

NPDES PERMIT

issued to

TA Operating LLC
24601 Center Ridge Road Suite 200
Westlake, Ohio 44145-5634

Location Address:

327 Ruby Road
Wilmington

Facility ID: 160-038

Permit ID: CT0029530

Receiving Stream: Tributary of Roaring Brook
Stream Segment ID No.: CT3104-00-2-L8_outlet_01

Permit Expires: July 23, 2014

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) TA Operating 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)(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 of Environmental Protection ("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 June.

"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.

"Qualified personnel" means any person familiar with the content, requirements, and objectives of this permit and the facility's Stormwater Pollution Prevention Plan.

"Quarterly", in the context of a sampling frequency, means sampling is required in the months of March, June, September, and December.

"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" ("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.

"ug/l" means micrograms per liter.

SECTION 3: COMMISSIONER'S DECISION

- (A) The Commissioner, has issued a final determination and found that continuance of the existing discharge will not cause pollution of the waters of the state. The Commissioner's decision is based on **Application No. 200301208** for permit reissuance received on April 9, 2003 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 the Commissioner's 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 / OTHER CONDITIONS

- (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) This permit authorizes the discharge of stormwater only from the site through the stormwater conveyance system approved for such, inclusive of the 18,000 gallon oil/water separator. Other wastes are prohibited from being discharged and should be prevented from reaching the environment through Best Management Practices developed pursuant to Section 9 above unless, and until, a permit to discharge is attained. Any use of the facility which results in the discharge of any other material to the ground, or directly to the storm drain system, shall be immediately reported to DEP.
- (E) No vehicle repair or maintenance shall be performed outside of any building and signs shall be posted in the vehicle parking area indicating such.

- (F) Parking and fueling area activities shall be closely monitored to ensure that the discharge of petroleum products into the waters of the state are prevented.

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 discharges are restricted by, and shall be monitored in accordance with, the tables below:

Table A					
Discharge Serial Number: 001-1			Monitoring Location: No monitoring required		
Wastewater Description: Stormwater runoff from building roofs and paved areas					
Monitoring Location Description: Discharge from detention basin and emergency overflow structure					
PARAMETER	UNITS	INSTANTANEOUS MONITORING			Minimum Level Test ²
		Instantaneous limit or required range	Sample/Reporting Frequency ¹	Sample Type or measurement to be reported	
No monitoring required	NA	NA	NR	NA	

Table B					
Discharge Serial Number: 001-A (formerly DSN 001-1)			Monitoring Location: 1		
Wastewater Description: Stormwater runoff from building roofs and paved areas					
Monitoring Location Description: Discharge from detention basin outlet structure.					
PARAMETER	UNITS	INSTANTANEOUS MONITORING			Minimum Level Test ²
		Instantaneous limit or required range	Sample/Reporting Frequency ¹	Sample Type or measurement to be reported	
Aquatic Toxicity, Daphnia pulex	%	----	Semi-Annually	Grab	
Aquatic Toxicity, Pimephales promelas	%	----	Semi-Annually	Grab	
Benzene	ug/l	----	Quarterly	Grab	*
Chemical Oxygen Demand	mg/l	----	Quarterly	Grab	
Chloride	mg/l	----	Quarterly	Grab	
Chromium, Total	ug/l	----	Quarterly	Grab	*
Copper, Total	ug/l	----	Quarterly	Grab	*
Ethyl benzene	ug/l	----	Quarterly	Grab	*
Lead, Total	ug/l	----	Quarterly	Grab	*
Nickel	ug/l	----	Quarterly	Grab	*
Nitrogen, TKN	mg/l	----	Quarterly	Grab	
Nitrogen, Nitrate	mg/l	----	Quarterly	Grab	
Flow, Instantaneous	Gpm	----	Quarterly	Instantaneous	
Oil and Grease, Total	mg/l	10.0	Quarterly	Grab	
Organic Carbon, Total	mg/l	----	Quarterly	Grab	
pH	S.U.	----- ³	Quarterly	Grab	
Phosphorous, Total	mg/l	----	Quarterly	Grab	
Suspended Solids, Total	mg/l	----	Quarterly	Grab	
Toluene	ug/l	----	Quarterly	Grab	*
Xylene	ug/l	----	Quarterly	Grab	*
Zinc, Total	ug/l	----	Quarterly	Grab	*
Biochemical Oxygen Demand (5-day)	mg/l	----	Quarterly	Grab	

Table Footnotes

¹ 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'.

² Minimum Level Test refers to Section 6, Paragraph (A) of this permit.

³ The pH of the discharge shall not be less than 6.0 or greater than 9.0 unless samples of rainfall collected during the precipitation event which produced the runoff has a pH of less than 6.0 or greater than 9.0. In these cases, the pH limit shall be that of the rainfall.

Table C**Discharge Serial Number: 001-1****Monitoring Location: G****Wastewater Description: Stormwater runoff from building roof and paved areas****Monitoring Location Description: Inlet to detention basin at the emergency bypass structure**

PARAMETER	UNITS	INSTANTANEOUS MONITORING			Minimum Level Test ²
		Instantaneous limit or required range	Sample/ Reporting Frequency ¹	Sample Type or measurement to be reported	
Benzene	ug/l	-----	Quarterly	Grab	*
Chemical Oxygen Demand	mg/l	-----	Quarterly	Grab	
Chloride	mg/l	-----	Quarterly	Grab	
Chromium, Total	ug/l	-----	Quarterly	Grab	*
Copper, Total	ug/l	-----	Quarterly	Grab	*
Ethyl benzene	ug/l	-----	Quarterly	Grab	*
Lead, Total	ug/l	-----	Quarterly	Grab	*
Nickel	ug/l	-----	Quarterly	Grab	*
Nitrogen, TKN	mg/l	-----	Quarterly	Grab	
Nitrogen, Nitrate	mg/l	-----	Quarterly	Grab	
Flow, Instantaneous	Gpm	-----	Quarterly	Instantaneous	
Oil and Grease, Total	mg/l	-----	Quarterly	Grab	
Organic Carbon, Total	mg/l	-----	Quarterly	Grab	
pH	S.U.	----- ³	Quarterly	Grab	
Phosphorous, Total	mg/l	-----	Quarterly	Grab	
Suspended Solids, Total	mg/l	-----	Quarterly	Grab	
Toluene	ug/l	-----	Quarterly	Grab	*
Xylene	ug/l	-----	Quarterly	Grab	*
Zinc, Total	ug/l	-----	Quarterly	Grab	*
Biochemical Oxygen Demand (5-day)	mg/l	-----	Quarterly	Grab	

Table Footnotes

¹ 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'.

² Minimum Level Test refers to Section 6, Paragraph (A) of this permit.

³ The pH of the discharge shall not be less than 6.0 or greater than 9.0 unless samples of rainfall collected during the precipitation event which produced the runoff has a pH of less than 6.0 or greater than 9.0. In these cases, the pH limit shall be that of the rainfall.

Table D

Discharge Serial Number: 001-A

Monitoring Location: Inside basin

Wastewater Description: Stormwater runoff from building roofs and paved areas

Monitoring Location Description: Detention basin (surface water sample) in the area of storm drain system inlet

PARAMETER	UNITS	INSTANTANEOUS MONITORING			Minimum Level Test ²
		Instantaneous limit or required range	Sample/ Reporting Frequency ¹	Sample Type or measurement to be reported	
Benzene	ug/l	-----	Monthly	Grab	*
Ethyl benzene	ug/l	-----	Monthly	Grab	*
Oil and Grease, Total	mg/l	-----	Monthly	Grab	
Toluene	ug/l	-----	Monthly	Grab	*
Xylene	ug/l	-----	Monthly	Grab	*

Table Footnotes

¹ 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'.

² Minimum Level Test refers to Section 6, Paragraph (A) of this permit.

- (1) All samples shall be comprised of only the stormwater 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 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, Tables B through D. 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>
Benzene	5.0 ug/l
Chromium	5.0 ug/l
Copper	5.0 ug/l
Ethyl benzene	10.0 ug/l
Lead	5.0 ug/l
Nickel	5.0 ug/l
Zinc	10.0 ug/l
Toluene	5.0 ug/l
Xylene	5.0 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 (Grab samples only)

- (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) Grab samples shall be chilled immediately following collection. Tests shall be conducted at 20 +/- degrees Centigrade.
 - (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 B 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.
 - (ii) Tests for Aquatic Toxicity shall be initiated within 36 hours of sample collection.
- (2) Monitoring for Aquatic Toxicity shall be conducted for 48-hours utilizing neonatal Daphnia pulex (less than 24-hours old) and larval Pimephales promelas (1-14 days old with no more than 24-hours range in age).
- (3) 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 monitoring only conditions, expressed as an NOAEL value, Pass/Fail (single-concentration) tests shall be conducted at 100% as prescribed in section 22a-430-3(j)(7)(A)(i) of the Regulations of Connecticut State Agencies.
 - (c) Organisms shall not be fed during the tests.
 - (d) Copper nitrate shall be used as the reference toxicant in tests with freshwater organisms.
- (4) Synthetic freshwater prepared with deionized water adjusted to a hardness of 50 mg/L (plus or minus 5 mg/L) as CaCO₃ shall be used as dilution water in all tests.

- (5) The stormwater discharge shall not result in pollution due to acute or chronic toxicity to aquatic life, impair the biological integrity of aquatic ecosystems, or result in an unacceptable risk to human health.

(C) Storm Event Sampling Protocol:

- Quarterly Sampling: One quarterly sampling shall be performed during a precipitation event which occurs between January and March inclusive; the second sampling shall be during a precipitation event between April and June inclusive, the third sampling shall be during a precipitation event which occurs between July and September inclusive, and the fourth sampling shall be on a precipitation event between October and December, inclusive.
- Timing of Sampling: The samples shall be collected during the first 30 minutes of a storm event discharge.
- Precipitation Event To Be Sampled: Samples from each monitoring location shall be collected from discharges resulting from a storm that is greater than 0.1 inches in magnitude that occurs at least 72 hours after any previous storm event of 0.1 inches or greater. Runoff events resulting from snow or ice melt cannot be used to meet the minimum quarterly or annual monitoring requirements.

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 Materials Management and Compliance Assurance (Attn: DMR Processing) at the following address. The report shall also include a detailed explanation of any violations of the limitations specified.

In addition to the information required by Tables B through D above the following shall be submitted:

- The total precipitation and the instantaneous discharge flow rate at the time of grab sample collection.
- The date, temperature, time of the start of discharge, time of sampling of each monitoring location, and the length in hours of the storm event sampled.
- The magnitude (in inches) of the storm event sampled.
- The duration between the storm event sampled and the end of the previous measurable (greater than 0.1 inch rainfall) storm event.

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 Materials Management and Compliance Assurance
Water Permitting and Enforcement Division (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 Protection and Land Reuse 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 Protection and Land Reuse (Attn: Aquatic Toxicity)

- (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 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 Materials Management and Compliance Assurance (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) The Permittee shall notify the Bureau of Materials Management and Compliance Assurance, Water 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) The Permittee must develop a Stormwater Pollution Prevention Plan ("Plan").
- (1) Development of Plan
- (A) The Permittee shall develop a Plan on or before 6 months from the date of issuance of this permit. The Plan shall be prepared in accordance with sound engineering practices. The Permittee shall perform all actions required by the Plan in accordance with the schedule set forth in this section below. The Permittee shall maintain compliance with the Plan thereafter. This Plan shall include a section which evaluates the sources of zinc and copper concentrations in the on-site stormwater discharges, proposes remedial actions, and additional best management practices to reduce the amount of zinc and copper discharging, and a schedule to accomplish improvements in stormwater quality.
- (2) Deadlines for Plan Preparation and Compliance
- (A) For any new stormwater discharges associated with this permitted activity initiated after the date of issuance of this permit, the Plan shall be revised and amended 30 days before the date such activity is initiated to identify the new discharges and necessary controls/measures. The Permittee shall perform all actions required by such Plan on or before the date such activity is conducted, and shall maintain compliance with such Plan thereafter.
- (3) Signature and Plan Review
- (A) The Plan shall be signed as follows: for a corporation, by a responsible corporate officer or a duly authorized representative thereof, as those terms are defined in Section 22a-430-3(b)(2) of the Regulations of Connecticut State Agencies; for a municipality, state, Federal, or other public agency, by either a principal executive officer or a ranking elected official, as those terms are defined in Section 22a-430-3(b)(2) of the Regulations of Connecticut State Agencies; for a

partnership or a sole proprietorship, by a general partner or the proprietor, respectively. When a Plan is signed by a duly authorized representative, a statement of authorization shall be included in the Plan. The Plan shall also be certified, in accordance with Section 9 (A)(7) of this permit, by a professional engineer licensed in the State of Connecticut or a Certified Hazardous Materials Manager. The Plan shall be retained on site at the facility that generates the stormwater discharge.

(B) The Permittee shall make a copy of the Plan available to the Commissioner immediately upon request.

(C) The Commissioner may notify the Permittee at any time that the Plan does not meet one or more of the requirements of this Section. Within 60 days of such notification unless otherwise specified by the Commissioner in writing, the Permittee shall revise the plan, perform all actions required by the revised plan, and shall submit to the Commissioner in writing that the requested changes have been made and implemented, and such other information as the Commissioner requires.

(4) Keeping Plans Current

The Permittee shall amend the Plan whenever; (1) there is a change at the site which has an effect on the potential to cause pollution of the waters of the state; or (2) the actions required by the Plan fail to ensure or adequately protect against pollution of the waters of the state; or (3) the Commissioner requests modification of the plan. The Permittee shall amend the Plan as necessary to address any sources or potential sources of pollution identified as a result of monitoring conducted pursuant to Section 5(A) of this permit. The amended Plan shall be completed and all actions required by the Plan shall be completed within 60 days of the date the Permittee becomes aware or should have become aware that any of the conditions listed above has occurred.

(5) Failure to Prepare or Amend Plan

In no event shall failure to complete or update a Plan in accordance with Sections 9 (A)(1) and (4) of this permit relieve a Permittee of responsibility to implement actions required to protect the waters of the state, complete any actions that would have been required by such plan, and to comply with all conditions of the permit.

(6) Contents of Plan

The Plan shall be representative of current site conditions and shall address, at a minimum, all the items below:

(A) Pollution Prevention Team

Each Plan shall identify a specific individual or individuals for the site who shall serve as members of a Stormwater Pollution Prevention Team ("team"). The team shall be responsible for developing the Stormwater Pollution Prevention Plan and assisting the Permittee in the implementation, maintenance, and revision of the plan. At least one team member shall be present at the facility during all operational shifts. The Plan shall clearly identify the responsibilities of each team member. The activities and responsibilities of the team shall address all aspects of the plan.

(B) Potential Pollutant Sources

The Plan shall map and describe the potential sources of pollutants that may reasonably be expected to affect stormwater quality at the site or that may result in the discharge of pollutants during dry weather from the site. Each Plan shall identify

all activities and materials that may be a source of stormwater pollution at the site. In addition, each Plan shall include, but not be limited to the following:

(i) Drainage Map

- 1) A site map (at a defined or approximate scale) shall be developed with a north arrow and surveyed property lines. The site map shall show an outline of the drainage area of each stormwater outfall, existing structural control measures installed to reduce pollutants in stormwater runoff, receiving surface water body, location where materials are exposed to precipitation, location where major spills or leaks identified under Section 9(A)(6)(B)(iii) of this permit have occurred, and each location of the following activities where such activities are exposed to precipitation: fueling stations, vehicle and equipment maintenance and/or cleaning areas, loading/unloading areas, locations used for the treatment, storage or disposal of wastes, liquid storage tanks, processing areas and storage areas and areas with the potential for erosion.
- 2) For each area of the site that generates stormwater discharges associated with industrial activity, the direction of flow, and the types of pollutants which are present or likely to be present in the discharge, including but not limited to discharges with a potential for causing erosion in the area of the receiving water.

(ii) Inventory of Exposed Materials and Summary of Potential Pollutant Sources

A tabular inventory of the types of non-gaseous materials handled, treated, stored or disposed in a manner to allow exposure to stormwater including a description of the potential pollutant sources for the following areas: loading and unloading operations; roof areas; outdoor storage activities; outdoor manufacturing or processing activities; dust or particulate generating processes; and on-site waste disposal practices. Such inventory shall include a list of materials that have been handled, treated, stored or disposed in a manner to allow exposure to stormwater; the method and location of on-site storage or disposal; materials management practices employed to minimize contact of materials with stormwater runoff; the location and a description of existing structural and non-structural control measures to reduce pollutants in stormwater runoff; and a description of any treatment the stormwater receives. The description shall specifically list any potential source of pollutants at the site and, for each potential source, any pollutants associated with the potential source.

(iii) Spills and Leaks

A list of spills and leaks, which could affect stormwater, of five gallons or more of toxic or hazardous substances, as those terms are defined in section 22a-430-4 Appendix B Tables II, III and V, and Appendix D of the Regulations of Connecticut State Agencies, and 40 CFR 116.4, that occurred at the facility after the effective date of this permit.

(iv) Monitoring Program

A description of the monitoring program and sampling data for stormwater discharges at the site, in accordance with Section 5(A) of this permit.

(C) Measures and Controls

Each Plan shall describe the stormwater management controls appropriate for the facility. The Permittee shall implement such controls. The appropriateness and priorities of controls in a Plan shall reflect identified potential sources of pollutants at the site. The Plan shall include but not be limited to a schedule for implementing such controls and the following components:

(i) Good Housekeeping

The Plan shall provide for the maintenance of a clean, orderly facility.

(ii) Vehicle or Equipment Washing

The Plan shall provide, at a minimum, that no washing of equipment, buildings or vehicles shall be allowed at the site which would allow wash waters to enter any storm drainage system or the waters of the state.

(iii) Roof Areas

The Plan shall identify roof areas which may be subject to drippage, dust or particulates from exhausts or vents or other sources of pollution, shall include an inspection program of such areas to determine if any potential sources of stormwater pollution are present, and shall contain steps to be taken to eliminate such sources or potential sources of pollution and a schedule for performing such steps.

Facilities shall be managed to preclude exposure of materials or provide advanced stormwater treatment for such exposed areas. In areas where exposure can not be avoided, the Plan shall identify those areas as areas of the site where it may be appropriate to construct a permanent roof or cover over exposed materials.

(iv) Sediment and Erosion Control

The Plan shall identify areas, which, due to topography, activities, or other factors, have a potential for soil erosion, and shall identify measures to limit erosion. All construction activities on site shall be conducted in accordance with Section 9 (A)(6)(G) of this section.

(v) Preventive Maintenance

The Plan shall include a preventive maintenance program, which shall include but not be limited to, the inspection and maintenance of stormwater management devices (e.g., cleaning oil/water separators, catch basins); the inspection and testing of on-site equipment and systems on the site to identify conditions that could cause breakdowns or failures resulting in discharges of pollutants to surface waters, and the appropriate maintenance of such equipment and systems. The minimum frequency of cleaning for oil/water separators is quarterly and the minimum frequency of cleaning catch basins is once per year in the Spring.

(vi) Spill Prevention and Response Procedures

The Permittee shall ensure that a member of the Pollution Prevention Team meets each delivery of bulk fuel and supervises the off-loading of this material.

Areas where potential spills can occur, and their accompanying drainage points shall be identified clearly in the plan. Procedures for cleaning up spills shall be identified in the Plan and made available to the appropriate personnel. The necessary equipment to implement a cleanup shall be available to personnel.

The Plan shall provide that all storage areas in which chemicals or previously used chemical containers are stored are provided with impermeable containment which will hold at least the volume of the largest chemical container, or 10% of the total volume of all containers in the area, whichever is larger, without overflow from the containment area. For industrial activities initiated after October 1, 1992, all chemicals and their containers shall be stored under a roof which minimizes stormwater entry to the containment area, except for those chemicals stored in containers of 100 gallon capacity or more, in which case a roof is not required.

The Plan shall also provide that all dumpsters, trash compactors, and "roll-off" containers used to store waste materials are in sound watertight condition and supplied with attached covers and drain plugs intact, or are in roofed areas that will not allow dumpster leakage to enter any stormwater drainage system. All covers must be closed when dumpsters are not being loaded or unloaded.

The Plan shall provide that for all industrial activities initiated after July 15, 2003, loading docks shall be protected with a permanent roof or other structure that protects the loading dock from direct rainfall. Stormwater collection and drainage facilities adjacent to the loading dock shall be designed and maintained in a way that prevents any materials spilled or released at the loading dock from discharging to the storm sewer system.

(vii) Employee Training

The Plan shall ensure that all employees whose activities may affect stormwater quality receive training within 30 days of employment and at least once per year thereafter to make them familiar with the components and goals of the Stormwater Pollution Prevention Plan. Training shall address topics such as spill response, good housekeeping and material management practices. The Plan shall identify periodic dates for such training at intervals no greater than once per year.

(viii) Non-Stormwater Discharges

The Plan shall include the following certification, signed by a professional engineer licensed to practice in Connecticut or a certified hazardous materials manager:

"I certify that in my professional judgement, the discharge of stormwater from the site consists only of stormwater, or of stormwater combined with wastewater authorized by an effective permit issued under Section 22a-430 or Section 22a-430b of the Connecticut General Statutes, or with any of the discharges listed below. This certification is based on testing and evaluation of

the stormwater discharge from the site. I further certify that all potential sources of non-stormwater at the site, a description of the results of any test and/or evaluation for the presence of non-stormwater discharges, the evaluation criteria or testing method used, the date of any testing and/or evaluation, and the on-site drainage points that were directly observed during the test have been described in detail in the Stormwater Pollution Prevention Plan prepared for the site. I further certify that no interior building floor drains exist which are connected to any storm drainage system or which may otherwise direct interior floor drainage to exterior surfaces. I am aware that there may be significant penalties for false statements in this certification, including the possibility of fine and imprisonment for knowingly making false statements.”

The following is a list of allowable non-stormwater discharges provided they do not contribute to a violation of water quality standards:

- landscape irrigation or lawn watering;
- uncontaminated ground water discharges such as pumped ground water, foundation drains, water from crawl space pumps and footing drains;
- discharges of uncontaminated air conditioner condensate;
- naturally occurring discharges such as rising ground waters, uncontaminated ground water infiltration (as defined at 40 CFR 35.2005(20)), springs, and flows from riparian habitats and wetlands.

(ix) Management of Runoff

The Plan shall contain a discussion of the need for stormwater management or treatment practices that shall be used to divert, infiltrate, reuse, or treat stormwater runoff in a manner that reduces pollutants in stormwater discharges from the site. The Plan shall provide that management or treatment measures determined to be reasonable and appropriate to prevent pollution of the waters of the state shall be implemented and maintained at the site. The Permittee shall consider the potential of various sources at the facility to contribute pollutants to stormwater discharges associated with an industrial activity when determining reasonable and appropriate measures. Appropriate measures may include but are not limited to: vegetative swales or buffer strips, reuse of collected stormwater (such as for process water, cooling water or as an irrigation source), oil/water separators, snow management activities, infiltration devices, and wet detention/retention basins. The Permittee shall ensure that such measures are properly implemented and maintained.

(x) Inspections

In addition to the Comprehensive Site Compliance Evaluation required under Section 9(A)(6)(D) of this permit, the Plan shall identify qualified personnel to inspect designated equipment and areas of the site more frequently than those inspections required under the Comprehensive Site Evaluation. A set of tracking or follow-up procedures shall be used to ensure that appropriate actions are taken in response to the inspections. Records of inspections shall be maintained at the site.

(D) Comprehensive Site Compliance Evaluation

The Plan shall provide that qualified personnel shall conduct site compliance evaluations at appropriate intervals specified in the Plan, but in no event less frequently than four times a year. Such evaluations shall include:

- (i) Visual inspection of material handling areas and other potential sources of pollution identified in the Plan for evidence of, or the potential for, pollutants entering the stormwater drainage system. Structural stormwater management measures, erosion control measures, and other structural pollution prevention measures identified in the Plan shall be observed to ensure that they are operating correctly. A visual inspection of equipment needed to implement the plan, such as spill response equipment, shall be made. Inspections should be made during rainfall events if possible.
- (ii) Preparation of a report summarizing the scope of the inspection, personnel making the inspection, the date(s) of the inspection, major observations relating to the Plan, actions taken, and updates made to the Plan shall be made and retained as part of the Stormwater Pollution Prevention Plan for at least five years. The report shall be signed by the Permittee.

(E) Consistency with other plans

Stormwater Pollution Prevention Plans may reference requirements contained in Spill Prevention Control and Countermeasure (SPCC) plans and other plans required by state, federal or local law for the prevention or control of spillage.

(F) Additional Requirements for Salt Storage

The Plan shall provide that storage piles of salt (including pure salt or salt mixed with other materials) used for deicing or other commercial or industrial purposes and which could generate a stormwater discharge associated with industrial activity that is discharged to waters of the state, shall be enclosed or covered by structural means. A waterproof canvas, polyethylene cover or other waterproof material may be used to prevent exposure to precipitation (except for exposure necessary to add or remove materials from the pile) until a structure can be provided since this site is located in an area with a groundwater classification of GA, an impervious liner shall be utilized under the pile to prevent infiltration to groundwater. In addition, on or after October 1, 1995 no new road salt storage facilities shall be located within a 100-year floodplain as defined and mapped for each municipality under 44 CFR 59 et seq. or within 250 feet of a well utilized for potable drinking water supply or within a Level A aquifer protection area as defined by mapping pursuant to Section 22a-354c of the General Statutes.

(G) Future Construction

The Permittee shall ensure that oil and sediment control structures or other devices are used within the drainage system for all construction that (i) may impact the drainage system and (ii) occurs on site on or after the effective date of this permit. The Plan must state that a goal of 80 percent removal of total suspended solids from the stormwater discharge shall be used in designing and installing stormwater management measures. Note that any construction activity that disturbs greater than five acres must be registered and conducted in accordance with the General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities. However, all construction activities, regardless of size, shall comply with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control. In addition, the Permittee shall avoid, wherever possible, the use of copper or galvanized roofing

or building materials for any new construction where these materials will be exposed to stormwater.

(7) Plan Certification

The Plan shall contain the following certification, signed by a professional engineer licensed to practice in the State of Connecticut:

“I certify that I have thoroughly and completely reviewed the Stormwater Pollution Prevention Plan prepared for this site. I further certify, based on such review and site visit by myself or my agent and on my professional judgement, that the Stormwater Pollution Prevention Plan meets the criteria set forth in this permit. I am aware that there are significant penalties for false statements in this certification, including the possibility of fine and imprisonment for knowingly making false statements.”

- (B) On or before six (6) months after issuance of this permit, the Permittee shall submit for the review of the Commissioner revised Operation and Maintenance and Stormwater Pollution Prevention plans in accordance with the requirements of this permit.
- (C) The Permittee shall use best efforts to submit to the Commissioner all documents required by this section of the permit in a complete and approvable form. If the Commissioner notifies the Permittee that any document or other action is deficient, and does not approve it with conditions or modifications, it is deemed disapproved, and the Permittee shall correct the deficiencies and resubmit it within the time specified by the Commissioner or, if no time is specified by the Commissioner, within thirty days of the Commissioner's notice of deficiencies. In approving any document or other action under this Compliance Schedule, the Commissioner may approve the document or other action as submitted or performed or with such conditions or modifications as the Commissioner deems necessary to carry out the purposes of this section of the permit. Nothing in this paragraph shall excuse noncompliance or delay.
- (D) 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 legal Connecticut or federal holiday, shall be submitted or performed on or before the next day which is not a Saturday, Sunday, or legal Connecticut or federal holiday.
- (E) 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.
- (F) 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.

- (G) 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:

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

This permit is hereby issued on 07/24/2009

/S/AMEY W. MARRELLA
ACTING COMMISSIONER

AWM/GLL/KM

DATA TRACKING AND TECHNICAL FACT SHEET

Permittee: TA Operating LLC

PAMS Company ID: 103546

PERMIT, ADDRESS, AND FACILITY DATA

PERMIT #: CT0029530

APPLICATION #: 200301208

FACILITY ID. 160-038

Table with columns for Mailing Address and Location Address, containing details for Street, City, State, Zip, Contact Name, and Phone No.

PERMIT INFORMATION

DURATION 5 YEAR [X] 10 YEAR [] 30 YEAR []
TYPE New [] Reissuance [X] Modification []
CATEGORIZATION POINT (X) NON-POINT () GIS # []
NPDES (X) PRETREAT () GROUND WATER(UIC) () GROUND WATER (OTHER) ()
NPDES MAJOR (MA) []
NPDES SIGNIFICANT MINOR or PRETREAT SIU (SI) []
NPDES or PRETREATMENT MINOR (MI) [X]
PRETREAT SIGNIFICANT INDUS USER (SIU) []
PRETREAT CATEGORICAL (CIU) []
Note: If it's a CIU then check off SIU

POLLUTION PREVENTION MANDATE [] ENVIRONMENTAL EQUITY ISSUE []

COMPLIANCE ISSUES

COMPLIANCE SCHEDULE YES [X] NO []
POLLUTION PREVENTION [X] TREATMENT REQUIREMENT [] WATER CONSERVATION []
WATER QUALITY REQUIREMENT [] REMEDIATION [] OTHER []

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

Outstanding Consent Order WC5392 required a site investigation on the extent and degree of contamination and upgrades to the storm water collection system as a result of a major spill of diesel fuel. All Bureau of Materials Management and Compliance Assurance issues have been resolved but final reports for the extent and degree of contamination have yet to be reviewed by Water Protection and Land Reuse staff.

OWNERSHIP CODE

Private [X] Federal [] State [] Municipal (town only) [] Other public []

DEP STAFF ENGINEER Gary L. Leavitt /Ken Major

PERMIT FEES

Discharge Code	DSN	Annual Fee
1080000	001	\$2662.50

FOR NPDES DISCHARGES

Drainage basin Code: 3104

Present/Future Water Quality Standard: A/A

NATURE OF BUSINESS GENERATING DISCHARGE

This is a vehicle fueling facility where paved areas and rooftops collect storm water during rain events and discharge to the waters of the State.

PROCESS AND TREATMENT DESCRIPTION (by DSN)

There is no process generating the discharge. The storm water is processed through an oil/water separator and detention basin prior to being discharged to the unnamed tributary of Roaring Brook.

RESOURCES USED TO DRAFT PERMIT

- Federal Effluent Limitation Guideline 40 CFR _____
name of category
- Performance Standards
- Federal Development Document _____
name of category
- Treatability Manual
- Department File Information
- Connecticut Water Quality Standards
- Anti-degradation Policy
- Coastal Management Consistency Review Form
- Other - Explain

BASIS FOR LIMITATIONS, STANDARDS OR CONDITIONS

- BAT based on Best Professional Judgment (See Other Comments)

Oil and Grease and pH limits in this permit are identical to the limits in the prior permit issued to the Permittee on October 7, 1998.
- BAT based on Case-by-Case Determination (See Other Comments)

Oil and Grease and pH limits in this permit are identical to the limits in the prior permit issued to the Permittee on October 7, 1998.

X In order to meet in-stream water quality (See General Comments)

GENERAL COMMENTS

Section 9 has been included in this permit, incorporating a number of provisions from language in the General Permit for Stormwater from Industries Activities. There is a permit requirement to update and submit revised Stormwater Pollution Prevention and Operation and Maintenance plans. Also, the Permittee is required to investigate the sources of zinc and copper in the stormwater on-site and to propose remedial actions and a schedule to accomplish reductions.

A new monitoring location was added, DSN001-A, Table D, which is inside the retention basin near the inlet. Table D specifically requires monthly sampling for certain volatile organics in an effort to better detect any problems associated with the distribution of fuel at the site.