



## Land Application System Permit

### **Issued to**

Lake of Isles, LLC  
110 Pequot Trail  
Mashantucket, Ct 06338

**Site Name:** Lake of Isles, LLC  
**Site Address:** 1 Clubhouse Drive  
North Stonington Ct 06378  
**Watershed:** Shewville Brook

**Permit No.:** SP0002408

**Issuance Date:** DRAFT

**Effective Date:** 1<sup>st</sup> day of next month

**Expiration Date:** 10 years from Effective Date

### **1.0 GENERAL PROVISIONS**

- 1.1 This permit renewal is issued in accordance with section 1421 of the Federal Safe Drinking Water Act 42 USC 300h et. seq., section 22a-430 of Chapter 446k, Connecticut General Statutes (“CGS”), and Regulations of Connecticut State Agencies (“RCSA”) adopted thereunder, as amended.
- 1.2 Lake of Isles, LLC, (“Permittee”), shall comply with all conditions of this permit including the following sections of the RCSA which have been adopted pursuant to section 22a-430 of the CGS and are hereby incorporated into this permit. Your attention is especially drawn to the notification requirements of subsection (i)(2), (i)(3), (j)(1), (j)(6), (j)(8), (j)(9)(C), (j)(11)(C), (D), (E) and (F), (k)(3) and (4), and (l)(2) of section 22a-430-3.

#### Section 22a-430-3 General Conditions

- (a) Definitions
- (b) General
- (c) Inspection and Entry
- (d) Effect of a Permit
- (e) Duty to Comply
- (f) Proper Operation and Maintenance
- (g) Sludge Disposal
- (h) Duty to Mitigate
- (i) Facility Modifications; Notification
- (j) Monitoring, Records and Reporting Requirements
- (k) Bypass
- (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

**2.0 COMMISSIONER'S DECISION**

- 2.1 The Commissioner has made 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. 202201245 for permit issuance, received on February 8, 2022, and the administrative record established in the processing of that application.
- 2.2 From the effective date of this permit, for a term not to exceed ten (10) years and until this permit expires or is modified or revoked, the Commissioner hereby authorizes the Permittee to discharge a maximum flow of one million two hundred thousand (1,200,000) gallons per day of treated domestic sewage to waters of the state in accordance with the terms and conditions of this permit, the above referenced application, and all modifications and approvals issued by the Commissioner or the Commissioner's authorized agent for the discharges and/or activities authorized by, or associated with, this permit following the issuance date of this permit.
- 2.3 The Commissioner reserves the right to make appropriate revisions to the permit in order to establish any appropriate effluent limitations, schedules of compliance, or other provisions that may be authorized under the Federal Safe Drinking 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 Safe Drinking Water Act or CGS or regulations adopted thereunder, which are then applicable.

- 2.4 The Permittee shall assure that ground water affected by the subject discharge shall conform to the Connecticut Water Quality Standards.
- 2.5 The Permittee shall operate the facility as a no point source discharge to surface water.
- 2.6 The Permittee shall operate and maintain all processes as installed in accordance with the approved plans and specifications and as outlined in the associated operation and maintenance manual. This includes but is not limited to all recycle pumping systems, aeration equipment, aeration tank cycling, mixing equipment, anoxic tanks, chemical feed systems, effluent filters, disinfection systems or any other process equipment necessary for the optimal removal of pollutants. The Permittee shall neither bypass nor fail to operate any of the approved equipment or processes without the written approval of the Commissioner.

### **3.0 EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS**

- 3.1 Irrigation Terms and Conditions  
The discharge(s) shall not exceed and shall otherwise conform to the specific terms and conditions listed in this permit.
  - 3.1.1 Land application and spray irrigation is authorized between the months of April 1<sup>st</sup> through October 31<sup>st</sup>, unless otherwise approved by DEEP in writing.
  - 3.1.2 Spray application shall be applied only to the areas specified in the MPTN Reclaimed Water System Engineering Report.
  - 3.1.3 Land application of reclaimed water shall be limited and applied during non-playing hours, from 9 p.m. to 6 a.m. and such application shall cease during excessive windy conditions.
  - 3.1.4 Spraying the golf greens and other localized areas with a hand-held hose, or with a dedicated sprinkler head, may be performed during operational hours when no persons other than maintenance personnel are within fifty (50) feet of the spraying or sprinkling.
  - 3.1.5 If the maximum daily limit or instantaneous minimum or maximum limits for any parameter listed in Table A is exceeded, then the treated effluent shall be rejected, discharged to the infiltration basins, and not enter the reclaimed water storage tank.

- 3.1.6 The UV dosage used at the Mashantucket Pequot Tribal Nation Wastewater Treatment Plant (“MPTN WWTP”) shall be at least 100 mWsec/cm<sup>2</sup> under maximum day flow and shall be monitored daily. Records shall be made available upon request.
- 3.1.7 The instantaneous flow rate through the MPTN WWTP UV disinfection system shall not exceed 2.85 MGD without a second bank in operation and a third bank available for redundancy. At no time shall the instantaneous flow exceed a rate of 5.7 MGD.
- 3.1.8 The use of reclaimed water for irrigation is prohibited if any one of the following conditions are present:
- 3.1.8.1 the UV dose is not met;
  - 3.1.8.2 instantaneous turbidity exceeds 2 NTU;
  - 3.1.8.3 chlorine residual limit is not met or maintained;
  - 3.1.8.4 fecal coliform exceeds 2.2 col/100mL; or
  - 3.1.8.5 the pH of the discharge shall not be less than 6.0 nor greater than 9.0 standard units.
- If any of the above conditions are exceeded, the wastewater shall be rejected and prevented from entering the storage tank used for irrigation.
- 3.1.9 Emergency operations and alarms shall include an automatic stop to prevent the use of reclaimed water for irrigation if the effluent fails to meet either an effluent limit, operational condition of this permit, or if a treatment process failure occurs, and shall include a manual reset for restarting the discharge of the reclaimed water for irrigation to prevent automatic restart until the failure is corrected.
- 3.1.10 The Permittee shall notify DEEP within two (2) hours of becoming aware that: (1) any effluent condition listed in 3.1.7 is not met, (2) there is a treatment process failure, or (3) an automatic stop to prevent the use of reclaimed water for irrigation is initiated. The Permittee shall record such events in the Discharge Monitoring Report (“DMR”).
- 3.1.11 Representative grab samples shall be taken during the period of the day when the peak hourly flow is normally experienced. Bacteria samples shall be representative of the waste stream.

- 3.1.12 All other wastewater treatment plant equipment and operations shall conform to existing Operation and Maintenance procedures, including the wastewater treatment plant Operation and Maintenance Manual and manufacturer's Operation and Maintenance Manuals for each process and piece of operating equipment as modified by procedures developed in the plant based on operating experience.
- 3.1.13 No irrigation shall occur prior to a precipitation event, during a precipitation event, or forty-eight (48) hours following a precipitation event.
- 3.1.14 No irrigation shall take place within one hundred (100) feet of any domestic water supply well.
- 3.1.15 No irrigation or spray may be directed into the drawdown zone of a public water supply well.
- 3.1.16 No irrigation shall take place within one hundred (100) feet of any habitable building or residential property.
- 3.1.17 No irrigation shall take place within one hundred (100) feet from outdoor public eating, drinking, and bathing facilities.
- 3.1.18 No reclaimed water shall come in contact with drinking fountains or water coolers.
- 3.1.19 Spraying on driveways and roads is prohibited.
- 3.1.20 Irrigation may not result or produce ponding of reclaimed water on the golf course.
- 3.1.21 Irrigation must immediately cease if overland flow results in a discharge to surface water.
- 3.1.22 Daily operability records of spray application rates shall be retained and submitted monthly to DEEP as an attachment to the DMR.

### 3.2 Water Reuse System Monitoring and Limits

The discharge and reuse system are restricted by and shall be monitored in accordance with the Tables A through C, which are incorporated into this permit as Attachments 1 through 3.

- 3.2.1 The Permittee shall maintain at the facility a record of the total flow for each day of discharge and shall report on the discharge monitoring report the total flow and number of hours of discharge for the day of sample collection and

the average daily flow for each sampling month.

- 3.2.2 All samples shall be comprised of only those waters described in the monitoring and limit tables. Samples shall be taken prior to combining with any other waters and after all approved treatment units, as applicable. All samples shall be representative of the discharge during standard operating conditions.
- 3.2.3 Limits specified in Table A are applicable to all samples collected of the authorized discharge.
- 3.2.4 The Permittee shall monitor, inspect, and maintain the treatment facilities in accordance with Table B, which is incorporated into this permit as Attachment 2. The results of all inspections and maintenance requirements shall be kept on-site and made immediately available to DEEP upon request.
- 3.2.5 The discharge is restricted by and shall monitor the irrigation water in accordance with Table C, which is incorporated into Attachment 3 of this permit.
- 3.2.6 The monitoring and sampling required within this permit is the minimum for reporting purposes only. More frequent monitoring and sampling of the treatment system may be required to operate the facility to obtain acceptable results for the parameters being monitored as required by the Operation and Maintenance Manual.

#### **4.0 SAMPLE COLLECTION AND HANDLING, ANALYTICAL TECHNIQUES, AND REPORTING REQUIREMENTS**

- 4.1 Chemical analyses to determine compliance with effluent limits and conditions established in this permit shall be performed using the methods approved by the Environmental Protection Agency pursuant to 40 CFR 136 unless an alternative method has been approved in writing in accordance with 40 CFR 136.4 or as provided in section 22a-430-3(j)(7) of the RCSA. Chemicals which do not have methods of analysis defined in 40 CFR 136 shall be analyzed in accordance with methods specified in this permit.
- 4.2 If any sample analysis indicates that an effluent limitation specified in Section 4 of this permit has been exceeded, a second sample of the effluent shall be collected and analyzed for the same parameter(s) and the results shall be reported to the Commissioner within thirty (30) days of the exceedance. Resampling for a permit violation is in addition to routine required sampling.
- 4.3 If this permit requires monitoring of a discharge on a calendar basis (e.g. Monthly, quarterly, etc.) but a discharge has not occurred within the frequency of sampling

specified in the permit, the Permittee must submit the DMR as scheduled, indicating "NO DISCHARGE". For those permittees whose required monitoring is discharge dependent (e.g. per batch), the minimum reporting frequency is monthly. Therefore, if there is no discharge during a calendar month for a batch discharge, a DMR must be submitted indicating such by the end of the following month.

- 4.4 The Permittee shall enter the results of chemical analysis and treatment facilities monitoring and maintenance required by Section 4 on a DMR. Except for continuous monitoring, any monitoring required more frequently than monthly shall be reported on an attachment to the DMR.
- 4.5 The DMR shall be submitted by the last day of the following month in which the samples are taken.
- 4.6 The Permittee shall report electronically using NetDMR, a web-based tool that allows Permittees to electronically submit DMRs and other required reports through a secure internet connection. All reports required under the permit, including any monitoring conducted more frequently than monthly or any additional monitoring conducted in accordance with 40 CFR 136, shall be submitted to DEEP as an electronic attachment to the DMR in NetDMR.
  - 4.6.1 Information on NetDMR is available on DEEP's website at [www.ct.gov/deep/netdmr](http://www.ct.gov/deep/netdmr).
  - 4.6.2 NetDMR can be access at the following online website address, as amended: <https://netdmr.epa.gov/netdmr/public/home.htm>.

## 5.0 COMPLIANCE SCHEDULE

- 5.1 Starting two (2) years after the issuance date of this permit and at a two (2) year frequency thereafter, the Permittee shall submit the results of a Permit Compliance Audit ("Audit") to the Commissioner. Such Audits shall be performed within sixty (60) days prior to the submittal date. The compliance Audits shall be performed by a professional engineer licensed to practice in the state of Connecticut with the appropriate education, experience and training that is relevant to the work required.
  - 5.1.1 Each Audit shall evaluate compliance with all permit terms and conditions for the preceding two-year period. The evaluation shall review all pertinent records and documents as necessary, including DMRs, laboratory reports, operations and maintenance plans, performance logs/records, equipment specifications, maintenance schedules, engineering drawings, and spare parts inventory.
  - 5.1.2 Each Audit report shall include a description of all records and documents used in the evaluation, a summary of compliance with permit terms and

conditions, and detailed descriptions of all remedial actions taken or proposed to address each violation or deficiency discovered.

5.1.3 The 4<sup>th</sup> (fourth) Audit report shall also include detailed findings from a physical inspection of each on-site sewage treatment and disposal system and an evaluation of the performance and operation of each such system. In the event of a system malfunction or failure, the Permittee shall prepare and submit a remedial plan identifying action proposed and/or implemented to correct the malfunction or failure for the Commissioner's review and written approval.

5.1.4 A copy of each Audit report shall be submitted to the North Stonington Health Department.

5.1.5 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, 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, which 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.

5.1 A copy of each audit shall be submitted concurrently to the local WPCA and to the North Stonington Health Department.

## **6.0 RECORD KEEPING**

6.1 Records required by this permit shall be retained on-site, or at the Permittee's principal place of business in Connecticut, as required by section 22a-430-3(j)(9)(B) of the RCSA.

6.2 The Permittee shall retain records and all reports required by this permit for a period of at least ten (10) years after the expiration date of the permit.

6.3 The Commissioner may extend this period as he or she deems necessary upon written notice to the Permittee, and this period is automatically extended for as long as a Permittee is under an active order from the Commissioner under Chapter 446K of the CGS or if the Permittee is in litigation for any violation of any permit or order issued



by the Commissioner under Chapter 446K of the CGS.

- 6.4 All records shall be made available to the Commissioner immediately (within 24 hours) upon request.

## **7.0 NONCOMPLIANCE WITH PERMIT TERMS OR CONDITIONS**

- 7.1 The Permittee shall, within two (2) hours of becoming aware of the circumstances, and at the start of the next business day; but no more than twenty four (24) hours of detection if he or she becomes aware of the circumstances outside normal business hours, notify the Commissioner of any actual or anticipated noncompliance with permit terms or conditions if the noncompliance is greater than two times the permitted level except for violations of any maximum daily limitation in this permit, in which case all violations shall be reported or the condition may endanger human health, the environment, and shall submit a written report to the director within five (5) days thereafter.
- 7.2 The five (5) day follow up report shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and, if the noncompliance has not been corrected, the anticipated time it is expected to continue, and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance. Notification of actual or anticipated noncompliance does not stay any permit term or condition.
- 7.3 All notifications of noncompliance and follow-up report required under RCSA Section 22a-430 shall be submitted electronically using the online web-based platform: [Notification Requirements \(ct.gov\)](#)

## **8.0 STANDARD CONDITIONS**

- 8.1 **Annual Fee**  
An annual fee shall be paid for each year this permit is in effect as set forth in section 22a-430-7 of the RCSA.
- 8.2 **Inspection and Entry**  
The Commissioner or his or her authorized representative may take any actions authorized by sections 22a-6 (5), 22a-425 or 22a-336 of the CGS as amended.
- 8.3 **Submission of Documents**  
Any document required to be submitted to the Commissioner under this section of the permit will, unless otherwise specified in this permit or writing by the Commissioner, be directed to:

[DEEP.UICPermitting@ct.gov](mailto:DEEP.UICPermitting@ct.gov)

With the subject line: "ATTN: UIC Permit No. SP0002408"

- 8.4 **Violations**  
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.
- 8.5 **Enforcement**  
The Commissioner may take any enforcement action provided by law, including but not limited to seeking injunctions, penalties and forfeitures as provided in sections 22a-6, 22a-7, 22a-430, 22a-432, 22a-435, 22a-438 and 22a-471 of the CGS as amended, for any violations or acts of noncompliance with chapter 446k of the CGS or any regulation, order, permit or approval issued thereunder.
- 8.6 **Need to Halt or Reduce Activity Not a Defense**  
It shall not be a defense for a Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit.
- 8.7 **No Assurance**  
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.
- 8.8 **Relief**  
Nothing in this permit shall relieve the Permittee of other obligations under applicable federal, state, and local law.
- 8.9 **Duty to Provide Information**  
The Commissioner may require any Permittee to provide within a reasonable time (thirty (30) days) any information which the Commissioner may request to determine whether cause exists for modifying or revoking the permit or to determine compliance with the permit, including but not limited to copies of records required to be kept by the Permittee.
- 8.10 **Duty to Comply**  
The Permittee shall comply with all terms and conditions of the permit. Any permit noncompliance constitutes a violation of Chapter 446k of the CGS. Permit noncompliance is grounds for enforcement action, permit revocation or modification, or denial of a permit renewal application.

It shall not be a defense for a Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit.

**8.11 Duty to Mitigate**

The Permittee shall take all reasonable steps to minimize or prevent any discharge in violation of the permit or any discharge which has a reasonable likelihood of adversely affecting human health or the environment.

**8.12 Sludge Disposal**

The Permittee shall dispose of screenings, sludges, chemicals, and oils and any solid or liquid wastes resulting from the wastewater treatment processes at locations approved by the Commissioner for disposal of such materials, or by means of a waste hauler licensed under the provisions of the CGS.

**8.13 Resource Conservation**

All Permittees shall implement and maintain practices and/or facilities which, to the maximum extent practicable, result in the minimum amount of wastewater discharged. Such results may be achieved by methods including but not limited to water conservation, resource recovery, waste recycling, wastewater reuse, and material or product substitution. Excessive use of water or the addition of water to dilute an effluent in order to meet any permit limitations or conditions is prohibited.

**8.14 Spill Prevention and Control**

The Permittee shall maintain practices, procedures and facilities designed to prevent, minimize and control spills, leaks or such other unplanned releases of all toxic or hazardous substances and any other substances as the Commissioner deems necessary to prevent pollution of the waters of the state. Such requirements shall, unless otherwise allowed by the Commissioner, apply to all facilities used for storing, handling transferring, loading, or unloading such substances, including manufacturing areas.

The requirements of this section do not apply to facility components or systems already covered by plans prepared or approved under the Resource Conservation and Recovery Act and the Spill Prevention, Control and Countermeasure program.

**8.15 Duty to Reapply**

The permit will be effective for a fixed term not to exceed ten years and the Permittee shall reapply for permit coverage one hundred eighty (180) days prior to the expiration date of the permit.

**8.16 Equalization**

All treatment facilities shall be designed to prevent upsets, malfunctions or instances of noncompliance resulting from variations in wastewater strength or flow rate, and

shall include, as the Commissioner deems necessary, equalization facilities separate from the treatment facilities.

#### 8.17 Bypass

The Permittee shall not at any time bypass the collection system or treatment facilities or any part thereof unless such bypass is unanticipated, unavoidable, and necessary to prevent loss of life, personal injury or severe property damage, and there were no feasible alternatives to the bypass, including but not limited to the use of auxiliary or back-up treatment facilities, retention of untreated wastes, stopping the discharges, or maintenance during normal periods of equipment downtime; or the Permittee receives prior written approval of the bypass from the Commissioner in order to perform essential maintenance, and the bypass does not cause effluent limitations to be exceeded.

In the event such a bypass is necessary, the Permittee shall to the extent possible minimize or halt production and/or all discharges until the facility is restored or an alternative method of treatment is provided.

In order to prevent a bypass, the Permittee may schedule maintenance during periods when no discharge is occurring or employ any necessary means, including but not limited to duplicate units and systems or alternative collection and treatment or pretreatment schemes. Any such means shall insure that the effluent limitations specified in the permit are achieved; be approved by the director in writing prior to its use, which approval shall include an alternative schedule for monitoring if appropriate; and be discontinued upon completion of the performance of the essential maintenance.

The Permittee shall provide notice to the director not less than twenty-four (24) hours prior to the use of any alternative scheme and monitor and record the quality and quantity of the discharge in accordance with permit terms and conditions or an approved alternative schedule. Such monitoring shall be submitted with the next monitoring report required by the permit and shall not be used to meet routine scheduled monitoring report requirements of the permit.

If any bypass occurs or may occur, the Permittee shall, within two (2) hours of becoming aware of such condition or need, notify the director during normal business hours (860-424-3021), and DEEP's Emergency Response Unit at all other times (860-424-3338) and submit within five (5) days a written report including the cause of the problem, duration including dates and times and corrective action taken or planned to prevent other such occurrences.

In addition, if the Permittee has reason to believe that any effluent limitation specified in the permit may be violated, the Permittee shall immediately take steps to prevent or correct such violation, including but not limited to employing an alternative scheme of collection or treatment, and/or control the production of the wastewater

and shall monitor and record the quality and quantity of the discharge in accordance with the permit terms and conditions or an approved alternative schedule. Such monitoring shall be submitted with the next monitoring report required by the permit and shall not be used to meet the routine monitoring requirements of the permit.

**8.18 Proper Operation and Maintenance**

The Permittee shall at all times properly operate and maintain all facilities and systems and parts thereof for wastewater collection, storage, treatment and control which are installed or used by the Permittee to achieve compliance with the terms and conditions of the permit. Proper operation and maintenance includes but is not limited to effective performance, adequate funding, and adequate operator staffing and training, including the employment of certified operators as may be required by the Commissioner pursuant to sections 22a-416-1 through 22a-416-10 of the RCSA, as amended, and adequate laboratory and process controls, including appropriate quality assurance procedures.

In accordance with sections 22a-416 through 22a-471 of the CGS as amended, the Permittee is required to install and operate a back-up or auxiliary facilities or similar systems or the inventory of spare parts and appurtenances.

**8.19 Instrumentation, Alarms, and Flow Records**

Except for batch treatment systems unless required by the Commissioner, process wastewater treatment systems shall include instrumentation to automatically and continuously indicate, record and/or control those functions of the system and characteristics of the discharge which the Commissioner deems necessary to assure protection of the waters of the State.

If continuous flow measurement equipment is not present at a given outfall or discharge location, you may estimate flows and retain records in accordance with this permit the following information: (1) A description of the methodology used to estimate flow (for each applicable outfall); (2) Documentation appropriate to the methodology utilized which provides information necessary to support the validity of the reported flow estimate. If actual measurements or observations are made, a description of typical sampling times, locations, and persons performing the measurements/observations should be provided; and (3) A description of the factors (e.g., batch discharges, intermittent operation, etc.) which cause flow at the outfall to fluctuate significantly from the estimate provided.

**8.20 Signatory Requirements**

All permit applications and permit modification requests submitted to the Commissioner shall be signed as follows:

For a corporation: by a responsible corporate officer. For the purposes of this section, a responsible corporate officer means: a president, secretary, treasurer, or vice-president of the corporation in charge of a principal

business function, or any other person who performs similar policy-or decision-making functions for the corporation, or the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding twenty-five million dollars (in second quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

For a partnership or sole proprietorship: by a general partner or the proprietor, respectively.

For a municipality, State, Federal, or other public agency; by either a principal executive officer or a ranking elected official. For purposes of this section, a principal executive officer of a federal agency includes the chief executive officer of the agency, or a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.

All reports required by permits, and other information submitted to the Commissioner shall be signed by a person described above of this section or by a duly authorized representative of that person. A person is a duly authorized representative only if:

The authorization is made in writing by a person described above.

The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of plant manager, operator of a well or well field, superintendent, position or equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. A duly authorized representative may thus be either a named individual or any individual occupying a named position.

The written authorization is submitted to the Commissioner.

If an authorization under this subsection is no longer accurate because a different individual or position has assumed the applicable responsibility, a new authorization satisfying the requirements of this section must be submitted to the Commissioner prior to or together with any reports or other information to be signed by an authorized representative.

Any person signing a document under this section shall make the following certification:

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

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

8.21 False Statements

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-157 of the CGS.

8.22 Correction of Inaccuracies

Within fifteen (15) days after the date a Permittee becomes aware of a change in any of the information submitted pursuant to this permit or becomes aware that any such information is inaccurate or misleading or that any relevant information has been omitted, such Permittee shall correct the inaccurate or misleading information or supply the omitted information in writing to the Commissioner. Such information shall be certified in accordance with Section 8.20 of this permit.

8.23 Transfer of Authorization

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 thirty (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 may subject the transferee to enforcement action for discharging without a permit pursuant to applicable sections of the CGS and RCSA.

8.24 Other Applicable Law

Nothing in this permit shall relieve the Permittee of the obligation to comply with



any other applicable federal, state and local law, including but not limited to the obligation to obtain any other authorizations required by such law.

#### 8.25 Other Rights

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

#### 8.26 Effect of a Permit

The issuance of a permit does not convey any property rights of any sort, or any exclusive privilege, authorize any injury to persons or property or invasion of other private rights, authorize any infringement of the CGS, RCSA or municipal ordinances, or affect the responsibility of the Permittee to obtain all applicable federal, State and municipal authorizations or permits for the discharge and activities which generate the discharge.

### 9.0 Commissioner's Powers

#### 9.1 Abatement of Violations

The Commissioner may take any action provided by law to abate a violation of this general permit, including the commencement of proceedings to collect penalties for such violation. The Commissioner may, by summary proceedings or otherwise and for any reason provided by law, including violation of this permit, revoke a Permittee's authorization hereunder in accordance with sections 22a-3a-2 through 22a-3a-6, inclusive, of the RCSA. Nothing herein shall be construed to affect any remedy available to the Commissioner by law.

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 CGS or regulations adopted thereunder, as amended. The permit as modified or renewed under this paragraph may also contain any other requirements of the CGS or regulations adopted thereunder which are then applicable.

#### 9.2 Permit Revocation, Suspension, or Modification

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



### 9.3 Permit Actions

The Commissioner may modify or revoke a permit during its term for cause as provided in subsection (p) of section 22a-430-4 of the RCSA. Notification of facility modifications does not stay any permit term or condition.

## 10.0 DEFINITIONS

10.1 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 sections 22a-430-3(a) and 22a-430-6 of the RCSA.

10.2 In addition to the above, the following definitions shall apply to this permit:

“Annual”, in the context of a sampling frequency, shall mean the sample must be taken in the month of March.

"Average" means the arithmetic average.

"Average daily flow" means the average of all total daily flows measured during any calendar month.

"Average monthly concentration" means the average concentration of a substance as measured by the average of all daily composite samples or grab sample averages taken during any calendar month.

“Average Monthly Limit” means the highest allowable average of all grab samples taken during any calendar month.

“Continuous”, as a sample frequency, means data points must be collected and recorded by a continuous monitoring device in at least one-minute intervals for as long as a discharge occurs.

"Day" means the twenty-four-hour period commencing at 12:00 a.m., and, unless specified as "business day" shall mean calendar day.

“Discharge” means the emission of any water, substance or material into the waters of the state, whether or not such substance causes pollution as defined in section 22a-423 of the Connecticut General Statutes.

"Domestic sewage" means sewage that consists of water and human excretions or other waterborne wastes incidental to the occupancy of a residential building or a non-residential building but not including manufacturing process water, cooling water, wastewater from water softening equipment, commercial laundry wastewater, blowdown from heating or cooling equipment, water from cellar or floor drains or

surface water from roofs, paved surface or yard drains.

"Effluent limitation" means (1) any numerical limitation imposed by the Commissioner on quantities, discharge rates or concentrations of any water, substance or material discharged to the waters of the State or (2) any limitation imposed by the Commissioner on any other measure of the quality or quantity of the discharge.

"gpd" means gallons per day.

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

"Ground waters" means those waters of the state which naturally exist or flow below the surface of the ground and waters flowing through earth materials beneath the ground surface.

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

"Maximum Concentration", in the context of this permit, is defined as the maximum concentration at any time as determined by a grab sample.

"Maximum daily concentration" means the maximum concentration as measured in a daily composite sample or a grab sample average.

"Maximum daily flow" means the greatest volume of wastewater to be discharged over an operating day, not to exceed the design flow rate.

"Maximum daily quantity" means the maximum quantity of waste generated during an operating day.

"MGD" means million gallons per day.

"mg/l" means milligrams per liter.

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

"Non-point source" means any unconfined and diffuse source of pollution such as stormwater or snowmelt runoff, atmospheric deposition, or ground water not conveyed to a surface water discharge point within a discrete conveyance.

"Permittee" means any person who or municipality which is authorized by this permit.

"Pollutant" means any water, substance, or material for which the permit in question specifies an effluent limitation.

"Quarterly", in the context of a sampling frequency, shall mean sampling is required during each calendar quarter ending on the last day of March, June, September, and December.

"Range During Sample" or "RDS" means the lowest and the highest values of all of the monitoring data take during a sampling event.

"Reclaimed water" shall mean the disinfected highly treated effluent discharged from the Mashantucket Pequot Tribal Nation wastewater treatment plant that meets the water quality controls necessary to be used for irrigation at the Lake of Isles Golf Course.

"Safe Drinking Water Act" or "SDWA" means the federal Safe Drinking Water Act, 42 U.S.C. 300f et seq. and applicable regulations promulgated thereunder.

"Subsurface sewage disposal system" means a system receiving domestic sewage consisting of a house sewer, a septic tank followed by a leaching system, any necessary pumps or siphons, and any groundwater control system on which the operation of the leaching system is dependent, as amended.

"Sufficiently sensitive" means using a sufficiently sensitive analytical method as defined in 40 CFR §122.44(i)(1)(iv).

"Twice per year" in the context of sampling means in the context of a sampling frequency, means the sample must be collected in the months of May and September.

"Well" means a bored, drilled, or driven shaft, or a dug hole, the depth of which is greater than its largest surface dimension or a commercial subsurface sewage disposal system, household subsurface sewage disposal system, or other subsurface sewage disposal system.

This permit is hereby issued on

\_\_\_\_\_  
Date

JP/SCE

\_\_\_\_\_  
Jennifer L. Perry, Chief  
Bureau of Materials Management and  
Compliance Assurance  
Department of Energy and Environmental Protection

**ATTACHMENT 1**

| <b>Table A<br/>(NetDMR Reporting Required)</b>  |            |                            |                     |                             |   |                                       |                             |   |
|---|------------|----------------------------|---------------------|-----------------------------|---|---------------------------------------|-----------------------------|---|
| <b>Discharge Serial Number:</b> 301-2   |            |                            |                     |                             |   | <b>Monitoring Location:</b> 1         |                             |   |
| <b>Wastewater Description:</b> Treated Effluent   |            |                            |                     |                             |   |                                       |                             |   |
| <b>Monitoring Location Description:</b> Downstream weir in UV channel (unless otherwise indicated)  |            |                            |                     |                             |   |                                       |                             |   |
| <b>Discharge is to:</b> Groundwaters in the Shewville Brook watershed   |            |                            |                     |                             |   |                                       |                             |   |
| PARAMETER   | UNITS      | FLOW/TIME BASED MONITORING |                     |                             |   | INSTANTANEOUS MONITORING              |                             |   |
|   |            | Average Monthly Limit      | Maximum Daily Limit | Sample/ Reporting Frequency | Sample Type or Measurement to be Reported | Instantaneous Limit or Required Range | Sample/ Reporting Frequency | Sample Type or Measurement to be Reported |
| Biological oxygen demand, 5 day (BOD5)  | mg/l       | ----                       | 10                  | Weekly                      | Daily Composite                           | NA                                    | NR                          | NA  |
| Chlorine, total residual <sup>1</sup>   | mg/l       | NA                         | NA                  | NR                          | NA  | 0.2-1.5                               | Continuous                  | NA  |
| Escherichia-coli  | col/100 mL | NA                         | NA                  | NR                          | NA  | NA                                    | Weekly                      | Grab                                      |
| Fecal Coliform  | col/100 mL | NA                         | NA                  | NR                          | NA  | 2.2                                   | 4/Week                      | Grab                                      |
| Flow, average daily   | gpd        | 600,000                    | NA                  | Continuous                  | Daily Flow                                | NA                                    | NR                          | NA  |
| Flow, maximum during 24 hr period <sup>1</sup>  | gpd        | NA                         | 1,200,000           | Continuous                  | Daily Flow                                | NA                                    | NR                          | NA  |
| Flow, (day of sampling)   | gpd        | NA                         | 1,200,000           | Continuous                  | Daily Flow                                | NA                                    | NR                          | NA  |
| Nitrogen, total   | mg/l       | NA                         | 1.0                 | Weekly                      | Daily Composite                           | NA                                    | NR                          | BNA                                       |
| Phosphorus, total   | mg/l       | NA                         | 1.0                 | Weekly                      | Daily Composite                           | NA                                    | NR                          | NA  |
| pH, day of sampling   | S.U.       | NA                         | NA                  | NR                          | NA  | 6.0-9.0                               | 4/Week                      | RDS                                       |
| pH, minimum   | S.U.       | NA                         | NA                  | NR                          | NA  | 6.0                                   | Daily                       | Grab <sup>1</sup>                         |
| pH, maximum   | S.U.       | NA                         | NA                  | NR                          | NA  | 9.0                                   | Daily                       | Grab <sup>1</sup>                         |
| Total suspended solids  | mg/l       | ----                       | 5.0                 | Weekly                      | Daily Composite                           | NA                                    | NR                          | NA  |
| Turbidity <sup>2,3</sup>  | NTU        | ----                       | NA                  | Continuous                  | Continuous                                | 2.0                                   | Daily                       | Grab <sup>2, 3</sup>                      |
| <b>Footnotes</b>  |            |                            |                     |                             |   |                                       |                             |   |
| 1 Test continuously and print weekly. Sample location for chlorine is after UV treatment and prior to being pumped to the irrigation tank.  |            |                            |                     |                             |   |                                       |                             |   |
| 2 Daily determination of 24 hr. average turbidity from continuous turbidity record.   |            |                            |                     |                             |   |                                       |                             |   |
| 3 Test once a day with the turbidity meter and compare reading with the lab results when grab sample was taken. Record plant effluent flow rate when sample is taken and report both results on the Monthly Operating Report. |            |                            |                     |                             |   |                                       |                             |   |

**ATTACHMENT 2**

The Permittee shall monitor, inspect, and maintain the treatment facilities in accordance with Table B below.

| <b>TABLE B</b>  |                                    |                                 |
|---|------------------------------------|---------------------------------|
| <b><u>INSPECTION, MONITORING, or MAINTENANCE</u></b>  |                                    |                                 |
| <b><u>Retain Records on Site</u></b>  |                                    |                                 |
| <b>Reclaimed Water: Treatment Plant, Storage Tank, Irrigation System</b>  | <b><u>DISCHARGE SERIAL NO.</u></b> | <b><u>MINIMUM FREQUENCY</u></b> |
| Review of all Chemicals used at Facility and discharged to treatment plant  | 301-2                              | Annual                          |
| Check UV Disinfection System dose   | 301-2                              | Daily                           |
| Check low UV dose alarm and automatic shutdown controls   | 301-2                              | Weekly                          |
| Manually calibrate Turbidimeter for filtered effluent   | 301-2                              | Every 4 months                  |
| Calibrate laboratory turbidimeter per manufacturer's instructions   | 301-2                              | Weekly                          |
| Check turbidimeter alarm and automatic shutdown controls  | 301-2                              | Weekly                          |
| Operate, maintain, and calibrate chlorine residual analyzers (2) as stated in manufacturer's O&M Manuals (located at WWTP and Irrig. pump house)                  | 301-2                              | Weekly                          |
| Test automatic shutdown of reclaimed water pumps. (Automatic shutdown triggered by low UV dose signal, effluent turbidity exceeding 2 NTU, and chlorine residual) | 301-2                              | Monthly                         |
| Storage tank – check high- and low-level sensors for automatic shut down or startup of reclaimed water distribution pumps   | 301-2                              | Monthly                         |
| Check automatic backup system of potable water for upset condition at WWTP or inadequate flow for irrigation demand   | 301-2                              | Monthly                         |
| Monitor and report water meter readings of irrigation water usage – in and out of tank on reclaimed, potable, and irrigation water                                | 301-2                              | Monitor daily, report monthly   |
| Check alarm system for irrigation system  | 301-2                              | Monthly                         |
| Mechanical inspection of reclaimed water distribution pumps   | 301-2                              | Monthly                         |
| Visual inspection and maintenance on labeling, signage, and marking of plumbing for reclaimed water system  | 301-2                              | Quarterly                       |
| Check monitoring requirements for irrigation system control – irrigation times (non-playing hours, high winds, weather)   | 301-2                              | Monthly                         |
| Irrigation collection system maintenance – visual & mechanical inspection   | 301-2                              | Quarterly                       |
| Mechanical inspection of island drainage system for reclaimed water   | 301-2                              | Quarterly                       |
| Visual inspection that irrigation system meets the setback distances from sensitive areas/receptors.  | 301-2                              | Monthly during season           |
| Testing for cross-connections/backflow prevention   | 301-2                              | Annual                          |
| Verify that all reclaimed water plumbing fixtures shall be labeled and/or purple.   | 301-2                              | Annual                          |
| Verify that outside plumbing fixtures electron locks are operating properly and are labeled as “Reclaimed Water, Do Not Drink”.                                   | 301-2                              | Annual                          |
| Verify that maintenance of signs posted in areas where public access to reclaimed water is possible.  | 301-2                              | Annual                          |
| Verify that advisory notice that reclaimed water is being used to irrigate the golf course appears on all scorecards.   | 301-2                              | Annual                          |

**ATTACHMENT 3**

The Permittee shall monitor the irrigation water in the recycle holding tank in accordance with Table C below.

| <b>Table C<br/>(NetDMR Reporting Required)</b>   |            |                            |                     |   |   |                                       |   |   |
|--|------------|----------------------------|---------------------|---|---|---------------------------------------|---|---|
| <b>Discharge Serial Number:</b> 301-2  |            |                            |                     |   |   | <b>Monitoring Location:</b> 1         |   |   |
| <b>Wastewater Description:</b> Irrigation water  |            |                            |                     |   |   |                                       |   |   |
| <b>Monitoring Location Description:</b> Effluent from Irrigation holding tank  |            |                            |                     |   |   |                                       |   |   |
| <b>Discharge is to:</b> Groundwaters in the Shewville Brook watershed  |            |                            |                     |   |   |                                       |   |   |
| 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/Reporting Frequency <sup>2</sup> | Sample Type or Measurement to be Reported |
| Biological oxygen demand,- 5 day (BOD5)  | mg/l       | NA                         | NA                  | NR                                      | NA  | ----                                  | Monthly                                 | NA  |
| Chlorine, total residual   | mg/l       | NA                         | NA                  | NR                                      | NA  | ----                                  | Monthly                                 | NA  |
| E-coli   | col/100 mL | NA                         | NA                  | NR                                      | NA  | ----                                  | Monthly                                 | Grab                                      |
| Fecal Coliform   | col/100 mL | NA                         | NA                  | NR                                      | NA  | ----                                  | Monthly                                 | Grab                                      |
| Flow, average daily <sup>1</sup>   | gpd        | 600,000                    | NA                  | Continuous                              | Daily Flow                                | NA                                    | NR                                      | NA  |
| Flow, maximum during 24 hr period <sup>1</sup>   | gpd        | NA                         | 1,200,000           | Continuous                              | Daily Flow                                | NA                                    | NR                                      | NA  |
| Flow, (day of sampling)  | gpd        | NA                         | 1,200,000           | Continuous                              | Daily Flow                                | NA                                    | NR                                      | NA  |
| Nitrogen, total  | mg/l       | NA                         | NA                  | NR                                      | NA  | ----                                  | Monthly                                 | BNA                                       |
| Phosphorus, total  | mg/l       | NA                         | NA                  | NR                                      | NA  | ----                                  | Monthly                                 | NA  |
| pH, day of sampling  | S.U.       | NA                         | NA                  | NR                                      | NA  | ----                                  | Monthly                                 | RDS                                       |
| pH, minimum  | S.U.       | NA                         | NA                  | NR                                      | NA  | ----                                  | Monthly                                 | Grab                                      |
| pH, maximum  | S.U.       | NA                         | NA                  | NR                                      | NA  | ----                                  | Monthly                                 | Grab                                      |
| Total suspended solids   | mg/l       | NA                         | NA                  | NR                                      | NA  | ----                                  | Monthly                                 | NA  |
| Turbidity  | NTU        | NA                         | NA                  | NR                                      | NA  | ----                                  | Monthly                                 | Grab <sup>3</sup>                         |
| <b>Footnotes</b>   |            |                            |                     |   |   |                                       |   |   |
| 1 For this parameter the Permittee shall maintain at the facility a record of the Total Daily Flow for each day of discharge and shall report the month.   |            |                            |                     |   |   |                                       |   |   |
| 2 The first entry in this column is the 'Sample Frequency'. If this entry is not followed by a 'Reporting Frequency' and the 'Sample Frequency' is more frequent than monthly, then the 'Reporting Frequency' is monthly. If the 'Sample Frequency' is specified as monthly, or less frequent, then the 'Reporting Frequency' is the same as the 'Sample Frequency'. |            |                            |                     |   |   |                                       |   |   |

**Groundwater Discharge  
Land Application System Permit  
Fact Sheet**

**SECTION 1.0 FACILITY SUMMARY**

|   |   |
|---|---|
| <b>APPLICANT</b>                                      | Lake of Isles, LLC  |
| <b>PERMIT NO.</b>                                     | SP0002408   |
| <b>APPLICATION NO.</b>                                | 202201245   |
| <b>DATE APPLICATION RECEIVED</b>                      | February 8, 2022  |
| <b>LOCATION ADDRESS</b>                               | 1 Clubhouse Drive, North Stonington CT  |
| <b>FACILITY CONTACT</b>                               | Keith Gove<br>Office Phone: 860 396 3036<br>Email: <a href="mailto:kgove@mptn-nsn.gov">kgove@mptn-nsn.gov</a> |
| <b>MAILING ADDRESS</b>                                | 110 Pequot Trail, Mashantucket, Ct 06338  |
| <b>PERMIT TERM</b>                                    | 10 Years  |
| <b>PERMIT TYPE</b>                                    | Renewal   |
| <b>PERMIT CATEGORY</b>                                | Land Application (Reuse)  |
| <b>OWNERSHIP</b>                                      | Private   |
| <b>COMPLIANCE SCHEDULE</b>                            | Yes   |
| <b>RECENT ENFORCEMENT HISTORY</b>                     | None  |
| <b>RECEIVING WATERBODY</b>                            | Groundwaters via surface infiltration<br>Shewville Brook Watershed  |
| <b>DATE APPLICATION PUBLIC NOTICED/ NAME OF PAPER</b> | January 17, 2022  |
| <b>DATE OF NOTICE OF SUFFICIENCY</b>                  | November 28, 2022   |
| <b>DEEP STAFF ENGINEER</b>                            | Stephen Edwards ( <a href="mailto:stephen.edwards@ct.gov">stephen.edwards@ct.gov</a> )                        |

## SECTION 2.0 PERMIT FEES

### Application Fee:

|                |         |                             |
|----------------|---------|-----------------------------|
| Filing Fee     | \$1,300 | Date Paid: February 8, 2022 |
| Processing Fee | \$3,675 | Date Paid: May 3, 2022      |

### Annual Fee:

|              | WASTEWATER CATEGORY<br>(per 22a-430-7) | FLOW<br>CATEGO<br>RY | DSN | ANNUAL<br>FEE<br>(per 22a-<br>430-7 and<br>CGS 22a-<br>6f) |
|--------------|--|----------------------|-----|--|
|              | Sanitary Sewerage to Groundwaters      | 1,200,000<br>gpd     | 301 | \$1,110  |
| <b>TOTAL</b> |  |                      |     | \$1,110  |

## SECTION 3.0 PROJECT HISTORY

This permit is a state Land Application System permit (“LAS”) authorizing the discharge of highly treated reuse wastewater to be land applied, infiltrated through the soil, and discharged to groundwater.

Lake of Isles, LLC (“Permittee”) submitted Application 202201245 on February 8, 2022, to renew state LAS Permit No. SP0002408 for continued authorization to discharge treated domestic wastewater and potable water to the groundwater via land application in North Stonington Connecticut. The application was timely and complete. The DEEP issued a Notice of Sufficiency for the application on November 28, 2022.

Lake of Isles, LLC proposes to land apply up to 1,200,000 gallons a day of highly treated domestic sewage wastewaters from the Mashantucket Pequot Tribal Nation Wastewater Treatment Plant (“MPTN WWTP”) and potable water, as needed, to irrigate approximately 220 acres of turf grass at the Lake of Isles Golf Resort. The activity takes place at the Lake of Isles Golf Resort located off 1 Clubhouse Drive in North Stonington, CT. The activity occurs around the Lake of Isles and Shewville Brook. Irrigation is limited to protect human health and occurs during non-playing hours (typically 9 PM to 6 AM), April 1 through October 31 during dry weather conditions.

Domestic sewage generated at the clubhouse and villas is sent to the MPTN WWTP for treatment. According to the application documents, domestic sewage generated from the facilities at the Maintenance Building is discharged to a Health Code compliant septic system approved by the local sanitarian.

The permit was initially issued on August 31, 2005 (Application No. 200300949) and was renewed on August 8, 2012.

The Permittee is not subject to any ongoing enforcement actions.



The federal Clean Water Act does not regulate point source discharges to groundwater as this authority lies with the states. The state of CT does not have direct water discharge permitting authority over discharges to surface water or groundwater from a wastewater treatment plant owned by a native American tribe located on their reservation. Native American tribes are sovereign on their reservations and have the right and authority to regulate activities on their lands independently from state government. The wastewater treatment plant providing enhanced treatment and generating the reuse water that is land applied at the Lake of Isles Golf Resort, is not regulated under section 22a of the Connecticut General Statutes or section 22a of the Regulations of Connecticut State Agencies because it is owned and operated by the Mashantucket Pequot Tribal Nation and located on their reservation. However, since the reuse quality water is used as supplemental irrigation on a golf course entering ground waters of the State and the golf course is not located on a tribal reservation, the discharge to groundwater on the golf course is regulated by the state of Connecticut under section 22a of the Connecticut General Statutes and section 22a of the Regulations of Connecticut State Agencies.

#### **SECTION 4.0 PROCESS AND TREATMENT DESCRIPTION**

MPTN WWTP is designed to treat up to five (5) million gallons a day (3 million gallons a day design average) of domestic sewerage and is located on the MPTN reservation. The WWTP consists of the following treatment: Sequence Batch Reactors, nitrification, denitrification, phosphorus removal, filtration, and UV disinfection to reduce BOD, TSS, nitrogen, and phosphorus and bacteria prior to irrigation. Reclaimed water not used for irrigation is discharged to the existing rapid infiltration basins located on the MPTN reservation.

Reclaimed treated wastewater is diverted from the MPTN WWTP to an 80,000-gallon holding tank. Chlorine is directly added to the water prior to the holding tank at the MPTN WWTP at a concentration range of 0.2-1.0 mg/l to control the potential regrowth of bacteria in the tank, prior to being land applied. In addition to the reclaimed water, potable water may also be used to irrigated on an as needed basis.

DEEP did not review and approve the MPTN WWTP design because it is on tribal territory and not within DEEPs jurisdiction. U.S EPA reviewed and approved the treatment plant; however, DEEP did coordinate with U.S. EPA alongside the Department of Public Health to determine the appropriate level of treatment and subsequent effluent limits prior to the land application of wastewater. The MPTN WWTP is designed with an automated reject and return system ensuring wastewater that does not meet the reuse effluent limits does not enter the storage tank to be land applied and is returned to the MPTN WWTP to be disposed of through the rapid infiltration basins discharging to groundwater.

#### **SECTION 5.0 COMPLIANCE SCHEDULE**

Does the permit include a compliance schedule?      YES (X)                      NO ( )

This permit contains an enforceable compliance schedule which requires the Permittee submit the results of a detailed compliance audit to the Commissioner every two years. The audit must be performed by a qualified professional engineer.

## SECTION 6.0 BASIS FOR LIMITATIONS, PERMIT STANDARDS OR CONDITIONS

The permit contains limits and conditions developed on a Case-by-Case Determination using Best Professional Judgment (“BPJ”) RCSA Sections 22a-430-4(1)(4)(D)(iii) and 22a-430-4(m).

This permit was written in accordance with the EPA Guidelines for Water Reuse, as amended, as well as similar case studies of reclaimed wastewater discharges as regulated by the states of Massachusetts and New Hampshire: [Guidelines for Water Reuse | Water Reuse and Recycling | US EPA](#).

### 6.1 Permit Conditions

Section 3.1 of the permit contains terms and conditions for irrigation designed to assure:

- only properly treated wastewater is used for irrigation,
- no human exposure to irrigation water, and
- all irrigation water is fully absorbed into the ground.

These terms and conditions include:

- limiting the times irrigation spray may be applied;
- setting minimum treatment requirements for all waters diverted to the holding tank;
- setting minimum quality requirements for all waters diverted to the holding tank;
- requiring automatic rejection and return to the WWTS, ensuring it does not enter the storage tank; and
- reporting requirements to assure the above conditions are met.

### 6.2 Table A: Treated Effluent

Numeric permit limits listed in Table A of the permit are for the treated effluent leaving the WWTP prior to entering the holding tank that is then used as irrigation water and must be met prior to entering the water reuse storage tank. Chlorine is added and monitored using a meter following the UV treatment at the WWTP, prior to being pumped to the storage tank.

| Parameter                               | Maximum Daily Limit | Instantaneous limit                     |
|---|---------------------|---|
| Biological oxygen demand, -5 day (BOD5) | 10.0 mg/l           | NA                                      |
| Chlorine, total residual                | NA                  | 0.2 to 1.5 mg/l                         |
| E-coli                                  | NA                  | NA                                      |
| Fecal coliform                          | NA                  | 2.2 col./100 ml                         |
| Nitrogen, total                         | 1.0 mg/l            | NA                                      |
| pH                                      | NA                  | 6.0 to 9.0 S.U<br>(minimum and maximum) |
| Phosphorus, total                       | 1.0 mg/l            | NA                                      |
| Total suspended solids                  | 5.0 mg/l            | NA                                      |
| Turbidity                               | NA                  | 2 NTU                                   |

### 6.3 Table B: Inspection, Monitoring, and Maintenance

Table B establishes minimum inspection, monitoring, and maintenance schedule for the water reuse system.

### 6.4 Table C: Holding Tank Monitoring

Table C requires monitoring the final effluent at the irrigation holding tank for the same parameters as in Table A to ensure the effluent quality has not substantially changed since entering the hold tank.

### 6.5 Modifications to Permit

This permit contains the following changes from the previous permit.

#### Table A:

1. Chlorine monitoring was clarified.
2. Turbidity and bacteria instantaneous limits from Section 3 were added.

#### Table B:

1. Removed the requirement to inspect the capacity of the booster pumps as there are no booster pumps to inspect.
2. Clarified that the outdoor locking mechanisms are electronic and not mechanical.

#### Tables C and D:

1. Table C was converted to a monitoring location of the final effluent discharged from the irrigation tank.
2. Groundwater and surface water monitoring in the 2012 permit, Tables C and D, were eliminated since the reclaimed irrigation water is highly treated and not the only contributing factor to the nearby surface and groundwaters. DEEP has determined monitoring the final effluent from the irrigation tank provides a more precise location for determining the quality of the discharge and its potential impact on the environment.

## **SECTION 7.0 VARIANCES AND WAIVERS**

The facility did not request a variance or waiver.

## **SECTION 8.0 E-REPORTING**

The Permittee is being required to report discharge monitoring reports electronically using NetDMR.

## **SECTION 9.0 PUBLIC PARTICIPATION PROCESS**

### 9.1 Information Requests

Interested persons may obtain copies of the application from Keith Grove, 1 Clubhouse Drive, North Stonington CT Phone No.: 860 396 3036

The application is available for inspection by contacting Steve Edwards at 860-424-3838 or

[steve.edwards@ct.gov](mailto:steve.edwards@ct.gov), at the Department of Energy and Environmental Protection, Bureau of Materials Management and Compliance Assurance, 79 Elm Street, Hartford, CT 06106-5127 from 8:30 - 4:30, Monday through Friday.

Any interested person may request in writing that his or her name be put on a mailing list to receive notice of intent to issue any permit to discharge to the surface waters of the state. Such request may be for the entire state or any geographic area of the state and shall clearly state in writing the name and mailing address of the interested person and the area for which notices are requested.

## 9.2 Public Comment

Prior to making a final decision to approve or deny any application, the Commissioner shall consider written comments on the application from interested persons that are received within thirty (30) days of this public notice. Written comments should be directed to [DEEP.UICPermitting@ct.gov](mailto:DEEP.UICPermitting@ct.gov), or the Department of Energy and Environmental, Bureau of Materials Management and Compliance Assurance Protection, Water Permitting and Enforcement Division, 79 Elm Street, Hartford, CT 06106-5127 from 8:30 - 4:30, Monday through Friday.. The Commissioner may hold a public hearing prior to approving or denying an application if in the Commissioner's discretion the public interest will be best served thereby and shall hold a hearing upon receipt of a petition signed by at least twenty-five persons. Notice of any public hearing shall be published at least thirty (30) days prior to the hearing.

## 9.3 Petitions For Hearing

Petitions for a hearing shall be submitted within thirty (30) days from the date of publication of this public notice and should include the application number noted above and also identify a contact person to receive notifications. Petitions may also identify a person who is authorized to engage in discussions regarding the application and, if resolution is reached, withdraw the petition. The Office of Adjudications will accept electronically-filed petitions for hearing in addition to those submitted by mail or hand-delivered. Petitions with required signatures may be sent to [deep.adjudications@ct.gov](mailto:deep.adjudications@ct.gov); those mailed or delivered should go to the DEEP Office of Adjudications, 79 Elm Street, Hartford, CT 06106. If the signed original petition is only in an electronic format, the petition must be submitted with a statement signed by the petitioner that the petition exists only in that form. Original petitions that were filed electronically must also be mailed or delivered to the Office of Adjudications within thirty (30) days of electronic submittal. Additional information can be found at [www.ct.gov/deep/adjudications](http://www.ct.gov/deep/adjudications).

The Connecticut Department of Energy and Environmental Protection is an Affirmative Action/Equal Opportunity Employer that is committed to complying with the requirements of the Americans with Disabilities Act (ADA). If you are seeking a communication aid or service, have limited proficiency in English, wish to file an ADA or Title VI discrimination complaint, or require some other accommodation, including equipment to facilitate virtual participation, please contact the DEEP Office of Diversity and Equity at 860-418-5910 or by email at [deep.accommodations@ct.gov](mailto:deep.accommodations@ct.gov). Any person needing an accommodation for hearing impairment may call the State of Connecticut relay number - 711. In order to facilitate efforts to provide accommodation, please request all accommodations as soon as possible following notice of any agency hearing, meeting, program, or event.



**NOTICE OF TENTATIVE DETERMINATION  
TO RENEW A STATE PERMIT  
FOR A DISCHARGE INTO THE WATERS OF  
THE STATE OF CONNECTICUT**

**1.0 TENTATIVE DETERMINATION**

The Commissioner of the Department of Energy and Environmental Protection (“DEEP”) hereby gives notice of a tentative determination to issue a permit based on an application submitted by Lake of Isles, LLC (“the applicant”) authorizing a discharge unto the waters of the State under section 22a-430 of the Connecticut General Statutes.

In accordance with applicable federal and state law, the Commissioner has made a tentative determination that continuance of the existing system will not cause a source of pollution to the waters of the State.

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

**2.0 APPLICANT'S PROPOSAL**

Lake of Isles, LLC. discharges a maximum of 1,200,000 gallons per day of highly treated reclaimed domestic sewage wastewaters to the ground water in the Shewville Brook Watershed for the irrigation of two (2), eighteen-hole golf courses.

The name and mailing address of the permit applicant are: Lake of Isles, LLC, 110 Pequot Trail Mashantucket, CT 06338.

The activity takes place at: Lake of Isles, LLC, 1 Clubhouse Drive, North Stonington CT 06338.

**3.0 REGULATORY CONDITIONS**

**3.1 Type of Treatment**

Domestic wastewater is treated at the Mashantucket Pequot Tribal Nation Wastewater Treatment Plant (“MPTN WWTP”) using sequencing batch reactors, nitrification, denitrification, phosphorus removal, filtration, ultraviolet disinfection, and chlorination. The reclaimed water is then land applied.

### 3.2 Effluent Limits

This permit contains effluent limitations consistent with a case-by-case determination using the criteria of Best Professional Judgment and will protect the waters of the state from pollution when all of the conditions of this permit have been met.

### 3.3 Compliance Schedule

This permit contains an enforceable compliance schedule which requires the applicant to submit the results of a detailed permit compliance audit every two years.

## **4.0 COMMISSIONER'S AUTHORITY**

The Commissioner is authorized to approve or deny such permits pursuant to section 22a-430 of the Connecticut General Statutes and section 22a-430 of the Water Discharge Permit Regulations, and section 1421 of the Federal Safe Drinking Water Act 42 USC et. Seq.

## **5.0 INFORMATION REQUESTS**

The application has been assigned the following application and permit numbers. Please use these numbers when corresponding with this office regarding this application or draft permit.

APPLICATION NO. 202201245      PERMIT ID NO. SP0002408

Interested persons may obtain copies of the application from Keith Gove at Lake of Isles LLC, 110 Pequot Trail, Mashantucket, CT 06338 or at 860-396-3036.

The application is available for inspection by contacting Stephen Edwards at 860-424-3838, [steve.edwards@ct.gov](mailto:steve.edwards@ct.gov), or the Department of Energy and Environmental, Bureau of Materials Management and Compliance Assurance Protection, Water Permitting and Enforcement Division, 79 Elm Street, Hartford, CT 06106-5127 from 8:30 - 4:30, Monday through Friday.

Any interested person may request in writing that his or her name be put on a mailing list to receive notice of intent to issue any permit to discharge to the surface waters of the state. Such request may be for the entire state or any geographic area of the state and shall clearly state in writing the name and mailing address of the interested person and the area for which notices are requested.

## **6.0 PUBLIC COMMENT**

Prior to making a final determination to approve or deny any application, the Commissioner shall consider written comments on the application from interested persons that are received within thirty (30) days of this public notice. Written comments should be directed to Stephen Edwards, Bureau of Materials Management and Compliance Assurance, Department of Energy and Environmental Protection, 79 Elm Street, Hartford, CT 06106 5127 or [DEEP.UICPermitting@ct.gov](mailto:DEEP.UICPermitting@ct.gov) . The Commissioner may hold a public hearing prior to approving or denying an application if in the Commissioner's discretion the public interest will be best served thereby and shall hold a hearing upon receipt of a petition signed by at least twenty-five (25)

persons. Notice of any public hearing shall be published at least thirty (30) days prior to the hearing.

### **7.0 PETITIONS FOR HEARING**

Petitions for a hearing shall be submitted within thirty (30) days from the date of publication of this public notice and should include the application number noted above and identify a contact person to receive notifications. Petitions should also identify a person who is authorized to engage in discussions regarding the application and, if resolution is reached, withdraw the petition. The Office of Adjudications will accept electronically filed petitions for hearing in addition to those submitted by mail or hand delivered. Petitions with required signatures may be sent to [deep.adjudications@ct.gov](mailto:deep.adjudications@ct.gov); those mailed or delivered should go to the DEEP Office of Adjudications, 79 Elm Street, Hartford, CT 06106. If the signed original petition is only in an electronic format, the petition must be submitted with a statement signed by the petitioner that the petition exists only in that form. Original petitions that were filed electronically must also be mailed or delivered to the Office of Adjudications within ten (10) days of electronic submittal. Additional information at [www.ct.gov/deep/adjudications](http://www.ct.gov/deep/adjudications).

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Audra Dickson  
Director  
Water Permitting and Enforcement Division  
Bureau of Materials Management and Compliance Assurance

Date: April 29, 2024