

PRETREATMENT PERMIT

issued to

Permittee:

Fusion Paperboard Connecticut, LLC
P.O. Box 238
130 Inland Road
Sprague, CT 06383

Location Address:

130 Inland Road
Sprague, CT 06383

Facility ID: 133-002

Permit ID: SP0002311

Permit Expires: September 23, 2017

SECTION 1: GENERAL PROVISIONS

- (A) This permit is reissued in accordance with section 22a-430 of Chapter 446k, Connecticut General Statutes ("CGS"), and Regulations of Connecticut State Agencies ("RCSA") adopted thereunder, as amended, and a modified Memorandum of Agreement (MOA) dated June 3, 1981, by the Administrator of the United States Environmental Protection Agency which authorizes the State of Connecticut to administer a Pretreatment Program pursuant to 40 CFR Part 403.
- (B) **Fusion Paperboard Connecticut, LLC**, ("Permittee"), shall comply with all conditions of this permit including the following sections of the RCSA, which have been adopted pursuant to section 22a-430 of the CGS and are hereby incorporated into this permit. Your attention is especially drawn to the notification requirements of subsection (i)(2), (i)(3), (j)(1), (j)(6), (j)(8), (j)(9)(C), (j)(11)(C), (D), (E), and (F), (k)(3) and (4) and (l)(2) of section 22a-430-3.

Section 22a-430-3 General Conditions

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

- (q) Instrumentation, Alarms, Flow Recorders
- (r) Equalization

Section 22a-430-4 Procedures and Criteria

- (a) Duty to Apply
 - (b) Duty to Reapply
 - (c) Application Requirements
 - (d) Preliminary Review
 - (e) Tentative Determination
 - (f) Draft Permits, Fact Sheets
 - (g) Public Notice, Notice of Hearing
 - (h) Public Comments
 - (i) Final Determination
 - (j) Public Hearings
 - (k) Submission of Plans and Specifications. Approval.
 - (l) Establishing Effluent Limitations and Conditions
 - (m) Case by Case Determinations
 - (n) Permit issuance or renewal
 - (o) Permit Transfer
 - (p) Permit revocation, denial, or modification
 - (q) Variances
 - (r) Secondary Treatment Requirements
 - (s) Treatment Requirements for Metals and Cyanide
 - (t) Discharges to POTWs - Prohibitions
- (C) Violations of any of the terms, conditions, or limitations contained in this permit may subject the Permittee to enforcement action, including but not limited to, seeking penalties, injunctions and/or forfeitures pursuant to applicable sections of the CGS and RCSA. Specifically, civil penalties of up to twenty-five thousand dollars may be assessed per violation per day.
- (D) Any false statement in any information submitted pursuant to this permit may be punishable as a criminal offense under section 22a-438 or 22a-131a of the CGS or in accordance with section 22a-6, under section 53a-157b of the CGS.
- (E) The authorization to discharge under this permit may not be transferred without prior written approval of the Commissioner of Energy and Environmental Protection ("the Commissioner"). To request such approval, the Permittee and proposed transferee shall register such proposed transfer with the Commissioner at least 30 days prior to the transferee becoming legally responsible for creating or maintaining any discharge, which is the subject of the permit transfer. Failure by the transferee to obtain the Commissioner's approval prior to commencing such discharge(s) may subject the transferee to enforcement action for discharging without a permit pursuant to applicable sections of the CGS and RCSA.
- (F) Nothing in this permit shall relieve the Permittee of other obligations under applicable federal, state and local law.
- (G) An annual fee shall be paid for each year this permit is in effect as set forth in section 22a-430-7 of the Regulations of Connecticut State Agencies.

SECTION 2: DEFINITIONS

- (A) The definitions of the terms used in this permit shall be the same as the definitions contained in section 22a-423 of the CGS and section 22a-430-3(a) and 22a-430-6 of the RCSA.
- (B) In addition to the above the following definitions shall apply to this permit:

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

"Annual" in the context of any sampling frequency found in Section 5, shall mean the sample must be collected in the month of January.

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

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

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

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

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

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

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

"mg/l" means milligrams per liter.

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

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

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

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

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

"ug/l" means micrograms per liter.

SECTION 3: COMMISSIONER'S DECISION

- (A) The Commissioner has made a final determination and found that the continuance of the existing system to treat the discharge will protect the waters of the state from pollution. The Commissioner's decision is based on Application No. 200202847 for permit reissuance received on June 28, 2002 and the administrative record established in the processing of that application.

- (B) (1) From the issuance of this permit through and including September 30, 2012, the Commissioner hereby authorizes the Permittee to discharge in accordance with the terms and conditions of Permit No. SP0002311, issued by the Commissioner to the Permittee on December 30, 1997, the previous application submitted by the Permittee on December 6, 1996, and all modifications and approvals issued by the Commissioner or the Commissioner's authorized agent for the discharge and/or activities authorized by, or associated with, Permit No. SP0002311, issued by the Commissioner to the Permittee on December 30, 1997.
- (2) From October 1, 2012 until this permit expires or is modified or revoked, the Commissioner hereby authorizes the Permittee to discharge in accordance with the terms and conditions of Permit No. SP0002311, issued by the Commissioner to the Permittee on September 24, 2012, Application No. 200202847 received by the Department on June 28, 2002, and all modifications and approvals issued by the Commissioner or the Commissioner's authorized agent for the discharge and/or activities authorized by, or associated with, Permit No. SP0002311 issued by the Commissioner to the Permittee on September 24, 2012.
- (C) The Commissioner reserves the right to make appropriate revisions to the permit in order to establish any appropriate effluent limitations, schedules of compliance, or other provisions that may be authorized under the Federal Clean Water Act or the Connecticut General Statutes or regulations adopted thereunder, as amended. The permit as modified or renewed under this paragraph may also contain any other requirements of the Federal Clean Water Act or Connecticut General Statutes or regulations adopted thereunder which are then applicable.

SECTION 4: EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

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

Table A								
Discharge Serial Number: 001 -1					Monitoring Location: 1			
Wastewater Description: Pretreated paperboard wastewaters, filter backwash, boiler blowdown, steam condensate, laboratory wastewaters, and air compressor condensate								
Monitoring Location Description: At the pump house B								
Discharge is to: The City of Norwich Water Pollution Control Facility								
PARAMETER	UNITS	FLOW/TIME BASED MONITORING				INSTANTANEOUS MONITORING		
		Average Monthly Limit	Maximum Daily Limit	Sample/Reporting Frequency ²	Sample Type or Measurement to be reported	Instantaneous limit or required range	Sample/Reporting Frequency ²	Sample Type or measurement to be reported
4,4-DDD	µg/l	NA	----	Semi-Annually	Daily Composite	NA	NR	Grab
Boron, Total	mg/l	NA	----	Monthly	Daily Composite	NA	NR	Grab
Biochemical Oxygen Demand-5 Day	mg/l	300.0	490.0	Weekly	Daily Composite	490.0	NR	Grab
Biochemical Oxygen Demand-5 Day	lb/d	----	----	Weekly	Daily Composite	NA	NR	NA
Copper, Total	mg/l	----	----	Weekly	Daily Composite	NA	NR	Grab
Flow (Day of Sampling)	gpd	NA	650,000	Weekly	Total Flow	NA	NR	NA
Flow Rate, (Average Daily) ¹	gpd	500,000	NA	Daily	Total Flow	NA	NR	NA
Flow, Maximum During 24 hr Period ¹	gpd	NA	650,000	Daily	Total Flow	NA	NR	NA
Lead, Total	mg/l	----	----	Weekly	Daily Composite	NA	NR	Grab
Nitrogen, Kjeldahl, total (as N)	mg/l	----	----	Weekly	Daily Composite	NA	NR	Grab
Oil & Grease (Total)	mg/l	NA	----	Semi-Annually	GSA	NA	NR	Grab
Pentachlorophenol (See Section 4(E))	mg/l	0.015	0.030	Annually	Daily Composite	0.045	NR	Grab
pH (Day of Sampling)	S.U.	NA	NA	NR	NA	6.0 – 10.0	Monthly	RDS
pH, Maximum	S.U.	NA	NA	NR	NA	10.0	Continuous	Continuous
pH, Minimum	S.U.	NA	NA	NR	NA	6.0	Continuous	Continuous
Total Suspended Solids	mg/l	300.0	490.0	Weekly	Daily Composite	490.0	NR	Grab
Total Suspended Solids	lb/d	----	----	Weekly	Daily Composite	NA	NR	NA
Trichlorophenol (See Section 4(E))	mg/l	0.010	0.020	Annually	Daily Composite	0.030	NR	Grab
Zinc, Total	mg/l	----	----	Weekly	Daily Composite	NA	NR	Grab
Table A Footnotes:								
¹ For this parameter, the Permittee shall maintain at the facility a record of the Total Daily Flow for each day of discharge and shall report the Average Daily Flow and Maximum Daily Flow for each month.								
² The first entry in this column is the ‘Sample Frequency’. If this entry is not followed by a ‘Reporting Frequency’ and the ‘Sample Frequency’ is more frequent than monthly then the ‘Reporting Frequency’ is monthly. If the ‘Sample frequency’ is specified as monthly, or less frequent, then the ‘Reporting Frequency’ is the same as the ‘Sample Frequency’.								

Table B								
Discharge Serial Number: 001-A						Monitoring Location:1		
Wastewater Description: : Combined discharge of treated pulp mill wastewater, filter backwash, boiler blowdown, steam condensate, and air compressor condensate								
Monitoring Location Description: At the aerated stabilization basin (ASB)#3 - Zone 1								
Discharge is to: ASB#3 - Zone 2								
PARAMETER	UNITS	FLOW/TIME BASED MONITORING				INSTANTANEOUS MONITORING		
		Average Monthly Limit	Maximum Daily Limit	Sample/Reporting Frequency ¹	Sample Type or Measurement to be reported	Instantaneous limit or required range	Sample/ Reporting Frequency ¹	Sample Type or measurement to be reported
Temperature, water deg. Fahrenheit	°F	NA	NA	NR	NA	----	Continuous/Weekly ²	RDM
<u>Table B Footnotes :</u>								
¹ The first entry in this column is the ‘Sample Frequency’. If this entry is not followed by a ‘Reporting Frequency’ and the ‘Sample Frequency’ is more frequent than monthly then the ‘Reporting Frequency’ is monthly. If the ‘Sample frequency’ is specified as monthly, or less frequent, then the ‘Reporting Frequency’ is the same as the ‘Sample Frequency’.								
² Weekly monitoring is required only during December through March.								

Table C								
Discharge Serial Number: 001-A						Monitoring Location: 2		
Wastewater Description: : Combined discharge of treated pulp mill wastewater, filter backwash, boiler blowdown, steam condensate, and air compressor condensate								
Monitoring Location Description: At the aerated stabilization basin (ASB) #3 - Zone 2								
Discharge is to: ASB#3 - Zone 3								
PARAMETER	UNITS	FLOW/TIME BASED MONITORING				INSTANTANEOUS MONITORING		
		Average Monthly Limit	Maximum Daily Limit	Sample/Reporting Frequency ¹	Sample Type or Measurement to be reported	Instantaneous limit or required range	Sample/ Reporting Frequency ¹	Sample Type or measurement to be reported
Temperature, water deg. Fahrenheit	°F	NA	NA	NR	NA	----	Continuous/Weekly ²	RDM
<u>Table C Footnotes :</u>								
¹ The first entry in this column is the ‘Sample Frequency’. If this entry is not followed by a ‘Reporting Frequency’ and the ‘Sample Frequency’ is more frequent than monthly then the ‘Reporting Frequency’ is monthly. If the ‘Sample frequency’ is specified as monthly, or less frequent, then the ‘Reporting Frequency’ is the same as the ‘Sample Frequency’.								
² Weekly monitoring is required only during December through March.								

- (B) All samples shall be comprised of only those wastewaters described in this schedule; therefore, samples shall be taken prior to combination with wastewaters of any other type and after all approved treatment units, if applicable. All samples taken shall be representative of the discharge during standard operating conditions.
- (C) In cases where limits and sample type are specified but sampling is not required, the limits specified shall apply to all samples, which may be collected and analyzed by, the Department of Energy and Environmental Protection personnel, the Permittee, or other parties.
- (D) The Permittee shall conduct a weekly inspection of the aeration system in the aerated stabilization basin (ASB) #3 and sustain a proper temperature profile during December through March in both aeration zones to ensure that the biological system works effectively and the lagoon does not freeze.
- (E) In accordance with section 40 CFR 430.106 of the federal regulations, the Permittee is authorized to forego monitoring of pentachlorophenol and trichlorophenol. These chemicals shall not be used in any of the facility operations. The Permittee shall attach an annual statement to the Discharge Monitoring Report (DMR) for the month of January, on a form provided (Attachment A), certifying there has been no use of pentachlorophenol and trichlorophenol at the facility since filing of the last certification. Additionally, in the event that any of these chemical parameters are found to be present or are expected to be present based on changes that occur in the Permittee's operations, the Permittee shall notify the Department and must immediately comply with the permit requirements provided in the table above.

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

- (A) Chemical analyses to determine compliance with effluent limits and conditions established in this permit shall be performed using the methods approved by the Environmental Protection Agency pursuant to 40 CFR 136 unless an alternative method has been approved in writing in accordance with 40 CFR 136.4 or as provided in section 22a-430-3(j)(7) of the RCSA. Chemicals which do not have methods of analysis defined in 40 CFR 136 shall be analyzed in accordance with methods specified in this permit.
- (B) All metals analyses identified in this permit shall refer to analyses for Total Recoverable Metal as defined in 40 CFR 136 unless otherwise specified.
- (C) The results of chemical analysis required above shall be entered on the Discharge Monitoring Report (DMR), provided by this office, and reported to the Bureau of Materials Management and Compliance Assurance at the following address. Except for continuous monitoring, any monitoring required more frequently than monthly shall be reported on an attachment to the DMR, and any additional monitoring conducted in accordance with 40 CFR 136 or other methods approved by the Commissioner shall also be included on the DMR, or as an attachment, if necessary. The report shall also include a detailed explanation of any violations of the limitations specified. The DMR shall be received at this address by the last day of the month following the month in which samples are taken.

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

- (D) If this permit requires monitoring of a discharge on a calendar basis (e.g. Monthly, quarterly, etc.) but a discharge has not occurred within the frequency of sampling specified in the permit, the Permittee must submit the DMR as scheduled, indicating "NO DISCHARGE." For those permittees whose required monitoring is discharge dependent (e.g. per batch), the minimum reporting frequency is monthly. Therefore, if there is no discharge during a calendar month for a batch discharge, a DMR must be submitted indicating such by the end of the following month.
- (E) NetDMR Reporting Requirements
 1. Prior to one-hundred and eighty (180) days after the issuance of this permit, the Permittee may either submit monitoring data and other reports to the Department in hard copy form or electronically using NetDMR, a web-based tool that allows Permittees to electronically submit discharge monitoring reports (DMRs) and other required reports through a secure internet connection. Unless otherwise approved in writing by the

Commissioner, no later than one-hundred and eighty (180) days after the issuance of this permit the Permittee shall begin reporting electronically using NetDMR. Specific requirements regarding subscription to NetDMR and submittal of data and reports in hard copy form and for submittal using NetDMR are described below:

a. Submittal of *NetDMR Subscriber Agreement*

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

b. Submittal of Reports Using NetDMR

Unless otherwise approved by the Commissioner, on or before one-hundred and eighty (180) days after issuance of this permit, the Permittee and/or the Signatory Authority shall electronically submit DMRs and reports required under this permit to the Department using NetDMR in satisfaction of the DMR submission requirement of Section 5(C) of this permit.

DMRs shall be submitted electronically to the Department no later than the 30th day of the month following the completed reporting period. All reports required under the permit, including any monitoring conducted more frequently than monthly or any additional monitoring conducted in accordance with 40 CFR 136, shall be submitted to the Department as an electronic attachment to the DMR in NetDMR. Once a Permittee begins submitting reports using NetDMR, it will no longer be required to submit hard copies of DMRs or other reports to the Department. The Permittee shall also electronically file any written report of non-compliance described in Section 6 of this permit as an attachment in NetDMR. NetDMR is accessed from: <http://www.epa.gov/netdmr>.

c. Submittal of NetDMR Opt-Out Requests

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

All opt-out requests and requests for the NetDMR subscriber form should be sent to the following address or by email at deep.netdmr@ct.gov:

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

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

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

- (A) If any sample analysis indicates that an effluent limitation specified in Section 4 of this permit has been

exceeded, a second sample of the effluent shall be collected and analyzed for the parameter(s) in question and the results reported to the Bureau of Materials Management and Compliance Assurance (Attn: DMR Processing) within 30 days of the exceedance.

- (B) The Permittee shall immediately notify the Bureau of Materials Management and Compliance Assurance and the local WPCA of all discharges that could cause problems to the Publicly Owned Treatment Works ("POTW"), including but not limited to slug loadings of pollutants which may cause a violation of the POTW's NPDES permit, or which may inhibit or disrupt the POTW, its treatment processes or operations, or its sludge processes, use or disposal.
- (C) In addition to the notification requirements specified in Section 1B of this permit, if any sampling and analysis of the discharge performed by the Permittee indicates a violation of limits specified in Section 4 of this permit, the Permittee shall notify the Bureau of Materials Management and Compliance Assurance within 24 hours of becoming aware of the violation.

SECTION 7: COMPLIANCE CONDITIONS

In accordance with 40 CFR §403.8(f)(2)(viii), the Commissioner may provide public notification, in a newspaper of general circulation in the area of the respective POTW, of permittees that at any time in the previous twelve months were in significant noncompliance with the provisions of this permit. For the purposes of this provision, a permittee that is a Significant Industrial User is in significant noncompliance if its violation(s) meet(s) one or more of the following criteria:

- **Chronic violations:** Those in which sixty-six (66%) percent or more of all measurements taken for the same pollutant parameter during a six-month period exceed (by any magnitude) the Average Monthly, Maximum Daily, or Maximum Instantaneous Limit(s).
- **Technical Review Criteria violations:** Those in which thirty-three (33%) or more of all of the measurements taken for the same pollutant parameter during a six-month period equal or exceed the Average Monthly, Maximum Daily, or Maximum Instantaneous Limit(s) multiplied by 1.4 for BOD, TSS, fats, oil, and grease, or 1.2 for all other pollutants except pH.
- **Monitoring Reports:** Failure to provide, within 45 days after the due date, required reports such as DMRs.
- **Compliance Schedule:** Failure to meet within 90 days after the schedule date, a compliance schedule milestone contained in or linked to a respective permit for starting construction, completing construction, or attaining final compliance.
- **Noncompliance Reporting:** Failure to accurately report noncompliance in accordance with provisions identified in Section 6 of this permit.
- **Discretionary:** Any other violation of an effluent limit that the Department determines has caused, alone or in combination with other discharges, a violation of the POTW's NPDES permit, inhibition or disruption of the POTW, its treatment processes or operations, or its sludge processes, use or disposal.
- **Imminent Endangerment:** Any discharge of a pollutant that has caused imminent endangerment to human health, welfare or to the environment, or has resulted in the Department's exercise of its emergency authority under 40 CFR §403.8(f)(1)(vi)(B) to halt or prevent such a discharge.
- **BMPs:** Any other violation or group of violations, which may include a violation of Best Management Practices, which the Department determines will adversely affect the operation or implementation of the pretreatment program.

This permit is hereby issued on September 24, 2012

/s/ MACKY MCCLEARY
Macky McCleary
Deputy Commissioner

Certification: Waiver of Monitoring DSN001

Attachment A

“Based on my inquiry of the person or persons directly responsible for managing compliance with the Pretreatment Standard for Existing sources 40 CFR 430.106 Pulp, Paper, and Paperboard Category. I certify that, to the best of my knowledge and belief, there has been no use of **pentachlorophenol** and **trichlorophenol** at the facility since filing of the last certification.

Authorized Official : _____ *Title:* _____

Signature: _____ *Date:* _____

MM/EW
cc: The City of Norwich WPCF

DATA TRACKING AND TECHNICAL FACT SHEET

Permittee: Fusion Paperboard Connecticut, LLC (Formerly Cascades Boxboard Group-Connecticut LLC)

PERMIT, ADDRESS, AND FACILITY DATA

PERMIT #: SP0002311

APPLICATION #: 200202847

FACILITY ID. 133-002

<u>Mailing Address:</u>					<u>Location Address:</u>						
Street:	P.O. Box 238, 130 Inland Road,				Street:	Same					
City:	Sprague	ST:	CT	Zip:	06383	City:		ST:		Zip:	
Contact Name:	Moira A. McCue				DMR Contact:	Same					
Phone No.:	(860) 823-3631				Phone No.:						
Contact E-mail:	mmccue@fusionpaperboard.com				DMR Contact E-mail:						

PERMIT INFORMATION

DURATION 5 YEAR X

10 YEAR

30 YEAR

TYPE New

Reissuance X

Modification

CATEGORIZATION

POINT (X)

NON-POINT ()

GIS #

NPDES ()

PRETREAT (X)

GROUND WATER(UIC) ()

GROUND WATER (OTHER) ()

NPDES MAJOR(MA)

NPDES SIGNIFICANT MINOR or PRETREAT SIU (SI) X

NPDES or PRETREATMENT MINOR (MI)

PRETREAT SIGNIFICANT INDUS USER(SIU) X

PRETREAT CATEGORICAL (CIU) X

POLLUTION PREVENTION MANDATE

ENVIRONMENTAL EQUITY ISSUE

SIC: 2631 Paperboard Mills

COMPLIANCE ISSUES

COMPLIANCE SCHEDULE YES NO X

POLLUTION PREVENTION TREATMENT REQUIREMENT WATER CONSERVATION

WATER QUALITY REQUIREMENT REMEDIATION OTHER

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

OWNERSHIP CODE

Private X

Federal

State Municipal (town only)

Other public

DEEP STAFF ENGINEER Enna Wilson

PERMIT FEES

<i>Discharge Code</i>	<i>DSN Number</i>	<i>Annual Fee</i>
501054Z	001 -1	\$ 8,425.00
5170000	001 -1	\$ 4,337.50
560000	001 -1	\$ 660.00

Total = \$ 13,422.50

FOR SEWER DISCHARGES

Discharge to The City of Norwich POTW via its collection system. The facility ID. of the POTW is 104-001.

NATURE OF BUSINESS GENERATING DISCHARGE

Fusion Paperboard Connecticut, LLC produces recycled boxboard and other specialty grades paperboard products with 100% recycled fibers from waste paper and is primarily engaged in the supplying of packaging solutions for a variety of industries including dry and frozen food processing, oral care products, and health & beauty.

PROCESS AND TREATMENT DESCRIPTION (by DSN)

DSN 001 -1: Consists of a maximum daily flow of 650,000 gallons per day of pretreated paperboard wastewaters, filter backwash, boiler blowdown, steam condensate, laboratory wastewaters, and air compressor condensate.

The wastewater treatment consists of both primary and secondary treatment. A primary treatment consists of TSS removal that includes two dissolved air flotation units (DAFs) located in the mill building. After the primary treatment, the wastewater from the mill is gravity conveyed to a lift station. The wastewater is pumped directly to the secondary treatment. The secondary treatment consists of BOD removal that is carried out in two steps; BOD removal by biological degradation and TSS removal. The biological degradation is achieved in a lined lagoon through the aerated stabilization basin (ASB) and the decantation zone for TSS removal. Retention time in the lagoon is approximately 30 days. The aerated lagoon outfall discharges into two (2) polishing basins. These two (2) basins act as an additional TSS settling capacity.

MONITORING/EFFLUENT VIOLATIONS

A review of Fusion Paperboard Connecticut, LLC's DMRs over the last five (5) years revealed compliance with the effluent limitations of the existing permit.

RESOURCES USED TO DRAFT PERMIT

<u>X</u>	Federal Effluent Limitation Guideline	<u>40 CFR 430.106 Subpart J (PSES).</u>
		Secondary Fiber Non-Deink Subcategory
<u>X</u>	Performance Standards	
<u>X</u>	Federal Development Document	<u>Pulp, Paper and Paperboard Mills</u>
—	Treatability Manual	
<u>X</u>	Department File Information	
—	Connecticut Water Quality Standards	
—	Anti-degradation Policy	
—	Coastal Management Consistency Review Form	

X Other – Explain (See General Comments)

BASIS FOR LIMITATIONS, STANDARDS, OR CONDITIONS

X Case by Case Determination and Best Professional Judgment

DSN 001 -1: 4,4-DDD, BOD₅, pH, total suspended solids, total oil and grease, pentachlorophenol, trichlorophenol, total kjeldahl nitrogen, total boron, copper, lead, and zinc.

GENERAL COMMENTS

This facility has been owned and operated by a number of different companies since the early 1900's. Federal Paper Board Company Inc. owned the facility from 1962 to 1996. International Paper Company owned the facility from 1996 to 2005. Carastar Industries, Inc. purchased this facility and operated it until 2006. In 2006, this facility was acquired by Cascades Boxboard Group and operated under that name until 2011, when the facility was purchased by Fusion Paperboard Connecticut, LLC.

Basis for Effluent Limitations and Monitoring Requirements

*Effluent monitoring requirements in this permit reflect information received in the application for the permit renewal and from supporting documents. The DEEP staff evaluated this application and determined that limits are needed for **pH, BOD₅, total suspended solids, pentachlorophenol, and trichlorophenol** to protect the City of Norwich WPCF from adverse impacts.*

DEEP staff is recommending pH limits of (6.0 - 10.0) S.U., which are considered to be protective of sanitary sewer systems.

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

A special new condition is included in Section 4 of this permit that reads, "The Permittee shall conduct a weekly inspection of the aeration system in the aerated stabilization basin (ASB) #3 and sustain a proper temperature profile during December through March in both aeration zones to ensure that the biological system works effectively and the lagoon does not freeze." Internal monitoring for temperature is required to assess the effectiveness of the temperature profile required during December through March in the aerated stabilization basin (ASB) zones 1 and 2 associated with the treatment system for DSN 001. Therefore, DEEP staff is recommending internal monitoring requirements for temperature be included in Tables B and C of this permit.

DSN 001-1 (Table A)

Dichlorodiphenyldichloroethane (4,4-DDD) is an organochlorine pesticide, which source is not known or used at the facility, was listed in the Attachment O of the Fusion Paperboard Connecticut permit renewal application as being at a concentration at least 0.10 ug/l. DEEP staff is recommending new semiannual monitoring requirements for 4,4-DDD in this permit renewal.

During the technical review of Fusion Paperboard Connecticut's renewal application and supporting analytical results, total boron, whose source is not known, was listed as being at a concentration of at least 7.3 mg/l. The DEEP staff is recommending that monthly monitoring requirements for total boron be incorporated in this permit renewal.

A review of the Fusion Paperboard Connecticut's DMRs over the last seven (7) years revealed that results for total oil and grease have been consistently below detection. Therefore, the DEEP staff is recommending the frequency of monitoring for this parameter be reduced from weekly to semi-annually in this permit renewal.

Proposed Pentachlorophenol and Trichlorophenol Effluent Limitations

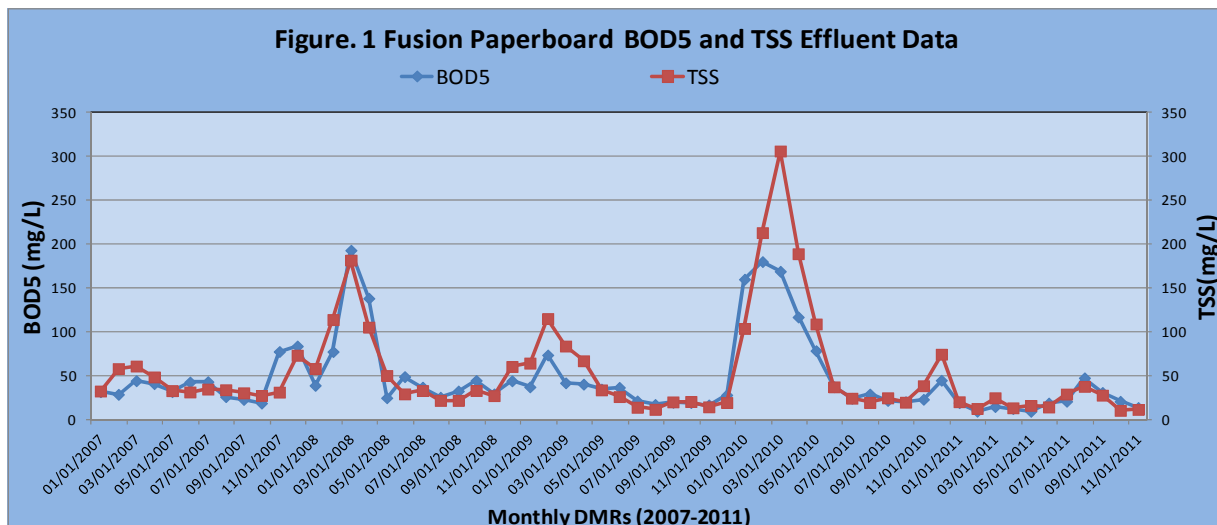
Wastewater discharges from the production of paperboards are regulated under 40 CFR 430, Pulp, Paper, and Paperboard Category. Historically, this facility's treated paperboard effluent had been discharged to the Little River through a NPDES discharge permit (CT0003751). However, on July 1, 1999, this facility re-routed its treated effluent to the City of Norwich WPCF in accordance with a consent order (WC-5271) issued on April 20, 1999 and

obtained a sewer discharge permit (SP0002311). The facility initiated this discharge prior to January 1, 1981, the promulgation date of the Pretreatment Standards for New Sources (PSNS). Therefore, the facility is an existing source, subject to the PSES in 40 CFR 430, Subpart J. Section 430.106 (PSES) identifies the following parameters for regulation: **pentachlorophenol and trichlorophenol** only if these chemicals are being used. The Applicant provided documentation indicating that **pentachlorophenol and trichlorophenol** are not present or used at the facility. Based on this information provided by Fusion Paperboard Connecticut, LLC, DEEP staff is recommending that Fusion Paperboard Connecticut be authorized to forego monitoring of the two regulated pollutants. The Permittee shall attach an annual statement to the Discharge Monitoring Report (DMR) for the month of January, on a form provided (Attachment A), certifying there has been no use of pentachlorophenol and trichlorophenol at the facility. Additionally, in the event that any of these chemical parameters are found to be present or are expected to be present based on changes that occur in the Permittee's operations, the Permittee shall notify the Department and must immediately comply with the limits and monitoring requirements provided in the Table A. Federal limitations for **pentachlorophenol and trichlorophenol** were calculated in accordance with the Pretreatment Standard for Existing Sources 40 CFR 430.106 (See attached Attachment 1). DEEP staff is proposing effluent limitations for these parameters that are more stringent than required under section 430.106 (PSES) using the criteria of best professional judgment pursuant to Section 22a-430-4(m) of the RCSA and 40 CFR 125.3(d) based on a determination that these pollutants are not used or expected to be present in the effluent.

PARAMETER	40 CFR 430.106	BPJ		
	Maximum Daily Limit (mg/L)	Average Monthly Limit (mg/L)	Maximum Daily Limit (mg/L)	Instantaneous limit
Pentachlorophenol	0.19	0.015	0.030	0.045
Trichlorophenol	0.061	0.010	0.020	0.030

Proposed BOD₅ and TSS Effluent Limitations

The Fusion Paperboard facility currently contributes approximately nine (9) percent of the flow, five (5) percent of the biochemical oxygen demand-5 (BOD₅), and three (3) percent of the TSS treated at the City of Norwich WPCF. A review of the Fusion Paperboard Connecticut, LLC's DMRs over 2007 to 2011 revealed that effluent results for BOD₅ and TSS have been consistently below 100 mg/l during most of the year except during the winter months. BOD and TSS effluent concentrations during the colder months increase and approach untreated domestic sewage levels (between 200 - 350 mg/), when biological activity decreases due to exposure to winter conditions (The lagoon is located outside and is not covered). The DEEP staff is recommending effluent limitations for BOD5 and TSS in this permit renewal.



The proposed effluent limitations for BOD₅ and TSS are an average monthly limit of 300 mg/l and a maximum daily limit 490 mg/l, respectively, which are in the range of typical untreated domestic sewage (medium to strong concentrations). These proposed effluent limitations for BOD₅ and TSS are considered to be protective of the City of Norwich WPCF operations.

Based on the review of the historical monitoring data for the City of Norwich WPCF over 2007 to 2011, the POTW's effluent results for BOD₅ and TSS have been consistently within the City of Norwich WPCF's NPDES permit limits.

General Permits for Other Industrial Wastewater Discharges Generated at the Facility

*The Permittee is also subject to the terms and conditions of the following general permits:
General Permits for the Discharge of Stormwater Associated with Industrial Activity (GSI001911).*

DOCUMENTATION SUBSEQUENT TO PERMIT DRAFTING AND PUBLIC NOTICE

The draft permit was published in the Norwich Bulletin on August 2, 2012. On August 22, 2012, during the comment period, the DEEP received a letter from the Norwich Public Utilities (NPU) with comments on the proposed action. The Bureau of Materials Management and Compliance Assurance, Water Permitting & Enforcement Division staff has reviewed the written comments. Comments by NPU are listed in italics followed by the Department's response.

1. DEEP ignored the discharge allocations outlined in the DEEP approved NPU Facilities Plan during their review of the draft permit.

DEEP staff are familiar with the discharge allocations outlined in the 2004 Black & Veatch approved facilities plan. Based on current flows and the most recent CDM Conceptual Design Report drafted in December 2010, DEEP deems it prudent to utilize the most recent data. The flow from Fusion Paperboard CT, LLC, is allocated at 350,000 gpd (Average Daily Flow) and 650,000 gpd (Maximum Daily Flow), as shown in Section 3.3.2.5.3 Industrial Loads of the December 2010 CDM Report.

2. DEEP did not take into account the discharge limits outlined in the current discharge agreement between the City of Norwich and Fusion during their review of the draft permit.

DEEP water discharge permits are based on detailed technical reviews of applications and all applicable federal and state regulations. DEEP technical staff believe that the draft renewal permit is protective of the City of Norwich's WPCF and the waters of the state. However, as noted in Section 1 (F) of the draft permit, the issuance of this permit does not preclude City of Norwich from negotiating requirements that are more stringent if the city feels that more stringent requirements are necessary.

3. With regard to 1 and 2 above; the negative impact that the elevated discharge limits will impose on ongoing treatment plant operations and upgrades have not been adequately determined. Sufficient time has not been provided to address these concerns via engineering review and Facilities Plan revision. In addition, the impact that any changes could have on the ongoing treatment plant design, which is over 30% complete, has not been determined. Increased discharge allocations for the Fusion plant will necessitate design changes and increase cost to the City of Norwich and its ratepayers. A contractual relationship to recover increased design and upgrade costs from Fusion does not currently exist.

Please note that the proposed renewal permit actually contains more restrictive effluent limits than the existing permit. No changes or increases of the flow rate effluent limitations have been proposed in this renewal permit. See DEEP's response to Comment 1 above concerning the ongoing City of Norwich upgrades and DEEP's review of these proposed changes.

4. The paper mill in question has changed ownership six times in the past 12 years. During this time, there have been multiple occasions where the City of Norwich has had difficulty treating discharge from the mill. It is expected that the elevated limits in the permit will increase the likelihood of discharge from the mill that will be difficult to treat.

The proposed renewal permit actually contains more restrictive effluent limits than the existing permit. DEEP staff reviewed the most recent monthly operating reports that are reported to the DEEP by Norwich Public Utilities and determined that the Norwich NPU has not documented ongoing problems treating the wastewater discharge from Fusion.

5. ***The public notice and comment period will not adequately address NPU's concerns in that there has been significant business negotiation history between Fusion and NPU that has resulted in the current contractual arrangement. This contract is set to expire in July of 2013 at which time a new contract will need to be negotiated. The elevated limits in the proposed permit, being in conflict with the existing agreement, will negatively affect future negotiations between NPU and Fusion.***

Again, the proposed renewal permit contains more restrictive effluent limits than the existing permit. However, as noted in the Department's response to Comment 2, above, the issuance of this permit does not preclude NPU from negotiating more stringent requirements if it feels that it is necessary.

6. ***The renewal permit, as presented, negatively impacts all other NPU sewer customers as Fusion uses a disproportionate share of Norwich's sewer capacity while not providing a funding mechanism to pay for this increased usage.***

It is the responsibility of NPU to make sure that the user charge rate structure for sewer capacity is appropriately proportional to each discharger. The DEEP's water discharge permitting process is independent of this issue.

The Water Permitting & Enforcement staff are not proposing any additional language or modifications to the draft permit based on the comments submitted and issues raised by NPU.

Attachment 1

Production-Based Pretreatment Standards Calculations

Section 430.106	Maximum for any 1 day	
	Milligrams/liter (mg/l)	Kg/kkg (or pounds per 1,000 lb) of product ^a
Pentachlorophenol	$(0.032)(7.2)/y$	0.00096
Trichlorophenol	$(0.010)(7.2)/y$	0.0003
y = wastewater discharged in kgal per ton of product.		

Average Discharge Flow (kgal): 400 kgal
 Average Production (ton/day): 400 ton
 y: 1.0 kcal/ton

Pentachlorophenol	Daily Max. =	$(0.032)(7.2)$	
		1	
Pentachlorophenol	Daily Max. =	0.2304	mg/l
Trichlorophenol	Daily Max. =	0.010×7.2	
		1	
Trichlorophenol	Daily Max. =	0.072	mg/l

Adjust MDL due to dilution with non-paperboard wastewaters

Boiler Blowdown	50,000
Water Treatment	30,000
Average Daily Flow of dilute wastestreams (Fd)	80,000
Categorical Paper Pulp	400,000
Total Flow (Ft)	480,000

Combined Wastestream Formula	$C_i \times (F_t - F_d) / F_t$
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$$\frac{0.23 \times (480,000 - 80,000)}{480,000}$$

	Maximum Limit	Adjusted Maximum Daily Limit
Pentachlorophenol	0.23	0.19
Trichlorophenol	0.072	0.061