

To: William Wallach, Department of Economic and Community Development

From: Linda Brunza- Environmental Analyst

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Date: 11/17/2022

Email: Linda.Brunza@ct.gov

Subject: Steelpointe Harbor, Redevelopment Project, 137 East Main Street, Bridgeport

Staff at the Department of Energy and Environmental Protection (DEEP) reviewed the scoping notice for the proposed mixed-use development, which stretches from the Downtown Central Business District to the East End, including frontage on the Yellow Mill Channel.

Remediation Division

This site is in the Brownfield Remediation and Revitalization Program and has submitted Engineered Controls Part 1 and Part 2, which are currently under review and require approval from DEEP's Commissioner. The Remediation Division has been involved in the review and comments for this project since January 2022. Impacted soils exist onsite that will either be excavated for offsite disposal or placed under an Environmental Control to prevent direct contact. Remediation is designed to allow the property to be utilized for residential use. Please contact Kevin Neary in the Remediation Division with any questions at Kevin.Neary@ct.gov.

Natural Diversity Database

DEEP staff noted that there is a monitored peregrine falcon nest on the underside of the I-95 bridge. DEEP does not anticipate negative impacts from this project given the existing human activity and the distance of at least 600 feet between the nest and the proposed activity.

This project is in a Natural Diversity Database Area, and DEEP staff confirmed that an application has not yet been submitted for review. Should other permits be required from DEEP, the applicant should submit a *Request for Natural Diversity Data Base (NDDDB) State Listed Species Review Form* (DEEP-APP-007) and all required attachments to the NDDDB. The Natural Diversity Database is a record of state or federal listed species maintained by the Wildlife Division that may be found in the project area.

Additional information concerning NDDDB reviews, and the request form may be found on-line at [NDDDB Requests](#).

Fisheries Division

The Fisheries Division recommends designing a public fishing access point into the project, potentially as mitigation, if mitigation is needed, or as a public service. The Fisheries Division is available for input on the design if fishing access could be included in the planned development.

Pleasure Beach Pier is currently the only area where residents and non-residents have access to saltwater fishing without paying for an access point. Residents often try to utilize local bridges for fishing, which

are not safe and not legal. Local tackle shops report that the Steelepointe Harbor area is a great location to catch bluefish, striped bass, scup, tautog, and blue crabs. Due to boat and ferry traffic the site does not lend itself to building a long fishing pier that extends out from the shoreline, but a walkway parallel to the shoreline could be possible. Please contact Bruce Williams from DEEP Fisheries Division with any questions or comments at Bruce.Williams@ct.gov, or 860-447-4317.

Water Diversion Permitting

There are three United Illuminating water diversion registrations associated with this property. These registrations are for industrial cooling water. Please contact Doug Hoskins in DEEP's Water Planning and Management Division, to start the process to surrender these licenses. He can be reached at Douglas.Hoskins@ct.gov, or 860-424-4192. The process is straightforward and can be done by completing a Registered Diversion Surrender Form, which Doug Hoskins has prepared for the developer.

Land and Water Resources Division

The Land and Water Resources Division has been working with this development since 2010, when the zone was changed to allow mixed-use. An authorization was issued to repair and construct the existing bulkhead at the head of the harbor along with retaining and upgrading stormwater outfalls, based on the General Development Plan. The details of any development for coastal land would be subject to local coastal site plan review, which the City of Bridgeport may refer to DEEP's Commissioner for review for consistency with the Connecticut Coastal Management Act. DEEP's main concern is any diminishment of water-dependent uses that were approved in the General Development Plan.

Any activities, such as new stormwater outfalls, boat slips, or other in-water structures, will require additional state authorizations. Please contact Susan Jacobson or John Gaucher from DEEP's Land and Water Resources Division with any questions at Susan.Jacobson@ct.gov, or John.Gaucher@ct.gov.

Water Permitting and Enforcement Division

If it is found that the dewatering wastewater from the foundation hole is contaminated, a registration under the *General Permit for the Discharge of Groundwater Remediation Wastewater* will be necessary for the discharge of that contaminated groundwater.

If there is the need for hydrostatic pressure testing of water lines or natural gas lines, the discharge can be directed to an existing sanitary sewer line. This discharge would be authorized without the need for registration by the *General Permit for Discharges from Miscellaneous Industrial Users* (MIU GP) as long as the following requirements are met:

- the maximum daily flow of the hydrostatic pressure testing wastewater is less than 5000 gallons per day
- the workers doing the hydrostatic pressure testing follow the Best Management Practices outlined in the MIU GP.

Any other wastewater discharges from the site, such as cleaning wastewaters or other process wastewaters, can also be discharged under the MIU GP to a sanitary sewer without registration as long as their maximum daily flow is less than 1000 gpd and they meet effluent limits of Table 5-1 (page 16 of 72) of the MIU GP. Please contact James Creighton at James.Creighton@ct.gov with any questions regarding these permit programs.

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. 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 first inch of rain (the water quality volume or WQV) and incorporating control measures for runoff reduction and low impact development practices.

Projects that are exempt from local permitting that disturb over one acre must submit a registration form and Stormwater Pollution Control Plan (SWPCP) to DEEP at least 60 or 90 days, as prior to the initiation of construction, as identified in the 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. For further information, contact the division at 860-424-3025 or DEEP.StormwaterStaff@ct.gov. The construction stormwater general permit registrations must be filed electronically through DEEP's e-Filing system known as ezFile. Additional information can be found online at: [Construction Stormwater GP](#).

Solid Waste Disposal

Demolition waste that is not contaminated with asbestos, PCBs, or other materials that require special handling is subject to Connecticut's [solid waste statutes and regulations](#), and must be reused, recycled, or disposed of accordingly. 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. Connecticut's [Comprehensive Materials Management Strategy](#) outlines a goal of 60% recovery rate for municipal solid waste by the year 2024. Part of this effort includes increasing the amount of construction and demolition materials recovered for reuse and recycling in Connecticut. It is recommended 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 the DEEP's [C&D Material Management](#) and [C&D Waste Management Plan](#) web pages

One way that certain types of construction and demolition waste can be reused is as clean fill. 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 Connecticut General Statutes and section 22a-209-2 of the RCSA. A fact sheet regarding disposal of special wastes and the authorization application form may be obtained at: [Special Waste Fact Sheet](#).

Air Management

DEEP Bureau of Air Management typically recommends the use of newer off-road construction equipment that meets the latest EPA or California Air Resources Board (CARB) standards. If 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 recommends 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 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 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: Camille Fontanella