than the water quality criteria applicable to the receiving water; or ammonia ≥ 0.5 mg/l, surfactants ≥ 0.25 mg/l, and detectable levels of chlorine) shall be ranked at the top of the High Priority Catchments category and scheduled for catchment investigation pursuant to subsection (e), below.

- Low priority catchments: Catchments determined by the permittee as low priority based on outfall/interconnection screening under subsection (d), below, and catchment characteristics assessment under subparagraph (c)(ii), below.

(ii) Based on available information, the permittee shall priority rank catchments within each category (except for excluded catchments), based on screening factors. The permittee shall, at a minimum, consider the following screening factors:

- Past discharge complaints and reports.
- Poor dry weather receiving water quality- the following guidelines are recommended to identify waters as having a high illicit discharge potential: exceeding water quality standards for bacteria; ammonia levels above 0.5 mg/l; surfactants levels greater than or equal to 0.25 mg/l.
- Density of generating sites - Generating sites are those places, including institutional, municipal, commercial, or industrial sites, with a potential to generate pollutants that could contribute to illicit discharges to the DOT MS4. Examples of these sites include, but are not limited to, car dealers; car washes; gas stations; garden centers; and industrial manufacturing areas.
- Age of surrounding development and infrastructure in proximity to the DOT MS4 – Industrial areas greater than 40 years old and areas where the sanitary sewer system is more than 40 years old will probably have a high illicit discharge potential. Developments 20 years or younger will probably have a low illicit discharge potential.
- Sewer conversion – Catchments in proximity to the DOT MS4 that were once serviced by septic systems, but have been converted to sewer connections may have a high illicit discharge potential.
- Historic combined sewer systems in proximity to the DOT MS4 – Catchments that were once serviced by a combined sewer system, but have been separated may have a high illicit discharge potential.
- Density of aging septic systems in proximity to the DOT MS4 – Septic systems thirty (30) years or older in residential land use areas are prone to have failures and may have a high illicit discharge potential. Consultation with local or state health officials is strongly encouraged.
- Culverted streams – any river or stream that is culverted for distances greater than a simple roadway crossing may have a high illicit discharge potential.

The permittee may also consider as priorities for evaluation for illicit discharges, although not necessarily indicators of the presence of illicit connections or discharges:

- Water bodies that receive a discharge from the MS4 and are drinking water supplies, shell fishing areas, beaches or waters used for contact recreation.
- Impaired waterbodies that receive a discharge from the MS4 or waters with approved TMDLs applicable to the permittee, where illicit discharges have the potential to contain the pollutant identified as the cause of the impairment.

- Areas of the DOT MS4 with discharges in an Urbanized Area, as defined in Section 2.
- Drainage areas within the DOT MS4 with Directly Connected Impervious Area (DCIA) of greater than eleven percent (11%).

Areas that may contain a combination of two (2) or more of the priorities listed in this subsection should receive higher priority. The permittee may add additional relevant factors, including location-specific screening factors; if so, the permittee shall include the additional factors in its written IDDE program.

(iii) An initial illicit discharge potential assessment and priority ranking based on existing information shall be completed by the end of the term of the permit. The permittee shall update its assessment and priority ranking annually based on catchment delineations pursuant to subsection (6), above, the results of screening pursuant to subsection (d), below, and other new relevant information. The permittee shall provide a listing of all catchments and the results of the ranking for each catchment in each annual report. For each catchment being investigated the permittee shall also provide in its annual report (1) a summary of evidence of known or suspected illicit discharges and SSOs; (2) completed, ongoing or planned corrective measures addressing confirmed illicit discharges and SSOs; and (3) a schedule for completing and verifying measures correcting the confirmed illicit discharges and SSOs.

(d) Outfall and Interconnection Screening and Sampling

The IDDE program shall include a written procedure for the screening and sampling of outfalls and interconnections from the DOT MS4 in dry and wet weather for evidence of illicit discharges and SSOs. This screening procedure shall be used for:

- baseline outfall and interconnection screening pursuant to subparagraph (iii), below (dry weather);
- confirmatory screenings pursuant to subsection (f), below (dry and/or wet weather depending on catchment characteristics);
- follow-up screening pursuant to subsection (g), below (dry and/or wet weather depending on catchment characteristics).

(i) The screening and sampling procedure shall include procedures for sample collection, use of field kits, storage and conveyance of samples (including relevant hold times).

(ii) If an outfall is inaccessible or submerged, the permittee shall proceed to the first accessible upstream manhole or structure for the observation and sampling and report the location with the screening results. If an interconnection is inaccessible or submerged, interconnection screening shall occur at the first accessible location within the permittee's system upgradient of the interconnection.

(iii) Dry weather screening and sampling shall proceed only when no more than 0.1 inches of rainfall has occurred in the previous 24-hour period. When a flow is observed, a sample of the flow shall be collected and analyzed for the parameters listed in subparagraph (v), below. If no dry weather flow is observed, the permittee shall record the condition of the outfall and other relevant information. If no flow is observed, but evidence of dry weather flow exists, the permittee shall revisit the outfall during dry weather within one (1) week of the initial observation, if practicable, to perform a second (2^{nd}) dry weather screening and sample any observed flow. The permittee shall identify in the annual report any other

necessary follow-up actions to identify the source of any apparent intermittent flow not sampled.

(iv) Wet weather screening and sampling, which shall be conducted at an outfall and/or within the catchment area in accordance with subparagraph (e)(ii)b., below, shall proceed during or after a storm event of sufficient depth or intensity to produce a stormwater discharge but only during the spring (March to June) when groundwater levels are relatively high. The permit does not require a minimum rainfall event prior to wet weather screening. However, the purpose of wet weather screening and sampling under the IDDE program is to identify illicit discharges that may activate or become evident during wet weather. Permittees may incorporate provisions that assist in targeting such discharges, including avoiding sampling during the initial period of discharge ("first flush") and/or identifying minimum storm event intensities likely to trigger sanitary sewer interconnections.

(v) Samples shall be analyzed at a minimum for ammonia, chlorine, conductivity, salinity, surfactants (such as MBAS), temperature, as well as *E. coli*. (freshwater receiving water) or enterococcus (saline or brackish receiving water), as may be required by subparagraph (vi), below. All analyses with the exception of indicator bacteria can be performed with field test kits or field instrumentation. In addition, where the discharge is directly into a water quality limited water or a water subject to an approved TMDL, the sample shall be analyzed for the pollutants identified as the cause of the impairment. Sampling for pollutants of concern shall be conducted using the analytical methods found in 40 CFR §136, or alternative methods approved by the Commissioner in accordance with the procedures in 40 CFR §136. Other IDDE screening parameters shall be considered field screening and are not subject to 40 CFR Part 136 requirements.

(vi) Catchments where there is relevant information indicating sewer input to the MS4 or sampling results where ammonia $\geq$ 0.5 mg/l, surfactants $\geq$ 0.25 mg/l, and bacteria levels greater than the water quality criteria applicable to the receiving water (or alternatively, ammonia $\geq$ 0.5 mg/l, surfactants $\geq$ 0.25 mg/l, and detectable levels of chlorine) shall be considered highly likely to contain illicit discharges from sanitary sources, and such catchments shall be ranked at the top of the High Priority Catchments category for investigation. Where sampling results indicate the absence of ammonia, surfactants and chlorine, bacteria analysis is not required.

(e) Catchment Investigation Procedure

The permittee shall develop a written systematic procedure for catchment investigation that includes (1) a review of mapping and historic plans and records for the catchment; (2) a manhole inspection methodology; and (3) procedures to isolate and confirm sources of illicit discharges, as set forth below.

(i) For each catchment being investigated, the permittee shall review relevant mapping and historic plans and records to the extent available including, but not limited to: plans related to the construction of the storm drain and sanitary sewers in the catchment; prior work performed on the storm drain or sanitary sewers; local health official or other municipal data on septic system failures or required upgrades; and complaint records related to SSOs, sanitary sewer surcharges, and septic system breakouts. This review shall be used to identify areas within the catchment with higher potential for illicit connections and System Vulnerability Factors that indicate a risk of sanitary or septic system inputs to the MS4

under wet weather conditions. The permittee shall identify and record the presence of any of the following specific System Vulnerability Factors to the extent available:

- History of SSOs, including, but not limited to, those resulting from wet weather, high water table, or fat/oil/grease blockages;
- Sewer pump/lift stations, siphons, or known sanitary sewer restrictions where power/equipment failures or blockages could readily result in SSOs;
- Inadequate sanitary sewer level of service (LOS) resulting in regular surcharging, customer back-ups, or frequent customer complaints;
- Common or twin-invert manholes serving storm and sanitary sewer alignments;
- Common trench construction serving both storm and sanitary sewer alignments;
- Crossings of storm and sanitary sewer alignments;
- Sanitary sewer alignments known or suspected to have been constructed with an underdrain system;
- Sanitary sewer infrastructure defects such as leaking service laterals, cracked, broken, or offset sanitary infrastructure, directly piped connections between storm drain and sanitary sewer infrastructure, or other vulnerability factors identified through Inflow/Infiltration Analyses, Sanitary Sewer Evaluation Surveys, or other infrastructure investigations.
- Areas formerly served by combined sewer systems;
- Any sanitary sewer and storm drain infrastructure greater than 40 years old in medium and densely developed areas;
- Widespread code-required septic system upgrades required at property transfers (indicative of inadequate soils, water table separation, or other physical constraints of the area rather that poor owner maintenance);
- History of multiple local health department or sanitarian actions addressing widespread septic system failures (indicative of inadequate soils, water table separation, or other physical constraints of the area rather that poor owner maintenance);

The permittee shall document the presence or absence of System Vulnerability Factors for each catchment, retain this documentation as part of its IDDE program, and report this information in annual reports. Where System Vulnerability Factors are present, the catchment shall be investigated pursuant to subparagraph (ii)b., below.

(ii) The manhole inspection methodology shall describe a storm drain network investigation that involves systematically and progressively observing, sampling (as required below) and evaluating key junction manholes in the DOT MS4 to narrow the location of suspected illicit discharges or SSOs to an isolated pipe segment between two (2) manholes, locate evidence of illicit discharges or SSOs that may not be evident at the outfall under all circumstances, and confirm or identify potential system vulnerability factors. The written catchment investigation procedures shall detail how the permittee will further isolate and identify potential illicit discharges as indicated by field kit detections equal to or greater than the threshold values listed in subparagraph (d)(vi), above. The permittee is responsible for selecting key junction manholes in a manner such that the distance between key junction manholes is appropriate to ensure a thorough assessment of its system.

The manhole inspection methodology may either start from the outfall and work up the system, start from the upper parts of the catchment and work down the system or be a

combination of both practices. Either method must, at a minimum, include an investigation of each key junction manhole within the MS4, even where no evidence of an illicit discharge is observed at the outfall. The Catchment Investigation Procedure must describe the method the permittee will use.

a. Dry weather investigation

Key junction manholes shall be opened and inspected for visual and olfactory evidence of illicit connections (e.g. excrement, toilet paper, gray filamentous bacterial growth, or sanitary products present). If flow is observed, the permittee shall, at a minimum, sample the flow for ammonia, chlorine and surfactants using field kits for these analyses. Additional indicator sampling may assist in determining potential sources (e.g. bacteria for sanitary flows, conductivity to detect tidal backwater, etc.). When sampling results, visual or olfactory evidence indicate potential illicit discharges or SSOs. The area draining to the junction manhole shall be flagged for further investigation through upstream junction manhole investigation and/or isolation and confirmation of sources pursuant to subsection (e)(ii), above.

Manhole inspections in all areas shall also identify System Vulnerability Factors including common (twin invert) manholes, directly piped connections between storm drains and sanitary sewer infrastructure, common weir walls, sanitary sewer underdrain connections and other structural vulnerabilities where sanitary discharges can enter the storm drain system during wet weather. Where present, such System Vulnerability Factors shall be investigated pursuant to paragraph (b), below.

b. Wet weather investigation

When the review of mapping, historic plans, records and/or manhole inspections indicate the presence of one or more System Vulnerability Factors as listed in subsection (e)(i), above, the permittee shall also inspect and sample under wet weather conditions, to the extent necessary, to determine whether wet weather-induced high flows in sanitary sewers or high groundwater in areas served by septic systems result in sanitary flow discharges to the MS4. The permittee shall conduct at least one wet weather screening and outfall sampling for any catchment where one (1) or more System Vulnerability Factors are present. This sampling can be performed upon completion of any dry weather investigation, but must be completed before catchment investigation is marked as complete. All data shall be recorded and reported in each annual report.

(iii) Isolation and Source Verification Procedures

The permittee shall develop procedures that isolate and confirm sources where manhole investigations, other physical evidence or screening reveal that illicit discharges or SSOs influence MS4 alignments. These shall include isolation of the drainage area for implementation of more detailed investigations, inspection of additional manholes along the alignment to refine the location of potential contaminant sources, and methods such as caulk dams, targeted internal plumbing inspections, dye testing, video inspections, or smoke testing to isolate and confirm the sources.

(f) Removal and Confirmation

When the source of an illicit discharge or SSO is identified and confirmed, the permittee shall exercise its authority as necessary to require its removal pursuant to subsections (2) or (3), above. For each confirmed source the permittee shall include the following information in the annual report: the location of the discharge and its source(s), a description of the discharge, the method of discovery, date of discovery, date of elimination, mitigation or enforcement action, and a volume estimate of flow removed.

Within one (1) year after identified illicit discharge and SSO sources within a catchment area are removed, the permittee shall conduct confirmatory outfall or interconnection screenings. The confirmatory screening shall be conducted in dry weather unless System Vulnerability Factors have been identified in the catchment pursuant to subsection (e)(i), above, in which case both dry weather and wet weather confirmatory screening shall be conducted. If confirmatory screening indicates evidence of additional illicit discharges, the catchment shall be scheduled for additional investigation. Confirmatory screening is not required in catchments where no illicit discharges or system vulnerability factors were identified and no previous screening indicated suspicious flows.

(g) Follow-up Screening

Upon completion of catchment investigation pursuant to subsection (e), above, and illicit discharge removal and confirmation (if necessary) pursuant to subsection (f), above, the catchment outfall or interconnection shall be scheduled for follow-up screening within five (5) years or sooner, as determined by the permittee based on the catchment's illicit discharge priority. Follow-up screening shall consist of dry weather screening and sampling unless subparagraph (e)(ii)b., above, requires wet weather screening and sampling for such catchments.

(h) Illicit Discharge Prevention Procedures

The permittee shall develop and implement mechanisms and procedures designed to prevent illicit discharges and SSOs such as: spill response and prevention procedures including identification of spills, reporting procedures, containment procedures, and documentation; public awareness (this may be a part of the education program required by subsection (2), above); reporting (hotlines) and public employee training used in the IDDE program for identifying potential illicit discharges and SSOs.

(8) IDDE Program Implementation Goals and Milestones

The permittee shall implement the IDDE Program to meet the following goals and milestones:

(a) The permittee shall complete dry weather screening and sampling (where flowing) for every mapped MS4 outfall and interconnection (except excluded and problem catchments) no later than the end of the permit term. The annual report shall include all data. Permittees that have conducted substantially equivalent monitoring to that required by subsection (7)(d), above, as part of an enforcement action can request an exemption from the requirements of subsection (7)(d) by submitting a written request to the Commissioner to retain exemption approval as part of the Plan. Until the permittee receives formal written approval of the exemption from subsection (7)(d), the permittee remains subject to all requirements of subsection (7)(d).

(b) The permittee shall begin investigations using the procedure developed in accordance with subsection (7)(d), above, within three (3) months of investigation procedure finalization and no later than 2 years and 3 months from the effective date of the permit. Each year the permittee shall make continued progress toward meeting the milestones of subsection (8)(c), below. Using its existing IDDE program, the permittee shall continue investigation (including Problem Catchments) until such time as the procedure under subsection (7)(e), above, is developed.

(c) The permittee shall implement the catchment investigation procedure (outlined in subsection E) in every catchment of the MS4, even where dry weather screening does not indicate evidence of illicit discharges. The permittee shall begin implementation of the procedure in Problem Catchments and those catchments with the highest ranking in the Assessment of Priority Catchments pursuant to subsection (7)(c), above. Implementation of the Catchment Investigation Procedure shall comply with the following milestones. For the purpose of these milestones, a catchment investigation is considered complete if a permittee has fulfilled all elements of subsection (7)(e), above.

(i) The permittee shall complete the Catchment Investigation Procedure for Problem Catchments in no less than 80% of the mapped MS4 area (pursuant to Section 6(*a*)(3)(C) of the general permit) within three (3) years of the effective date of this permit. Within five (5) years of the effective date of this permit, 100% of Problem Catchments in mapped areas shall be completed.

(ii) The permittee shall complete the Catchment Investigation Procedure in every MS4 mapped catchment where information indicates sewer input, including outfall/interconnection screening based on olfactory/visual evidence or sampling results (ammonia ≥ 0.5 mg/l, surfactants ≥ 0.25 mg/l, and bacteria levels greater than the water quality criteria applicable to the receiving water; or ammonia ≥ 0.5 mg/l, surfactants ≥ 0.25 mg/l, and detectable levels of chlorine) within five (5) years of the effective date of this permit.

(iii) The permittee shall complete the Catchment Investigation Procedure in 40% of areas served by all DOT MS4 catchments within five (5) years of the effective date of this permit, and in 100% of areas served by all MS4 catchments within ten (10) years of the effective date of this permit. The permittee may include the area of low priority catchments only if the Catchment Investigation has been started in all other MS4 catchments. For the purposes of this section, catchment investigations that have been started include those where provisions of subsections (7)(e)(i) and (ii), have been completed.

(d) Dry weather screening and sampling shall be considered as meeting the manhole inspection requirement when catchments do not contain junction manholes. In these catchments, dry weather screenings that indicate potential presence of illicit discharges shall be further investigated pursuant to subsection (7)(e)(iii), above. Investigations in these catchments may be considered complete when dry weather screening reveals no flow; no evidence of illicit discharges or SSOs is indicated through sampling results, visual or olfactory means; and no wet weather System Vulnerability Factors are identified.

(e) The permittee shall track progress towards these milestones in each annual report.

(9) Indicators of IDDE Program Progress

The permittee shall define or describe indicators for tracking program success. At a minimum, indicators shall include measures that demonstrate efforts to locate illicit discharges, the number of SSOs and illicit discharges identified and removed, the percent and area, in acres, of the MS4 catchment area that was evaluated using the catchment investigation procedure, and volume of sewage removed. The permittee shall evaluate and report the overall effectiveness of the program based on the tracking indicators in the annual report.

(10) Training

The permittee shall, at a minimum, provide annual training to employees involved in the IDDE program that explains the program and includes how to recognize illicit discharges and SSOs. The permittee shall report on the frequency and type of employee training in the annual report.

Appendix C

AQUIFER PROTECTION AREAS AND OTHER GROUNDWATER DRINKING SUPPLY AREAS GUIDANCE

The Stormwater Management Plan ("the Plan") should consider measures to reduce or mitigate potential impacts to both ground water (aquifers) and surface waters, taking into consideration both quantity and quality of the runoff. The emphasis should be to minimize, to the extent possible, changes between pre-development and post-development runoff rates and volumes. Coordination and discussion with the local water company is strongly encouraged.

The basic stormwater principals for Aquifer Protection Areas (and other groundwater drinking supply areas) are to prevent inadvertent pollution discharges/releases to the ground, while encouraging recharge of stormwater where it does not endanger groundwater quality. The permittee should review Sections 19-13-B32(h) and (i) of the Regulations of Connecticut State Agencies for additional information. Measures include:

- prevent illicit discharges to storm water, including fuel/chemical pollution releases to the ground;
- minimize DCIA and disconnect large areas of DCIA with natural or landscape areas;
- direct paved surface runoff to aboveground type land treatment structures – sheet flow, surface swales, depressed grass islands, detention/retention and infiltration basins, and wet basins. These provide an opportunity for volatilization of volatile organic compounds to the extent possible before the stormwater can infiltrate into the ground;
- provide necessary impervious pavement in high potential pollutant release areas. These "storm water hot spots" include certain land use types or storage and loading areas, fueling areas, intensive parking areas and roadways (see Table 7-5);
- only use subsurface recharge structures such as dry wells, galleries, or leaching trenches, to directly infiltrate clean runoff such as rooftops, or other clean surfaces. These structures do not adequately allow for attenuation of salts, solvents, fuels or other soluble compounds in groundwater that may be contained in runoff; and
- Minimize pavement deicing chemicals, or use an environmentally suitable substitute.

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

- ***Land Uses or Activities with Potential for Higher Pollutant Loads:*** Infiltration of stormwater from these land uses or activities (refer to Table 7-5), also referred to as stormwater "hotspots," can contaminate public and private groundwater supplies. Infiltration of stormwater from these land uses or activities may be allowed by the review authority with appropriate pretreatment. Pretreatment could consist of one or a combination of the primary or secondary treatment practices described in the Stormwater Quality Manual provided that the treatment practice is designed to remove the stormwater contaminants of concern.

- ***Subsurface Contamination:*** Infiltration of stormwater in areas with soil or groundwater contamination such as brownfield sites and urban redevelopment areas can mobilize contaminants.

- ***Groundwater Supply and Wellhead Areas:*** Infiltration of stormwater can potentially contaminate groundwater drinking water supplies in immediate public drinking water wellhead areas.

Land Uses or Activities with Potential for Higher Pollutant Loads
Table 7-5 of the 2004 Stormwater Quality Manual

Land Use/Activities	
• Industrial facilities subject to the DEEP Industrial Stormwater General Permit or the U.S. EPA National Pollution Discharge Elimination System (NPDES) Stormwater Permit Program • Vehicle salvage yards and recycling facilities • Vehicle fueling facilities (gas stations and other facilities with on-site vehicle fueling) • Vehicle service, maintenance, and equipment cleaning facilities • Fleet storage areas (cars, buses, trucks, public works) • Commercial parking lots with high intensity use (shopping malls, fast food restaurants, convenience stores, supermarkets, etc.) • Public works storage areas	• Road salt storage facilities (if exposed to rainfall) • Commercial nurseries • Flat metal rooftops of industrial facilities • Facilities with outdoor storage and loading/unloading of hazardous substances or materials, regardless of the primary land use of the facility or development • Facilities subject to chemical inventory reporting under Section 312 of the Superfund Amendments and Reauthorization Act of 1986 (SARA), if materials or containers are exposed to rainfall • Marinas (service and maintenance) • Other land uses and activities as designated by the review authority

For further information regarding the design of stormwater collection systems in Aquifer Protection Areas, contact the Aquifer Protection Area Program at (860) 424-3020 or visit www.ct.gov/deep/aquiferprotection.

Appendix D – Impaired Waters Guidance

Surface Waters and Associated Stormwater Pollutants of Concern			
Stormwater Pollutant of Concern	Waterbodies included within a TMDL or Waters Included in Pollution Control Strategy Developed by CT DEEP	Impaired waters without a TMDL	
		Impaired Designated Use	Cause
Phosphorus	Any water body subject to a TMDL pollutant load reduction for Phosphorus or any waterbody included in the Interim Phosphorus Reduction Strategy for Connecticut Freshwater Non-tidal Receiving Rivers and Streams Technical Support Document (2014 or as amended) , including but not limited to the Bantam River Watershed, Blackberry River Watershed, Factory Brook Watershed, Farmington River Watershed, Fivemile River Watershed, Hockanum River Watershed, Housatonic River Main Stem Watershed, Limekiln Brook Watershed, Naugatuck River Watershed, Norwalk River Watershed, Pequabuck River Watershed Pomperaug River Watershed, Pootatuck River Watershed, Quinebaug River Watershed, Quinnipiac River Watershed, Shetucket River Watershed or Willimantic River Watershed	Habitat for Fish, Other Aquatic Life and Wildlife or Recreation	Phosphorus, Nutrient/ Eutrophication Biological Indicators, Dissolved Oxygen, Chlorophyll-a, or Excess Algal Growth
Nitrogen	Any water body subject to a TMDL pollutant load reduction for Nitrogen, including but not limited to the Long Island Sound TMDL for Dissolved Oxygen (entire state of CT)	Habitat for Marine Fish, Other Aquatic Life and Wildlife	Dissolved oxygen saturation, Nitrogen (Total), Nutrient / Eutrophication Biological Indicators, Oxygen, Dissolved
Bacteria	Any water body subject to a TMDL pollutant load reduction for Total Coliform, Escherichia coli, Fecal coliform or Enterococci	Recreation, Existing or Proposed Drinking Water, Commercial Shellfish Harvesting Where Authorized or Shellfish Harvesting for Direct Consumption Where Authorized	Total Coliform, Escherichia coli, Fecal coliform or Enterococci
Mercury	Any water body subject to a TMDL pollutant load reduction for Mercury (Entire state of Connecticut)	Habitat for Fish, Other Aquatic Life and Wildlife or Fish Consumption	Mercury

Water Quality Targets for Waters for Which Bacteria is a Stormwater Pollutant of Concern				
Water Quality Classification	**E. Coli (Freshwater Rec) (cols/100mls)**	**Enterococci (Marine Rec) (cols/100mls)**	**Fecal Coliform (Marine Shellfishing) (cols/100mls)**	**Total Coliform (Freshwater Drinking) (cols/100mls)**
AA	Instantaneous designated swimming 235 / Non designated Swimming 410 / All other Recreation 576 Geomean 126	N/A	N/A	Monthly Moving average <100 / Single Sample Maximum 500
A	Same as AA	N/A	N/A	N/A
B	Same as AA	N/A	N/A	N/A
SA (Direct Consumption)	N/A	Instantaneous Designated Swimming 104 / Instantaneous All other Uses 500 / Geomean 35	Geomean 14 / 90% of samples <31	N/A
SB (Indirect Consumption)	N/A	Same as SA waters	Geomean 88 / 90% of samples < 260	N/A

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Notice of Issuance of a General Permit

The Department of Energy & Environmental Protection (DEEP) hereby gives notice it has issued the ***General Permit for the Discharge of Stormwater from Department of Transportation Separate Sewer Systems (DOT MS4 general permit)***. The requirements of the DOT MS4 general permit will become effective on July 1, 2019. DOT is required to register for this general permit at least ninety (90) days prior to the effective date. The expiration date for the general permit is June 30, 2024.

A Notice of Tentative Decision to issue the DOT MS4 general permit was published in six newspapers statewide on March 21, 2016. On April 19, 2016, DOT submitted comments on the proposed general permit. No other comments were received. On May 5, 2016, DOT submitted a request for a public hearing and requested mediation with DEEP to resolve the issues raised in their comments. Upon successful completion of the mediation process, DOT withdrew their request for a public hearing on April 2, 2018. The DEEP Office of Adjudications issued a Notice of Termination for the public hearing process on April 4, 2018. Documents pertaining to the issuance of this general permit are available on the DEEP website at www.ct.gov/deep/stormwater.

Copies of the general permit and forms and are available on the DEEP website at www.ct.gov/deep/permits&licenses. Persons unable to access the website may obtain paper copies by calling (860) 424-3025 from 8:30 a.m. – 4:30 p.m., Monday through Friday, by emailing dahlia.gordon@ct.gov or by writing to Ms. Dahlia Gordon, WPED/Bureau of Materials Management and Compliance Assurance, Department of Energy and Environmental Protection, 79 Elm Street, Hartford, CT 06106-5127.

/s/ Robert E. Kaliszewski
Robert E. Kaliszewski
Deputy Commissioner

May 24, 2018
Date:

The Connecticut Department of Energy and Environmental Protection is an Affirmative Action and Equal Opportunity Employer that is committed to complying with the Americans with Disabilities Act. To request an accommodation contact us at 860-418-5910 or deep.accommodations@ct.gov.