



STATE OF CONNECTICUT  
DEPARTMENT OF ENVIRONMENTAL PROTECTION



**NPDES PERMIT**

issued to

Kimberly-Clark Corporation  
58 Pickett District Road  
New Milford, CT 06776

**Location Address:**

58 Pickett District Road  
New Milford

**Facility ID:** 096-004

**Permit ID:** CT0003212

**Receiving Stream:** Housatonic River

**Permit Expires:** December 8, 2010

**SECTION 1: GENERAL PROVISIONS**

- (A) This permit is reissued in accordance with section 22a-430 of Chapter 446k, Connecticut General Statutes ("CGS"), and Regulations of Connecticut State Agencies ("RCSA") adopted thereunder, as amended, and section 402(b) of the Clean Water Act, as amended, 33 USC 1251, *et. seq.*, and pursuant to an approval dated September 26, 1973, by the Administrator of the United States Environmental Protection Agency for the State of Connecticut to administer an N.P.D.E.S. permit program.
- (B) Kimberly-Clark Corporation, ("Permittee"), shall comply with all conditions of this permit including the following sections of the RCSA which have been adopted pursuant to section 22a-430 of the CGS and are hereby incorporated into this permit. Your attention is especially drawn to the notification requirements of subsection (i)(2), (i)(3), (j)(1), (j)(6), (j)(8), (j)(9)(C), (j)(10)(C), (j)(11)(C), (D), (E), and (F), (k)(3) and (4) and (l)(2) of section 22a-430-3.

**section 22a-430-3 General Conditions**

- (a) Definitions
- (b) General
- (c) Inspection and Entry
- (d) Effect of a Permit
- (e) Duty
- (f) Proper Operation and Maintenance
- (g) Sludge Disposal
- (h) Duty to Mitigate
- (i) Facility Modifications; Notification
- (j) Monitoring, Records and Reporting Requirements
- (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.
- (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. To request such approval, the Permittee and proposed transferee shall register such proposed transfer with the Commissioner, at least 30 days prior to the transferee becoming legally responsible for creating or maintaining any discharge which is the subject of the permit transfer. Failure, by the transferee, to obtain the Commissioner's approval prior to commencing such discharge(s) may subject the transferee to enforcement action for discharging without a permit pursuant to applicable sections of the CGS and RCSA.
- (F) No provision of this permit and no action or inaction by the Commissioner shall be construed to constitute an assurance by the Commissioner that the actions taken by the Permittee pursuant to this permit will result in compliance or prevent or abate pollution.
- (G) Nothing in this permit shall relieve the Permittee of other obligations under applicable federal, state and local law.
- (H) An annual fee shall be paid for each year this permit is in effect as set forth in section 22a-430-7 of the Regulations of Connecticut State Agencies.

## SECTION 2: DEFINITIONS

(A) The definitions of the terms used in this permit shall be the same as the definitions contained in section 22a-423 of the CGS and section 22a-430-3(a) and 22a-430-6 of the RCSA, except for "No observable acute effect level (NOAEL)" which is redefined below.

(B) In addition to the above, the following definitions shall apply to this permit:

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

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

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

"Critical Test Concentration (CTC)" means the specified effluent dilution at which the Permittee is to conduct a single-concentration Aquatic Toxicity test.

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

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

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

"In stream Waste Concentration (IWC)" means the concentration of a discharge in the receiving water after mixing has occurred in the allocated zone of influence.

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

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

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

"No Observable Acute Effect Level (NOAEL)" means any concentration equal to or less than the critical test concentration in a single concentration (pass/fail) toxicity test conducted pursuant to section 22a-430-3(j)(7)(A)(i) RCSA demonstrating greater than 50% survival of test organisms in 100% (undiluted) effluent and 90% or greater survival of test organisms at the CTC.

"pg/l" means picograms per liter.

"Quarterly", in the context of a sampling frequency, means sampling is required in the months of February, May, August and November.

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

"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.

"ug/l" means micrograms per liter.

### SECTION 3: COMMISSIONER'S DECISION

- (A) The Commissioner of Environmental Protection ("Commissioner"), has issued a final determination and found that continuance of the existing system to treat the discharge will protect the waters of the state from pollution. The Commissioner's decision is based on **application #200204055** for permit reissuance, received on November 6, 2002 and the administrative record established in the processing of that application.
- (B) The Commissioner hereby authorizes the Permittee to discharge in accordance with the provisions of this permit, the above referenced application, and all approvals issued by the Commissioner or her authorized agent for the discharges and/or activities authorized by, or associated with, this permit.
- (C) The Commissioner reserves the right to make appropriate revisions to the permit in order to establish any appropriate effluent limitations, schedules of compliance, or other provisions which may be authorized under the Federal Clean Water Act or the CGS or regulations adopted thereunder, as amended. The permit as modified or renewed under this paragraph may also contain any other requirements of the Federal Clean Water Act or CGS or regulations adopted thereunder which are then applicable.

### SECTION 4: GENERAL EFFLUENT LIMITATIONS

- (A) No discharge shall contain, or cause in the receiving stream, a visible oil sheen or floating solids; or, cause visible discoloration or foaming in the receiving stream.
- (B) No discharge shall cause acute or chronic toxicity in the receiving water body beyond any zone of influence specifically allocated to that discharge in this permit.
- (C) The temperature of any discharge shall not increase the temperature of the receiving stream above 85°F, or, in any case, raise the normal temperature of the receiving stream more than 4°F.
- (D) Chlorophenolic biocides, including pentachlorophenol and trichlorophenol, shall not be used in any of the facility operations. The Mill Manager shall annually certify, at least 30 days prior to the anniversary date of the permit, that chlorophenolic biocides are not being used.

### SECTION 5: SPECIFIC EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

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

**Table A**

Discharge Serial Number: 001-A		Monitoring Location: 1					
Wastewater Description: Paper Manufacturing Wastewater, including air washer, boiler blowdown, compressor condensate, laboratory and vehicle maintenance wastewaters							
Monitoring Location Description: Polishing Lagoon Bypass							
Frequency of Discharge: Approximately two weeks per year during lagoon cleaning							
PARAMETER	UNITS	FLOW/TIME BASED MONITORING		INSTANTANEOUS MONITORING			
		Average Monthly Limit	Maximum Daily Limit	Sample/Reporting Frequency <sup>2</sup>	Sample Type or Measurement to be reported	Instantaneous limit or required range	Sample Type or measurement to be reported
Biochemical Oxygen Demand, (5-day)	mg/l	15.0	30.0	Weekly <sup>3</sup>	Daily Composite	45.0	Grab
Flow, Average and Maximum <sup>1</sup>	Gpd	3,910,000	4,520,000	Daily	Daily Flow	NA	NA
Flow, Total	Gpd	NA	4,520,000	Weekly <sup>3</sup>	Daily Flow	NA	NA
pH	S.U.	NA	NA	NR	NA	6.0-9.0	Weekly <sup>3</sup>
pH, Continuous	S.U.	NA	NA	NR	NA	6.0-9.0	Daily <sup>3</sup>
Phosphorous, total	mg/l	0.5	1.0	Weekly <sup>3</sup>	Daily Composite	1.5	Grab
Total Suspended Solids	mg/l	15.0	30.0	Weekly <sup>3</sup>	Daily Composite	45.0	Grab

**Table Footnotes and Remarks:**

**Footnotes:**

- <sup>1</sup> For this parameter the permittee shall maintain at the facility a record of the total flow for each day of discharge and shall report the Average Daily Flow and the Maximum Daily Flow for each month.
- <sup>2</sup> The first entry in this column is the 'Sample Frequency'. If a 'Reporting Frequency' does not follow this entry and the 'Sample Frequency' is more frequent than monthly then the 'Reporting Frequency' is monthly. If the 'Sample frequency' is specified as monthly, or less frequent, then the 'Reporting Frequency' is the same as the 'Sample Frequency'.
- <sup>3</sup> The permittee shall monitor this discharge location at the frequencies identified above when a discharge occurs at this location.

**DURING THE PERIOD BEGINNING FROM THE DATE OF PERMIT ISSUANCE THROUGH JULY 31, 2009, THE PERMITTEE SHALL COMPLY WITH TABLE B.**

PARAMETER		UNITS	FLOW/TIME BASED MONITORING				INSTANTANEOUS MONITORING				Minimum Level Test
			Average Monthly Limit	Maximum Daily Limit	Sample/Reporting Frequency <sup>2</sup>	Sample Type or Measurement to be reported	Instantaneous limit or required range	Sample/Reporting Frequency	Sample Type or measurement to be reported		
2,3,7,8-TCDD <sup>4</sup>		pg/l	NA	-----	Annual	72-hr Composite	NA	NR	NA	*	
2,3,7,8-TCDF <sup>4</sup>		pg/l	NA	-----	Annual	72-hr Composite	NA	NR	NA	*	
Aluminum, Total		mg/l	-----	-----	Weekly	Daily Composite	NA	NR	NA	*	
Ammonia, Nitrogen		mg/l	NA	-----	Weekly	Daily Composite	NA	NR	NA		
Biochemical Oxygen Demand		mg/l	15.0	30.0	Weekly	Daily Composite	45.0	NR	Grab		
Biochemical Oxygen Demand		kg/d	222	513	Weekly	Daily Composite	NA	NR	NA		
Flow, Average and Maximum <sup>1</sup>		Gpd	3,910,000	4,520,000	Daily	Daily Flow	NA	NR	NA		
Flow, Total		Gpd	NA	4,520,000	Weekly	Daily Flow	NA	NR	NA		
Nitrate, Nitrogen		mg/l	NA	-----	Weekly	Daily Composite	NA	NR	NA		
Nitrite, Nitrogen		mg/l	NA	-----	Weekly	Daily Composite	NA	NR	NA		
Nitrogen, Total <sup>5</sup>		kg/d	-----	NA	Monthly	See below <sup>5</sup>	NA	NR	NA		
Organic Nitrogen		mg/l	NA	-----	Weekly	Daily Composite	NA	NR	NA		
pH		S.U.	NA	NA	NR	NA	6.0 - 9.0	Weekly	RDS		
pH, Continuous		S.U.	NA	NA	NR	NA	6.0 - 9.0	Continuous	RDM		
Phosphorous, total		mg/l	0.5	1.5	Weekly	Daily Composite	2.25	NR	Grab		
Surfactant		mg/l	NA	-----	Quarterly	Daily Composite	NA	NR	NA		
Total Suspended Solids		mg/l	15.0	30.0	Weekly	Daily Composite	45.0	NR	Grab		
Total Suspended Solids		kg/d	222	513	Weekly	Daily Composite	NA	NR	NA		

**Table B**

Discharge Serial Number: 002      Monitoring Location: 1

Wastewater Description: Paper Manufacturing Wastewater, including air washer, boiler blowdown, compressor condensate, laboratory and vehicle maintenance wastewaters

Monitoring Location Description: Polishing Lagoon Effluent

**Table Footnotes and Remarks:**

**Footnotes:**

- <sup>1</sup> For this parameter the permittee shall maintain at the facility a record of the total flow for each day of discharge and shall report the Average Daily Flow and the Maximum Daily Flow for each month.
- <sup>2</sup> The first entry in this column is the 'Sample Frequency'. If a 'Reporting Frequency' does not follow this entry and the 'Sample Frequency' is more frequent than monthly then the 'Reporting Frequency' is monthly. If the 'Sample frequency' is specified as monthly, or less frequent, then the 'Reporting Frequency' is the same as the 'Sample Frequency'
- <sup>3</sup> Minimum Level Test refers to Section 6, Paragraph (A) of this permit.
- <sup>4</sup> The permittee shall utilize EPA Method 1613 to determine the concentration of 2,3,7,8-tetrachlorodibenzo-p-dioxin (2,3,7,8-TCDD) and 2,3,7,8-tetrachlorodibenzofuran (2,3,7,8-TCDF). The results reported should include effluent levels of tetra- through octa-chlorinated dioxins and furans by Isotope Dilution HRGC/HRMS.
- <sup>5</sup> The permittee shall calculate total nitrogen by combining analytical results for ammonia, nitrate, nitrite and organic nitrogen and daily flow, which were obtained on the same operating day in accordance with the table above.

**Remarks:**

During the term of this permit, the permittee shall conduct monthly analyses to determine the concentration of copper, lead, nickel, silver and zinc in the Housatonic River at their water intake and at DSN 002. The permittee shall collect grab samples of the Housatonic River at their water intake and daily composite samples at DSN 002. All samples shall be collected and analyzed in accordance with approved procedures listed in Section 6 of this permit. The results of this study shall be summarized and reported to the Department on an annual basis. This annual report shall be submitted to the Department by the twenty-eighth day of January each year during the term of this permit.

**DURING THE PERIOD BEGINNING AUGUST 1, 2009 UNTIL PERMIT EXPIRATION, THE PERMITTEE SHALL COMPLY WITH  
TABLE C. TABLE B IS NO LONGER APPLICABLE AFTER JULY 31, 2009**

**Table C**

Discharge Serial Number: 002		Monitoring Location: 1							
Wastewater Description: Paper Manufacturing Wastewater, including air washer, boiler blowdown, compressor condensate, laboratory and vehicle maintenance wastewaters									
Monitoring Location Description: Polishing Lagoon Effluent									
PARAMETER	UNITS	FLOW/TIME BASED MONITORING			INSTANTANEOUS MONITORING			Minimum Level Test	
		Average Monthly Limit	Maximum Daily Limit	Sample/Reporting Frequency <sup>2</sup>	Sample Type or Measurement to be reported	Instantaneous limit or required range	Sample/Reporting Frequency		Sample Type or measurement to be reported
2,3,7,8-TCDD <sup>4</sup>	pg/l	NA	----	Annual	72-hr Composite	NA	NR	NA	*
2,3,7,8-TCDF <sup>4</sup>	pg/l	NA	----	Annual	72-hr Composite	NA	NR	NA	*
Aluminum, Total	mg/l	----	----	Weekly	Daily Composite	NA	NR	NA	*
Ammonia, Nitrogen	mg/l	NA	----	Weekly	Daily Composite	NA	NR	NA	
Biochemical Oxygen Demand	mg/l	15.0	30.0	Weekly	Daily Composite	45.0	NR	Grab	
Biochemical Oxygen Demand	kg/d	222	513	Weekly	Daily Composite	NA	NR	NA	
Flow, Average and Maximum <sup>1</sup>	Gpd	3,910,000	4,520,000	Daily	Daily Flow	NA	NR	NA	
Flow, Total	Gpd	NA	4,520,000	Weekly	Daily Flow	NA	NR	NA	
Nitrate, Nitrogen	mg/l	NA	----	Weekly	Daily Composite	NA	NR	NA	
Nitrite, Nitrogen	mg/l	NA	----	Weekly	Daily Composite	NA	NR	NA	
Nitrogen, Total <sup>5</sup>	kg/d	34.3	NA	Monthly	See below <sup>3</sup>	NA	NR	NA	
Organic Nitrogen	mg/l	NA	----	Weekly	Daily Composite	NA	NR	NA	
pH, Continuous	S.U.	NA	NA	NR	NA	6.0 - 9.0	Weekly	RDS	
pH, Continuous, total	S.U.	NA	NA	NR	NA	6.0 - 9.0	Continuous	RDM	
Phosphorous, total	mg/l	0.5	1.5	Weekly	Daily Composite	2.25	NR	Grab	
Surfactant	mg/l	NA	----	Quarterly	Daily Composite	NA	NR	NA	
Total Suspended Solids	mg/l	15.0	30.0	Weekly	Daily Composite	45.0	NR	Grab	
Total Suspended Solids	kg/d	222	513	Weekly	Daily Composite	NA	NR	NA	



**Table Footnotes and Remarks:**

**Footnotes:**

- <sup>1</sup> For this parameter the permittee shall maintain at the facility a record of the total flow for each day of discharge and shall report the Average Daily Flow and the Maximum Daily Flow for each month.
- <sup>2</sup> The first entry in this column is the 'Sample Frequency'. If a 'Reporting Frequency' does not follow this entry and the 'Sample Frequency' is more frequent than monthly then the 'Reporting Frequency' is monthly. If the 'Sample frequency' is specified as monthly, or less frequent, then the 'Reporting Frequency' is the same as the 'Sample Frequency'
- <sup>3</sup> Minimum Level Test refers to Section 6, Paragraph (A) of this permit.
- <sup>4</sup> The permittee shall utilize EPA Method 1613 to determine the concentration of 2,3,7,8-tetrachlorodibenzo-p-dioxin (2,3,7,8-TCDD) and 2,3,7,8-tetrachlorodibenzofuran (2,3,7,8-TCDF). The results reported should include effluent levels of tetra- through octa-chlorinated dioxins and furans by Isotope Dilution HRGC/HRMS.
- <sup>5</sup> The permittee shall calculate total nitrogen by combining analytical results for ammonia, nitrate, nitrite and organic nitrogen and daily flow, which were obtained on the same operating day in accordance with the table above.

**Remarks:**

During the term of this permit, the permittee shall conduct monthly analyses to determine the concentration of copper, lead, nickel, silver and zinc in the Housatonic River at their water intake and at DSN 002. The permittee shall collect grab samples of the Housatonic River at their water intake and daily composite samples at DSN 002. All samples shall be collected and analyzed in accordance with approved procedures listed in Section 6 of this permit. The results of this study shall be summarized and reported to the Department on an annual basis. This annual report shall be submitted to the Department by the twenty-eighth day of January each year during the term of this permit.

**TABLE D**

Discharge Serial Number (DSN):002			Monitoring Location: T			
Wastewater Description: Paper Manufacturing Wastewater, including air washer, boiler blowdown, compressor condensate, laboratory and vehicle maintenance wastewaters						
Monitoring Location Description: Lagoon Effluent						
Allocated Zone of Influence (ZOI): 1,178,206 gph				In stream Waste Concentration (IWC): 12.1%		
PARAMETER	Units	Maximum Daily Limit	Maximum Instantaneous Limit	Sampling Frequency	Sample Type	Minimum Level Analysis See Section 6
Aluminum, Total	mg/l	---	NA	Quarterly	Daily Composite	*
Aquatic Toxicity, Daphnia, Pulex <sup>1</sup>	%	NOAEL = 100%	NA	Quarterly	Daily Composite	
Aquatic Toxicity, Pimephales promelas <sup>1</sup>	%	NOAEL = 100%	NA	Quarterly	Daily Composite	
Aquatic Toxicity, Daphnia, Pulex <sup>1</sup>	%	NA	NOAEL = 100%	NR	Grab	
Aquatic Toxicity, Pimephales promelas <sup>1</sup>	%	NA	NOAEL = 100%	NR	Grab	
Biochemical Oxygen Demand	mg/l	30.0	45.0	Quarterly	Daily Composite	
Chlorine, Total Residual	mg/l	---	---	Quarterly	Grab Sample Avg	
Copper, Total	mg/l	---	NA	Quarterly	Daily Composite	*
Lead, Total	mg/l	---	NA	Quarterly	Daily Composite	*
Nickel, Total	mg/l	---	NA	Quarterly	Daily Composite	*
Nitrogen, Ammonia (total as N)	mg/l	---	NA	Quarterly	Daily Composite	
Nitrogen, Nitrate, (total as N)	mg/l	---	NA	Quarterly	Daily Composite	
Nitrogen, Nitrite, (total as N)	mg/l	---	NA	Quarterly	Daily Composite	
Phosphorous, Total	mg/l	1.5	2.25	Quarterly	Daily Composite	
Silver, Total	mg/l	---	NA	Quarterly	Daily Composite	*
Total Suspended Solids	mg/l	30.0	45.0	Quarterly	Daily Composite	
Zinc, Total	mg/l	---	NA	Quarterly	Daily Composite	*
Remarks:						
Note: All analysis shall be on the same sample.						
<sup>1</sup> The results of the Toxicity Tests are recorded in % survival, however, the Permittee shall report pass/fail on the DMR based on criteria in Section 6(B) of this permit.						

- (1) All samples shall be comprised of only the wastewater described in this table. Samples shall be collected prior to combination with receiving waters or wastewater of any other type, and after all approved treatment units, if applicable. All samples collected shall be representative of the discharge during standard operating conditions.
- (2) In cases where limits and sample type are specified but sampling is not required by this permit, the limits specified shall apply to all samples which may be collected and analyzed by the Department of Environmental Protection personnel, the Permittee, or other parties.
- (3) The limits imposed on the discharges listed in this permit take effect on the issuance date of this permit, hence any sample taken after this date which, upon analysis, shows an exceedance of permit limits will be considered non-compliance.

The monitoring requirements begin on the date of issuance of this permit if the issuance date is on or before the 12th day of a month. For permits issued on or after the 13th day of a month, monitoring requirements begin the 1st day of the following month.

## SECTION 6: SAMPLE COLLECTION, HANDLING and ANALYTICAL TECHNIQUES

### (A) Chemical Analysis

- (1) Chemical analyses to determine compliance with effluent limits and conditions established in this permit shall be performed using the methods approved pursuant to the Code of Federal Regulations, Part 136 of title 40 (40 CFR 136) unless an alternative method has been approved in writing pursuant to 40 CFR 136.4 or as provided in section 22a-430-3(j)(7) of the RCSA. Chemicals which do not have methods of analysis defined in 40 CFR 136 shall be analyzed in accordance with methods specified in this permit.
- (2) All metals analyses identified in this permit shall refer to analyses for Total Recoverable Metal as defined in 40 CFR 136 unless otherwise specified.
- (3) The Minimum Levels specified below represent the concentrations at which quantification must be achieved and verified during the chemical analyses for the parameters identified in Section 5. Analyses for these parameters must include check standards within ten percent of the specified Minimum Level or calibration points equal to or less than the specified Minimum Level.

<u>Parameter</u>	<u>Minimum Level</u>
Aluminum	20.0 ug/L
Chlorine, total residual	20.0 ug/L
Copper	5.0 ug/L
Lead	5.0 ug/L
Nickel	5.0 ug/L
Silver	2.0 ug/L
Zinc	10.0 ug/L

- (4) The value of each parameter for which monitoring is required under this permit shall be reported to the maximum level of accuracy and precision possible consistent with the requirements of this section of the permit.

- (5) Effluent analyses for which quantification was verified during the analysis at or below the minimum levels specified in this section and which indicate that a parameter was not detected shall be reported as "less than x" where 'x' is the numerical value equivalent to the analytical method detection limit for that analysis.
- (6) Results of effluent analyses which indicate that a parameter was not present at a concentration greater than or equal to the Minimum Level specified for that analysis shall be considered equivalent to zero (0.0) for purposes of determining compliance with effluent limitations or conditions specified in this permit.

(B) Acute Aquatic Toxicity Test

- (1) Samples for monitoring of Aquatic Toxicity shall be collected and handled as prescribed in "Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms" (EPA/821-R-02-012).
  - (a) Composite samples shall be chilled as they are collected. Grab samples shall be chilled immediately following collection. Samples shall be held at 4 degrees Centigrade until Aquatic Toxicity testing is initiated.
  - (b) Effluent samples shall not be dechlorinated, filtered, or, modified in any way, prior to testing for Aquatic Toxicity unless specifically approved in writing by the Commissioner for monitoring at this facility.
  - (c) Chemical analyses of the parameters identified in Section 5, Table D shall be conducted on an aliquot of the same sample tested for Aquatic Toxicity.
    - (i) At a minimum, pH, specific conductance, total alkalinity, total hardness, and total residual chlorine shall be measured in the effluent sample and, during Aquatic Toxicity tests, in the highest concentration of test solution and in the dilution (control) water at the beginning of the test and at test termination. If Total Residual Chlorine is not detected at test initiation, it does not need to be measured at test termination. Dissolved oxygen, pH, and temperature shall be measured in the control and all test concentrations at the beginning of the test, daily thereafter, and at test termination.
  - (d) Tests for Aquatic Toxicity shall be initiated within 36 hours of sample collection.
- (2) Monitoring for Aquatic Toxicity to determine compliance with the permit limit on Aquatic Toxicity (invertebrate) above shall be conducted for 48-hours utilizing neonatal Daphnia pulex (less than 24-hours old)
- (3) Monitoring for Aquatic Toxicity to determine compliance with the permit limit on Aquatic Toxicity (vertebrate) above shall be conducted for 48-hours utilizing larval Pimephales promelas (1-14 days old with no more than 24-hours range in age).
- (4) Tests for Aquatic Toxicity shall be conducted as prescribed for static non-renewal acute tests in "Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms" (EPA/821-R-02-012), except as specified below.
  - (a) For Aquatic Toxicity Limits expressed as an NOAEL value, Pass/Fail (single-concentration)

tests shall be conducted at a specified Critical Test Concentration (CTC) equal to the Aquatic Toxicity Limit, or 100% in the case of monitoring only conditions, as prescribed in section 22a-430-3(j)(7)(A)(I) of the Regulations of Connecticut State Agencies, except that five replicates of undiluted effluent and five replicates of effluent diluted to the CTC shall be included.

- (b) Organisms shall not be fed during the tests.
  - (c) Copper nitrate shall be used as the reference toxicant in tests with freshwater organisms.
  - (d) Synthetic freshwater prepared with deionized water adjusted to a hardness of 50 mg/L (plus or minus 5 mg/L) as CaCO<sub>3</sub> shall be used as dilution water in tests with freshwater organisms.
- (5) Compliance with limits on Aquatic Toxicity shall be determined as follows:
- (a) For limits expressed as a minimum LC50 value, compliance shall be demonstrated when the results of a valid definitive Aquatic Toxicity test indicates that the LC50 value for the test is greater than the Aquatic Toxicity Limit.
  - (b) For limits expressed as an NOAEL value, compliance shall be demonstrated when the results of a valid pass/fail Aquatic Toxicity test indicates there is 90% or greater survival in the effluent at the specified CTC.
- (C) The Permittee shall annually monitor the chronic toxicity of the undiluted DSN002 in accordance with the following specifications.
- (1) Chronic toxicity testing of the discharge shall be conducted annually during July, August, or September of each year.
  - (2) Chronic toxicity testing shall be performed on the discharge in accordance with the test methodology established in "Short term Methods For Estimating The Chronic Toxicity of Effluents and Receiving Water to Freshwater Organisms" (EPA-821-R-02-012) as referenced in 40CFR 136 for Cerio daphnia survival and reproduction and Fathead Minnow larval survival and growth.
  - (3) Chronic toxicity tests shall utilize a minimum of five effluent dilutions prepared using a dilution factor of 0.5 (100% effluent, 88% effluent, 44 % effluent, 22 % effluent, 11 % effluent, 5.5 % effluent).
  - (4) Housatonic River water collected immediately upstream of the area influenced by the discharge shall be used as site water control (0% effluent) and dilution water in the toxicity tests.
  - (5) A laboratory water control consisting of synthetic freshwater prepared in accordance with EPA-821-R-02-012 at a hardness of 50±5 mg/l shall be included in the test protocol in addition to the site-water control.
  - (6) Daily composite samples of the discharge and grab samples of the Housatonic River for use as site water control and dilution water shall be collected on: day 0, for test solution renewal on day 1 and day 2 of the test; day 2, for test solution renewal on day 3 and day 4 of the test;

and day 4, for test solution renewal on day 5, 6, and 7 of the test. Samples shall not be dechlorinated, pH or hardness adjusted, or chemically altered in any way.

- (7) All samples of the discharge and the Housatonic River water used in the chronic toxicity test shall, at a minimum, be analyzed and results reported in accordance with the provisions listed in section 6(A) of this permit for the following parameters:

pH	Copper (Total recoverable and dissolved)
Hardness	Nickel (Total recoverable and dissolved)
Alkalinity	Nitrogen, Ammonia (total as N)
Aluminum	Phosphorous
Conductivity	Nitrogen, Nitrite (Total as N)
Biochemical oxygen demand	Nitrogen, Nitrate (Total as N)
Chlorine, (Total residual)	Solids, Total Suspended
Lead, (Total recoverable and dissolved)	Zinc, (Total recoverable and dissolved)

#### SECTION 7: REPORTING REQUIREMENTS

- (A) The results of chemical analyses and any aquatic toxicity test required above shall be entered on the Discharge Monitoring Report (DMR), provided by this office, and reported to the Bureau of Water Management (Attn: DMR Processing) at the following address. The report shall also include a detailed explanation of any violations of the limitations specified. The DMR shall be received at this address by the last day of the month following the month in which samples are collected.

Bureau of Water Management (Attn: DMR Processing)  
Connecticut Department of Environmental Protection  
79 Elm Street  
Hartford, CT 06106-5127

- (B) Complete and accurate aquatic toxicity test data, including percent survival of test organisms in each replicate test chamber, LC50 values and 95% confidence intervals for definitive test protocols, and all supporting chemical/physical measurements performed in association with any aquatic toxicity test, including measured daily flow and hours of operation for the 30 consecutive operating days prior to sample collection if compliance with a limit on Aquatic Toxicity is based on toxicity limits based on actual flows described in Section 7, shall be entered on the Aquatic Toxicity Monitoring Report form (ATMR) and sent to the Bureau of Water Management at the following address. The ATMR shall be received at this address by the last day of the month following the month in which samples are collected.

Bureau of Water Management (Attn: Aquatic Toxicity)  
Connecticut Department of Environmental Protection  
79 Elm St.  
Hartford, Ct 06106-5127

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

## **SECTION 8: RECORDING AND REPORTING OF VIOLATIONS, ADDITIONAL TESTING REQUIREMENTS**

- (A) If any sample analysis indicates that an Aquatic Toxicity effluent limitation in Section 5 of this permit has been exceeded, or that the test was invalid, another sample of the effluent shall be collected and tested for Aquatic Toxicity and associated chemical parameters, as described above in Section 5 and Section 6, and the results reported to the Bureau of Water Management (Attn: DMR Processing), at the address listed above, within 30 days of the exceedance or invalid test. Results of all tests, whether valid or invalid, shall be reported.
- (B) If any two consecutive test results or any three test results in a twelve month period indicates that an Aquatic Toxicity Limit has been exceeded, the Permittee shall immediately take all reasonable steps to eliminate toxicity wherever possible and shall submit a report to Bureau of Water Management (Attn: Aquatic Toxicity) for the review and approval of the Commissioner in accordance with section 22a-430-3(j)(10)(c) of the RCSA describing proposed steps to eliminate the toxic impact of the discharge on the receiving water body. Such a report shall include a proposed time schedule to accomplish toxicity reduction and the Permittee shall comply with any schedule approved by the Commissioner.
- (C) The Permittee shall notify the Bureau of Water Management, Permitting and Enforcement Division, within 72 hours and in writing within thirty days of the discharge of any substance listed in the application but not listed in the permit if the concentration or quantity of that substance exceeds two times the level listed in the application.

## **SECTION 9: COMPLIANCE SCHEDULE**

- (A) On or before February 1, 2009, the permittee shall submit for the review and written approval of the Commissioner a comprehensive and thorough report, which describes and evaluates the amount of nitrogen discharged from their facility. This report is associated with future effluent nitrogen goals presented in "A Total Maximum Daily Load Analysis to Achieve Water Quality Standards for Dissolved Oxygen in Long Island Sound", which was prepared by the New York State Department of Environmental Conservation and the Connecticut Department of Environmental Protection. If appropriate, the report shall identify remedial actions necessary to ensure future compliance with the respective nitrogen limit provided in Section 5, Table C and include a schedule for planning, design and implementation of the proposed actions.
- (B) The Permittee shall use best efforts to submit to the Commissioner all documents required by this section of the permit in a complete and approvable form. If the Commissioner notified the Permittee that any document or other action is deficient, and does not approve it with conditions or modifications, it is deemed disapproved, and the Permittee shall correct the deficiencies and resubmit it within the time specified by the Commissioner or, if no time is specified by the Commissioner, within thirty days of the Commissioner's notice of deficiencies. In approving any document or other action under this Compliance Schedule, the Commissioner may approve the document or other action as submitted or performed or with such conditions or modifications as the Commissioner deems necessary to carry out the purposes of this section of the permit. Nothing in this paragraph shall excuse noncompliance or delay.
- (C) Dates. The date of submission to the Commissioner of any document required by this section of the permit shall be the date such document is received by the Commissioner. The date of any notice by the Commissioner under this section of the permit, including but not limited to notice of approval or disapproval of any document or other action, shall be the date such notice is personally delivered or the date three days after it is mailed by the Commissioner, whichever is earlier. Except as otherwise specified in this permit, the word "day" as used in this section of the permit means calendar day. Any document or action which is required by this section only of the permit, to be submitted, or performed, by a date which falls on, Saturday, Sunday, or a Connecticut or federal holiday, shall be submitted or performed on or before the next day which is not a Saturday, Sunday, or Connecticut or federal holiday.

- (D) Notification of noncompliance. In the event that the Permittee becomes aware that it did not or may not comply, or did not or may not comply on time, with any requirement of this section of the permit or of any document required hereunder, the Permittee shall immediately notify the Commissioner and shall take all reasonable steps to ensure that any noncompliance or delay is avoided or, if unavoidable, is minimized to the greatest extent possible. In so notifying the Commissioner, the Permittee shall state in writing the reasons for the noncompliance or delay and propose, for the review and written approval of the Commissioner, dates by which compliance will be achieved, and the Permittee shall comply with any dates that may be approved in writing by the Commissioner. Notification by the Permittee shall not excuse noncompliance or delay, and the Commissioner's approval of any compliance dates proposed shall not excuse noncompliance or delay unless specifically so stated by the Commissioner in writing.
- (E) Notice to Commissioner of changes. Within fifteen days of the date the Permittee becomes aware of a change in any information submitted to the Commissioner under this section of the permit, or that any such information was inaccurate or misleading or that any relevant information was omitted, the Permittee shall submit the correct or omitted information to the Commissioner.
- (F) Submission of documents. Any document, other than a discharge monitoring report, required to be submitted to the Commissioner under this section of the permit shall, unless otherwise specified in writing by the Commissioner, be directed to:

Kevin Barrett  
Department of Environmental Protection  
Bureau of Water Management  
79 Elm Street  
Hartford, CT 06106-5127

This permit is hereby issued on the 12/9/05

  
Gina McCarthy  
Commissioner

GM/KSB



# DATA TRACKING AND TECHNICAL FACT SHEET

Permittee: Kimberly-Clark Corporation

PAMS Company ID: 19452

**PERMIT, ADDRESS, AND FACILITY DATA**

PERMIT #: CT0003212

APPLICATION #: 200204055

FACILITY ID. 096-004

<b><u>Mailing Address:</u></b>					<b><u>Location Address:</u></b>						
<b>Street:</b>	58 Pickett District Road				<b>Street:</b>	SAME					
<b>City:</b>	New Milford	<b>ST:</b>	CT	<b>Zip:</b>	06776	<b>City:</b>		<b>ST:</b>	CT	<b>Zip:</b>	
<b>Contact Name:</b>	Patrick Doty				<b>DMR Contact</b>						
<b>Phone No.:</b>	(860) 355-6689				<b>Phone No.:</b>						

**PERMIT INFORMATION**

**DURATION**    5 YEAR   X                        10 YEAR                         30 YEAR   

**TYPE**                      New                         Reissuance   X                        Modification   

**CATEGORIZATION**    POINT (X)                      NON-POINT ( )                      GIS #   2935  

**NPDES (X)**                      PRETREAT ( )                      GROUND WATER(UIC) ( )                      GROUND WATER (OTHER) ( )

NPDES MAJOR (MA)   X  

NPDES SIGNIFICANT MINOR or PRETREAT SIU (SI)   

NPDES or PRETREATMENT MINOR (MI)   

PRETREAT SIGNIFICANT INDUS USER (SIU)   

PRETREAT CATEGORICAL (CIU)   

Note: If it's a CIU then check off SIU

**POLLUTION PREVENTION MANDATE**                         **ENVIRONMENTAL EQUITY ISSUE**   

**COMPLIANCE ISSUES**

**COMPLIANCE SCHEDULE**                      YES   X                        NO

**POLLUTION PREVENTION**                         **TREATMENT REQUIREMENT**                         **WATER CONSERVATION**

**WATER QUALITY REQUIREMENT**                         **REMEDICATION**                         **OTHER**   

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

**OWNERSHIP CODE**

Private   X                        Federal                         State                         Municipal (town only)                         Other public

DEP STAFF ENGINEER Kevin Barrett

**PERMIT FEES**

Discharge Code	DSN	Annual Fee
101054Z	001-A & 002	\$8,175
1170000	001-A & 002	\$4,087.50
101032X	001-A & 002	\$525
1150090	001-A & 002	\$525

**FOR NPDES DISCHARGES**

Drainage basin Code: 6000

Present/Future Water Quality Standard: D/B

**NATURE OF BUSINESS GENERATING DISCHARGE**

The permittee manufactures tissue products from cellulose fibers (pulp).

**PROCESS AND TREATMENT DESCRIPTION (by DSN)**

*The permittee has the ability to discharge wastewaters associated with tissue production including, boiler blowdown, compressor condensate, laboratory and vehicle maintenance wastewaters through two separate outfalls. Under normal conditions, the wastewater is discharged through DSN 002 after clarification, biological degradation and settling through two on-site polishing lagoons. For approximately two weeks per year, the permittee has the ability to discharge through DSN 001-A after clarification and biological degradation without utilizing the settling capacity of the two on-site polishing lagoons, as they maintain these lagoons through cleaning and dredging activities.*

*DSN 001-A : Consists of wastewaters associated with tissue production including, boiler blowdown, compressor condensate, laboratory and vehicle maintenance wastewaters. These wastewaters are directed to clarification (105' and 110' mechanical clarifiers) and biological treatment. This discharge location does not include the on-site polishing lagoons and may be utilized for up to two weeks per year, while the polishing lagoons are being maintained.*

*DSN 002 : Consists of the same wastewater as DSN 001-A. However, in addition to the treatment identified above, this discharge also receives additional treatment through the on-site polishing lagoons (approximately 4,000,000 gallon settling lagoons).*

**RESOURCES USED TO DRAFT PERMIT**

Federal Effluent Limitation Guideline 40CFR430 Subpart L  
Pulp, Paper & Paperboard

Performance Standards

Federal Development Document 40CFR430  
Pulp, Paper & Paperboard

Treatability Manual

- Department File Information
- Connecticut Water Quality Standards
- Anti-degradation Policy
- Coastal Management Consistency Review Form
- Other - Explain

**BASIS FOR LIMITATIONS, STANDARDS OR CONDITIONS**

DSN 001-A : BOD<sub>5</sub>, Phosphorous and Total Suspended Solids – Unchanged from the previous permit, which utilized a Case-by-Case Determination using the criteria of Best Professional Judgment.

DSN 002 : BOD<sub>5</sub>, Phosphorous and Total Suspended Solids – Unchanged from the previous permit, which utilized a Case-by-Case Determination using the criteria of Best Professional Judgment.

DSN 002 : Aquatic Toxicity – In-stream water quality

DSN 002 : Total nitrogen Average Monthly Limit (AML), effective August 1, 2009 – This limit was developed consistent with the document prepared by the Connecticut Department of Environmental Protection and the New York State Department of Environmental Conservation titled “A Total Maximum Daily Load Analysis to Achieve Water Quality Standards for Dissolved Oxygen in the Long Island Sound”. This TMDL requires a 63.5% nitrogen reduction from all point sources in the state by 2014, based on 1990 baseline data. It also requires intermediate goals, which includes a 47.6% reduction by August of 2009. Baseline data provided by the permittee shows DSN 002-1 was averaging approximately 65.6 kg/day during the earliest monitoring period for total nitrogen (1992 – 1994). Internal discussions with Department personnel concluded the baseline for this facility should be equal to 65.6 kg/day. Therefore, an AML for total nitrogen equal to 34.3 kg/day (52.4% of 65.6 kg/day) has been included in this permit reissuance, effective August 1, 2009.

**GENERAL COMMENTS**

The need for inclusion of water quality based discharge limitations in this permit was evaluated consistent with Connecticut Water Quality Standards and criteria, pursuant to 40 CFR 122.44(d). Each parameter was evaluated for consistency with the available aquatic life criteria (acute and chronic) and human health (fish consumption only) criteria, considering the zone of influence allocated to the facility where appropriate. The statistical procedures outlined in the EPA Technical Support Document for Water Quality-based Toxics Control (EPA/505/2-90-001) were employed to calculate the need for such limits. Comparison of monitoring data and its inherent variability with the calculated water quality based limits indicates a low statistical probability of exceeding such limits. Therefore, no water quality based limits were included in the permit at this time.

**OTHER COMMENTS**

Limitations for BOD<sub>5</sub> and total suspended solids remain unchanged from the previous permit. These limitations were compared with those derived according to 40CFR430.122 and found to be more stringent.

In accordance with 430.124, limitations for pentachlorophenol and trichlorophenol should be applied to facilities where

chlorophenolic-containing biocides are used. Kimberly-Clark has provided annual certification and application information to support they do not utilize these biocides at their facility. Therefore, consistent with 430.124, limits for these parameters were not included in the permit. Section 4 (D) includes a condition stating these chemicals shall not be used in any of the facility operations and requires an annual certification from the Mill Manager that this is the case.