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Subject: Southington, East Side Pressure Zone Improvements

The Department of Energy & Environmental Protection (DEEP) has received the Notice of Scoping for East Side Pressure Zone improvements on Flanders Road in Southington. The Southington Water Department proposes to install 1,350 linear feet of 12-inch water main in Flanders Road and Pattonwood Drive as the first phase of a pipe looping project. Southington is proposing to construct 4,800 feet of new water main in phases to create a loop to connect the Flanders Road main to the main on Shuttle Meadow Road. The project will eliminate a dead-end water main on Flanders Road and eliminate the need for flushing at the end of Flanders Road. The following comments are submitted for your consideration.

Aquifer Protection

The Southington Water Department's proposed project area is within the final adopted and mapped Level A Aquifer Protection Area for Well No. 9. The Town has delineated the Aquifer Protection Area Boundary on the town zoning map and adopted local aquifer protection area regulations consistent with the state regulations pursuant to Section 22a-354p of the Connecticut General Statutes (CGS). Best Management Practices (BMPs) should be utilized during construction within this area. BMPs from the *Connecticut's Aquifer Protection Area Program Municipal Manual* entitled, *Road and Highway Construction/Reconstruction in Aquifer Protection Areas*, are available on DEEP's website www.ct.gov/deep/aquiferprotection in the Aquifer Protection Area Municipal Manual, in the Appendices Section.

These include:

1. *Road and Highway Construction/Reconstruction in Aquifer Protection Areas* on page 274-275
2. *Temporary Construction/Reconstruction in Aquifer Protection Areas* on page 281
3. *Controlling Stormwater from Parking Lots in Aquifer Protection Areas* on page 272

RCRA Hazardous and Solid Waste

Based on a review by DEEP staff, this area has known hazardous or solid waste related concerns. If contaminated soils are encountered during a utility construction project that is not owned by the utility and the contamination was not created by the utility, the following procedures are recommended. The utility may reuse the contaminated soil in the same excavation within the same area of concern without prior approval by DEEP provided: 1) Any condition that would be a significant environmental hazard as defined in CGS Section 22a-6(u) is reported by the utility and

that the location is identified on a map submitted to the DEEP Remediation Division; 2) Any excess contaminated material is disposed of in accordance with the solid and hazardous waste regulation as appropriate; and 3) The upper 1 foot of the excavation is filled with the clean fill material or paved. Any sampling required to make a determination as to whether a significant environmental hazard exists or how excess spoils will be disposed of is the responsibility of the entity (public or private) performing the excavation. For further information, contact the Remediation Division at 860-424-3366. The Connecticut Remediation Standard Regulations are available on-line at [Guidance for Utility Company Excavation](#).

Federal and State 404/ 401 Water Quality Certification

A map of this area shows that Phase 2 may be proposed in or adjacent to a wetland/ watercourse. DEEP recommends that a certified soil scientist perform a reconnaissance of the site in order to determine whether it meets the federal definition of a wetland or watercourse as defined in the [1987 Corps of Engineers Wetlands Delineation Manual and Regional Supplements](#) for the Clean Water Act Section 404 permit program. If the reconnaissance identifies regulated areas, they should be clearly delineated. Any activity within federally regulated wetland areas or watercourses at the site may require a permit from the U.S. Army Corps of Engineers pursuant to section 404 of the Clean Water Act. Further information is available on-line at [Army Corps of Engineers, New England District](#) or by calling the Corps Regulatory Branch in Concord, Massachusetts at 978-318-8338. If a permit is required from the U.S. Army Corps of Engineers, a Water Quality Certificate will also be required from DEEP pursuant to section 401 of the Clean Water Act. For further information, contact the Land and Water Resources Division at 860-424-3019. A fact sheet regarding 401 Water Quality Certification is available online at [401 Certification](#).

Municipal Inland Wetland permitting

Since the property is not on state owned land and the work is not being executed by a state agency, the municipal inland wetlands agency should be consulted to determine if a permit is required; pursuant to state law sections 22a-36 through 22a-45 of the Connecticut General Statutes. Many agencies have established an upland review area (may also be known as a setback) which allows the agency to review applications where the proposed work is adjacent to a wetland or watercourse to determine if there is a potential for wetland impacts. Information on local permitting is available online at [Inland Wetlands and Watercourses Municipal Permitting](#). Please note the definition of an inland wetland found in state law is different from the definition of wetland found in federal law. DEEP recommends a soil scientist delineate wetlands following the definitions for both state and federal laws.

Stormwater General Permit

The general permit for [Stormwater and Dewatering Wastewaters from Construction Activities](#) may be applicable depending on the size of the disturbance regardless of phasing. This general permit applies to all discharges of stormwater and dewatering wastewater from construction activities.

Thank you for the opportunity to review this project. If there are any questions concerning these comments, please contact me.

cc: Robert Hannon, DEEP/ OPPD