



February 13, 2024

MEMORANDUM: 02132024 – Aquifer Protection Area Support Materials Folder
To: Aquifer Protection Area Agents and Staff
From: Molly Johnson, Community Planner, Naugatuck Valley Council of Governments
Subject: Aquifer Protection Area (APA) Support Materials Folder for NVCOG/DEEP’s 2024 Workshop Series

This document is meant to guide you in navigating your “Municipality_APA_Resources” zip file folder.

Connections in the folder to the content of the 2024 APA Workshop Series: Recordings from the series are available on [NVCOG’s website](#) and [YouTube Channel](#) for your reference.

- January 17 – discusses content relating to Folders #1 and #2 – regulations adoption and inventories.
- February 21 – reviews letters and examples from Folders #1 - #5 provided by the City of Norwalk.
- March 20 – discusses forms that are recommended to be specified to your town and to your website such as:
 - Folder #2 Determination of Regulatory Status “Form Template”
 - Folder #3 “Public Facing Registrations Instructions” and “Registration Form Template”
 - Folder #6 “Instructions Materials Management Plan” and “Instructions Stormwater Mgmt Plan”.
- April 17 – focuses in on Folder #3 – registrations and renewals.
- May 15 & June 17 – highlights Folder #4 – inspections.
- July 17 – reviews useful documents for maintaining compliance such as the “Registrations Status Update Template”.

➡ To Begin - Please start by reviewing the “**APA Series Checklist**” document in your municipality’s folder. This document outlines the different components for reaching compliance with the APA Program. As you move towards compliance, use this document to track your progress and note important dates. This will be useful for communicating with DEEP in the future and in cases of staffing changes.

Next – Orient yourself to the main “**Municipality_APA_Resources**” folder.

- **If you are a member of the NVCOG region**, you will see an excel file with details of your most recent APA compliance status. This list has information that will assist you in filling out the checklist and outlines the next steps for you to take to move toward compliance.
- If you don’t have this status report file, reach out to DEEP for an up-to-date report at deep.aquiferprotection@ct.gov.

- **“DEEP Aquifer Manual 2011”** document is the most detailed and comprehensive resource available about the APA Program. It is included for your awareness and as a reference.
- Additionally, you will see a list of subfolders. Each folder contains templates, examples and resources that relate to its subject.

Subfolder descriptions:

Folder #1: Regulations Adoption & Text Update

- CT DEEP most recently updated the model municipal regulations in 2010. They require all municipalities to update their regulations to be in compliance with the 2010 version.
 - See the **“2010 Model Municipal Regulations”** document for the text. If you are amending existing regulations, see Page 1 to note the revisions of the 3 key section amendments.
 - The **“2010 Regulations Advisory Memo”** document is another useful reference to help identify the changes needed.
- It is recommended to adopt a fee schedule to help maintain your APA program – see **“NVCOG APA Fee Schedule Examples”** excel workbook for municipalities’ fee examples.
- See the **“Notice of Adoption Letters”** Folder. If your town is adopting regulations for the first time, the **“Initial Program Notice Template Letter”** document may be useful. If you are amending your regulations to comply with the 2010 update, this template can also be modified to notify businesses of the update to your regulations.
 - The **“Norwalk Template - Adoption Notice”** and **“Norwalk Template - Facility Regulation”** documents give examples of ways to provide notice to businesses in the area.

Folder #2: Inventory & Determination of Regulatory Status

- An APA inventory is a list of potentially regulated businesses that may be required to register their activities with the town’s Aquifer Protection Agency. The **“Land Use Inventory Guidelines”** document (especially starting p. 3) outlines recommendations for the inventory process.
- The **“Blank Inventory Table”** is an excel template file for storing your list of potential facilities.
- From there, you can review the list of the 28 regulated uses as well as potentially regulated businesses and facilities, found in the **“Regulated Land Uses Lists”** folder.
 - **“28 Regulated Uses in Model Regs”** lists the uses as they would be found in the 2010 model regulations, while **“Regulated Uses - Table Version”** is a table from the Manual that has details on typical land uses and chemicals of concern that relate to these activities.
 - **“Potentially Regulated Businesses”** is a list of businesses that likely conduct regulated uses.

- Once your inventory is created, it is necessary to inform affected facilities and to determine their regulatory status. In the **“Determination of Regulatory Status”** folder, you will find a notice letter template, status form template and two form examples.
 - The **“Notice Template”** can be specified for your town and sent to any businesses or property owners identified in the inventory.
 - The **“Form Template”** should be modified and sent with the notice so that businesses or property owners can share more information about their operations and whether they are conducting potentially regulated uses. There are example forms from Norwalk and Bristol included.

Folder #3: Registrations & Renewals

- Registrations are an important and on-going part of the APA regulatory process. The **“APA Registration Guidance”** document shares general details and instructions for the registration process.
- The **“Registrations Status Update Template”** document is an example of a file that can be sent to DEEP annually that lists registration updates in your municipality. Similar information can also be shared as an excel file.
- The **“Registration Form”** folder includes the **“Registration Form Template”** to be modified specifically for your municipality along with example forms from Bristol and Norwalk, and an example of a filled-out form from Cheshire.
 - The folder also includes **“Public Facing Registrations Instructions”**. This is a template for registration instructions that can be posted on a public facing website.
- The **“Letters & Communications”** folder includes template letters for various phases of the registration process as well as a template and example of a Registration Certificate in the subfolder.
- The **“Permits”** folder details information related to the permits given out for each regulated use.
 - The **“Permit Processing Flow Chart”** demonstrates the process for APA staff to follow after receiving a permit request.
 - The **“Norwalk Example - Environmental Compliance Form”** shows an example of a form that permit applicants can fill out to determine background information on actions of existing permit holders. **“Environmental Compliance Form Instructions”** can be modified and shared with permit applicants to guide them in filling out a similar form.
 - See also the **“Norwalk Example - PERMIT application form”** and **“Norwalk Example Permit with Conditions”** for useful documents that can inspire your own permitting process.
- The **“Transfers”** folder is specific to situations where an applicant seeks to transfer an existing APA Registration or Permit to a new or different operator or registrant. It includes two example forms from Norwalk.

Folder #4: Inspections

- The **“Site Inspection Form Template”** is a useful form to bring with you on site inspections, it is used by DEEP for their state facility inspections.
- The **“BMP Compliance Form – Norwalk Example”** document is another version used to track compliance with Best Management Practices in Norwalk.
- The **“Example Inspection Report – Canton”** can help inform inspectors of the level of detail and format useful in an inspection report.
- The **“Letters”** folder also includes an annual inspection letter and a compliance warning letter example.

Folder #5: Enforcement

- This folder includes two examples of notice of enforcement letters.
 - The **“Cease & Correct Enforcement Order Letter - Norwalk Example”** gives a facility the requirement to cease their operations and correct their non-compliance.
 - The **“Permit Suspension Notice Letter - Norwalk Example”** gives a facility the requirement to cease and desist their operations, it includes a legal notice of enforcement action example.

Folder #6: Stormwater & Materials Management Plans

- Stormwater & Materials Management Plans are in some cases required of registrants. The folder includes the **“Supplement for Stormwater Management Plan”** (SMP), which outlines the different components of a SMP and focuses on the details that must be included for the aquifer protection supplement section.
- The **“Considerations for Stormwater Management Plans”** and **“Considerations for Materials Management Plans”** discuss what reviewers should consider when determining whether a registrant should be required to have a SMP or Materials Management Plan (MMP).
- **“Instructions Materials Management Plan”** and **“Instructions Stormwater Mgmt Plan”** are examples of what a Plan (MMP or SMP accordingly) might look like. The target audience is business/facility owners who are required to develop and implement a site-specific plan for regulated activities conducted at facilities in Aquifer Protection Areas.

The APA support materials zip file folder was developed by NVCOG staff with contributions from the DEEP Aquifer Protection Area Program as well as the City of Norwalk’s Conservation Office. If you have any further questions, please contact Molly Johnson, Community Planner, mjohnson@nvcogct.gov.