

*Office of Adjudications*

***IN THE MATTER OF*** : ***APPLICATION NO. 201502206***

***JOHN F. CARR, JR.*** : ***APRIL 3, 2017***

***FINAL DECISION***

***I  
SUMMARY***

The Proposed Final Decision in this matter was released on March 16, 2017. That Decision recommended that this permit be issued, finding that the Applicant has met his burden of demonstrating that this application complies with the standards and requirements of General Statutes § 22a-430 and its implementing regulations, Regs., Conn. State Agencies §§ 22a-430-3 and 22a-430-4. The Decision concluded that if operated in accordance with the draft permit, the proposed treatment system will treat the wastewater to a level to prevent pollution of groundwater and maintain a high water quality as required by the Water Quality Standards, protecting the waters of the state from pollution. § 22a-430(b).

Department staff filed clarifications to the Proposed Final Decision on March 28, 2017. These were endorsed by the Applicant and are adopted in this Final Decision. Neither staff nor the Applicant filed exceptions to the Proposed Final Decision. The Commissioner has delegated final decision-making authority to this office in “matters where the hearing officer has issued a proposed final decision and no exceptions, pursuant to ... § 4-179(a) and ... [Regs., Conn. State Agencies] § 22a-3a-6(y)(3), have been timely filed.” Delegation of Authority, July 12, 2011, § VIII, F. 4. C. vi. Accordingly, I may issue the Final Decision in this matter.

I endorse the Proposed Final Decision and its recommendation that the Draft Permit be issued, with the following clarifications noted in italics.

## Findings of Fact

#8 – “The Project will be situated on a twenty-four acre parcel on Main Street *North* in Bridgewater (the Site).”

# 11 – “In order to assess the Site’s ability to renovate and remove pollutants, the Applicant performed a Site investigation.... ~~The investigation revealed that the Site has a limited hydraulic capacity to provide pollutant renovation. Testing demonstrated that groundwater is not present above ledge throughout the Site, making it impossible to determine the hydraulic gradient that is used to calculate a groundwater mound or rise under the treatment system and the time of travel for pathogen renovation.~~ *The site investigation revealed that groundwater is not present above ledge throughout the Site, making it impossible to determine the hydraulic gradient that is used to calculate the groundwater mound or rise under the treatment system and the time of travel for pathogen renovation....*”

# 12 – “To overcome the Site’s ~~limited hydraulic capacity limitations, as determined through the above-described Site Investigation,~~ a treatment system...has been proposed to treat and disburse (i. e., dispose of) the wastewater.”

# 13 – “Biological treatment will be provided by.... The discharge from the treatment system is expected to occur in batches of 2,000 ~~gpd~~ gallons.”

# 21 – “~~At the end of the treatment system, the discharges from the beds will be disbursed through natural soils and comingle with groundwater, becoming part of the groundwater system.~~” *The discharge from the biological pretreatment system will be further renovated in the leaching beds and downgradient soils. Fully renovated discharge will ultimately comingle with groundwater prior to reaching the downgradient wetlands on the Applicant’s property or any other environmental point of concern.*

## Conclusions of Law

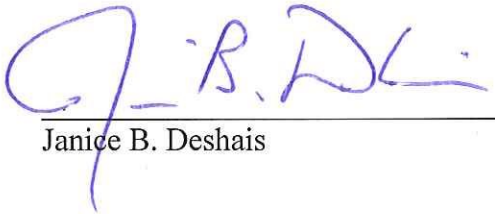
In first sentence in the first paragraph on page 9 is clarified as follows. “The biological treatment provided by the SBR Systems will ~~dilute~~ *reduce* the concentration of nitrogen....” The last sentence in this paragraph is revised to read: “The *leaching* beds and the *saturated* soils ~~underneath downgradient~~ also have the capacity to *further* dilute nitrogen.”

The second paragraph on page 10 should include the following requirements for plans and specifications submittal, as agreed to by Staff and the Applicant:

*Plans and specifications shall be submitted to DEEP within one year after the date of the issuance of the Final Decision. Should the Applicant fail to submit plans and specifications by such date and in the Commissioner’s sole judgment, the Applicant fails within the same time frame to provide acceptable reasons for such failure, the wastewater discharge permit application may be administratively closed and submission of a new wastewater discharge permit application would be required pursuant to Section 22a-430-4(k) of the Regulations of CT State Agencies.*

*II*  
**CONCLUSION**

I authorize the Applicant to submit construction plans and specifications of the proposed treatment system for approval to the DEEP Bureau of Materials Management and Compliance Assurance, Water Permitting and Enforcement Division. Once the DEEP has verified that the system has been built in conformance with the approved plans and specifications, the Draft Permit should be finalized and issued to the Applicant.



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Janice B. Deshais

**SERVICE LIST**

John F. Carr, Jr. (Joshua Heights, Bridgewater)  
App. # 201502206

**Party**

**Representative(s)**

Applicant

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