



NOTICE OF PETITION FOR DECLARATORY RULING

Pursuant to Section 22a-3a-4(a)(4) of the Regulations of Connecticut State Agencies, the Commissioner of Energy and Environmental Protection hereby provides notice that on February 21, 2023, Ranald K. and Robin L. Nicholas (collectively “Petitioners”), filed a petition for declaratory ruling (“Petition”) with the Commissioner. The Petitions request the Commissioner issue a ruling that SR Litchfield, LLC be required to obtain an individual permit – rather than registration under the General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities - for construction of a 55,000 photovoltaic solar power project in Torrington.

The Commissioner is also providing notice of this matter to additional persons or entities that may have an interest in this matter. Such persons or entities are noted below.

An electronic copy of the Petition is available on the Department’s website at: <https://portal.ct.gov/DEEP/Laws/Rulings/Declaratory-Rulings>. Those unable to access the Petition via the Department’s website should contact Julianne Naughton, in the Office of Legal Counsel, at Julianne.Naughton@ct.gov.

Under Regulations of Connecticut State Agencies § 22a-3a-4(c)(2), any person may file, not more than thirty days after the receipt of this notice, written comments on the issues raised in the Petition. All comments shall be directed to Commissioner Katherine S. Dykes, signed by the commenter or his/her attorney or other representative, contain the name and telephone number of the commenter and his/her attorney or other representative. All persons are requested to send all comments or correspondence regarding this matter to Commissioner Katherine S. Dykes, c/o Julianne Naughton, Paralegal Specialist, Office of Legal Counsel, Connecticut Department of Energy and Environmental Protection, 79 Elm Street, Hartford, Connecticut, 06106-5127 or via e-mail to Julianne.Naughton@ct.gov.

Pursuant to Conn. Gen. Stat. § 176(e) and Regulations of Connecticut State Agencies § 22a-3a-4(c)(3), on or before April 24, 2023, the Commissioner shall “(1) [i]ssue a ruling declaring the validity of a regulation or the applicability of the provision of the general statutes, the regulation, or the final decision in question to the specified circumstances, (2) order the matter set for specified proceedings, (3) agree to issue a declaratory ruling by a specified date, (4) decide not to issue a declaratory ruling and initiate regulation-making proceedings, under section 4-168, on the subject, or (5) decide not to issue a declaratory ruling, stating the reasons for its action.”

Certification of Mailing

I hereby certify that copies of this notice were sent via first class mail on March 3, 2023 to:

Mary Mintel Miller, Esq.
Jeffery N. Kaplan, Esq.
Reid and Riege, P.C.
One Financial Plaza, 21st Fl.
Hartford, CT 06103

Ranald K. and Robin L. Nicholas
389 Wimbledon Gate N
Torrington, CT 06790

In addition, a copy of this notice was sent via first class mail on March 3, 2023 to each person identified by the Petitioners in the Petition as “interested parties.”