

**To:** Kevin Fleming, Transportation Planner  
Conn Department of Transportation, 2800 Berlin Turnpike, Newington CT 06111

**From:** Linda Brunza- Environmental Analyst

**Telephone:** 860-424-3739

**Date:** 10/19/2017

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**Subject:** Scoping Notice for East Avenue Bridge, Norwalk

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The Department of Energy and Environmental Protection (DEEP) received the Notice of Scoping for the improvements to East Avenue Railroad Bridge in Norwalk proposed by the Department of Transportation. The project replaces an aging structure and allows pedestrian accessibility by adding sidewalks, lengthening the existing platforms, and installing an elevator and stairs for platform accessibility. A retaining wall will be improved to support the commuter, passenger and freight train movements.

The following comments are submitted for your consideration.

### **Hazardous or Solid Waste**

Due to the historic nature of the area, it is likely there are hazardous or solid waste related concerns. DEEP's standard comments concerning construction projects in urban areas are as follows:

Development plans in urban areas that entail soil excavation should include a protocol for sampling and analysis of potentially contaminated soil. Soil with contaminant levels that exceed the applicable criteria of the Remediation Standard Regulations, that is not hazardous waste, is considered to be special waste. The disposal of special wastes, as defined in section 22a-209-1 of the Regulations of Connecticut State Agencies (RCSA), requires written authorization from the Waste Engineering and Enforcement Division prior to delivery to any solid waste disposal facility in Connecticut. If clean fill is to be segregated from waste material, there must be strict adherence to the definition of clean fill, as provided in Section 22a-209-1 of the RCSA. In addition, the regulations prohibit the disposal of more than 10 cubic yards of stumps, brush or woodchips on the site, either buried or on the surface. A fact sheet regarding disposal of special wastes and the authorization application form may be obtained at: [Special Waste Fact Sheet](#).

The Waste Engineering & Enforcement Division has issued a *General Permit for Contaminated Soil and/or Sediment Management (Staging & Transfer)* (DEP-SW-GP-001). It establishes a uniform set of environmentally protective management measures for stockpiling soils when they

are generated during construction or utility installation projects where contaminated soils are typically managed (held temporarily during characterization procedures to determine a final disposition). Temporary storage of less than 1000 cubic yards of contaminated soils (which are not hazardous waste) at the excavation site does not require registration, provided that activities are conducted in accordance with the applicable conditions of the general permit. Registration is required for on-site storage of more than 1000 cubic yards for more than 45 days or transfer of more than 10 cubic yards off-site. A fact sheet describing the general permit, a copy of the general permit and registration forms are available on-line at: [Soil Management GP](#). For further information, contact the RCRA Enforcement Division at 860-424-3366.

### **Threatened and Endangered Species**

DEEP Wildlife Division has been in correspondence with the Department of Transportation and has concurred with protocols that will be followed for the protection of the peregrine falcon, listed to be within a quarter mile of the project area. Special considerations include time of year restrictions and contractor awareness and notification. Department of Transportation's Office of Environmental Planning or an authorized delegate will inspect the site prior to the commencement of construction activities. The determination is valid for two years. A new Natural Diversity Data Base Request for Review is required if work for this project has not started before September 29, 2019.

NDDDB information includes all information regarding critical biological resources available to the Wildlife Division at the time of the request. This information is a compilation of data collected over the years by DEEP's Natural History Survey and cooperating units of DEEP, private conservation groups and the scientific community. This information is not necessarily the result of comprehensive or site-specific field investigations. Consultations with NDDDB should not be substitutes for on-site surveys required for environmental assessments. Current research projects and new contributors continue to identify additional populations of species and locations of habitats of concern, as well as, enhance existing data. Such new information is incorporated into the Data Base as it becomes available.

Please contact Dawn McKay with questions at (860) 424-3592, or [dawn.mckay@ct.gov](mailto:dawn.mckay@ct.gov)

### **Air Emissions**

For large construction projects, DEEP typically encourages the use of newer off-road construction equipment that meets the latest EPA or California Air Resources Board (CARB) standards. If that newer equipment cannot be used, equipment with the best available controls on diesel emissions including retrofitting with diesel oxidation catalysts or particulate filters in addition to the use of ultra-low sulfur fuel would be the second choice that can be effective in reducing exhaust emissions. The use of newer equipment that meets EPA standards would obviate the need for retrofits.

DEEP also encourages the use of newer on-road vehicles that meet either the latest EPA or California Air Resources Board (CARB) standards for construction projects. These on-road vehicles include dump trucks, fuel delivery trucks and other vehicles typically found at construction sites. On-road vehicles older than the 2007-model year typically should be retrofitted with diesel oxidation catalysts or diesel particulate filters for projects. Again, the use of newer vehicles that meet EPA standards would eliminate the need for retrofits.

Additionally, Section 22a-174-18(b)(3)(C) of the Regulations of Connecticut State Agencies (RCSA) limits the idling of mobile sources to 3 minutes. This regulation applies to most vehicles such as trucks and other diesel engine-powered vehicles commonly used on construction sites. Adhering to the regulation will reduce unnecessary idling at truck staging zones, delivery or truck dumping areas and further reduce on-road and construction equipment emissions. Use of posted signs indicating the three-minute idling limit is recommended. It should be noted that only DEEP can enforce Section 22a-174-18(b)(3)(C) of the RCSA. Therefore, it is recommended that the project sponsor include language similar to the anti-idling regulations in the contract specifications for construction in order to allow them to enforce idling restrictions at the project site without the involvement of DEEP.

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: Robert Hannon, DEEP/ OPPD  
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