



To: Jennifer Schneider, Department of Economic and Community Development

From: Linda Brunza

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Date: 12/8/2023

Subject: Scoping Notice for the Scovil Mill Remediation Project, Haddam

The Department of Energy and Environmental Protection (DEEP) has received the Notice of Scoping for the project sponsored by the Department of Economic and Community Development (DECD). The project is located at 11 Candlewood Hill Road in Haddam. The project will remediate two former mill buildings that were a part of the Scovil Hoe Company Mill. Remediation will consist of capping of contaminated soils, construction of engineering controls and/ or soil excavation. The existing buildings will be repurposed for commercial use.

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.

The following comments were submitted by staff for your consideration.

Permitting/ Regulatory Programs

Emergency Response and Spill Prevention

Contact: Gary Trombly, Assistant Division Director, Emergency Response and Spill Prevention Division, Gary.Trombly@ct.gov.

Multiple environmental investigations have been completed for the site. Recent reports include a draft Phase III Site Investigation report, and a draft remedial action plan (RAP), which were completed in April 2021. The draft RAP recommends soil removal in various areas, including an area that was impacted by a leaking underground storage tank, to comply with Connecticut Remedial Standard Regulations (RSRs).



Additionally, the site is part of the Connecticut [Voluntary Remediation Program](#). The applicant should contact the Remediation Division to confirm compliance with the program.

Natural Diversity Database

Contact: Robin Blum, Supervising Wildlife Biologist, 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: Bureau of Materials Management and Compliance Assurance, Permitting and Enforcement Division, 860-424-3025, 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.

Projects that are exempt from local permitting that disturb over one acre must submit a registration form and Stormwater Pollution Control Plan (SWPCP) to the Department at least 60 or 90 days, as identified in the permit, prior to the initiation of construction. Locally Approvable construction projects with a total disturbed area of one to five acres are not required to register with the Department 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 the Department 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](#).

Water Quality Permitting, Army Corps of Engineers and DEEP

The project is located adjacent to a watercourse, and there are no specific site plans showing the work area or any possible identified wetlands. If any work is to be conducted within wetlands such as filling portions or requiring a pipe or culvert, permitting may be required. If these activities are taking place, the applicant is advised to contact the [Army Corps of Engineers](#) first, to determine if the activities are in federally regulated wetlands or watercourses. If the area is under the federal jurisdiction, determined by soil types, hydrology, and wetland vegetation, then the Corps will require a [Section 404 Water Quality](#) permit under the Clean Water Act. This permit triggers the state 401 Water Quality permit, which is administered by DEEP's Land and Water Resources Division. A fact sheet regarding 401 Water Quality Certification is available on-line at: [401 Certification](#). Pre-application meetings with the Land and Water Resources Division are available to discuss design and permitting information.

Information/ Best Management Practices

Fisheries Division

Contact: Joe Cassone, Fisheries Division, Joe.Cassone@ct.gov.

Candlewood Hill Brook is located on the property, and directly south of the mill buildings. Candlewood Hill Brook is not currently stocked with trout, but the nearby Ponset Brook and Bible Rock Brook are stocked.

The proposed work should make efforts to maintain a vegetated buffer along Candlewood Hill Brook, during and after construction. During construction proper stormwater and erosion controls will be important to keeping the contaminated sediments on the site from reaching the brook.

DEEP's Fisheries Division could provide information and guidance if the brook can accommodate fishing or recreational opportunities,

Aquifer Protection

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, Environmental Analyst, Water Planning and Management Division, Bureau of Water Protection and Land Reuse, Marlene.Krajewski@ct.gov

As stated above, Candlewood Hill Brook is located on the property, directly south of the mill buildings. Candlewood Hill Brook is a tributary to Higganum Creek and Ponset Brook. Ponset Brook is an unimpaired river, and a potential source for public supply, therefore the water quality of Ponset Brook and its tributaries should be protected to the greatest extent possible. To minimize the water quality impacts of the redevelopment, proper management measures for stormwater and sediment should be taken, including during the extensive remediation efforts planned for this project.

Additionally, CT DEEP recommends the use of [Green Infrastructure](#) throughout the redevelopment, 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, in the adaptive reuse project.

Solid Waste Disposal

Contact: Frank Gagliardo, Supervising Environmental Analyst, Solid Waste Permitting Waste Engineering and Enforcement Division, Bureau Materials Management & Compliance Assurance, Frank.P.Gagliardo@ct.gov, 860-424-3130



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

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