



To: Mithila Chakraborty, DOH
From: Jordan Herpich
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Date: 12/21/2023

Subject: Scoping Notice for Church Street Commons, Hebron

The Department of Energy and Environmental Protection (DEEP) has received the Notice of Scoping for the project sponsored by the Department of Housing (DOH). The project is located at 60 Church Street in Hebron. The project site is 3 acres, owned by the St. Peter's Episcopal Church, and currently contains one building. The project will create 51 units of affordable and mixed-income housing. This will consist of construction of 50 new units, as well as the renovation of the one existing building onsite. There is a need to determine the capacity for a well water source on the site and the Connecticut Water Company is assisting in this analysis. The existing building is likely to contain hazardous building materials, such as lead paint. Behind the existing building was formally the site of a barn that stored farm equipment, and this area may have soil concerns that will need investigation.

The following comments are submitted for your consideration. There will be information linked to DEEP's website as well as contact information for the programs.

The Permitting/ Regulatory Programs section contains information on DEEP's regulatory programs that may require permits for the project or may be supplementary information, needed in order to complete a permit application (such as the Natural Diversity Database program and Fisheries Division). The links and contact are there to help guide the applicant and sponsoring agency to determine if permits are required after the project moves closer to design and construction. These comments are meant to provide a high-level analysis of the area, since scoping notices tend to be at the beginning stages of a project.

The Information/ Best Management Practices section contains comments that may need to be addressed in the post-scoping notice or Environmental Impact Evaluation.

Permitting/ Regulatory Programs

Remediation

Contact: Peter Zaidel, Remediation Division, Peter.Zaidel@ct.gov

The Remediation Division is not aware of any projects within their files regarding the project site.

The Remediation Division has found that contamination at a nearby parcel (37 Main Street, Hebron) may have the potential to impact groundwater at the project site. The property at 37 Main Street is the site of a former gas station known as the Hebron XtraMart and is approximately 1,800 feet north/northeast of the project site. The 37 Main Street property has impacted groundwater quality (contamination related

to petroleum), sits upgradient of the project site, and has groundwater that has been documented to flow in the direction of the project site.

The nearest groundwater monitoring well to 37 Main Street is located about 1,300 feet north/northeast of the project site. Groundwater in that monitoring well exceeds applicable groundwater quality standards. However, several private water supply wells along Church Street (located between the 37 Main Street and the project site) are periodically sampled; and while they have detectable levels of gasoline constituents, the concentrations are below the Department of Public Health Drinking Water Action Levels.

Although private water supply wells on Church Street have gasoline constituents below the Department of Public Health Drinking Water Action Levels, there is the potential for the plume from 37 Main Street to have found a preferential pathway and migrated to the project site. This potential should be considered when looking to develop a water supply well at the project site.

Water Diversion

Contact: Douglas Hoskins, Water Planning and Management Division, Douglas.Hoskins@ct.gov

The applicant has stated the need to determine the capacity for a well water source on the property.

DEEP has reviewed the project and believes that given the number of units currently planned, it is unlikely that a water diversion permit would be required for any suitably sized, onsite potable water well, as any well withdrawals under 50,000 gallons per day would be exempt pursuant to Section 22a-377 of the Connecticut General Statutes. However, should it be decided to extend water supply mains from the nearby Hebron distribution system to supply this property the Water Diversion permittee for that system (The Connecticut Water Company) should contact Doug Hoskins of DEEP's Water Planning and Management Division to discuss potential diversion permitting needs resulting from any modifications to that system.

Natural Diversity Database

Contact: Robin Blum, Wildlife Division, Robin.Blum@ct.gov

DEEP staff reviewed Natural Diversity Database (NDDDB) mapping and found that the project site is not currently in an NDDDB area. However, the NDDDB maps are in the process of being updated. If NDDDB review is needed as part of other DEEP permit applications, the applicant should check the updated NDDDB map again (link listed below), after January 1, 2023, to determine if the shaded areas have changed to include the site.

[Maps](#) are available as a pre-screening tool to help determine if there could be an impact to known locations of state-listed species. Shaded areas ("blobs") on the maps show approximate locations of state-listed and federal-listed species and important natural communities. When viewing the NDDDB maps, please consider the entire area affected by a project, including any potential runoff or other disturbance. Locations outside of the mapped areas are not necessarily free of listed species; these locations may not have been surveyed and there may be potential impacts from disturbance in these locations. If a project falls within a shaded area, the applicant must submit a [Request for NDDDB State-listed Species Review](#), please review [Instructions for Creating a New Account](#) located on the DEEP NDDDB website.

Stormwater and Dewatering Wastewaters from Construction Activities General Permit

Contact: Water Permitting and Enforcement Division, DEEP.stormwaterstaff@ct.gov

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 was created to address rainfall runoff (i.e., stormwater) from sites under construction in order to reduce or eliminate the discharge of sediment from the site during construction as well as addressing discharges of other stormwater pollutants from the site long term.

The construction stormwater general permit dictates separate compliance procedures for Locally Exempt projects (projects primarily conducted by government authorities) and Locally Approvable projects (projects primarily by private developers). This general permit applies to discharges of stormwater and dewatering wastewater from construction activities where the activity disturbs more than an acre. The requirements of the current general permit include registration to obtain permit coverage and development and implementation of a Stormwater Pollution Control Plan (SWPCP). The SWPCP contains requirements for the permittee to describe and manage their construction activity, including implementing erosion and sediment control measures as well as other control measures to reduce or eliminate the potential for the discharge of stormwater runoff pollutants (suspended solids and floatables such as oil and grease, trash, etc.) both during and after construction. A goal of 80 percent removal of the annual sediment load from the stormwater discharge shall be used in designing and installing post-construction stormwater management measures. Stormwater treatment systems must be designed to comply with the post-construction stormwater management performance requirements of the permit. These include post-construction performance standards requiring retention and/or infiltration of the runoff from the Water Quality Volume (WQV) in accordance with the Stormwater Quality Manual and incorporating control measures.

Locally Approvable construction projects with a total disturbed area of one to five acres are not required to register with DEEP provided the development plan has been approved by a municipal land use agency and adheres to local erosion and sediment control land use regulations and the CT Guidelines for Soil Erosion and Sediment Control. Locally Approvable construction projects with a total disturbed area of five or more acres must submit a registration form and SWPCP to DEEP at least 60 days prior to the initiation of construction. Registrations shall include a certification by the Qualified Professional who designed the project and a certification by a Qualified Professional or regional Conservation District who reviewed the SWPCP and deemed it consistent with the requirements of the general permit. In addition to measures such as erosion and sediment controls and post-construction stormwater management, the SWPCP must include a schedule for plan implementation and routine inspections. The construction stormwater general permit registrations must be filed electronically through DEEP's [ezFile Portal](#). Additional information can be found on-line at: [Construction Stormwater GP](#).

Information/ Best Management Practices

Aquifer Protection

Contact: Melissa Fahnestock, Water Planning and Management Division, Melissa.Fahnestock@ct.gov

DEEP staff reviewed the location of this project and found that it is not in an aquifer protection area, and have no further comments on the project.

Watershed Management

Contact: Marlene Krajewski, Water Planning and Management Division, Marlene.Krajewski@ct.gov

The property lies within two different subregional watersheds (Raymond Brook Subregional Watershed and Jeremy River Subregional Watershed). The majority of the property lies in the Jeremy River Subregional Watershed. Raymond Brook is to the east of the property, and Jeremy River is to the west of the property. The potential well water source on-site should be evaluated further to determine if there would be significant inter-basin transfer once a well location is established.

Both Raymond Brook and Jeremy River, to which portions of the property drain, are unimpaired surface waters, as such, the water quality should be protected to the extent possible. To minimize the water quality impacts of the development, proper management measures for stormwater and sediment should be taken, including during the extensive efforts associated with lead and other hazardous materials planned for this project.

CT DEEP supports the incorporation of [Green Infrastructure](#) throughout the new housing development, where feasible, to reduce the impact of polluted stormwater from reaching receiving surface waters. This may include, for example, limiting the footprint of the impervious surfaces, such as parking lots, and having the housing property incorporate vegetated areas for stormwater management, per the updated [Connecticut Stormwater Quality Manual](#).

Solid Waste Disposal

Contact: Frank Gagliardo, Waste Engineering and Enforcement Division, Frank.P.Gagliardo@ct.gov

The disposal of demolition waste should be handled in accordance with applicable solid waste statutes and regulations. Demolition debris may be contaminated with asbestos, lead-based paint or chemical residues and require special disposal. Clean fill is defined in section 22a-209-1 of the Regulations of Connecticut State Agencies (RCSA) and includes only natural soil, rock, brick, ceramics, concrete and asphalt paving fragments. Clean fill can be used on site or at appropriate off-site locations. Clean fill does not include uncured asphalt, demolition waste containing other than brick or rubble, contaminated demolition wastes (e.g., contaminated with oil or lead paint), tree stumps, or any kind of contaminated soils. Land clearing debris and waste other than clean fill resulting from demolition activities is considered bulky waste, also defined in section 22a-209-1 of the RCSA. Bulky waste is classified as special waste and must be disposed of at a permitted landfill or other solid waste processing facility pursuant to section 22a-208c of the CGS and section 22a-209-2 of the RCSA. Additional information concerning disposal of demolition debris is available on-line at [Demolition Debris](#).

Construction and demolition debris should be segregated on-site and reused or recycled to the greatest extent possible. Waste management plans for construction, renovation or demolition projects are encouraged to help meet the State's reuse and recycling goals. Pursuant to section 22a-241a of the CGS, the state set a goal of 60% rate of diversion from disposal for municipal solid waste by the year 2024 and adopted that goal in the state's December 2016 *Comprehensive Materials Management Strategy*. Part of this effort includes increasing the amount of construction and demolition materials recovered for reuse

and recycling in Connecticut. DEEP recommends that contracts be awarded only to those companies who present a sufficiently detailed construction/demolition waste management plan for reuse/recycling. Additional information concerning construction and demolition material management and waste management plans can be found on-line at [Construction and Demolition Material Management](#) and [Construction and Demolition Waste Management Plans](#).

Special Waste

Contact: Waste Engineering & Enforcement Division, 860-424-3023.

If abatement is required for asbestos containing materials (ACM), these materials are regulated as a “special waste” in Connecticut and may not be disposed of with regular construction and demolition waste. Instead, these materials may only be disposed of at facilities that are specifically authorized to accept ACM. Although the disposal of asbestos-containing material is typically arranged for by the licensed asbestos abatement contractor, project proponents should ensure that the contractor disposes of all such materials at properly licensed facilities. A fact sheet regarding disposal of special wastes and the authorization application form may be obtained at: [Special Waste Fact Sheet](#).

Demolition debris may also include materials that contain polychlorinated biphenyls (PCBs). Such materials can include transformers, capacitors, fluorescent light ballast and other oil-containing equipment, and in certain building materials (i.e., paint, roofing, flooring, insulation, etc.). EPA has learned that caulk containing potentially harmful polychlorinated biphenyls (PCBs) was used around windows, door frames, masonry columns and other masonry building materials in many buildings starting in 1929 with increased popularity in the 1950s through the 1970s, including schools, large scale apartment complexes and public buildings. In general, these types of buildings built after 1978 do not contain PCBs in caulk. In 2009, EPA announced new guidance about managing PCBs in caulk and tools to help minimize possible exposure. The guidance can be found at: [PCBs in Caulk](#). Where schools or other buildings were constructed or renovated prior to 1978, EPA and DEEP recommend that PCB-containing caulk removal be scheduled during planned renovations, repairs (when replacing windows, doors, roofs, ventilation, etc.) and demolition projects, whenever possible. However, the continued use of such PCB materials is prohibited and, where it is identified, it must be addressed. EPA recommends testing caulk that is going to be removed as the first step to determine what protections are needed during removal. Where testing confirms the presence of PCBs, it is critically important to ensure that they are not released to air during replacement or repair of caulk in affected buildings. Many such PCB removal projects will need to include sampling of the substrate and soil, as well as require plans to be approved by EPA in coordination with DEEP. Further information concerning the DEEP PCB Program can be found on-line at: [DEEP PCB Program](#).

In addition to asbestos and PCBs, demolition debris may also be contaminated with lead-based paint, chemical residues, or other materials that require special disposal. For more information on these materials and disposal, see the [DEEP’s Renovation and Demolition Web Page](#).

Deconstruction, an environmentally friendly alternative to demolition, should be utilized to salvage as much of the reusable materials as possible, diverting them from the waste stream. Salvaged items typically include doors, windows, cabinets, lighting and plumbing fixtures, framing lumber, roofing materials, and flooring. Additional information concerning deconstruction can be found on-line at: [Deconstruction](#).

Thank you for the opportunity to review this project. These comments are based on the reviews provided by relevant staff and offices within DEEP during the designated comment period. They may not represent all applicable programs within DEEP. Feel free to contact me if you have any questions concerning these comments.

cc: Eric Hammerling