

Instructions for Completing the Municipal Registration Process for Regulated Activities in Aquifer Protection Areas

Use these instructions to complete the Determination of Regulated Activities form and Registration Form for regulated activities in Aquifer Protection Areas. These instructions are not a substitute for the requirements of any relevant statutes or regulations. You should review all applicable laws prior to completing the registration form. Remember, it is your responsibility to comply with all applicable laws.

1. Introduction

The Aquifer Protection Area Program was established to protect large public water supply wells from contamination through land use controls. In accordance with Section 4 of the Town of Manchester Aquifer Protection Area Regulations (Regulations), new activities using significant quantities of hazardous materials are prohibited from locating within Aquifer Protection Areas, while existing facilities are required to register their use. Registration allows the facility to continue to operate at that site, including changing or expanding operations on the site. Basic best management practices for handling and storage of hazardous materials are required. The facility must develop and implement a materials management plan, which is maintained at the facility and submitted to the Aquifer Protection Agency (Agency), upon request. Guidance for developing such plans is available from the Town of Manchester Planning Department and the Department of Environmental Protection (DEP).

Any questions regarding the Aquifer Protection Area Program may be directed to Matthew R. Bordeaux, Environmental Planner/Wetlands Agent at (860) 647-3288 or by email at mbordeaux@ci.manchester.ct.us. All of the forms necessary for the registration process will be available at the Aquifer Protection Agency homepage on the Town of Manchester website. <http://www.townofmanchester.org/Planning/AquiferProtectionAgency.cfm>

Please visit the homepage to view the regulations, Aquifer Protection Area mapping, and a number of guidance documents designed to aid and inform registrants.

2. Who Must Register a Regulated Activity in an Aquifer Protection Area?

Any person engaged in a *regulated activity*, as defined in Section 2 of the Regulations, shall register the facility if such facility

1. was active on March 5, 2009, or
2. has been active within the past five (5) years of March 5, 2009, or
3. held a municipal building permit before March 5, 2009.

If you are registering a vacant facility where currently no regulated activity is taking place, you must certify that applicable best management practices are being met at the facility.

3. Determination of Regulatory Status

Use the Determination of Regulatory Status form to determine if your facility will be required to register its regulated activities. Note that the descriptions of regulated activities listed in the form are simplified. The full descriptions, which include some exceptions, are provided in Section 2 of the Regulations. These regulated activities are further modified by exceptions listed in Section 4 of the Regulations, which exempts residential activities, volumes of hazardous materials below given thresholds, agricultural activities, as well as several other minor categories.

If, upon completion of the form, you determine no regulated activities are conducted at the facility, or that you meet one of the exclusions and no registration will be required, submit the signed Determination of Regulatory Status form *only* to the address listed on the form.

If you determine your facility *is* conducting regulated activities and will be required to register with the Town, proceed to complete the Aquifer Protection Area Registration Form. Use the following guidance material to complete the registration form.

4. Do I Register with the DEP or the Municipal Aquifer Protection Agency?

You must register with the DEP if the regulated activity is to be conducted at a facility that either:

- 1) holds one or more of the following permits: National Pollutant Discharge Elimination System (NPDES), State Pollutant Discharge Elimination System (SPDES) or is a Federal Resource Conservation and Recovery Act (RCRA) Treatment, Storage and Disposal Facility (TSDF);
- 2) is a public service company;
- 3) is a large-quantity hazardous waste generator; or
- 4) is a State Agency.

To register with the DEP, you must complete and submit the *Registration Form for Regulated Activities in Aquifer Protection Areas* (DEP-APA-REG-100). This form is available on the web at www.ct.gov/dep/aquiferprotection or by calling DEP at 860-424-3020.

All other regulated activities shall be registered with the Town of Manchester Aquifer Protection Agency by completing and submitting the Town of Manchester Aquifer Protection Area Registration Form. This form is available in the Planning Department or online at the Agency homepage.

The Commissioner of the Department of Environmental Protection may exempt a regulated activity from registering if it is determined that such activity does not and will not pose a threat to any public supply well due to the nature of the hazardous materials used. Any questions that you may have regarding exemptions should be directed to the DEP at 860-424-3020.

5. Time Frame for Registration

The person engaged in a regulated activity shall submit a registration to the Agency not later than December 13, 2009.

A registration is valid for five (5) years from the date of receipt.

6. How to Apply

Your registration must include the following:

- Town of Manchester Aquifer Protection Area Registration Form and all supporting documents,
- The applicable registration fee, paid by check or money order, made payable to the "Town of Manchester".

You must submit the above materials to:

TOWN OF MANCHESTER
PLANNING DEPARTMENT
494 MAIN STREET
P.O. BOX 191
MANCHESTER, CT 06045-0191

When submitting your registration, label the supporting documents as directed on your registration form and always include, on each document, the applicant's name. When additional space is necessary to answer a question, please insert additional sheets. Label each sheet with the applicant's name, along with the corresponding part number and question number indicated on the registration form. You should retain a copy of all documents for your files.

Part I: Registrant Information

When completing this part, please use the following standards:

- *Name* - Provide the full, legal *company/firm* name. If identifying an entity registered with the Secretary of the State, fill in the name exactly as it is shown on such registration. If identifying an *individual*, provide the full legal name (include title and suffix) in the following format: Title (Ms, Dr, etc.); First

Name; Middle Initial; Last Name; Suffix (Jr., PE, PhD, etc.)

- *Phone* - Unless otherwise indicated, the phone number provided should be the number where the individual can be contacted during the daytime business hours.
 - *Contact Person* - Provide the name of the specific individual within the company whom Aquifer Protection Agency may contact.
1. *Registrant* - Fill in the registrant's name, mailing address and phone number. Check the boxes describing the registrant's interest in the property or facility. Provide the company name. Indicate if there are co-registrants and if so, provide the required information for each registrant.
 2. *Primary Contact* - If you have authorized a consultant, engineer, attorney or other individual to act for you during the processing of this registration, complete this section. The municipality will direct copies of all correspondence and inquiries to this primary contact.
 3. *Attorney* - It is not required that an applicant be represented by an *attorney* or any other agent. If you do have an attorney representing you for this process, complete this section.
 4. *Facility Operator* - If the registrant is not the operator of the affected facility, complete this section.
 5. *Facility Owner* - If the registrant is not the owner of the affected facility, complete this section.
 6. *Engineers or Consultants* - List any engineers or other consultants employed or retained to assist in preparing the registration. Be sure to identify the service that is being provided by each.

Part II: Regulated Facilities

1. *Name of Facility*: The facility name should be the name by which the facility is commonly known and/or uniquely identified.

The "facility" means property where a regulated activity is conducted by any person, including without limitation any buildings located on the property that are owned or leased by that person; and includes contiguous land owned, leased, or for which there is an option to purchase by that person.

2. *Street Address*: The information provided as the location address should be the address of the property at which the regulated activity takes place. Include the street address and municipality. If the property does not have a street number, describe the location in terms of the distance and direction from an obvious landmark such as an intersection with another roadway, a bridge, or a river.
3. *Regulated Activity*: Check off **all** regulated activities which are located or conducted at the facility, wholly or partially in the Aquifer Protection Area.

Part III: Best Management Practices

Registrants must certify that the regulated activities at the facility are in compliance with the best management practices (BMPs) specified in Section 12 of the Regulations, in order to complete the registration form. Most facilities will already be in compliance with the very basic BMPs. Please note however, that development and implementation of a materials management plan is also required by Section 12 of the Regulations. A brief guidance document and sample plan is available from the Town of Manchester Planning Department or on the DEP web site at www.ct.gov/dep/aquiferprotection. A materials management plan must be maintained at the facility and made available for inspection if requested by a representative of DEP or the Agency.

The registrant must check the box by each of the five BMPs as verification that the facility is in

compliance with all of the BMPs. The registrant and the operator, if different from the registrant, must sign the certification.

Part IV: Supporting Documents

Please label all attachments as referenced in the registration form and these instructions and be sure to include the name of the registrant.

Materials Management Plan

Submit a Materials Management Plan (MMP), *only if requested by the Agency*. Otherwise a copy of the MMP must be maintained on-site. A MMP shall be developed and implemented in accordance with Section 12 of the Regulations.

Stormwater Management Plan

Submit a Stormwater Management Plan (SWMP), *only if requested by the Agency*. If requested, a SWMP shall be implemented in accordance with Section 12 of the Regulations to assure that stormwater-runoff generated by the subject regulated activity is managed to prevent pollution of ground water.

Part V: Registrant Certification

After the registration has been completed it must be reviewed and signed by both the registrant and the individual(s) who actually prepared the registration. By their signature, they certify that, to the best of their knowledge and belief, the information contained in the application, including all attachments, is true, accurate and complete.

The certification of the registration package shall be signed as follows:

1. For an individual(s) or sole proprietorship: by the individual(s) or proprietor, respectively;
2. For a corporation: by a principal executive officer of at least the level of vice president;
3. For a limited liability company (LLC): a manager, if management of the LLC is vested in a manager(s) in accordance with the company's "Articles of Organization",

or a member of the LLC if no authority is vested in a manager(s);

4. For a partnership: by a general partner;
5. For a municipal, state, or federal agency or department: by either a principal executive officer, a ranking elected official, or by other representatives of such applicant authorized by law.

A registration will be considered incomplete unless all required signatures are provided.

Part VI: Fee Information

All fees required by the regulations shall be submitted to the Agency by certified check or money order payable to the Town of Manchester at the time the registration application is filed with the Agency. No registration shall be granted or approved by the Agency unless the correct registration fee is paid in full or unless a waiver has been granted by the Agency. The registration fee is nonrefundable. The fee schedule is included on the Registration Form and may be viewed in Section 18 of the Regulations.