extreme fluctuations in water surface elevations based on observed wrack lines, historic aerial photograph inundation mapping, and littoral zone/shoreline vegetation indicators. During our field investigations completed in April 2015, the water levels within the pond were somewhat low due to the lack of rain. The pond is supported by groundwater and surface water runoff from the Route 8 highway and bordering upland areas. The pond does not appear to have an inlet and/or outlet.

The shoreline vegetation consists of a variety of native plants including red maple (*Acer rubrum*), black birch (*Betula lenta*), white oak (*Quercus alba*), American elm (*Ulmus americana*), white pine (*Pinus strobus*), common winterberry (*Ilex verticillata*), highbush blueberry (*Vaccinium corymbosum*), silky dogwood (*Cornus amomum*), steeplebush (*Spiraea tomentosa*), soft rush (*Juncus effusus*), woolgrass (*Scirpus cyperinus*), lurid sedge (*Carex lurida*), American bur-reed (*Sparganium americanum*), and a variety of grasses.

The pond may support a warm-water fishery resource; however, no fish and/or signs of fishing (i.e., tangled fishing lines on vegetation) were observed around the pond. The pond may support amphibians and reptiles such as painted turtles, snapping turtles, green frogs, bull frogs, pickerel frogs, and water snakes. No wood frogs, spring peepers, and/or salamanders were observed during our field visit. Several birds were observed in and/or around the pond edge including mallards, northern cardinal, American robin, black-capped chickadee, and tufted titmouse.

The pond provides several important functions including warm-water fishery resource, localized wildlife habitat, and nutrient retention.

If you have any questions regarding this wetland delineation summary letter, please do not hesitate to call me at (203) 271- 1773.

Very truly yours,

MILONE & MACBROOM, INC.

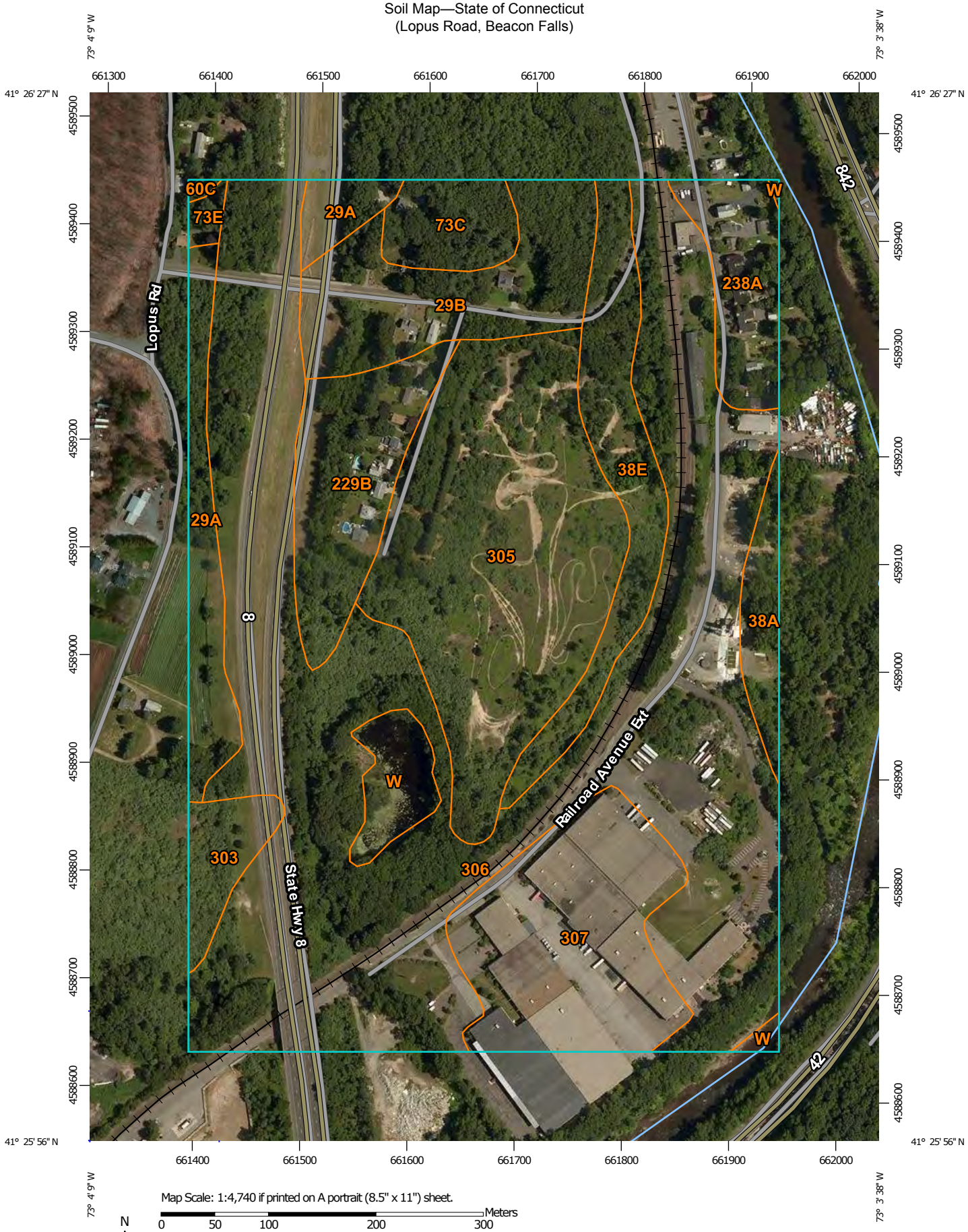
Matthew J. Sanford, MS, PWS, Associate
Lead Environmental Scientist

Enclosures

1103-87-2-m1515-ltr

NRCS Web Soil Survey Map

Soil Map—State of Connecticut
(Lopus Road, Beacon Falls)



MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils
- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points

Special Point Features
- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- Marsh or swamp
- Mine or Quarry
- Miscellaneous Water
- Perennial Water
- Rock Outcrop
- Saline Spot
- Sandy Spot
- Severely Eroded Spot
- Sinkhole
- Slide or Slip
- Sodic Spot
- Spoil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:12,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL: http://websoilsurvey.nrcs.usda.gov
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: State of Connecticut
Survey Area Data: Version 13, Oct 28, 2014

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Mar 28, 2011—Jul 22, 2014

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

State of Connecticut (CT600)			
Map Unit Symbol	**Map Unit Name**	**Acres in AOI**	**Percent of AOI**
29A	Agawam fine sandy loam, 0 to 3 percent slopes	4.7	4.2%
29B	Agawam fine sandy loam, 3 to 8 percent slopes	7.1	6.4%
38A	Hinckley gravelly sandy loam, 0 to 3 percent slopes	1.8	1.6%
38E	Hinckley gravelly sandy loam, 15 to 45 percent slopes	5.8	5.2%
60C	Canton and Charlton soils, 8 to 15 percent slopes	0.1	0.1%
73C	Charlton-Chatfield complex, 3 to 15 percent slopes, very rocky	2.4	2.2%
73E	Charlton-Chatfield complex, 15 to 45 percent slopes, very rocky	0.4	0.3%
229B	Agawam-Urban land complex, 0 to 8 percent slopes	5.7	5.2%
238A	Hinckley-Urban land complex, 0 to 3 percent slopes	3.5	3.2%
303	Pits, quarries	1.9	1.7%
305	Udorthents-Pits complex, gravelly	17.4	15.7%
306	Udorthents-Urban land complex	47.9	43.3%
307	Urban land	9.7	8.8%
W	Water	2.1	1.9%
Totals for Area of Interest		**110.6**	**100.0%**

EXHIBIT I

Noise Assessment

Beacon Falls Energy Park
Noise Assessment Report

Prepared for
Beacon Falls Energy, LLC

Prepared by
TRC Environmental Corporation
41 Spring Street
New Providence, NJ 07974

August 2015

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1.0 INTRODUCTION

TRC Environmental Corporation ("TRC") conducted a technical noise assessment of the proposed Beacon Falls Energy Park (the "Project") that would be located at a former sand and gravel mine owned by O&G Industries. The Project will include 16 DFC3000 Fuel Cell Energy modules and 5 HEFC Fuel Cell Energy modules with the capacity to generate 2.8 Megawatts (MW) and 3.7 MW each, respectively. The total Project output potential is approximately 63 MW. The property is bordered by residential uses to the west, north and northeast. Commercial and industrial land uses are located to the east and south of the site.

The noise assessment consisted of two parts: an ambient noise monitoring program in the vicinity of the Project in order to characterize the existing noise environment; and a detailed noise modeling study/impact evaluation of the proposed Project. The background ambient noise monitoring program was conducted on July 21-22, 2015. Modeled Project noise levels were compared against the State of Connecticut Noise Standard and the Town of Beacon Falls Noise Ordinance to determine compliance, and further evaluated against the existing minimum ambient noise levels. The results of the noise assessment are summarized in this report.

2.0 GENERAL INFORMATION ON NOISE

Noise is defined as unwanted sound. Excessive noise can cause annoyance and adverse health effects. Annoyance can include sleep disturbance and speech interference. It can also distract attention and make activities more difficult to perform (EPA, 1978).

The range of pressures that cause the vibrations that create noise is large. Noise is therefore measured on a logarithmic scale, expressed in decibels (dB). The frequency of a sound is the "pitch". The unit for frequency is hertz (Hz), or cycles per second. Most sounds are composed of a composite of frequencies. The human ear can usually distinguish frequencies from 20 Hz (low frequency) to about 20,000 Hz (high frequency), although people are most sensitive to frequencies between 500 and 4000 Hz. The individual frequency bands can be combined into one overall dB level.

Noise is typically measured on the A-weighted scale (dBA). The A-weighting scale has been shown to provide a good correlation with the human response to sound and is the most widely used descriptor for community noise assessments (Harris, 1991). The faintest sound that can be heard by a healthy ear is about 0 dBA, while an uncomfortably loud sound is about 120 dBA. In order to provide a frame of reference, some common sound levels are listed below.

- Pile Driver at 100 feet 90 to 100 dBA
- Chainsaw at 30 feet 90 dBA
- Truck at 100 feet 85 dBA
- Noisy Urban Environment 75 dBA
- Lawn Mower at 100 feet 65 dBA
- Average Speech 60 dBA
- Average Office 50 dBA
- Rural Residential During the Day 40 dBA
- Quiet Suburban nighttime 35 dBA
- Soft Whisper at 15 feet 30 dBA

Common terms used in this noise analysis are defined below.

L_{eq} — The equivalent noise level over a specified period of time (i.e., 1-hour). It is a single value of sound that includes all of the varying sound energy in a given duration.

Statistical Sound Levels — The A-weighted sound level exceeded a certain percentage of the time. The L_{90} is the sound level exceeded 90 percent of the time and is often considered the background or residual noise level. The L_{10} is the sound level exceeded 10 percent of the time and is a measurement of intrusive sounds, such as aircraft overflight.

3.0 APPLICABLE STANDARDS/GUIDELINES

3.1 State of Connecticut

The State of Connecticut has a detailed noise standard which is applicable to the Facility and the proposed Project (Section 22a-69 of the Connecticut Department of Energy & Environmental Protection portion of the Regulations of Connecticut State Agencies). The standard limits noise from a source, as measured at certain Noise Zones when emitted from other Noise Zones. These Zones include the following:

- Class A - Generally residential, hotels, hospitals and other sensitive areas.
- Class B - Commercial areas
- Class C - Industrial uses

It should be emphasized that the noise standards are expressed as noise attributable to a specific source at a receptor and that the total noise measured at a given location (i.e., source plus background) may be greater than that which is attributable to a specific source. The proposed facility is an industrial use in an industrially zoned area (Class C). The nearest noise sensitive areas are the residential uses on Gruber Road (Class A). As such, the applicable portion of the noise standard is a source located in a Class C area, and the measured noise level from that source at a Class A area. Summarized below are the noise limits for this scenario.

Class C source emitting to a Class A receiver

Daytime	Nighttime
61 dBA	51 dBA

Nighttime is defined in the standard as the hours between 10 p.m. to 7 a.m. A second limit is applicable to the nearest industrial property line, which is the State of Connecticut Department of Transportation Metro North Railroad line to the east of the proposed site. Facility noise at this location would be limited to 70 dBA at any hour of the day.

The allowable level is reduced by 5 dBA if the proposed source emits prominent discrete tones. Prominent discrete tones are defined in 22a-69 as acoustic energy which produces a one-third octave band sound pressure level greater than that of either adjacent one-third octave band and which exceeds the arithmetic average of the two adjacent one-third octave bands by the following amounts shown in Table 1.

Table 1 Prominent Discrete Tone Determination			
One-Third Octave Band Center Frequency (Hz)	**dB**	**One-Third Octave Band Center Frequency (Hz)**	**dB**
100	16	1250	4
125	14	1600	4
160	12	2000	3
200	11	2500	3
250	9	3150	3
315	8	4000	3
400	7	5000	4
500	6	6300	4
630	6	8000	5
800	5	10000	6
1000	4		

For areas where the existing background noise levels (not including noise from the regulated source) already exceed the allowable limits, the regulated source would not be deemed to be causing excessive noise if the noise emitted by the regulated source is not greater than 5 dBA above background levels, with an absolute upper limit of 80 dBA.

3.2 Town of Beacon Falls

The Town of Beacon Falls has a noise ordinance called the Ordinance Regarding Noise. The ordinance contains the same numerical sound level limits applicable to the Project as the State of Connecticut noise standard. The ordinance also limits construction activities to the hours of 7 am to 8 pm weekdays and Saturdays. No construction activity is permitted on Sundays and legal holidays.

3.3 Ability to Perceive Changes in Noise and Noise Impact Potential

The ability of the average person to perceive increases in noise has been documented. In general, an increase of 3 dBA or less is considered to be barely perceptible, while an increase of 5 dBA is considered to be noticeable. A 10 dBA increase is perceived as a doubling of the sound.

The potential for noise impacts is also dependent on whether the increase occurs over an existing low level of sound or over an existing high level of sound. For example, the sound level in a library or a very quiet office is typically 30 dBA to 35 dBA. If that sound level were increased to 40 dBA to 45 dBA, it would be perceived as a doubling of the sound, but it would not be loud. On the other hand, the sound level 50 feet from a major freeway is typically 75 dBA to 80 dBA. Increasing that level by 10 dBA would also be perceived as a doubling of the sound, but would be more noticeable and would be much more of an impact because the sound level would be very high. This is further supported by noise impact criteria utilized by the Federal Transit Administration in their guidance document "Transit Noise and Vibration Impact Assessment" (FTA, 2006). Their guidance shows that no noise impact is expected when existing noise levels are low (less than 43 dBA), and increases of up to 10 dBA occur due to a new project.

4.0 EXISTING CONDITIONS

The land uses immediately bordering the site consist of a combination of residential, industrial, and commercial uses. The nearest residences are located to the west on Gruber Road, approximately 500 feet from the center of the proposed Project. Additional residential uses are located to the north on Lopus Road and to the northeast on Railroad Avenue. Commercial and industrial uses are located to the east and south.

4.1 Ambient Monitoring

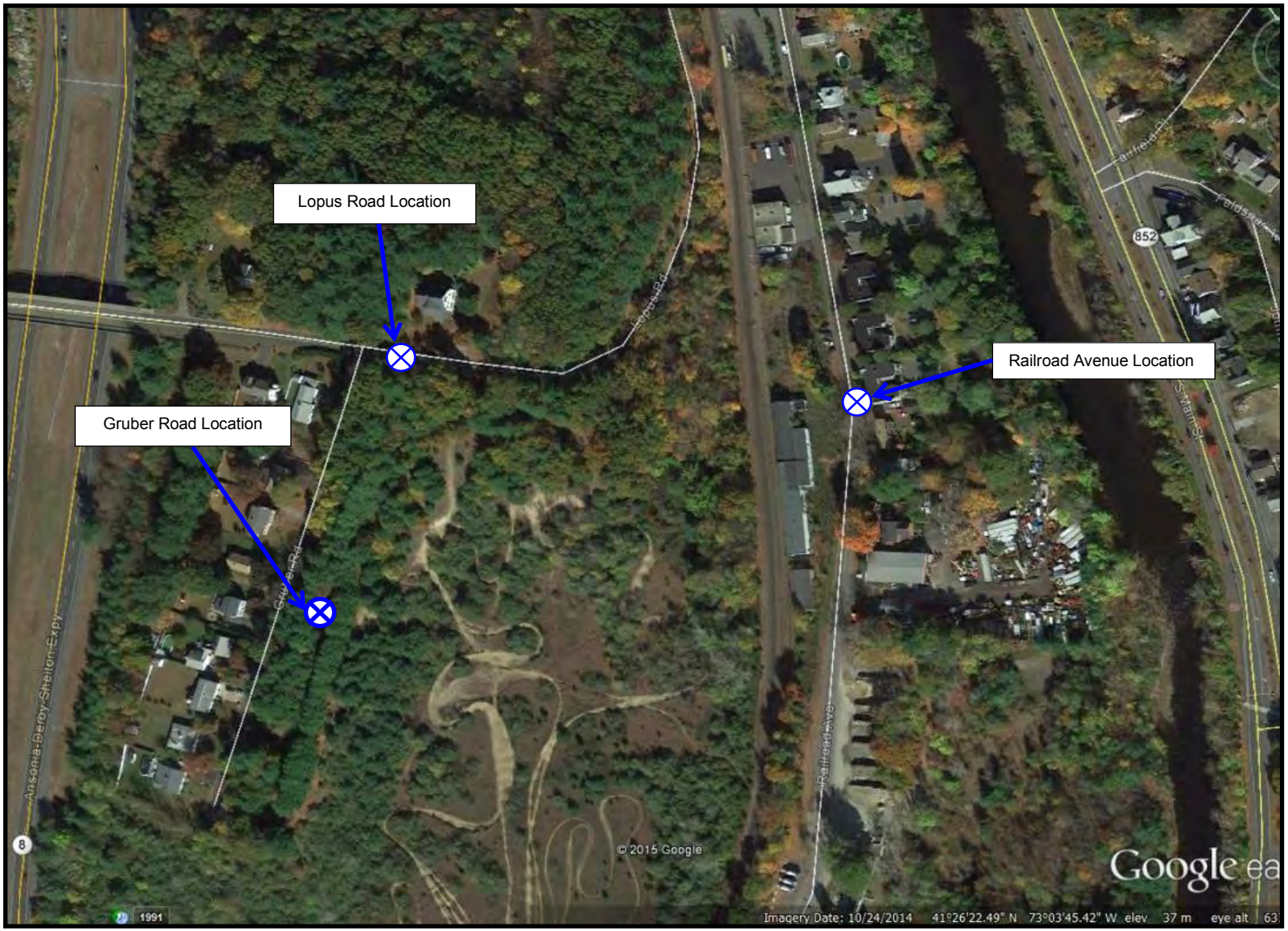
TRC conducted an ambient noise monitoring program for the proposed Project on July 21-22, 2015 at three residential areas bordering the site. The noise monitoring program was conducted in order to establish existing conditions in the area. A figure depicting the site area and the selected noise monitoring locations is provided as Figure 1.

Meteorological conditions during the noise measurement program included temperatures that ranged from 88 degrees F during the day to 62 degrees F at night. Winds were generally from the south and southwest, ranging from calm to about 3 miles per hour (mph). Somewhat stronger winds, ranging from 5 to 10 mph occurred during the daytime hours of July 22, 2015. A brief period of rain showers occurred at approximately 7 pm on July 21, 2015, lasting approximately 45 minutes. Roads were completely dry by 9:30 that evening.

The existing noise environment during daytime hours at the Gruber Road and Lopus Road locations is dominated by traffic noise from Route 8. Noise from passing cars and trucks on Lopus Road was also noted at the Lopus Road location. At the Railroad Avenue location, noise from passing cars and trucks was the dominant noise source, as well as traffic noise from Route 8. Other sounds that were noted during the day, to a much lesser degree, were natural sounds such as birds and rustling leaves.

At night, Route 8 traffic noise was the predominant source of noise at all locations. Additional sounds noted at night included a passing train, faint residential air conditioners, and some rustling leaves. Little to no insect noise was noted during either the daytime or nighttime hours.

Figure 1: Site Area Map and Noise Monitoring Locations



4.1.1 Continuous Noise Monitoring

A RION NL-31 integrating sound level meter was utilized for continuous monitoring at the Gruber Road location. The meter meets the requirements for ANSI S1.4-1983 Type 1 or better sound level meters. The meter microphone was fitted with a windscreen in order to reduce wind generated noise, and mounted on a small pole in the wooded area approximately 50 feet east of Gruber Road as shown on Figure 1. The meter was programmed to measure and store data in 1-minute increments during the period. The data summary from this monitoring program is presented graphically in Figure 2. The data set was further tabulated into hourly averages and is presented in Table 2.

The State of Connecticut noise standard considers the L_{90} sound level as the background sound level. A review of the plots in Figure 2 reveals that existing L_{90} noise levels at the Gruber Road location ranged from about 35 dBA at night, up to about 50 dBA during the day. L_{eq} levels, which include all of the sounds present, were higher, ranging from about 35 dBA to 55 dBA. Measured noise levels at night are more variable than during the day, due to periodic brief lulls in the ambient sound that occurs as Route 8 traffic noise varies depending on traffic volumes. Some brief periods of lower sound levels did occur as reflected in the one minute averages presented in Figure 2. The spike in sound levels from approximately 7 pm to 7:30 pm is due to the aforementioned rain showers that occurred.

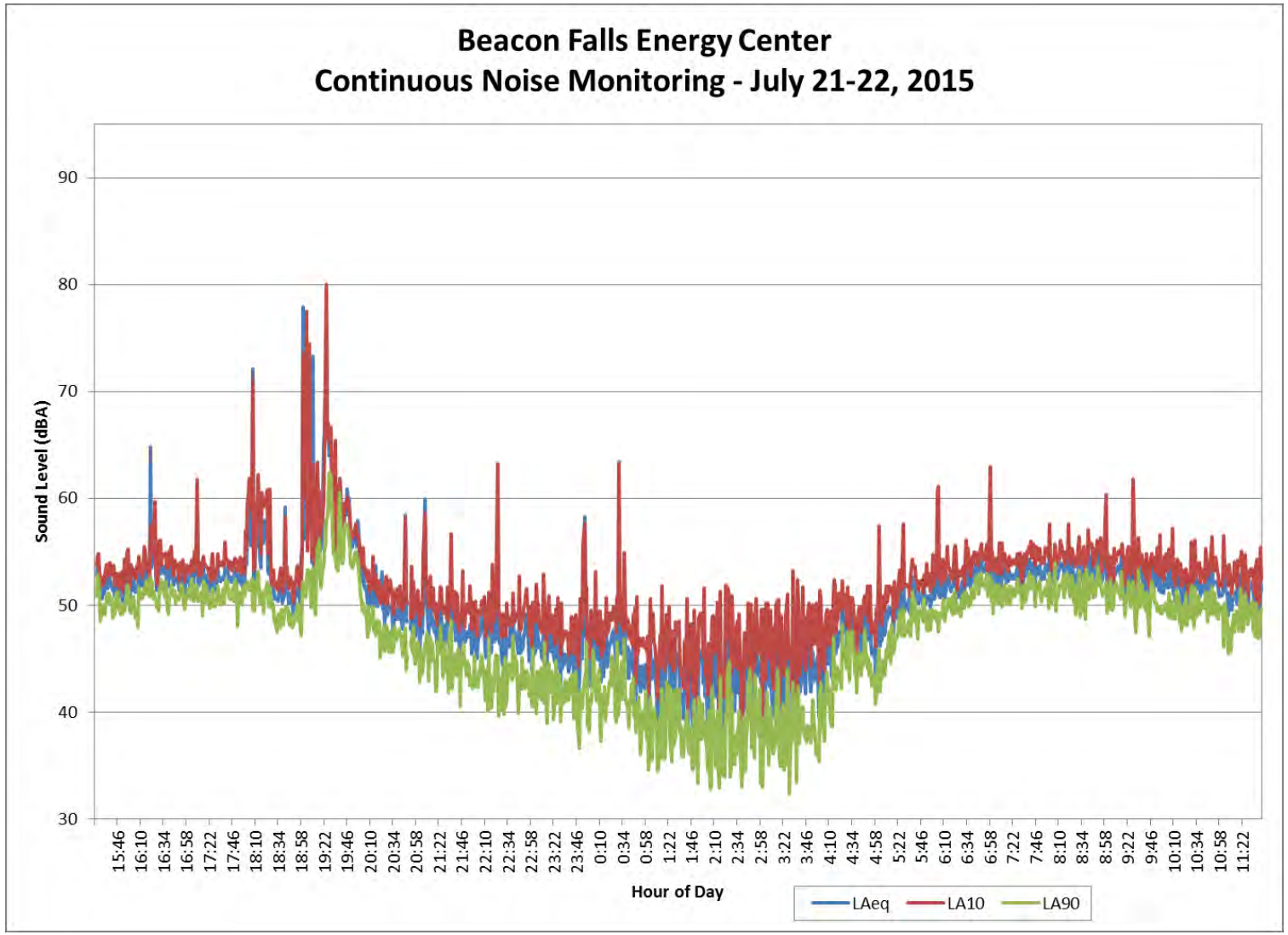
The tabulated hourly data (Table 2) reveals hourly L_{eq} noise levels ranging from about 44 dBA at night, up to about 54 dBA during the day. The higher L_{eq} levels that occurred at hours 2000 and 2100 were due to the rain showers, and are not typical sound levels for the area.

Table 2
Summary of Hourly Background Measured Noise Levels (dBA)

Date	Hour Ending	L_{eq}	L_{90}	L_{10}
July 21, 2015	16	52.2	50.6	53.4
	17	53.7	51.0	54.4
	18	52.8	51.0	54.2
	19	61.9 (1)	50.2 (1)	60.1 (1)
	20	64.6 (1)	56.0 (1)	66.5 (1)
	21	50.6	47.4	51.9
	22	49.1	45.0	50.9
	23	48.2	43.4	50.8
	24	47.1	42.2	49.2
July 22, 2015	1	47.1	41.9	50.3
	2	43.7	38.9	47.0
	3	43.8	39.0	47.3
	4	44.4	39.1	48.1
	5	47.1	44.2	49.4
	6	50.4	47.9	52.3
	7	52.9	50.8	54.9
	8	53.0	51.3	54.4
	9	53.5	51.6	55.0
	10	52.8	50.8	54.4
	11	51.9	49.8	53.6
	Maximum	53.7	51.6	55.0
	Minimum	43.7	38.9	47.0

(1) Rain showers occurred. These data are not utilized in the analysis.

Figure 2: Continuous Ambient Noise Monitoring



4.1.2 Ambient Short-Term Measurements

Short-term monitoring (15 minutes in duration at each location) was conducted during the day and twice late at night during the monitoring program. This short-term monitoring was conducted with a RION NL-52 precision integrating sound level meter and octave band analyzer. The NL-52 meets ANSI S1.4-1983 requirements for precision Type 1 sound level meters. The microphone was fitted with a windscreen to reduce any wind generated noise and mounted at a height of approximately five feet above the ground. The instrument was configured to measure and store the L_{eq}, L_{90}, L_{10}, L_{max} and L_{min} one-third octave band levels. The meter was calibrated at the beginning and at the end of the measurement period with a Bruel & Kjaer model 4231 calibrator. Both the meter and calibrator had been certified traceable to NIST standards by a calibration laboratory within one year of the testing program.

A summary of the overall A-weighted $L_{90,}$ $L_{eq\ and}$ L_{10} data measured during the ambient program is presented in Table 3 below. The short-term data at the Gruber Road location correlates well with the minimum hourly sound levels from the continuous meter at the same location (Table 2)

Table 3
Measured Ambient Noise Level Data (dBA)

Location	Daytime			Nighttime		
	L_{eq}	L_{10}	L_{90}	L_{eq}	L_{10}	L_{90}
Gruber Road	56.0	57.4	53.9	47.5	50.3	41.9
				46.5	49.8	40.2
Lopus Road	57.1	54.1	47.5	44.4	48.0	36.1
				44.2	48.0	35.3
Railroad Avenue	64.2	61.6	45.4	59.9	55.8	42.1
				37.9	41.1	35.7

The data presented in Tables 2 and 3 reveal that low ambient (L_{90}) noise levels currently exist during the late night hours, ranging from 35 dBA to 40 dBA at all locations. The measured L_{eq} levels, which include all sounds present, were higher, ranging from 38 dBA to 60 dBA. Higher ambient levels occurred during the day due to increased vehicular traffic on Route 8 and local roads, and other increased activity.

5.0 NOISE MODELING

5.1 Methodology

Computer noise modeling was conducted utilizing the CadnaA noise model (DataKustik, 2014). This very powerful 3-dimensional model maps the noise contours of the overall Project in accordance with a variety of standards, primarily VDI 2714 Outdoor Sound Propagation and ISO 9613 (ISO, 1996). The software is designed to take into account spreading losses, ground and atmospheric effects, shielding from terrain, barriers and buildings, and reflections from surfaces. These model capabilities are especially important in an area such as the Project site, as the effects of the local terrain can be accounted for. Site specific GIS topographic data were obtained and incorporated into the model.

The Project consists of 21 fuel cells, which includes 16 DFC3000 fuel cells and 5 HEFC fuel cells. The HEFC fuel cells have slightly more components than the DFC3000 fuel cells. Each fuel cell has several noise generating components that include the following:

- DFC3000 or HEFC Module
- Fresh Air Blower
- Discharge Piping
- Air Heater
- Chiller
- Transformer

In addition, the Project will contain a switchyard with a main step-up transformer.

Sound level data for each fuel cell component were obtained directly from Fuel Cell Energy. Noise emission data for the main step up transformer were developed using standard NEMA sound ratings for the proposed transformer MVA rating (40/53/66 MVA).

The modeling considered hemispherical spreading and atmospheric absorption for this analysis. Standard conditions of 50° F and 70 percent relative humidity were assumed. The ground was set to partially absorptive. In order to remain conservative in the analysis, no credit was taken for tree foliage.

Modeling receptors were chosen at specific residential locations near the Project site. An initial noise model was prepared, utilizing the standard design and noise emissions data for the fuel cells. The results of this model indicated that Project related sound levels would exceed the State of Connecticut and Town of Beacon Falls noise standard limits for nighttime hours at some residential locations.

The Project therefore opted for Fuel Cell Energy's low noise option design. This design includes enclosures for some fuel cell components, and a silencer on the fresh air blower. The model was revised to include the low noise data sources. In addition to selecting the low noise option, the Project also opted to install a sound barrier wall along Gruber Road to further reduce sound levels in that neighborhood. The sound barrier wall would be located approximately 50 to 100 feet from the eastern edge of Gruber Road, and would extend approximately 900 feet from north to south.

5.2 Noise Modeling Results and Compliance with Noise Standards

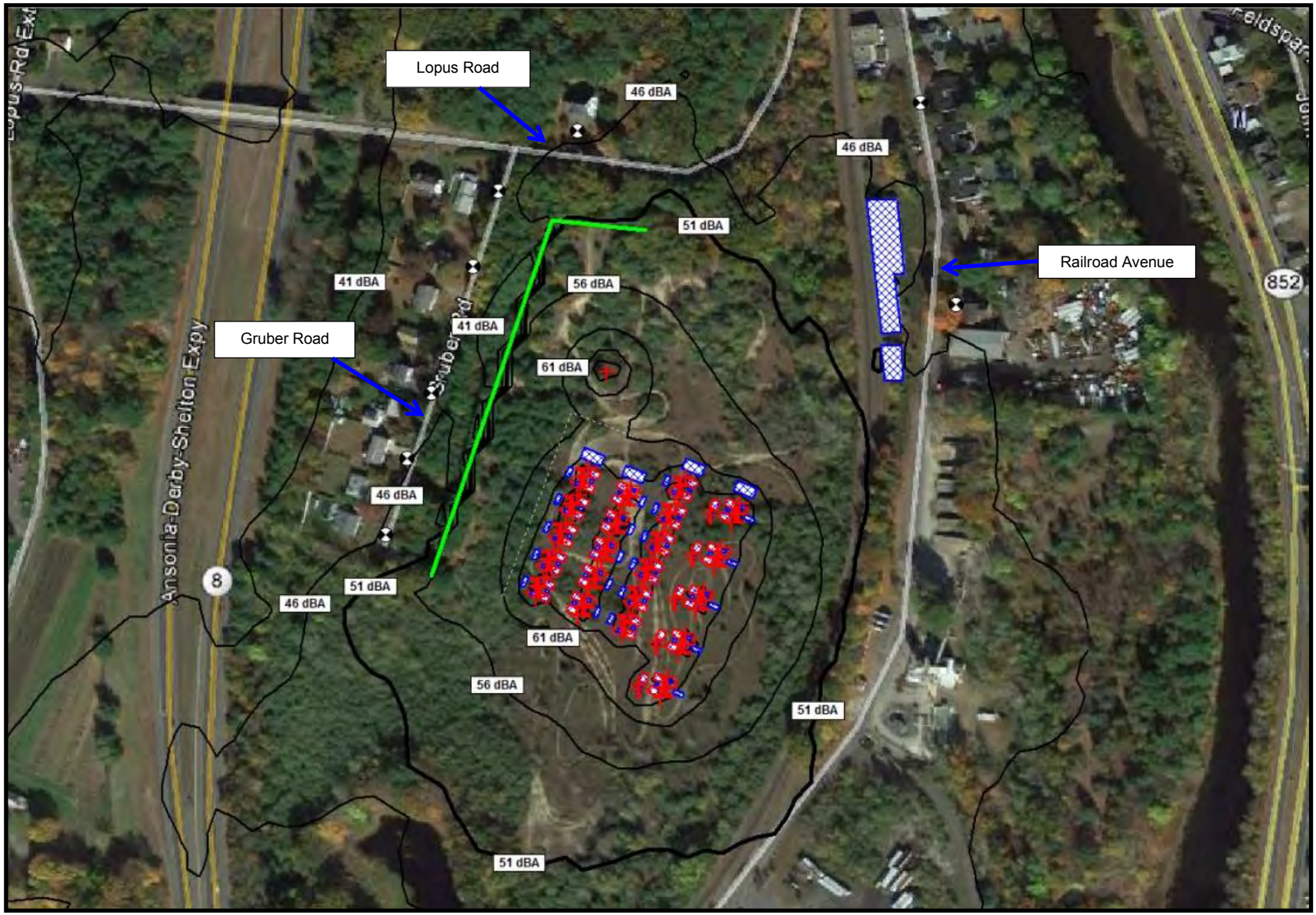
The noise modeling results for each residential location, with the low noise design option and the proposed sound barrier wall included, are presented in Table 4. A noise contour map, depicting the modeled noise levels in the area surrounding the Project, is provided as Figure 3.

Table 4
Noise Modeling Results (dBA)

Location	Modeled Project Sound Level	State of Connecticut and Town of Beacon Falls Nighttime Noise Standard
Gruber Road	43 to 47 (1)	51
Lopus Road	46	51
Railroad Avenue	43 to 45 (1)	51

(1) Modeled levels reflect the results at multiple residences on Gruber Road and Railroad Avenue

Figure 3: Noise Contour Map



The data in Table 4 reveal that Project sound levels will be below 51 dBA at all residential locations. The Project is therefore projected to be in compliance with the State of Connecticut noise standard and the Town of Beacon Falls noise ordinance limits for nighttime hours.

5.3 Projected Increase Over Existing Ambient Levels

Table 5 provides the modeled sound levels for the Project with the low noise option and the proposed sound barrier wall, the existing minimum late night ambient (L_{90}) sound levels, and the subsequent increase in noise anticipated to occur with Project operation.

Table 5
Noise Modeling Results Compared to Existing Ambient Noise Levels (dBA)

Location	Modeled Project Noise Level	Existing Minimum Measured Nighttime L_{90} Level	Total Future Noise Level	Increase Over Existing Minimum Nighttime Level
Gruber Road	43 to 47	39	44 to 48	5 to 9
Lopus Road	46	35	46	11
Railroad Avenue	44 to 45	36	45 to 46	9 to 10

The existing ambient L_{90} data presented in Table 6 reflect the lowest sound level measured at each location. The L_{90} is the sound level in the absence of extraneous sources (it is the lull in sound levels that is heard when intermittent traffic and other intermittent sources are not present). Because minimum ambient L_{90} noise levels are so low at night, the data presented in Table 6 reveal that during the quietest hours, noise levels at the most proximate residential locations will increase by between 5 dBA and 11 dBA, even though the modeled Project related sound levels are below the nighttime noise level limits in the standards. As noted previously, a 10 dBA increase is perceived as a doubling of the sound level. As was also noted, however, a doubling of a low ambient level is less significant than a doubling of a high ambient level.

As noted above, the projected increases are for the quietest hours of the night. During other hours of the night and especially during the day, ambient levels are much higher (45 dBA or more as shown in Table 3). During daytime hours, Project noise levels will be at or below ambient levels, with little to no increases to these higher ambient levels.

It is not practical and likely not possible to make the Project sources completely inaudible at all locations under all ambient conditions. The goal of a project such as this should be to minimize the potential for noise impacts to the extent practical.

5.4 Discrete Tone Noises

It was not possible to model the potential for prominent discrete tone noise, since this would require 1/3 octave band data, which were not available. Further, the CadnaA model is not designed to model 1/3 octave band data. Observations conducted at another fuel cell site with the standard design did not reveal the presence of any audible tonal sounds. It is expected that the Project low noise design features will act to further reduce the possibility of tonal sounds.

6.0 REFERENCES

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EXHIBIT J

Phase I Environmental Site Assessment Report

PHASE I ESA
23.80 ACRES ON LOPUS ROAD
(TAX ID #007-002-0012 AND #007-002-0021)
BEACON FALLS, CT

PREPARED BY:

CATALYST ENVIRONMENTAL CONSULTING, INC.
7B HERMAN DRIVE
SIMSBURY, CT
(860) 651-6900

CATALYST PROJECT #15-216
AUGUST 5, 2015

Catalyst Environmental Consulting, Inc.
7B Herman Drive
Simsbury, Connecticut 06070
(860) 651-6900
Fax (860) 651-6902

August 5, 2015

Atty. Paul Balavender
O&G Industries Inc.
112 Wall Street
Torrington, CT 06790

RE: **Phase I ESA**
23.80 Acres on Lopus Road, CT
Catalyst Project #15-216

Dear Atty. Balavender,

We have performed a Phase I ESA in conformance with the scope and limitations of the ASTM Practice E1527-13 of 23.80 acres on Lopus Road (Tax ID #007-002-0012 and #007-002-0021), Beacon Falls, CT, the subject site. Any exceptions to or deletions from this practice are described in **Section 1.0** of this report. This assessment has revealed evidence of recognized environmental conditions in connection with the property as detailed in **Sections 6.0** and **8.0**.

Please feel free to contact us if you have any questions or require any explanations or clarifications.

Sincerely,

Peter J. Prey
Environmental Scientist

Reviewed by:

Mark A. Gottlieb, LEP
President

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1.0 INTRODUCTION

In July 2015, Catalyst Environmental Consulting Inc. ("Catalyst") conducted a Phase I Environmental Site Assessment of two parcels located on Lopus Road (Tax IDs 007-002-0012 and 007-002-0021), in Beacon Falls, Connecticut. The purpose of this assessment was to determine the likelihood of an existing or historical release, or a threatened release, of hazardous substances or petroleum products into structures at the site, or into the soil, groundwater or surface water at the site. In addition, an opinion was formed regarding the status of the site as an "Establishment" as defined in Connecticut General Statutes (Conn. Gen. Stat.) § 22a-134. This assessment meets and exceeds ASTM standards for Phase I Environmental Site Assessments and conforms to the 2007 CT DEEP Site Characterization Guidance Document. Limitations to our work product are discussed in **Attachment 1**.

The scope of work for this project included:

- a site visit
- historical review of the site usage
- review of federal, state, and municipal records
- report generation

This report was prepared by Peter Prey, Senior Environmental Scientist, and exceeds the standards set forth in ASTM E1527-13 as follows:

- review of additional Connecticut databases and files
- consideration of the "Establishment" status of the site
- additional historical research

2.0 SITE RECONNAISSANCE

2.1 Site Description

The subject site is located at the southeastern corner of the intersection of Lopus Road and Gruber Road, in Beacon Falls, CT. Refer to **Figures 1-3** in **Attachment 2**. Identified in the Beacon Falls Assessor's records as **Tax IDs 007-002-0012** and **007-002-0021**, this 23.80-acre site is a former sand and gravel pit that has been dormant for approximately 25 years; no improvements are present at the site. See **Photographs 1-5** in **Attachment 3**.

Peter Prey of Catalyst conducted the site reconnaissance on July 29, 2015, unaccompanied by a site representative. Site boundaries were determined using a Beacon Falls GIS map. Site reconnaissance consisted of walking the site boundaries; several traverses across the site; a curbside inspection of the abutting properties; and a drive-by inspection of the immediately surrounding area. Inspection of the site was limited by overgrown vegetation and brush.

Numerous dirt bike paths/trails are present throughout the site. A shallow depression was noted at the site's northeasternmost portion; it appears to straddle the northeast property line. The northern side of the depression appeared to have a stone foundation-like wall approximately 3 ft. high **(Photograph 6)**. An empty, rusted drum and scrap metal were observed protruding from the ground in the vicinity of the depression **(Photograph 7)**. See **Figure 3** for location.

Additionally, small amount of scattered municipal solid waste were observed throughout the site. Several piles of soil, leaf and brush debris and vehicle storage from the neighboring residences are also present at the westernmost portion of the site **(Photograph 7)**, along Gruber Road. No objectionable materials were noted in the area along Gruber Road.

No evidence of aboveground/underground storage tanks (ASTs/USTs), drinking water or groundwater monitoring wells, or stressed vegetation was noted during the exterior inspection.

2.2 Site Utilities

UTILITY	YES	NO	FORMER
Septic system		X	
Municipal sewer		X	
Private well		X	
Municipal water		X	
Electricity		X	
Fuel oil heat		X	

UTILITY	YES	NO	FORMER
Natural gas		X	
Electric heat		X	
Propane heat		X	

2.3 Building Toxins

Asbestos – An asbestos survey was not included in the Scope of Work for this project, as no buildings are present.

Lead-based paint – A lead-based paint survey was not included in the scope of work for this project, as no buildings are present.

Radon – No radon testing was conducted at the subject site. According to the "Indoor Radon Potential Map of Connecticut," prepared and published in 1997 by the CT DEEP, the site is located in an area of "moderate to high" radon potential, indicating that 33% of tested homes have basement radon levels greater than or equal to 4.0 pCi/l. Please note that this map is not to be used for site specific evaluations.

PCB – No potential PCB-containing equipment is present at the site.

2.4 Surrounding Area

The site is located in a mixed-use residential and industrial portion of Beacon Falls. The site is bounded by Lopus Road to the north and Gruber Road to the west. Site abutters include dwellings to the north and west; railroad tracks to the east and southeast; and vacant land to the southwest. Beyond the railroad tracks are vacant buildings to the northeast; a concrete batch plant to the east; and Murtha Industrial Park (contains numerous shipping and receiving/warehousing businesses) to the southeast.

2.5 High-Risk Properties

The following potential high-risk properties are located in the immediate site vicinity:

1) *Former Zollo Drum Company and Watkins Machinery (100 Railroad Avenue)*: This property, which is located approximately 100 ft. east and topographically down-gradient of the site, was formerly occupied by an industrial waste disposal company, a drum reclamation company and a metal wire reclamation business. The property is listed on the CERCLIS and RCRA databases and the Stated Discovery and Assessment Database.

2) *Murtha Industrial Park (Railroad Avenue Extension)*: This property, which is located approximately 150 ft. southeast and topographically down-gradient of the site, is listed on the

State UST and Leaking UST databases, due to releases from an 8,000-gallon fuel oil UST and a 2,000-gallon diesel UST in November of 2000.

Both these properties are located down gradient of the site, and not likely to have a significant impact on the site.

Additional high-risk properties are located at greater distances. See **Sections 5.2** and **5.3**.

3.0 SITE AND AREA GEOLOGY/HYDROLOGY

3.1 Topography

The site is located on the Beacon Fall, CT USGS topographic quadrangle. Topography at the site has been altered by sand and gravel mining operations that occurred at the site between the 1950s and early-1990s. The site's elevation is mapped from approximately 200 ft. above mean sea level at the western and northern portions to 140 ft. at the eastern and southeastern portions. The regional topography slopes downward to the east to southeast toward the Naugatuck River. **(Figure 1** in **Attachment 2)**.

3.2 Bedrock Geology

According to the "Bedrock Geological Map of Connecticut" (Rodgers, 1985), the majority of the site is underlain by the Collinsville Formation, while the northernmost portion is underlain by the Straits Schist. The Collinsville Formation is a metamorphic gray and silvery, medium- to coarse-grained schist and dark, fine- to medium-grained amphibolite hornblende gneiss. The Straits Schist is also a metamorphic silvery to gray coarse-grained schist. No bedrock outcrops were observed at the site.

3.3 Surficial Geology

According to the "Surficial Materials Map of Connecticut" (Stone et al., 1992), surficial material underlying the site is composed of sand and gravel overlying sand. In these areas sand and gravel is generally less than 20 ft. thick, horizontally bedded and overlies thicker inclined layers of sand. Medium to fine-grained sand was noted throughout the center of the site, and mixtures of sand and gravel were noted on steep slopes located at the northwestern and northern portions of the sitse.

3.4 Surface Water Hydrology and Wetlands

The site is located in the Naugatuck River Sub Basins of the Housatonic River Major Basin. The closest major down-gradient surface water feature is the Naugatuck River, approximately 800 ft. east of the site. Water in this river is classified "B." Please refer to the enclosed "Introduction to Connecticut's Water Quality Classifications for Surface and Groundwater" (**Attachment 6**). Based on visual inspection and review of the CT DEEP Environmental Conditions Online website, wetlands are not located at the site. A small pond is preset at the southwest corner of the site.

3.5 Groundwater Hydrology

According to the "Adopted Water Quality Classifications" map (CT DEEP, v. 2014), groundwater at the site is classified "GA." The GA designation indicates that the groundwater is presumed to be unsuitable for direction human consumption without treatment. Please refer to the enclosed "Introduction to Connecticut's Water Quality Classifications for Surface and Groundwater" (**Attachment 6**). According to the CT DEEP Environmental Conditions Online website, the site is not located in an Aquifer Protection Area.

Based on topography, the hydrologic gradient at the site is to the east, toward the Naugatuck River. Local variations may exist, and if a precise determination of the groundwater flow direction is desired, actual field measurements in the form of a groundwater leveling survey are required.

4.0 SITE HISTORY

The first known usage of the site was a farm field (pasture and/or hayfield) in the mid-1930s. By 1951, sand and gravel excavation activities had begun at the southern portion of the site and continued throughout the majority of the site until the early 1990s. No structures have been present at the site. Details pertaining to the site history are detailed below.

4.1 Title Search

A chain of title was created from records located in the Beacon Falls Town Clerk's office. This chain of title is to be used for purposes of an Environmental Site Assessment only and is not suitable for real estate transactions. No environmental liens or Activity and Use Limitations (AULs) were identified in the records from 01/01/1980 to 07/28/2015.

Title records prior to 1959 were not practically reviewable due to vague property descriptions. The results of the title search were as follows:

Date	*Vol:Pg.*	*Grantor*	*Grantee*	*Deed Type*
Parcel 007-002-012				
12/03/59	27:170	Theresa Giardini	Alfred J. Gallucci and Laura Gallucci	Warrantee
02/21/64	27/505	Alfred J. Gallucci and Laura Gallucci	Leverty & Hurley Co.	Warrantee
4/14/80	46:114	Leverty & Hurley Co.	O&G Industries Inc.	Warrantee
Parcel 007-002-021				
11/08/66	31:275	New York, New Haven & Hartford Railroad	The Hamden Sand & Gravel Company Inc.	Quit Claim
02/25/99	110:932	The Hamden Sand & Gravel Company Inc.	Michael H. Cicchetti, Trustee	Trustee
02/24/99	110:934	Michael H. Cicchetti, Trustee	O&G Industries Inc.	Quit Claim

4.2 Historical Atlases

Sanborn Fire Insurance Atlases were reviewed by Catalyst personnel at the State Library in Hartford, CT. There is no coverage for the town of Beacon Falls.

The 1889, 1943, 1954, 1964, 1972 and 1984 U.S.G.S. topographic maps were reviewed at the State Library, in Hartford, CT. The following information was noted:

1889 – The site and abutters are vacant land. The site's topographic elevation ranges from 200 ft. above sea level to 140 ft. Site abutters include vacant land to the north, south, and west, and railroad tracks to the east. Commercial buildings are present to the northeast, across the railroad tracks.

1943 – A pond straddles the southwest property boundary. No additional site changes were noted. Abutter changes were limited to the presence of dwellings to the north and additional commercial buildings to the northeast, across the railroad tracks.

1954 – No significant site changes were noted. Abutter changes were limited to the presence of several dwellings to the northwest, along Gruber Road.

1964 – No significant site or abutter changes were noted.

1972 – A dirt road is depicted at the southern portion of the site and leads to a gravel pit at the southeast corner of the site. Two industrial buildings are depicted to the southeast, across the railroad tracks. No additional site or abutter changes were noted.

1984 – No significant site changes were noted. Additional commercial buildings have been constructed to the northeast and additions have been constructed onto the industrial buildings located southeast of the site. No additional abutter changes were noted.

4.3 Aerial Photographs

Aerial photographs for the years 1934, 1951, 1965, 1970, 1975, 1980, 1986, 1990, 1995 and 2000 were reviewed at the CT State Library in Hartford, Connecticut by Catalyst personnel. In addition, 2004 and 2008 aerial photographs were reviewed at the Connecticut Environmental Conditions Online (ECO) website. The following information was obtained:

1934 – The majority of the site is a farm field (possibly a pasture or hay field) with wooded land at the southern and easternmost portions. Railroad tracks bound the site to the east. Site abutters include a dwelling to the north; vacant land to the south and west; and railroad tracks to the east and southeast. A commercial building is also present to the northwest, across the railroad tracks. (Photograph 3304, Scale 1:18,000)

1951 – A large area of disturbed/excavated soil is visible at the northwest portion of the site. Additional commercial buildings have been constructed east of the site, and several residential buildings are under development at the western abutter. No additional site or abutter changes were noted. (Photograph CNG-10H-83, Scale 1:5,280)

1965 – The soil at the majority of the site has been stripped. Two large industrial buildings are present to the southwest, across the railroad tracks. Additional buildings have been constructed to the northeast, and additional dwellings have been constructed at the western abutter. (Photograph 18-761, Scale 1:5,280)

1970 – Most of the excavation activities are being conducted at the southern portion of the site. No additional site or abutter changes were noted. (Photograph 36-2113, Scale 1:5,280)

1975 – The central portion of the site is being excavated. No additional site or abutter changes were noted. (Photograph 36-2881, Scale 1:5,280)

1980 – The entire site has been mined, with the exception of the northeasternmost and southernmost portions, which are wooded. No additional site or abutter changes were noted. (Photograph 30-2833, Scale 1:12,000)

1986 – No significant site or abutter changes were noted. (Photograph 29-7272, Scale 1:12,000)

1990 – Mining operations at the northern-half of the site appear to have ceased. No significant site or abutter changes were noted. (Photograph 30-1583, Scale 1:12,000).

1995 – Much of the site is overgrown with vegetation and brush, and the majority of the mining operations have ceased, except for the southernmost portion where excavation activities are visible. No additional site or abutter changes were noted. (Photograph 29-67, Scale 1:12,000).

2000 – No significant site or abutter changes were noted. (Photograph 63-43, Scale 1:12,000)

2004 – With the exception of numerous dirt bike tracks traversing the site, the site is largely overgrown. No additional site or abutter changes were noted.

2008 – No significant site or abutter changes were noted.

4.4 City Directories

Beacon Falls city directories were reviewed for the years 1962, 1964, 1966, 1968, 1970, 1973, 1976, 1978, 1993-2014 at the State Library. Interpretations have been made to the best of the researcher's ability with regard to alterations in address listings.

Subject Site

No listings were identified for the site.

Potentially High Risk Abutters

No potentially high-risk businesses were listed at the abutters. Additionally, no high risk listings were noted for 100 Railroad Avenue, located approximately 100 ft. east of the site, except for Reliable Warehouse, an industrial waste company (1964-1976).

4.5 Interviews

Mr. Rick Audette of O&G Industries Inc. was interviewed by telephone on July 27, 2015, regarding the site. According to Mr. Audette, the site was originally occupied by a sand and gravel pit, and O&G purchased the site in the early 1980s. He noted that no mining activities have been conducted at the site since the early-1990s.

4.6 Previous Environmental Investigations/User Provided Information

No previous environmental investigations or information pertaining to Title Records, Environmental Liens, Activity and Use Limitations, Specialized Knowledge, or Comparison Valuations were provided by the user of this report, O&G Industries Inc.

5.0 REGULATORY AGENCY REVIEW

5.1 Local Municipal Offices

Assessor: The site is identified in the Beacon Falls Tax Assessor's records as Lopus Road (**Tax IDs 007-002-0012** and **007-002-0021**). A copy of the assessor's map is enclosed as **Figure 3** in **Attachment 2**. The current owner of record is O&G Industries Inc. According to the card, the 23.80-acre site is vacant industrial land.

Review of a 1970 historical assessor's card yielded no additional information. See **Attachment 8** for copies of the assessor's cards.

Fire Department: Attempts were made to interview the Beacon Falls Fire Marshal; however, no reply has been received. If information relevant to the site's environmental condition is obtained, an addendum letter will be forwarded.

Building Department: Building Department records were requested for the site; none were on file.

Zoning/Wetlands Department: According to the Town of Beacon Falls Zoning Map (v. 10/15/13), the site is located in an industrial zone. No wetlands are depicted on the Beacon Falls Wetlands Map. No records for the site were on file with the Zoning/Wetlands Department.

Health Department: Records at the Naugatuck Valley Health District were requested for the site; none were on file.

Town Clerk: Title records were examined in the Beacon Falls Town Clerk's Office (see **Section 4.1**). No environmental liens were noted from 01/01/80 through 07/28/15. The Flood Insurance Rate Map (FIRM), panel #s 09009C0254H and 09009C0262H, dated 12/17/10, was also reviewed in the Town Clerk's office. According to the map, the site is located in Zone X (areas of minimal flooding).

5.2 Federal Databases

Federal databases as outlined in ASTM E1527-13, and other databases were searched using an Environmental Data Resources Inc. (EDR) FirstSearch Report. These databases include:

> NPL (03/26/15) – National Priority List. The NPL is a subset of CERCLIS and identifies over 1,200 sites for priority cleanup under the Superfund Program. The search radius is 1.0 mile. A subset list also exists for de-listed Superfund sites. The search radius is 0.5 mile.
>
> CERCLIS (10/25/13) – Comprehensive Environmental Response, Compensation, and Liability Information System. CERCLIS contains information on sites identified by the US EPA as abandoned, inactive, or uncontrolled hazardous waste sites that may require cleanup. The search radius for this project is 0.5 mile. A subsection, known as NFRAP (No Further Remedial Action Planned) exists under CERCLIS. Sites designated as CERCLIS-NFRAP have completed assessment and the EPA has determined no further steps will be taken to list the site on the National Priority List. The NFRAP search radius for this site is 0.5 mile.

ERNS (03/30/15) – Emergency Response Notification System. ERNS records and stores information on reported releases of oil and hazardous substances. The database is searched for the site only.

RCRIS (03/10/15) – Resource Conservat ion and Recovery Information System. RCRIS includes selective information on sites that generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). The search radius is 1.0 mile for sites subject to corrective action (RCRA CORRACTs), 0.5 mile for treatment, storage and disposal facilities (RCRA TSD), and the site and its abutters for hazardous waste generators and site's that are no longer in business or no longer generating hazardous waste in quantities which require reporting (NLR).

FINDS (01/18/15) – The Facility Index System. The EPA's index of identification numbers associated with a property or a facility that the EPA has investigated or has been made aware of in conjunction with various regulatory programs. The radius is the site only.

IC/EC (03/16/15) – Federal Institutional and Engineering Controls. The EPA's list of Brownfield sites, which is composed of Institutional Control and Engineering Control sites designated by the EPA. The search radius is 0.5 mile.

US Brownfields (03/23/15) – EPA Database collecting, tracking and updating information, as well as reporting on the major activities and accomplishments of various Brownfield grant programs. The search radius is 0.5 mile.

When appropriate and/or available, files for properties that are likely to have a significant impact on the site are examined at the CT DEEP. In the event that a Federal Freedom of Information Request is necessary, a delay of 6-12 weeks should be expected.

No listings were identified for the site. Information pertaining to other properties within the prescribed radii is detailed in the chart below.

FEDERAL DATABASE SEARCH

Database	Name/Location	Distance	Direction	Gradient	Classification
NPL	None Listed				
CERCLIS	Zollo Drum Company 100 Railroad Avenue Beacon Falls, CT	0.01 mile	Northeast	Down	ID#CTD075394254 Discovery: 01/01/81 Preliminary Assessment: 02/01/82 Site Inspection: 03/30/89 Removal Assessment: 02/02/96 Site Reassessment:08/02/01
CERCLIS	Watkins Machinery Corp. 100 Railroad Avenue Beacon Falls, CT	0.01 mile	Northeast	Down	ID #CTD983872623 Removal Assessment:04/04/90 Archive Site: 08/06/96 Removal: 01/21/91 Status: NFRAP
CERCLIS	Homer Bronson South Main Street Beacon Falls, CT	0.23 mile	Southeast	Distinct	ID #CTD001165224 Status: NFRAP
CERCLIS	Chestnutis 450 Lopus Road Beacon Falls, CT	0.23 mile	Southwest	Down	ID #CTD075411579 NFRAP
ERNS	None Listed				

Database	Name/Location	Distance	Direction	Gradient	Classification
RCRIS	Zollo Drum Company 100 Railroad Avenue Beacon Falls, CT	0.01 mile	Northeast	Down	ID#CTD075394254 Former TSDF and generator of spent halogenated and non-halogenated wastes, wastewater treatment sludge from electroplating and plating bath wastes. No violations found. Status: No Longer Regulated
RCRIS	Homer Bronson South Main Street Beacon Falls, CT	0.23 mile	Southeast	Distinct	ID #CTD001165224 Status: CORRACTS and TSDF
FINDS	None Listed				
IC/EC	None Listed				
US Brownfields	None Listed				

None of the non-geocoded properties were identified as the subject site or any of the abutters.

5.3 State Databases

The State of Connecticut databases searched included:

SPL (04/23/10) – State of Connecticut Superfund Priority List. These hazardous waste disposal sites have been deemed eligible for expenditure of state funds for remedial actions pursuant to Con. Gen. Stat. § 22a-133f. This database is searched for a 1.0 mile radius.

SDAD (04/23/10) – The state equivalent of CERCLIS sites. These properties are indicated for Site Discovery and Assessment – State Clean-up Sites, or Monitored Sites. Sites listed on the CT Inventory of Hazardous Waste Disposal Sites (CTHAZ) are a subset of this database. The search radius is 0.5 mile.

Oil and Chemical Spills – Records of releases of petroleum products and hazardous materials are available by town at the CT DEEP. These records date from the 1970s. This list is searched for the site and abutters.

State/Tribal LUST (05/12/15) – Leaking Underground Storage Tanks. The CT DEEP maintains a list of known LUST sites. Search radius is 0.5 mile.

State/Tribal UST (05/26/15) – Underground Storage Tank Inventory. This inventory contains USTs that must be registered under state law. It should be noted that heating oil USTs of under 2,100-gallon capacity used for on-site consumption are exempt from state registration; however, many municipalities inventory these tanks through the Fire Department or Fire Marshal's Office. This inventory is searched for the site and its abutters.

State/Tribal Landfills and Transfer Stations List (SWL) (08/14/13) – A listing maintained by the CT DEEP of solid waste disposal facilities. Search radius is 0.5 mile.

State/Tribal Brownfield (06/20/15) – Database designed to assist EPA in collecting, tracking and updating information, as well as reporting on the major activities and accomplishments of various Brownfield grant programs. The search radius is 0.5 mile.

State/Tribal IC (05/19/15) – Institutional Controls. Database of sites with environmental land use restrictions (ELUR). The search radius is 0.25 mile.

State/Tribal VRP (05/19/15): Voluntary Remediation Program. Database of Voluntary Remediation Program Sites pursuant to section 22a-133y or 22a-133x, and Pollution Abatement orders pursuant to Con. Gen. Stat. § 22a-432 or 433. The search radius is 0.5 mile.

State Tribal Lands (12/31/05) – Database of areas with boundaries established by treaty, statute, and/or executive or court order, recognized by the federal government as territory in which American Indian tribes have primary governmental authority. The search radius is 1.0 mile. In the event that tribal lands fall within the 1.0 mile radius, SPL, SDAD, SWL, LUST, UST, IC, VCP, and Brownfields databases are reviewed with the appropriate radii for tribal lands.

LWW – Leachate and Waste Water Discharge Inventory – An inventory of sources and potential sources of contamination compiled by the DEP. The inventory is searched for a 0.25-mile radius. Many sites on the inventory are also listed on other databases.

CT Property Transfer List (05/19/15) – A list of properties transferred pursuant to Con. Gen. Stat. § 22a-134. Generally these are properties that have generated hazardous waste in excess of 100 kg/month, or that have been used as automobile body shops, dry cleaners, or furniture strippers since May 1, 1967. This list is searched for the site and its abutters.

Contaminated or Potentially Contaminated Sites (05/18/15) – This list represents CT DEEP's "Hazardous Waste Facilities," as defined in Section 22a-134f of the Connecticut General Statutes (Con. Gen. Stat.). It is searched for the site and the abutters.

Hazardous Waste Manifests – Hazardous waste manifests are kept on file at the CT DEEP from the mid-1980s until the present. However, only manifests from 01/01/1984 to 12/31/08 and 01/01/12 to 09/30/14 are available for review at CT DEEP. Manifests are reviewed for any businesses likely to generate hazardous waste documented as occupying the site to determine the site's status under Con. Gen. Stat. § 22a-134(3) (Transfer Act).

P-5 Industrial Audits – P-5s are CT DEEP inspection reports of manufacturing facilities during the 1970s and early 1980s. They are examined for the site only.

The subject site is not listed on any of the State databases. Information pertaining to other properties within the prescribed radii is detailed in the chart below.

STATE DATABASE SEARCH

Database	Name/Location	Distance	Direction	Gradient	Classification
SPL	None Listed				
SDAD	Zollo Drum Company 100 Railroad Avenue Beacon Falls, CT	0.01 mile	Northeast	Down	ID#CTD075394254 Former waste disposal company. Out of business in 1984. Volatile Organic Compounds (VOCs) and metals spilled/dumped. Received from the Remediation program on 07/06/87.
SDAD	Watkins Machinery Corp. 100 Railroad Avenue Beacon Falls, CT	0.01 mile	Northeast	Down	ID #CTD983872623 Chlorinated VOCs, oils, and solvents disposed of to a UST.
SDAD	Noe Place Site Noe Place Beacon Falls, CT	0.21 mile	Southeast	Distinct	Spill/Dumping Revered to CT DEEP on 02/05/97. No additional information provided.
SDAD	Homer Bronson South Main Street Beacon Falls, CT	0.23 mile	Southeast	Distinct	Facility in operation since 1884; lagoons closed in 1986 under CT DEEP supervision. Waste and contaminated soil removed. Order issued in 1986; in compliance in 1988. Form II Property Transfer filed in 1987.

Database	Name/Location	Distance	Direction	Gradient	Classification
SDAD	Posick/Chestnutis Property 450 Lopus Road Beacon Falls, CT	0.23 mile	Southwest	Down	Independent automotive restoration and landfill. Metals, chlorinated VOCs and solvents disposed of in a landfill.
Spills	Murtha Enterprises Railroad Avenue Beacon Falls, CT	0.03 mile	Southeast	Down	11/17/00 – Abandonment of an 8,000-gallon gasoline UST and a 2,000-gallon diesel tank; contaminated soil detected. 20.34 tons of contaminated soil removed. Status: Closed
Spills	Railroad Avenue Pump Station Beacon Falls, CT	0.03 mile	East	Down	03/05/08 – 55-gallon drum encountered during excavation a sewer line. The drum and contaminated soil were removed. Status: Closed
LUST	Murtha Industrial Park 125 Railroad Avenue Extension Beacon Falls, CT	0.03 mile	Southeast	Down	11/17/00 – Abandonment of an 8,000-gallon gasoline UST and a 2,000-gallon diesel tank; contaminated soil detected. 20.34 tons of contaminated soil removed. 11/07/013 – 10,000-gallon fuel oil UST removed, release detected beneath oil line. 05/24/14 – 10,000-gallon fuel oil UST removal. No contamination detected.
LUST	Beacon Falls Auto Sales 215 South Main Street Beacon Falls, CT	0.21 mile	Southeast	Distinct	01/27/89 – three 6,000-gallon gasoline USTs removed in 1989. No additional information provided. Status: Completed
LUST	Dan-Mart Inc. 25 North Main Street Beacon Falls, CT	0.28 mile	Northeast	Distinct	09/24/96 – 1,000-gallon gasoline UST removed. Tank and contaminated soil removed. Status: Completed
UST	Murtha Industrial Park 125 Railroad Avenue Extension Beacon Falls, CT	0.03 mile	Southeast	Down	*Currently In-Use USTs* (2) 8,000-gallon fuel oil UST *Permanently Closed-Removed USTs* (3) 10,00-gallon fuel oil USTs
UST	O&G Industries Inc. Railroad Avenue Beacon Falls, CT	0.04 mile	East	Down	*Permanently Closed-Removed USTs* (2) 3,000-gallon diesel USTs (1) 2,000-gallon diesel UST
SWL	None Listed				
LWW	Watkins Machinery Corp. 100 Railroad Avenue Beacon Falls, CT	0.01 mile	Northeast	Down	ID #6900079 Inactive waste flow to the ground.
LWW	Homer Bronson South Main Street Beacon Falls, CT	0.23 mile	Southeast	Distinct	ID #s 6900080 Active discharge to the ground ID # 6900081 Active discharge to the surface

Database	Name/Location	Distance	Direction	Gradient	Classification
LWW	Beacon Falls Water Pollution Control 411 Lopus Road Beacon Falls, CT	0.23 mile	Southwest	Cross	
IC	None Listed				
VRP	Zollo Drum Company 100 Railroad Avenue Beacon Falls, CT	0.01 mile	Northeast	Down	Entered into the Voluntary Program on 04/19/04; oversight delegated to a Licensed Environmental Professional (LEP).
Brownfields	None Listed				
Property Transfers	None Listed				
CPCS	Zollo Drum Company 100 Railroad Avenue Beacon Falls, CT	Abutter	Northeast	Down	
Tribal Lands	None Listed				

None of the non-geocoded properties were identified as the subject site.

A file review was conducted at the CT DEEP in Hartford, CT, and included a review of the files listed below for the site address, current and former owners, and any potentially high-risk abutting properties.

Hazardous Waste Manifests – The most recent CT DEEP Hazardous Waste Manifest Database (01/01/84 through 12/31/08 and 01/01/12 through 09/30/14) was reviewed for the site. Note: According to CT DEEP staff, manifests from January 2009 through December 2011 and after September 30, 2014, are not available for review either through the database or through FOIA request. Catalyst can therefore make no representations for manifests submitted during this time period. See **Attachment 10** for correspondence regarding this issue. The site was not identified in the database. Additionally, according to Mr. Richard Audette of O&G Industries, the current owner, indicated that the site has always been vacant and no activities other than sand and gravel operations have occurred on-site.

Oil and Chemical Spills and Correspondence – No spill reports were identified for the site.

Other than those noted in the chart above, no additional spills or correspondences were identified for the abutters. See **Attachment 9** for copies of the related spill reports.

P-5 Industrial Audits – No P-5 Industrial Audits were on file for the site.

Notices of Violation (NOVs) – No NOVs were on file for the site or the abutters.

Consent Orders – No Consent Orders were on file for the site or its abutters.

UST Registrations – No UST registrations were on file for the site or abutters.

A UST registration was obtained for Murtha Industrial Park located approximately 150 ft. southeast of the site, across the railroad tracks. Information pertaining to the registration is detailed in the above chart.

Other Files – RCRA Hazardous Waste files were searched in the Bureau of Materials Management and Compliance Assurance; and Industrial, Permitting and Remediation files were searched in the Bureau of Water Protection and Land Reuse for the site, and potentially high-risk abutters. In addition, town miscellaneous files were reviewed in both departments.

No files specific to the subject site were obtained for the site; however, information for the site was noted in the town miscellaneous files. On November 1, 1994, an alleged source reported to the Water Management Bureau Permitting Enforcement and Remediation Division that he had knowledge of fourteen alleged waste disposal site in Beacon Falls and Seymour. It should be noted that the alleged source, Mr. Steve Posick, was being investigated by CT DEEP for illegal disposal practices at his property at 460 Lopus Road, approximately a quarter mile from the site. All the properties reportedly contained solid wastes and some also contained industrial wastes. One of the properties identified was the subject site (#9), which reportedly contained solid waste/fill materials.

Mr. Posik filed similar reports with the State Police on 03/25/00 and 06/14/01. The State Police and the CT DEEP conducted inspections and found a contractor dumping land clearing/landscaping debris, wood and logs at the eastern portion of the site, along the railroad tracks. CT DEEP made recommendation to have materials removed. Removal of the solid waste was completed by O&G Industries on 10/30/02, and the CT DEEP closed the file with issuance of a Notice of Violation (NOV).

See **Attachment 9** for copies of the related documents.

RCRA and Remediation files were also obtained for 100 Railroad Avenue, located approximately 100 ft. down-gradient of the site. According to information in the file, the property was occupied by the Zollo Drum Company from 1976 to 1990, which was involved in the transportation and storage of waste oils and waste chemicals (i.e. laboratory reagents, solid toxic wastes, industrial sludges and waste water) and utilized the northern portion of the parcel for drum storage. According to the most recent document in the file, there have been investigations of the property in 1989, 1994 and 2005. Inorganic compounds, semi-VOCs, pesticides and PCBs have been identified in the soil between 0 and 8 ft. below grade. Groundwater flow is to the east, and zinc contamination in excess of the applicable Surface Water Protection Criteria was detected in 2005.The RAP called for the removal of approximately 3,540 cubic yards of contaminated soil for off-site disposal.

The southern portion of the property was also used by Zollo for disposal of wastes into two 20,000-gallon USTs. This portion of the parcel originally housed an industrial waste disposal facility from 1964 to 1976, followed by Watkins Machinery, which cleaned and reconditioned wire reels from the mid-1970s to late 1980s. In 1979 CT DEEP tested the waste in the tanks and found high levels of VOCs and metals. In August 1991, under an EPA Unilateral Administrative Order, the tanks were

removed. In October 1991, The Agency for Toxic Substance and Disease Registry requested a health consultation of the soil data and ultimately concluded that "…the Watkins Machinery Site does not present a health threat to residences living around the Site or to workers on Site."

See **Attachment 9** for relevant portion of the reviewed documents.

5.4 Establishment Status of the Subject Site

Based on the site inspection, federal and state database review, and historical review, the site does not appear to be an "Establishment" pursuant to Conn. Gen. Stat. §22a-134. Historical research revealed that the site was not occupied by a business that would cause it to be an "Establishment" during the time from May 1, 1967 to the present. Additionally, no observations or records of hazardous waste generation in excess of 100 kilograms in a calendar month from November 19, 1980 to the present were uncovered for the site. However, CT DEEP currently makes available only records through 12/31/08 and between 01/01/12 through 09/30/14; Catalyst can make no definitive representations as to manifests submitted between January 2009 and December 2011, and after September 2014. See **Attachment 8** for correspondence pertaining to this issue.

6.0 POTENTIAL SOURCES OF SOIL, GROUNDWATER AND/OR VAPOR CONTAMINATION

6.1 On-Site Sources

The following potential on-site sources of contamination were identified:

1) *Current Presence of On-site Disposal*: Sand and gravel pits are often used as improper or unauthorized disposal areas; only one such area was observed at the site. The small area straddles the northeast property line, and includes a discarded, empty rusted 55-gallon drum and scrap metal in the vicinity of a small topographical depression at the site's northeastern corner.

2) *Former Presence of On-site Disposal*: In 1994, 2000 and 2001, an alleged source reported to the CT DEEP that he had knowledge of fourteen alleged waste disposal site in Beacon Falls and Seymour. One of the properties was the subject site, which reportedly contained solid waste/fill materials. CT DEEP investigated the site and found land clearing/landscaping debris and wood along the eastern portion of the site. The materials were removed by O&G in 2002, and CT DEEP closed the file.

6.2 Off-Site Sources

The following potential off-site sources of contamination were identified:

1) *Former Zollo Drum Company and Watkins Machinery (100 Railroad Avenue)*: This property, which is located approximately 100 ft. east and topographically down-gradient of the site, was formerly occupied by an industrial waste disposal company, a drum reclamation company and a metal wire reclamation business. The property is listed on the CERCLIS and RCRA databases and the State Discovery and Assessment Database.

2) *Murtha Industrial Park (Railroad Avenue Extension)*: This property, which is located approximately 150 ft. southeast and topographically down-gradient of the site, is listed on the State UST and Leaking UST databases, due to releases from an 8,000-gallon fuel oil UST and a 2,000-gallon diesel UST in November of 2000.

6.3 Vapor Migration/Intrusion

No potential vapor migration/intrusion issues were identified at the site or the abutters.

6.4 Data Gaps

The only data gap encountered during the completion of this report was the inability to interview the Beacon Falls Fire Marshal; however, this is not likely to impact the conclusions of the report.

6.5 Receptors

Receptors of contamination at the site and vicinity include soil, groundwater, drinking water wells and basements.

7.0 ADDITIONAL ACTIVITIES

No additional activities were conducted for this project.

8.0 CONCLUSIONS/RECOMMENDATIONS

The first known usage of the site was a farm field (pasture and/or hayfield) in the mid-1930s. By 1951, sand and gravel excavation activities had begun at the southern portion of the site and continued throughout the majority of the site until the early-1990s. No structures have been present at the site.

Establishment Status

Based on the site inspection, federal and state database review, and historical review, the site does not appear to be an "Establishment" pursuant to Conn. Gen. Stat. §22a-134. Historical research revealed that the site was not occupied by a business that would cause it to be an "Establishment" during the time from May 1, 1967 to the present. Additionally, no observations or records of hazardous waste generation in excess of 100 kilograms in a calendar month from November 19, 1980 to the present were uncovered for the site. However, CT DEEP currently makes available only records through December 2008 and from January 1, 2012 through September 30, 2014; Catalyst can make no definitive representations as to manifests submitted between January 2009 and December 2011, and after September 2014. See **Attachment 8** for correspondence pertaining to this issue.

Potential On-Site Sources

The following potential on-site sources of contamination were identified:

1) *Current Presence of On-site Disposal*: Sand and gravel pits are often used as improper or unauthorized disposal areas; only one such area was observed at the site. The small area straddles the northeast property line, and includes a discarded, empty rusted 55-gallon drum and scrap metal in the vicinity of a small topographical depression at the site's northeastern corner.

2) *Former Presence of On-site Disposal*: In 1994, 2000 and 2001, an alleged source reported to the CT DEEP that he had knowledge of fourteen alleged waste disposal site in Beacon Falls and Seymour. One of the properties was the subject site, which reportedly contained solid waste/fill materials. CT DEEP investigated the site and found land clearing/landscaping debris and wood along the eastern portion of the site. The materials were removed by O&G in 2002, and CT DEEP closed the file.

Potential Off-Site Sources

The following potential off-site sources of contamination were identified:

1) *Former Zollo Drum Company and Watkins Machinery (100 Railroad Avenue)*: This property, which is located approximately 100 ft. east and topographically down-gradient of the site, was formerly occupied by an industrial waste disposal company, a drum reclamation

company and a metal wire reclamation business. The property is listed on the CERCLIS and RCRA databases and the Stated Discovery and Assessment Database.

2) *Murtha Industrial Park (Railroad Avenue Extension)*: This property, which is located approximately 150 ft. southeast and topographically down-gradient of the site, is listed on the State UST and Leaking UST databases, due to releases from an 8,000-gallon fuel oil UST and a 2,000-gallon diesel UST in November of 2000.

Risk from these properties is reduced, as they are both located topographically down-gradient of the site, and are not likely to have a significant impact on the site.

Our recommendations are as follows:

1) Excavation of the disposal area at the northeast corner of the site should be conducted to determine the extent and degree. If visual and/or olfactory evidence of contamination is encountered, soil samples should be collected and analyzed.

9.0 ENVIRONMENTAL PROFESSIONAL CERTIFICATION/SIGNATURES

See **Attachment 7** for resumes of preparers and LEP.

"We declare that to the best of our professional knowledge and belief, we meet the definition of Environmental Professional as defined in 312.10 of 40 CFR 312."

"We have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject property. We have developed and performed the all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312."

This report was completed on August 4 2015, and prepared by:

Peter J. Prey
Environmental Scientist

Reviewed by:

Mark A. Gottlieb, LEP
President

10.0 ATTACHMENTS

ATTACHMENT 1

Limitations

1. This preliminary assessment was performed in accordance with generally accepted practices of other consulting firms undertaking similar studies at the same time and in the same geographical area. Catalyst Environmental Consulting Inc.'s findings and conclusions must not be considered scientific certainties, but probabilities based on our professional judgment concerning the significance of the limited data gathered during the course of the site assessment. Specifically, Catalyst does not and cannot warrant or guarantee that the site does not contain hazardous materials or oil beyond that observed by Catalyst during the above described assessment. This report is also subject to the Terms and Conditions of our contract.

2. This study and report were prepared on behalf of and for the exclusive use of the Client for use in environmental evaluation of the site. This report and findings contained herein shall not, in whole or part, be disseminated or conveyed to any other party, nor used by any other party, in whole or in part, without the prior written consent of Catalyst. Catalyst acknowledges and agrees that completed copies of the report may be conveyed to the site owner, Client's legal counsel, and potential buyer associated with the proximate sale and/or financing of the site by our Client. Catalyst's aggregate liability to all parties who may come to rely on this report is limited to the amount set forth in the Terms and Conditions of our contract and is not hereby expanded.

3. The information obtained from subcontractors, personal interviews, maps, and databases is subject to the personal recollection of the persons interviewed, and the availability and accuracy of the records on file with the State, Federal, and municipal agencies. Catalyst will not be held responsible for errors resulting from a lack of information or incorrect information provided by these sources.

4. This report was designed to assess the physical characteristics of the subject site with regard to recognized environmental conditions; no attempt was made to investigate the regulatory compliance of the Site regarding Federal, State or local laws and regulations.

5. Catalyst's conclusions are based on the contents of this report and are a result of the interpretation of the existing data that was compiled. If additional historical or analytical data becomes available, Catalyst reserves the right to review this material to determine if the conclusions of this report are to be modified or updated.

6. C.G.S. Section 22a-450 requires that the owners of a property, on which an ongoing spill, release, seepage, loss, or disposal of oil or hazardous materials is occurring, must report the situation to the Oil and Chemical Spills Section of the State of Connecticut DEEP. Catalyst recommends that legal counsel be consulted regarding any reporting obligation that you may have.

ATTACHMENT 2

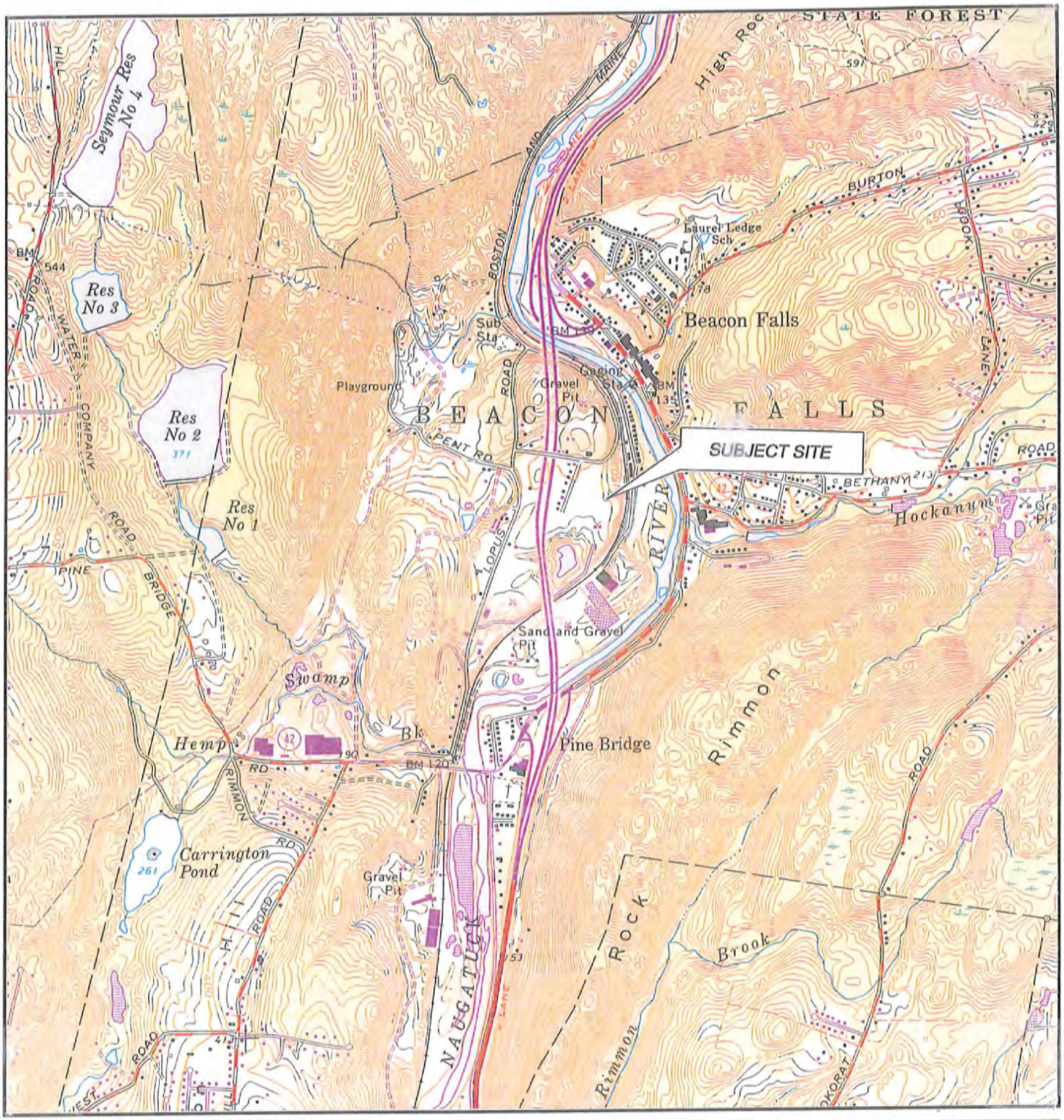


FIGURE 1: USGS TOPOGRAPHIC QUADRANGLE NAUGATUCK, CT

SCALE 1"=2000'

400 2000

Catalyst Environmental Consulting, Inc.

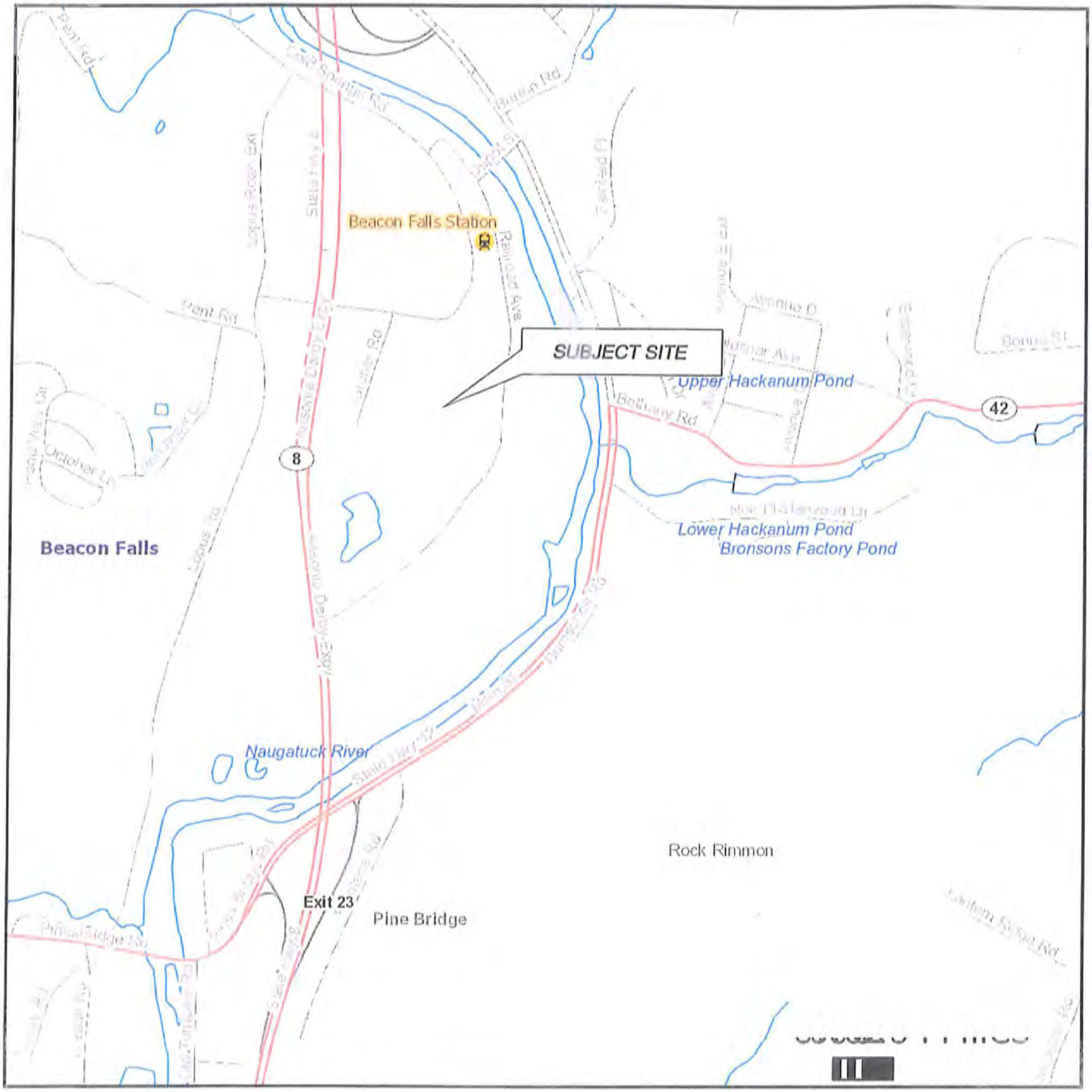


FIGURE 2: BEACON FALLS, CT STREET MAP

(CTECO Map)

APPROXIMATE SCALE 1 IN. = 0.20 MILE

Catalyst Environmental Consulting, Inc.

Town of Beacon Falls

Geographic Information System (GIS)

Date Printed: 8/5/2015

FIGURE 3: BEACON FALLS, CT GIS MAP

APPROXIMAT E SCALE 1" = 400'

80 0 400

Catalyst Environmental Consulting, Inc.

ATTACHMENT 3

Photograph #1 - View of the site, looking southeast from the corner of Lopus Road and Gruber Road.

Photograph #2 - View of the northern portion of the site, facing east.

Photograph #3 - View of the site, faicng north.

Photograph #4 -View of the site, facing west.

Photograph #5 - View of the pond located at the southern portion of the site.

Photograph #6 - The discarded drum and scrap metal locatd at the northeast portion of the site.

Photograph #7 - The depression at the northeast corner of the site.

Photograph #8 - Storage and landscaping debris located at the western portion of the site, along Gruber Road.

ATTACHMENT 4

Interviews:

NAME	AFFILIATION	TELEPHONE
Mr. Richard Audette	Site Contact	860-626-6453

Publications:

"Adopted Groundwater Classifications," v. 2014. Hartford, Connecticut: DEEP.

Environmental Data Resource Inc. (EDR), 2015. FirstSearch Report.

Rodgers, 1995. "Bedrock Geological Maps of Connecticut." Connecticut Geological and Natural History Survey, Hartford, Connecticut.

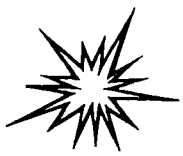
"Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process," 2013. American Society for Testing and Materials, Philadelphia, PA.

Stone, et al., 1992. "Surficial Materials of Connecticut." Reston, VA: USGS.

Other Documentation Sources:

NAME	LOCATION
Aerial Photographs	Connecticut State Library, Hartford, CT
Aerial Photograph	http://ctecoapp1.uconn.edu/advancedviewer
City Directories	Connecticut State Library, Hartford, CT
Sanborn Fire Insurance Maps	Connecticut State Library, Hartford, CT
Historical Topographic Maps	Beacon Falls Town Hall, Beacon Falls, CT
Land Records	Beacon Falls Town Hall, Beacon Falls, CT
Building Department Records	Beacon Falls Town Hall, Beacon Falls, CT
Planning and Zoning Records	Beacon Falls Town Hall, Beacon Falls, CT
Wetland Records	Beacon Falls Town Hall, Beacon Falls, CT
Fire Marshal's Records	Beacon Falls Town Hall, Beacon Falls, CT
Health Department	Beacon Falls Town Hall, Beacon Falls, CT
Contaminated and Potentially Contaminated Site List	Connecticut DEP, Hartford, CT
Hazardous Waste Database	Connecticut DEP, Hartford, CT
P-5 Industrial Audits	Connecticut DEP, Hartford, CT
UST Registrations	Connecticut DEP, Hartford, CT
Oil and Chemical Spills	Connecticut DEP, Hartford, CT
Permitting/Remediation Files	Connecticut DEP, Hartford, CT
RCRA Files	Connecticut DEP, Hartford, CT

ATTACHMENT 5



Conn. Gen. Stat. §22a-134 (updated to 1/1/2012)

Sec. 22a-134. Transfer of hazardous waste establishments: Definitions. For the purposes of this section and sections 22a-134a to 22a-134d, inclusive:

(1) "Transfer of establishment" means any transaction or proceeding through which an establishment undergoes a change in ownership, but does not mean:

(A) Conveyance or extinguishment of an easement;

(B) Conveyance of an establishment through a foreclosure, as defined in subsection (b) of section 22a-452f, foreclosure of a municipal tax lien or through a tax warrant sale pursuant to section 12-157, an exercise of eminent domain pursuant to section 8-128, 8-169e or 8-193 or by condemnation pursuant to section 32-224 or purchase pursuant to a resolution by the legislative body of a municipality authorizing the acquisition through eminent domain for establishments that also meet the definition of a brownfield as defined in section 32-9kk or a subsequent transfer by such municipality that has foreclosed on the property, foreclosed municipal tax liens or that has acquired title to the property through section 12-157, or is within the pilot program established in subsection (c) of section 32-9cc, or has acquired such property through the exercise of eminent domain pursuant to section 8-128, 8-169e or 8-193 or by condemnation pursuant to section 32-224 or a resolution adopted in accordance with this subparagraph, provided (i) the party acquiring the property from the municipality did not establish, create or contribute to the contamination at the establishment and is not affiliated with any person who established, created or contributed to such contamination or with any person who is or was an owner or certifying party for the establishment, and (ii) on or before the date the party acquires the property from the municipality, such party or municipality enters and subsequently remains in the voluntary remediation program administered by the commissioner pursuant to section 22a-133x and remains in compliance with schedules and approvals issued by the commissioner. For purposes of this subparagraph, subsequent transfer by a municipality includes any transfer to, from or between a municipality, municipal economic development agency or entity created or operating under chapter 130 or 132, a nonprofit economic development corporation formed to promote the common good, general welfare and economic development of a municipality that is funded, either directly or through in-kind services, in part by a municipality, or a nonstock corporation or limited liability company controlled or established by a municipality, municipal economic development agency or entity created or operating under chapter 130 or 132;

(C) Conveyance of a deed in lieu of foreclosure to a lender, as defined in and that qualifies for the secured lender exemption pursuant to subsection (b) of section 22a-452f;

(D) Conveyance of a security interest, as defined in subdivision (7) of subsection (b) of section 22a-452f;

(E) Termination of a lease and conveyance, assignment or execution of a lease for a period less than ninety-nine years including conveyance, assignment or execution of a lease with options or similar terms that will extend the period of the leasehold to ninety-nine years, or from the commencement of the leasehold, ninety-nine years, including conveyance, assignment or execution of a lease with options or similar terms that will extend the period of the leasehold to ninety-nine years, or from the commencement of the leasehold;

(F) Any change in ownership approved by the Probate Court;

(G) Devolution of title to a surviving joint tenant, or to a trustee, executor or administrator under the terms of a testamentary trust or will, or by intestate succession;

(H) Corporate reorganization not substantially affecting the ownership of the establishment;

(I) The issuance of stock or other securities of an entity which owns or operates an establishment;

(J) The transfer of stock, securities or other ownership interests representing less than forty per cent of the ownership of the entity that owns or operates the establishment;

(K) Any conveyance of an interest in an establishment where the transferor is the sibling, spouse, child, parent, grandparent, child of a sibling or sibling of a parent of the transferee;

(L) Conveyance of an interest in an establishment to a trustee of an inter vivos trust created by the transferor solely for the benefit of one or more siblings, spouses, children, parents, grandchildren, children of a sibling or siblings of a parent of the transferor;

(M) Any conveyance of a portion of a parcel upon which portion no establishment is or has been located and upon which there has not occurred a discharge, spillage, uncontrolled loss, seepage or filtration of hazardous waste, provided either the area of such portion is not greater than fifty per cent of the area of such parcel or written notice of such proposed conveyance and an environmental condition assessment form for such parcel is provided to the commissioner sixty days prior to such conveyance;

(N) Conveyance of a service station, as defined in subdivision (5) of this section;

(O) Any conveyance of an establishment which, prior to July 1, 1997, had been developed solely for residential use and such use has not changed;

(P) Any conveyance of an establishment to any entity created or operating under chapter 130 or 132, or to an urban rehabilitation agency, as defined in section 8-292, or to a municipality under section 32-224, or to the Connecticut Development Authority or any subsidiary of the authority;

(Q) Any conveyance of a parcel in connection with the acquisition of properties to

effectuate the development of the overall project, as defined in section 32-651;

(R) The conversion of a general or limited partnership to a limited liability company under section 34-199;

(S) The transfer of general partnership property held in the names of all of its general partners to a general partnership which includes as general partners immediately after the transfer all of the same persons as were general partners immediately prior to the transfer;

(T) The transfer of general partnership property held in the names of all of its general partners to a limited liability company which includes as members immediately after the transfer all of the same persons as were general partners immediately prior to the transfer;

(U) Acquisition of an establishment by any governmental or quasi-governmental condemning authority;

(V) Conveyance of any real property or business operation that would qualify as an establishment solely as a result of (i) the generation of more than one hundred kilograms of universal waste in a calendar month, (ii) the storage, handling or transportation of universal waste generated at a different location, or (iii) activities undertaken at a universal waste transfer facility, provided any such real property or business operation does not otherwise qualify as an establishment; there has been no discharge, spillage, uncontrolled loss, seepage or filtration of a universal waste or a constituent of universal waste that is a hazardous substance at or from such real property or business operation; and universal waste is not also recycled, treated, except for treatment of a universal waste pursuant to 40 CFR 273.13(a)(2) or (c)(2) or 40 CFR 273.33 (a)(2) or (c)(2), or disposed of at such real property or business operation; or

(W) Conveyance of a unit in a residential common interest community in accordance with section 22a-134i;

(2) "Commissioner" means the Commissioner of Environmental Protection or the designated agent of the commissioner;

(3) "Establishment" means any real property at which or any business operation from which (A) on or after November 19, 1980, there was generated, except as the result of remediation of polluted soil, groundwater or sediment, more than one hundred kilograms of hazardous waste in any one month, (B) hazardous waste generated at a different location was recycled, reclaimed, reused, stored, handled, treated, transported or disposed of, (C) the process of dry cleaning was conducted on or after May 1, 1967, (D) furniture stripping was conducted on or after May 1, 1967, or (E) a vehicle body repair facility was located on or after May 1, 1967;

(4) "Hazardous waste" means any waste which is (A) hazardous waste identified in accordance with Section 3001 of the federal Resource Conservation and Recovery Act of 1976, 42 USC 6901 et seq., (B) hazardous waste identified by regulations adopted by the Commissioner of Environmental Protection, or (C) polychlorinated biphenyls in concentrations greater than fifty parts per million except that sewage, sewage sludge and lead paint abatement wastes shall not be considered to be hazardous waste for the purposes of this section and sections 22a-134a to 22a-134d, inclusive;

(5) "Service station" means a retail operation involving the resale of motor vehicle fuel including, but not limited to, gasoline, diesel fuel and kerosene and which operation does not otherwise meet the definition of an establishment;

(6) "Certifying party" means, in the case of a Form III or Form IV, a person associated with the transfer of an establishment who signs a Form III or Form IV and who agrees to investigate the parcel in accordance with prevailing standards and guidelines and to remediate pollution caused by any release at the establishment in accordance with the remediation standards and, in the case of a Form I or Form II, a transferor of an establishment who signs the certification on a Form I or II;

(7) "Party associated with the transfer of an establishment" means (A) the present or past owner or operator of the establishment, (B) the owner of the real property on which the establishment is located, (C) the transferor, transferee, lender, guarantor or indemnitor, (D) the business entity which operates or operated the establishment, or (E) the state;

(8) "Remediation standards" means regulations adopted by the commissioner pursuant to section 22a-133k;

(9) "Parcel" means piece, parcel or tract of land which constitutes an establishment, as defined in subdivision (3) of this section, or on which is or was located any business operation which constitutes an establishment;

(10) "Form I" means a written certification by the transferor of an establishment on a form prescribed and provided by the commissioner that: (A) No discharge, spillage, uncontrolled loss, seepage or filtration of hazardous waste or a hazardous substance has occurred at the establishment which certification is based on an investigation of the parcel in accordance with prevailing standards and guidelines, or (B) no discharge spillage, uncontrolled loss, seepage or filtration of hazardous waste has occurred at the establishment based upon an investigation of the parcel in accordance with the prevailing standards and guidelines and the commissioner has determined, in writing, or a licensed environmental professional has verified, in writing, that any discharge, spillage, uncontrolled loss, seepage or filtration of a hazardous substance has been remediated in accordance with the remediation standards and that since any such written approval or verification, including any approval or verification for a portion of an establishment, no discharge, spillage, uncontrolled loss, seepage or filtration of hazardous waste or hazardous substances has occurred at any portion of the establishment;

(11) "Form II" means a written certification by the transferor of an establishment on a form prescribed and provided by the commissioner that the parcel has been investigated in accordance with prevailing standards and guidelines and that (A) any pollution caused by a

discharge, spillage, uncontrolled loss, seepage or filtration of hazardous waste or a hazardous substance which has occurred from the establishment has been remediated in accordance with the remediation standards and that the remediation has been approved in writing by the commissioner or has been verified pursuant to section 22a-133x or section 22a-134a in writing attached to such form by a licensed environmental professional to have been performed in accordance with the remediation standards and that since any such written approval or verification, including any approval or verification for a portion of an establishment, no discharge, spillage, uncontrolled loss, seepage or filtration of hazardous waste or hazardous substances has occurred at any portion of the establishment, (B) the commissioner has determined in writing or a licensed environmental professional has verified pursuant to section 22a-133x or section 22a-134a in writing, attached to the form that no remediation is necessary to achieve compliance with the remediation standards, or (C) a Form IV verification was previously submitted to the commissioner and, since the date of the submission of the Form IV, no discharge, spillage, uncontrolled loss, seepage or filtration of hazardous waste or a hazardous substance has occurred at the establishment, which certification is based on an investigation of the parcel in accordance with prevailing standards and guidelines;

(12) "Form III" means a written certification signed by a certifying party on a form prescribed and provided by the commissioner, which certification states that (A) a discharge, spillage, uncontrolled loss, seepage or filtration of hazardous waste or a hazardous substance has occurred at the establishment or the environmental conditions at the establishment are unknown, and (B) that the person signing the certification agrees to investigate the parcel in accordance with prevailing standards and guidelines and to remediate pollution caused by any release of a hazardous waste or hazardous substance from the establishment in accordance with the remediation standards;

(13) "Form IV" means a written certification signed by one or more certifying parties on a form prescribed and provided by the commissioner and which is accompanied by a written determination by the commissioner or by a verification by a licensed environmental professional pursuant to section 22a-134a or 22a-133x, which certification states and is accompanied by documentation demonstrating that the parcel has been investigated in accordance with prevailing standards and guidelines and that (A) there has been a discharge, spillage, uncontrolled loss, seepage or filtration of hazardous waste or a hazardous substance on the establishment, and (B) all actions to remediate any pollution caused by any release at the establishment have been taken in accordance with the remediation standards except postremediation monitoring, natural attenuation monitoring or the recording of an environmental land use restriction, and (C) the person or persons signing the certification agree, in accordance with the representations made in the form, to conduct postremediation monitoring or natural attenuation monitoring in accordance with the remediation standards and if further investigation and remediation are necessary to take further action to investigate the establishment in accordance with prevailing standards and guidelines and to remediate the establishment in accordance with the remediation standards;

(14) "Person" means person, as defined in section 22a-2;

(15) "Remediate" means to contain, remove or abate pollution, potential sources of pollution and substances in soil or sediment which pose an unacceptable risk to human health or the environment and includes, but is not limited to, the reduction of pollution by natural attenuation;

(16) "Licensed environmental professional" means an environmental professional licensed pursuant to section 22a-133v;

(17) "Environmental condition assessment form" means a form prescribed and provided by the commissioner, prepared under the supervision of a licensed environmental professional, and executed by (A) the certifying party under sections 22a-134 to 22a-134e, inclusive, or (B) the owner of the property under section 22a-133x which form describes the environmental conditions at the parcel;

(18) "Pollution" means pollution, as defined in section 22a-423;

(19) "Verification" means the rendering of a written opinion by a licensed environmental professional on a form prescribed by the commissioner that an investigation of the parcel has been performed in accordance with prevailing standards and guidelines and that the establishment has been remediated in accordance with the remediation standards;

(20) "Vehicle" means any motorized device for conveying persons or objects except for an aircraft, boat, railroad car or engine, or farm tractor;

(21) "Business operation" means any business that has, or any series of substantially similar businesses that have, operated continuously or with only brief interruption on the same parcel, either with a single owner or successive owners;

(22) "Corporate reorganization not substantially affecting the ownership of an establishment" means implementation of a business plan to restructure a corporation through a merger, spin-off or other plan or reorganization under which the direct owner of the establishment does not change;

(23) "Form IV verification" means the rendering of a written opinion by a licensed environmental professional, after a Form IV has been filed, that postremediation monitoring, natural attenuation or the recording of an environmental land use restriction has been completed in accordance with the Form IV;

(24) "Hazardous substance" means hazardous substance, as defined in Section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 USC 9601, or a petroleum product or by-product for which there are remediation standards adopted pursuant to section 22a-133k or for which such remediation standards have a process for calculating the numeric criteria of such substance;

(25) "Sediment" means unconsolidated material occurring in a stream, pond, wetland estuary or other water body;

(26) "Universal waste" means batteries, pesticides, thermostats, lamps and used electronics regulated as a universal waste under regulations adopted pursuant to subsection (c) of section 22a-449. "Universal waste" does not mean (A) batteries, pesticides, thermostats and lamps that are not covered under 40 CFR Part 273, or (B) used electronics that are not regulated as a universal waste under regulations adopted pursuant to subsection (c) of section 22a-449;

(27) "Universal waste transfer facility" means any facility related to transportation, including loading docks, parking areas, storage areas and other similar areas where shipments of universal waste are held during the normal course of transportation for ten days or less;

(28) "Interim verification" means a written opinion by a licensed environmental professional, on a form prescribed by the commissioner, that (A) the investigation has been performed in accordance with prevailing standards and guidelines, (B) the remediation has been completed in accordance with the remediation standards, except that, for remediation standards for groundwater, the selected remedy is in operation but has not achieved the remediation standards for groundwater, (C) identifies the long-term remedy being implemented to achieve groundwater standards, the estimated duration of such remedy, and the ongoing operation and maintenance requirements for continued operation of such remedy, and (D) there are no current exposure pathways to the groundwater area that have not yet met the remediation standards.

(P.A. 85-568, S. 2; P.A. 87-475, S. 1; P.A. 95-183, S. 1; P.A. 96-113, S. 1, 17; P.A. 97-218, S. 1; P.A. 98-253, S. 2; Dec. Sp. Sess. P.A. 98-1, S. 35, 43; P.A. 99-225, S. 6; 99-241, S. 56, 66; P.A. 00-140, S. 24, 40; P.A. 01-204, S. 15; June Sp. Sess. P.A. 01-9, S. 73, 131; P.A. 03-19, S. 58-61; 03-218, S. 5, 6; P.A. 06-76, S. 11, 13, 14; 06-184, S. 3; P.A. 07-81, S. 3; P.A. 08-124, S. 15, 16; P.A. 09-235, S. 2, 8.)

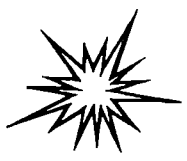
History: P.A. 87-475 redefined "establishment" to apply to those operating on or after May 1, 1967, and to include dry cleaning, furniture stripping, painting and auto body operations and added definitions of "service stations" and "transfer of a service station"; P.A. 95-183 added Subdiv. (1) (A) to (M), inclusive, re exclusions from the definition of "transfer of establishment"; amended Subdiv. (3) to redefine "establishment" to mean any real property or business operation from which on and after November 1, 1980, there was generated, except as the result of remediation activities, more than 100 kilograms of hazardous waste in any one month and to make other grammatical adjustments for consistency; amended Subdiv. (4) to redefine "hazardous waste" to include waste identified in accordance with the federal Resource Conservation and Recovery Act or by the commissioner in regulations and polychlorinated biphenyls in concentrations greater than 50 parts per million and to exclude lead paint abatement wastes; deleted former Subdiv. (5) defining "negative declaration" and renumbered the remaining Subdivs. accordingly; amended the renumbered Subdiv. (5) to specify that "service station" means a retail operation which does not otherwise meet the definition of "establishment"; amended the renumbered Subdiv. (6) to add Subparas. (A) to (M), inclusive, re exclusions from the definition of "transfer of a service station"; and added new Subdivs. (7) to (20), inclusive, providing definitions for "certifying party", "party associated with the transfer of an establishment", "remediation standards", "parcel", "Form I", "Form II", "Form III", "Form IV", "person", "remediate", "licensed environmental professional", "environmental condition assessment form", "pollution", and "verification"; P.A. 96-113 redefined "transfer of establishment" to add provision re providing environmental condition assessment form to commissioner for conveyance of certain portions of parcels and to exclude conveyances of service stations, redefined "establishment" to make technical clarifications, deleted a definition of "transfer of a service station", redefined "party" to explicitly include former operators of establishments and the state, redefined "Form II" to add provision re determination that no remediation is necessary, redefined "Form IV" to add provision re accompanying documentation and added the definition of "vehicle", renumbering Subdivs. as necessary, effective May 24, 1996; P.A. 97-218 redefined "transfer of establishment" in Subdiv. (1) to exclude conveyances of parcels developed solely for residential use prior to July 1, 1997, where such use has not changed; amended Subdiv. (3)(B) to provide that in that category of "establishment", the waste is generated at a different location; redefined "certifying party" in Subdiv. (6) to specify that investigation of parcel be in accordance with prevailing standards and guidelines and that remediation be in accordance with the remediation standards; redefined "form I" in Subdiv. (10) to clarify that declaration is based on an investigation of the property in accordance with the prevailing standards and guidelines; redefined "form II" in Subdiv. (11) to provide that remediation of the parcel is in accordance with the remediation standards; redefined "form III" in Subdiv. (12) to provide that the investigation is in accordance with prevailing standards and guidelines; and redefined "form IV" in Subdiv. (13) to provide that the certification be accompanied by a determination by the commissioner or a licensed environmental professional under Secs. 22a-134a or 22a-133x and that the investigation is in accordance with prevailing standards and guidelines; P.A. 98-253 added Subdiv. (1)(P) excluding from the definition of "transfer of establishment" conveyances to certain state or municipal agencies; Dec. Sp. Sess. P.A. 98-1 added Subdiv. (1)(Q) re conveyance to a limited liability company established to assemble properties to effectuate the purposes of the Patriots Stadium Enabling Act, effective January 12, 1999; P.A. 99-225 deleted said Subdiv. (1)(Q) and added new Subparas. (Q), (R) and (S) regarding exemptions for certain transactions involving certain partnership properties, amended Subdiv. (3) to clarify a provision excepting remediation activities from the definition of "establishment", and amended Subdivs. (6), (10), (11), (12), and (13) to require adoption of regulations on or before January 1, 2002, providing standards for investigation of contaminated parcels; P.A. 99-241 deleted Subdiv. (1)(Q) re conveyance of parcel to limited liability company established to assemble properties to effectuate purposes of the Patriots Stadium Enabling Act, and added a limited liability company established to assemble properties for development of the convention center facilities, sportsplex and related parking facilities site, effective July 1, 1999 (Revisor's note: In codifying the provisions of P.A. 99-225 and 99-241, as they affect Subdiv. (1), the Revisors retained the words "or (Q) any conveyance of a parcel", which were deleted by P.A. 99-225, so as to add the amendment to Subpara. (Q) contained in P.A. 99-241, and relettered new Subparas. (Q), (R) and (S), contained in P.A. 99-225, to (R), (S) and (T), respectively); P.A. 00-140 amended Subdiv. (1)(Q) to make a technical change, substitute "acquisition" for "assembly", delete references to former convention center facilities, sportsplex and related parking facilities and add reference to the overall project as defined in Sec. 32-651, effective May 2, 2000; P.A. 01-204 redefined "transfer of establishment", "establishment", "certifying party", "party associated with the transfer of an establishment", "Form I", "Form II", "Form III", "Form IV", "environmental condition assessment form", "verification" and "vehicle", defined "business operation", "corporate reorganization not substantially affecting the ownership of an establishment", "Form IV verification", "hazardous substance" and "sediment", and made technical changes; June Sp. Sess. 01-9 revised effective date of P.A. 01-204 but without affecting this section; P.A. 03-218 amended Subdiv. (1)(B) by adding "or foreclosure of a municipal tax lien" and

made a technical change (1)(E), amended Subdiv. (10)(B) by adding "based on an investigation of the parcel in accordance with the prevailing standards and guidelines", and amended Subdiv. (11) by making technical changes and, in Subpara. (C), by adding "verification", effective July 1, 2003; P.A. 03-19 made technical changes in Subdivs. (1), (11), (21) and (24), effective May 12, 2003; P.A. 06-76 amended Subdiv. (1) to make technical changes, to add Subpara. (V) re universal waste, and to add Subpara. (W) re residential common interest community, amended Subdiv. (10) to require verification from licensed environmental professional to be in writing, amended Subdivs. (10) and (11)(A) to require additional verification that no discharge, spillage, uncontrolled loss, seepage or filtration of hazardous waste or substances has occurred at any portion of the establishment, and added Subdivs. (26) and (27) defining "universal waste" and "universal waste transfer facility", respectively; P.A. 06-184 amended Subdiv. (1)(B) by redefining "transfer of establishment" to include tax warrant sales pursuant to Sec. 12-157, effective June 9, 2006; P.A. 07-81 amended Subdiv. (19) to redefine "verification" to require that written opinion be on a form prescribed by commissioner; P.A. 08-124 made technical changes in Subdiv. (1)(L) and (V), effective June 2, 2008; P.A. 09-235 redefined "transfer of establishment" in Subdiv. (1), effective July 9, 2009, and added Subdiv. (28) defining "interim verification", effective October 1, 2009.

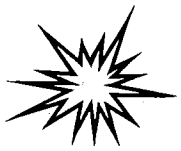
Cited. 223 C. 910. Cited. 226 C. 737. Cited. 239 C. 284.

Cited. 27 CA 353. Cited. 30 CA 204. Cited. 43 CA 113.

ATTACHMENT 6



ATTACHMENT 7



Introduction to Connecticut's Water Quality Classifications for Surface and Ground Waters

The water quality Classifications map and Standards constitute a two part system used by the Department of Environmental Protection to manage water quality in Connecticut. This system classifies all surface and ground waters of the state; establishes guidelines and procedures for issuing permits for discharges to surface or ground waters; sets priorities of enforcement and cleanup activities; and provides for the separation of clearly incompatible uses of the same waters, such as for water supply and waste disposal.

Classification symbols used on the map are explained below. All surface and ground waters not otherwise classified are considered as Class A, Class SA, or Class GA. All surface waters within existing or potential water supply watersheds (areas classified GAA) are Class AA unless otherwise classified. Classification symbols separated by a diagonal line (B/AA) indicate the present condition (B) and the future goal (AA). Classification symbols with a three part designation (GB/GA/GAA) indicate present condition (GB), an intermediate goal (GA), and a long term goal (GAA). The symbol GC represents a special classification relating to the potential for disposal of certain wastes.

Regulation of waste disposal is an important part of the State's Water Quality Management System. All disposal or discharge of any liquid or solid waste to the surface or ground waters requires a specific permit from the Water Compliance Unit of the Department of Environmental Protection. In addition, successful management of water quality requires coordinated management of the volume or quantity aspects of the state's surface and ground waters. This is accomplished through the Water Diversion Policy Act requiring a permit for all withdrawals of more than 50,000 gallons per day from surface or ground waters, or for modifications of instantaneous flows in watercourses with a watershed area of 100 acres or more.

GAA: Ground waters within public water supply watersheds or within the area of influence of public human consumption. State's goal is to maintain that condition by banning almost all discharges to ground water.

GA: Ground waters within the area of influence of private and potential public water supply wells. Presumed suitable for direct human consumption. State's goal is to maintain that condition by banning almost all discharges to ground water.

GB/GA: Ground waters which may not be suitable for direct human consumption and the state has established a goal of restoring the ground water to drinking water quality.

S: Coastal and marine surface waters (Long Island Sound and related saline waters of harbors and estuaries).

GB: Ground waters within highly urbanized areas of intense industrial activity and where public water supply is available. May not be suitable for direct human consumption. State's long term goal is to prevent further degradation by preventing any additional discharges which could cause irreversible contamination.

AA: Uncontaminated surface waters designated for use as public water supply. State's goal is to maintain existing natural quality characteristics by banning discharges to reservoir or any tributary surface waters.

GB/GAA: Ground waters which are contaminated and the state's goal is a Class GAA condition because waters are being used for public water supply purposes or are proposed for that use.

A: Uncontaminated surface waters designated for use as a potential public water supply. State's goal is to maintain existing natural quality characteristics by banning discharges to these watercourses.

GC: An area where all federal, state and local permits have been secured for its use as a solid waste disposal site. Ground waters not suitable for development of drinking water supplies.

GA/GA/GC: Ground waters which are not now contaminated and where certain hydrogeologic conditions exist which could be utilized as part of a waste treatment process and where development of a public water supply is unlikely due to low yield conditions.

GB/GB/GC: Ground waters which are now contaminated and where certain hydrogeologic conditions exist which could be utilized as part of a waste treatment process and where development of a public water supply is unlikely due to low yield conditions.

B: Surface waters where the water quality goal is a fishable/swimmable condition. Waste water discharges may be allowed under permit.

Resume Of

PETER J. PREY

Environmental Scientist

Education

B.S. Environmental Science, 1998, Dickinson College, Carlisle, PA

Continuing Education

Remediation Standard Regulations, Fundamental Review (Environmental Professionals' Organization of Connecticut, 2000)

Employment

3/99 to present – Environmental Scientist, Catalyst Environmental Consulting, Inc., Simsbury, CT.

8/97 to 5/98 – Alliance for Aquatic Resource Management, Dickinson College, Carlisle, PA. Database Manager and GIS Assistant.

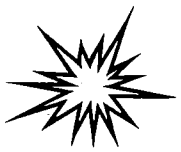
6/97 to 8/97 – Dexter Electronics, Olean, NY. Summer Intern for Health Safety and Environment Manager. Completed research and Federal Permits for Toxic Release Inventory, and for the NYS Air Pollution Regulations.

Professional Experience

Conducted Phase I and II Environmental Site Assessments, and Transaction Screens in accordance with ASTM guidelines, groundwater sampling and monitoring, UST removals, and remediation.

Training and Certification

OSHA 40 hour Hazardous Waste Site Operator and Emergency Training Course



MARK A. GOTTLIEB, LEP
President

EDUCATION

University of Hartford, B.A., Mathematics with chemistry minor, 1981

University of Connecticut, coursework in environmental engineering and geology, 1989

Western Kentucky University, graduate coursework in Geology, Hydrology and Hydrogeology with specialization in environmental issues in karst terrains, 1989-1992

EMPLOYMENT

1994 - present: President, Catalyst Environmental Consulting, Inc., and M. A. Gottlieb & Associates Inc., Simsbury, CT. Catalyst is a small specialty service consulting firm providing environmental site assessments, remediation, consulting and related services for the financial, insurance and real estate communities. M. A. Gottlieb specializes in regulatory consultation, third party review of environmental projects and documents, and expert witness services.

1993-1994: Vice President, IES of Connecticut, Inc., Hartford, CT. Responsible for all phases of the operation for this medium sized environmental consulting firm, including technical direction, personnel, health and safety, and customer services.

1993-1995: Adjunct faculty, Chemistry Department, University of Hartford, Hartford, CT. Taught introductory chemistry and graduate level environmental organic chemistry.

PROFESSIONAL EXPERIENCE

Conducts Environmental Site Assessments in Connecticut, Massachusetts, Rhode Island, and New York, including subsurface investigations involving petroleum hydrocarbons, volatile and semi-volatile organic compounds, light and dense non-aqueous phase liquids, metals, pesticides, and polychlorinated biphyenyls (PCB). Actively involved in the completion of over sixteen hundred Environmental Site Assessments.

Project manager for over one hundred remediation projects in Connecticut from 1994 to the present, including 19th and 20th century mill properties, gas stations, former agricultural lands, large-scale leaking USTs, and PCB contaminated soils. Several of these projects have involved the use of Environmental Land Use Restrictions (ELURs) resulting in significant cost savings for the client.

Connecticut Licensed Environmental Professional of record on over fifteen sites subject to the Transfer Act under Conn. Gen. Stat. §22a-134, or Voluntary Remediation under Conn. Gen. Stat. §22a-133x and 22a-133y. Has successfully rendered verification of compliance with Remediation Standard Regulations on five sites.

Conducts technical and financial reviews of ongoing remediation projects due to railroad accidents for various reinsurers. Projects have included UPRR derailment in Eunice, Louisiana, of 34 chemical cars and subsequent fires and releases in May 2000; BNSF release of 85,000 gallons of benzene and dicyclopentadiene due to a derailment in Scotts Bluff, Nebraska, in November 2000; CSX December 2001 derailment in Rochester, New York, and 14,000 gallon release of diesel, acetone and methylene chloride into the surrounding area and Genesee River; CPR derailment in Minot, North Dakota, in January 2002, resulting in release of over 300,000 gallons of anhydrous ammonia; and a September 2004 100,000 gallon diesel oil pipeline release in Holdenville, Oklahoma, resulting in remediation of over 1 million tons of contaminated soil. In all cases, remediation costs were in excess of $10 million.

PROFESSIONAL MEMBERSHIPS

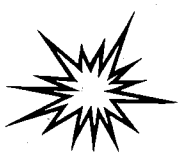
Environmental Professionals Organization of Connecticut
Geological Society of America
National Groundwater Association
Connecticut Business and Industry Association

TRAINING, CERTIFICATIONS & CONTINUING EDUCATION

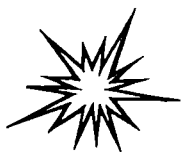
CT Licensed Environmental Professional (license # 386), and continuing education coursework:
- Aquifer Behavior & Testing (January 2003)
- Site Characterization & Remediation Techniques for DNAPLs (February 2003)
- Statistics for Environmental Professions (March 2004)
- Vapor Intrusion Seminar (December 2004)
- Evaluation Groundwater Flow & Chemical Transport Modeling (May 2005)
- Estimating Cleanup Times Associated with Combining Source Area Remediation with Natural Attenuation (November 2006)
- Aquifer Test Analysis in Fractured Rock (April 2007)
- Remediation Standard Regulations (April 2007)
- Expedited Site Assessment: a 3D Approach (November 2008)
- Verification/Audit Short Course (December 2008)
- Laws, Regulations & Policies Relating to LEPs (February 2009)
- Combining Engineered Contaminant Source-Area Treatment Technologies with Monitored Natural Attenuation (March 2009)
- Advanced Tools for In-Situ Remediation (September 2010)
- Hydrogeological Applications of Environmental Geophysics Technologies (January 2011)
- Demolition, Remediation Waste & Deconstruction (February 2011)
- GIS Applications for LEPs (March 2011)
- Fundamentals of Organic Chemistry (January 2012)
- Reading the Post Glacial Landscape (field, April 2012; class, April 2013)
- PCB Regulatory Overview for Connecticut (April 2013)

OSHA 40 Hour Hazardous Waste Site Operator and Emergency Response Training Course, and ongoing refresher courses
CT State Approved Lead Based Paint Abatement Worker Training Course
CT State Approved Asbestos Inspector Training Course
MA DEP Introduction to 21E Training Course
RI UST Closure Qualification Approval

(rev. 7/2013)



ATTACHMENT 8



O & G INDUSTRIES INC
112 WALL STREET
TORRINGTON, CT 06790
Census: 3411

Neighborhood Number
300
Neighborhood Name
General Industrial
TAXING DISTRICT INFORMATION

Jurisdiction Name	BEACON FALLS
Area	006
Routing Number	007-002-0021

Transfer of Ownership

Owner	Consideration	Transfer Date	Deed Book/Page	Deed Type
	0	02/25/1999	110 934	Q

Site Description

Topography

Public Utilities
Electric
Street or Road
Paved
Neighborhood

Legal Acres:
4.2000
Zoning:

Valuation Record

Assessment Year		2006	2011
Reason for Change		2006 Reval	2011 Reval
Market	L	58800	49980
	I	0	0
	T	58800	49980
70% Assessed	L	41160	34990
	I	0	0
	T	41160	34990

Land Size

Land Type	Rating, Soil ID - or - Actual Frontage	Acreage - or - Effective Frontage	Square Feet - or - Effective Depth	Influence Factor
Secondary Comm/Indust Land		4.2000		B -30%

O & G INDUSTRIES
112 WALL STREET
TORRINGTON, CT 06790
Census: 3411

Neighborhood Number
300
Neighborhood Name
General Industrial
TAXING DISTRICT INFORMATION

Jurisdiction Name	BEACON FALLS
Area	006
Routing Number	007-002-0012

Transfer of Ownership

Owner	Consideration	Transfer Date	Deed Book/Page	Deed Type
	0	04/14/1980	46 114	

Site Description

Topography
Rolling
Public Utilities
Electric
Street or Road
Paved
Neighborhood

Legal Acres:
19.6000
Zoning:

Valuation Record

Assessment Year		2006	2011
Reason for Change		2006 Reval	2011 Reval
Market	L	572000	481200
	I	0	0
	T	572000	481200
70% Assessed	L	400400	336840
	I	0	0
	T	400400	336840

Land Size

Land Type	Rating, Soil ID - or - Actual Frontage	Acreage - or - Effective Frontage	Square Feet - or - Effective Depth	Influence Factor
Secondary Comm/Indust Land		15.6000		
Vacant Industrial Site		4.0000		

7-2-12 (7-20-14-15,15A,20)

Ox G Ind

~~LEVERTY & HURLEY CO~~

LOPUS ROAD TO R. R.

	SR1A Number	Date	Price	Ratio	Usable
R.R.					

Page

ASSESSMENT SUMMARY

	Assess. Val. Land	Assess. Val. Bldgs.	EXEMPT Vet	EXEMPT Other	Total
					1370
19					
19					
19					
19					
19					
19					

PERMITS AND DESCRIPTION

	Completion Date

APPEAL DATA

			19	19	19	19	19	19	19
Appeal	Granted								
	Denied								
Value Change	County	Land							
		Building							
	State	Land							
		Building							

CONSTRUCTION

	Size	Area	Class	Age	Remod.	Cond.	Repl. Value	Phys. Dep.	Phys. Value	Func. Dep.	Sound Value
Wall Fndtn.											
Pier Fndtn.											
Single Siding											
Double Siding	BTR (1.3 acre approx)	15.3	@ 17,000				260,100				
Cem. Blk.							x 1.80				
Stucco on	Remainder	19.6	@ 17,000 =	333,200			208,080				
Plumbing	(5.3)						x .80				
Floor							266560				
Fin. Int.											
Overhead Drs.										TOTAL	
Electricity											

Owner's Initials	
Inspection Date(s)	

MEMORANDA

Front

19.6 ACRES

LAND VALUE COMPUTATIONS

Frontage Figured	Average Depth	Unit Price	Unit %	Front Ft. Price	Corner Infl.	Total	Depr. %	Value
2.7		@						
16.9		@						
						8000		
		@ 60				1116		

LAND RECORD

Sewer		No Street		High	
Water		Dirt Street		Low	
Gas		Paved		Level	
Elec.		No Sidewalk			

Total Value Land	TO
Total Value Buildings	266,560
Total Value Land and Buildings	

North American Revaluation Co. a/c

N

BEACON FALLS

030018

X

FOUNDATION—1
Concrete Walls
Conc. Blk. Walls
Brick Walls
Stone Walls
Piling

BASEMENT AREA —6			
¼	½	¾	F

EXTERIOR WALLS—2
Siding on Sheathing
Single Siding
Wood Shingles
Compo. Shingles
Stucco on Frame
Stucco on Tile or C.B.
Face Brk. Veneer
Face Brk. on Tile or C.B.
Com. Brk. Veneer
Com. Brk. on Tile or C.B.
Perma Stone
Solid Com. Brk.
Face Br. on Com. Br.
Cement or Conc. Blk.
Reinforced Concrete
Aluminum Siding
Cut Stone Facing
Terra Cotta Facing
Stone or T.C. Trim
Party Walls
Plate Glass Front

ROOF TYPE—3			
Hip		Gable	
Mansard		Flat	
Gambrel			

ROOFING —3
Asphalt Shingles
Slate
Asbestos Shingles
Metal Deck
Roll Roofing
Tar & Gravel
Composition

INSULATION
Roof or Ceiling
Wall
Blanket
Storm Sash & Doors

CONDITION	G	F	P
Int. Finish			
Layout			
Structure			

FLOORS 4	B	1	2	3
Cement				
Earth				
Hardwood				
Pine				
Single Fl.				
Asphalt Tile				
Rubber Tile				
Terrazzo				
Reinf. Conc.				
Wood Joist				

INT. FIN —5	B	1	2	3
Metal				
Hardwood				
Dry Wall				
Knotty Pine				
Unfinished				
L & P on Studs				
Piast. on				
Painted Blk.				
Acoustic Clg.				

ATTIC—11			
Attic Fl. & Stairs			
Fin. Attic Area			
¼	½	¾	F
Plaster			
Dry Wall			
Knotty Pine			
Asph. Tile Flr.			
Apt.			

HEATING —8	Unit	Conv.
Warm Air		
Steam		
Hot Water or Vapor		
Forced Air		
Unit Heaters		
Air Cond.		
No Heating		
Electric		

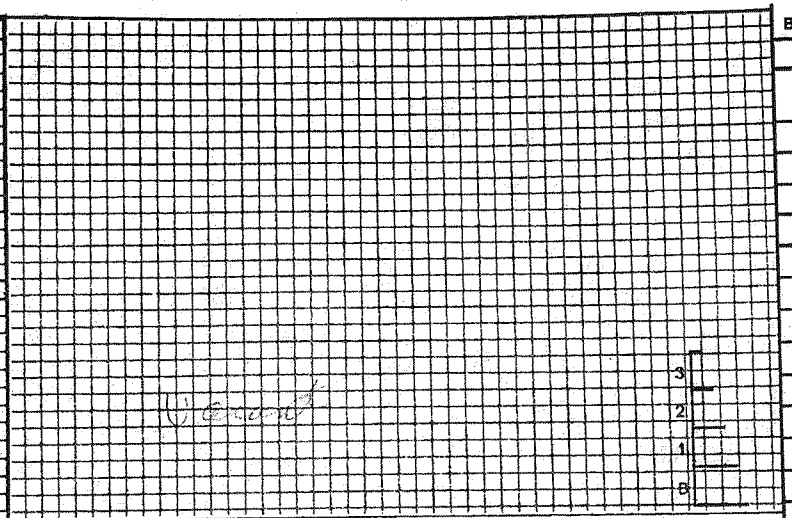
AUTOMATIC		
Oil		
Gas		
Stoker		

WIRING —7
Knob & Tube
Armored Cable
Romex
Pipe Conduit

PLUMBING —6	B	1	2	3
Bath Rooms				
St. Sh. Bath				
Two Fixt. Bath				
St. Shower				
Toilet Rooms				
Water Closets				
Urinals				
Lavatories				
Kitch. Sinks				
Fountains				
Slop Sinks				
No. Plmbg.				

TILING —5	B	1	2	3
Bath Fl. & Wsct.				
Bath Fl. & Walls				
Bath Fl. Only				
T.Rm. Fl. & Wsct.				
T.Rm. Fl. & Walls				
T. Rm. Fl. Only				
St. Shower				
Kit. Floor				
Kit. Wsct.				

MISCELLANEOUS —13
Fireproof Const.
Mill Const.
Reinf. Conc. Beams & Cols.
Steel Frame
Steel Beams & Cols.
Steel Trusses
Steel or Bar Joists
Timber Beams & Cols.
Wood Trusses
Sprinkler System
Pass. Elevator
Freight Elevator
Fire Escapes
Metal Frame Sash
Wood Frame Sash
Fireplaces
Incinerator
Bulkheads



OCCUPANCY			
Gas Station		Theater	
Offices		Hotel	
Stores		Bank	
Apartments		Warehouse	
Garage		Industrial	

OCCUPANCY DETAIL AND INCOME

NOTES
Sale $ 19
Cap. Impr. $

Plumbing	
Heating	
Siding	
Roofing	
Floors	
Structural	
Added Apts.	

LOCATION		
G	F	P

Measured By	
Listed By	
Priced By	

OUT BLDGS.	1	2
Wall Fndtn.		
Pier Fndtn.		
Single Siding		
Double Siding		
Shingle Walls		
Stucco on		
Cement Blk		
Brick		
Concrete Flr.		
Earth Flr.		
Fin. Int.		
Overhead Drs.		
Electricity		
Date		
Date		
Date		

RENTAL CAPITALIZATION	
Gross Annual Income	
Vacancy	
Effective Gross Income	
Est. Expense Items	
Land	
Heating	
Water	
Electricity	
Repair & Maint.	
Management	
Insurance	
Total Est. Expenses	
Net Income to Bldg.	
Cap. Rate	
Reflected Bldg. Value	

CONSTRUCTION	Size	Area	Class	Age	Remod.	Cond.	Repl. Value	Phys. Dep.	Phys. Value	Func. Dep.	Sound Value
										TOTAL	

Block Lot

COMPUTATIONS

NO. ITEM	AREA OR QUANTITY	UNIT COST	TOTAL

ADDITIONS OR DEDUCTIONS

TOTAL	
COST CONVERSION FACTOR	
REPLACEMENT VALUE	
PHYSICAL DEP.	
VALUE	
FUNCTIONAL OR ECON. OBS.	
PRICINCIPAL BUILDING VALUE	

SUMMARY OF APPRAISED VALUE

Principal Building Appraisal	$	
Other Principal Buildings Appraisal	$	
Accessory Buildings Appraisal	$	
Total Building Appraisal	$	
Total Land Appraisal	$	9120
Total Appraised Value	266 $560	

OWNER	DATE	VOL.	PG.	OWNERS MAILING ADDRESS
Hamden Sand & Gravel	11/8/68	3	275	375 MATHER ST. HAMDEN CT.

00346-013

SIDE	PROPERTY LOCATION	ASS'RS MAP	BLOCK	PARCEL	CD. NO.
R	NO. P.R.R. near Bridge St.	7	2	21 ~~21X~~	

ASSESSED VALUE

YEAR	1. DWELLINGS NO	1. DWELLINGS VALUE	2. OUTBLDGS. NO.	2. OUTBLDGS. VALUE	3. LOTS NO.	3. LOTS VALUE	4. COMMERCIAL NO.	4. COMMERCIAL VALUE	5. FACTORY NO.	5. FACTORY VALUE	6. ACREAGE NO.	6. ACREAGE VALUE	TOTAL
19					1	480					3.2	110	490
19													
19													
19													
19													
19													
19													
19													
19													
19													
19													
19													

PROPERTY OWNERS CARD TOWN OF

7-2-21

HAMDEN SAND & GRAVEL

PRR & BRIDGE STREET

	SR1A Number	Date	Price	Ratio	Usable
7-2-21X					

Page

ASSESSMENT SUMMARY

	Assess. Val. Land	Assess. Val. Bldgs.	EXEMPT Vet	EXEMPT Other	Total	
						19
						19
						19
						19
						19
						19
						19

PERMITS AND DESCRIPTION

	Completion Date

APPEAL DATA

			19	19	19	19	19	19	19
Appeal	Granted								
	Denied								
Value Change	County	Land							
		Building							
	State	Land							
		Building							

CONSTRUCTION

	Size	Area	Class	Age	Remod.	Cond.	Repl. Value	Phys. Dep.	Phys. Value	Func. Dep.	Sound Value
Wall Fndtn.											
Pier Fndtn.											
Single Siding											
Double Siding											
Cem. Blk.											
Stucco on											
Plumbing											
Floor										TOTAL	
Fin. Int.											
Overhead Drs.											
Electricity											

Owner's Initials

Inspection Date(s)

MEMORANDA

4.2 AC

LAND VALUE COMPUTATIONS

4.2 AC

Frontage Figured	Average Depth	Unit Price	Unit %	Front Ft. Price	Corner Infl.	Total	Depr. %	Value
1 Lot						8000		
3.2 acre		@ 60				190		

LAND RECORD

Sewer		No Street		High	
Water		Dirt Street		Low	
Gas		Paved		Level	
Elec.		No Sidewalk			

Total Value Land	8190
Total Value Buildings	—
Total Value Land and Buildings	8190

North American Revaluation Co. A/C

OWNER	DATE	VOL.	PG.	OWNERS MAILING ADDRESS
Leverty & Hurley Co.	2/21/64	27	305	~~50 Lincoln Ave.~~ Bridgeport, Ct.
B+G Industries	4/18/80	46	114	260 Bostwick Ave Torrington 00582-0170

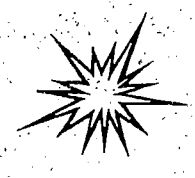
SIDE	PROPERTY LOCATION	ASS'RS MAP	BLOCK	PARCEL	CD. NO.
L	NO. Lopus Rd to R.R.	7	2	12	

ASSESSED VALUE

YEAR	1. DWELLINGS NO	1. DWELLINGS VALUE	2. OUTBLDGS. NO.	2. OUTBLDGS. VALUE	3. LOTS NO.	3. LOTS VALUE	4. COMMERCIAL NO.	4. COMMERCIAL VALUE	5. FACTORY NO.	5. FACTORY VALUE	6. ACREAGE NO.	6. ACREAGE VALUE	TOTAL
19					1	4800					18.6	670	5470
1977											19.6	159930	159930
1977											19.6	124,850	124,850
19													
19													
19													
19													
19													
19													
19													
19													

PROPERTY OWNERS CARD TOWN OF

ATTACHMENT 9



Connecticut Department of
Energy & Environmental Protection
Bureau of Central Services
Office of Information Management

File Request Form

Requestor Name: Peter Prey
Company Name: Catalyst Environmental
Address: 770 Herman Dowe Simsbury
Phone Number: 860-651-6900

Date: 7/29/15

Facility/Co Name: B & G Industries
Address: Lopus Rd
Town: Beacon Falls

REM ☒ OCS ☐ PER
IND ☒ COR ☐ PRG
P5 ☐ HAZ ☒ SII
ORD ☒ SOL ☒ PIQ
SW ☐ UST ☒ TCR

Facility/Co Name: Leverty & Hurley Co.
Address: Lopus Rd.
Town: Beacon Falls

REM ☒ OCS ☐ PER
IND ☒ COR ☐ PRG
P5 ☐ HAZ ☒ SII
ORD ☒ SOL ☒ PIQ
SW ☐ UST ☒ TCR

Facility/Co Name: Hamden Sand & Gravel
Address: Lopus Road.
Town: Beacon Falls

REM ☒ OCS ☐ PER
IND ☒ COR ☐ PRG
P5 ☐ HAZ ☒ SII
ORD ☒ SOL ☒ PIQ
SW ☐ UST ☒ TCR

Facility/Co Name: Zollo Drug Co. / Wathins Bros. Machinery
Address: 100 Railroad Avenue
Town: Beacon Falls

REM ☒ OCS ☐ PER
IND ☒ COR ☐ PRG
P5 ☐ HAZ ☒ SII
ORD ☒ SOL ☒ PIQ
SW ☐ UST ☒ TCR

Facility/Co Name: Murtha Industrial Park
Address: 45 Railroad Ave EXT.
Town: Beacon Falls

REM ☒ OCS ☐ PER
IND ☒ COR ☐ PRG
P5 ☐ HAZ ☒ SII
ORD ☒ SOL ☒ PIQ
SW ☐ UST ☒ TCR

Facility/Co Name: B & G Industries
Address: Railroad Avenue
Town: Beacon Falls

REM ☒ OCS ☐ PER
IND ☒ COR ☐ PRG
P5 ☐ HAZ ☒ SII
ORD ☒ SOL ☒ PIQ
SW ☐ UST ☒ TCR

Facility/Co Name: Steven Pasick
Address: Lopus Road
Town: Prescott Rd.

REM ☒ OCS ☐ PER
IND ☒ COR ☐ PRG
P5 ☐ HAZ ☒ SII
ORD ☐ SOL ☒ PIQ
SW ☐ UST ☒ TCR

Comments: RCRA Town File
Remediation Town File

REM - Remediation
ORD – Water Orders
OCS – Oil & Chemical Spills Reports
COR - Oil & Chemical Spills Correspondence
PER – Air Permits
PRG – Air Enforcement
STK – Air Stack Tests

IND – Industrial Water Corr'dence Files
SW – Stormwater Correspondence Files
SOL – Solid Waste
PIQ – Air Pre-Inspection Questionnaire
IS – Air Indirect Source
OB – Air Open Burning
TAX – Air TEA Abatement

P5 – Water Industrial Survey
HAZ – Hazardous Waste
UST – Underground Storage Tanks
TCR – Tank Closure Report
SS – Sub-Surface
WPA – Water Perm Application
DMR – Discharge Monitoring

Connecticut Department of Energy and Environmental Protection
Emergency Response and Spill Prevention Division
Emergency Incident Report

Case No.: 2000-08762
Staff Receiving Call: 934 WILLIAMSON, MATT Assigned To: 000 NO RESPONSE
Date Reported: 11/17/2000 Time Reported: 15:23
Date of Release: 11/17/2000 Time of Release: UNKNOWN
Town of Release: BEACON FALLS State of Release: CT
Location of Reported Release: RAILROAD AVE.
Reported By: TANKWORKS Phone: (860) 646-3348 Ext:
Representing: SELF
Responsible Party: MURTHA ENTERPRISES Phone: (203) 723-7466
Street Address:
Town: State: Zip Code:
Does the Responsible Party Accept Financial Responsibility? YES
Release Type: PETROLEUM
Release Substance: DEISEL FUEL & GASOLINE
Media: SOIL
Total Quantity: 0 Gallons 0 Cubic Yards 0 Cubic Feet 0 Drums 0 Pounds
Emergency Measures: SOIL REMOVAL
Has the Release Been Terminated?: YES
Type of Waterbody Affected: N/A
Name of Waterbody Affected: N/A
Total Quantity Recovered: 0 Total Quantity in Water: 0
Corrective Actions Taken: SOIL REMOVED

Discharge Class: COMMERCIAL
Cause of Incident: TRANSFER LINE FAILURE OVERFILL
Agencies Notified: DEP DISPATCH
Status: CLOSED

Connecticut Department Of Environmental Protection
Bureau of Materials Management & Compliance Assurance
Emergency Response and Spill Prevention Division – Emergency Response Unit
79 Elm Street
Hartford, CT 06106

1/15/2007

EMERGENCY INCIDENT FIELD REPORT

INCIDENT INFORMATION							
Case #:	2008-01306	Date Reported:	3-5-08	Time Reported:	1237	Assigned By:	912
Reported by:	LAWRENCE SECOR	Representing:	NAFIS & YOUNG			Phone #(s)	860-314-8090
Assigned to:	915	Additional ERC's On-scene:					

Location of Reported Release:			
Address:	1306 RAILROAD AVE.	Town, ST Zip	BEACON FALLS , CT.

Property Owner:			
Name 1:	TOWN OF BEACON FALLS		
Address:		Town, ST Zip	BEACON FALLS, CT.
Phone #(s):		Contact Name:	LAWRENCE SECOR – NAFIS & YOUNG ENG. FIRM FOR BEACON FALLS

Did the release affect more than one property? If yes, complete next section:			
Name 2:	NA		
Address:		Town, ST Zip	
Phone #(s):		Contact Name:	
Name 3:			
Address:		Town, ST Zip	
Phone #(s):		Contact Name:	

Responsible Party Information							
Is the Responsible Party Known?	NO	If "No", explain in Narrative section of this report					
RP:							
Address:				Town, ST Zip			
Phone #(s):				Contact Name:			
Financial Responsibility Accepted?	YES	Date accepted:	3-5-08	Time Accepted:			
Responsibility Accepted or Denied by Whom:	LAWRENCE SECOR						

Release Information							
Release Substance:	UNKNOWN PETROLEUM						
Date of Release:	UNKNOWN			Time of Release:			
Release Status On Arrival:	Historic	X	On-going				
	Terminated	X	No Release				

	Other: (Explain)								
Quantity of Release:		Gallons		Pounds		Tons		Ounces	
		CuYd		Cu Feet		55 gal Drums	1	Containers	
		Other (explain)							

Media Affected:	Air		Ground Soil	X
	Ground Surface		Ground Water	
	Surface Water		Inside Structure	
	Contained to Container		Other (explain)	

Water Body Affected:	None	X	River		Pond	
	Brook/Stream		*LIS*		*Catch Basin*	
	Ground Water		Sanitary		Floor Drain	
	Drywell		Other Explain			

Name of Water Body Affected:	NA

Product Recovery:	Total Quantity Recovered:	**1 DRUM AND SOIL.**
	Total Quantity in Water Body:	
	Quantity Recovered from Water Body:	

FOSC Coordination

Is this an OPA-90 Case?	**NO**	Is the Release Threatening or Impacting a Navigable Waterway?	

Describe Nexus:	

NRC Dispatcher		NRC #		Date:		Time:	

FOSC:	USEPA		Date:		Time:	
	USCG		Date:		Time:	

Federal Coordination indicating actions taken are consistent with the National Contingency Plan is attached:	Yes		No

Transportation Information

Transportation Incident? Y/N	**NO**

Type:		State	Registration		State	Registration
	Tractor			Trailer		
	Passenger Vehicle			Vessel		
	Straight Truck			Other, Explain		

VIN:				
Commercial Vehicle	ICC #:		MCC#:	
	USDOT#:			

Vehicle Owner:			
Address:		Town, ST Zip	
Phone #(s):		Contact Name:	
Vehicle Operator:		Drivers License Number:	
Address:		Town, ST Zip	
Phone #(s):			

CSP Press Release Report Attached: Y/N		Trooper's Name & Badge #:	
If no, Explain:			

Environmental Clean-Up Contractor Information									
State Licensed Contractor Retained Y/N?	YES								
Name of Contractor Retained:	ENVIRONMENTAL PRODUCTS & SERVICES , INC.								
Hired by Whom (Who actually called the contractor):	LARRY SECOR								
Date & Time Requested:	3-5-08			Date & Time Arrived:		3-6-08			
Mitigation Equipment	Sea / Sorbent Boom		Sorbent Pads		Sweeper				
	# of Vac Trucks		Speedy Dry		Level A				
	Boat		Hand Tools	X	Level B				
	Overpack/Drums	1	Roll-Off	X	Level C				
	Excavation Equipment	X	Other						

Agencies Involved And Reports Available						
Agencies Involved		On Scene	Report		On Scene	Report
	Local FD			Local FMO		
	Local PD			State FMO		
	CSP			FBI		
	Local Health			State Health		
	EPA			USCG		
	Consultant (Name)	NAFIS & YOUNG				
Other DEP employees on-scene (name & phone #):						

Evidence Available On This Incident					
Photographs of Scene? Y/N	YES	Taken by:	#915	Submitted? Y/N	YES
Video Tape of Scene? Y/N	NO	Taken by:		Submitted? Y/N	
Sketch of Scene Submitted Y/N	NO	Invoice Submitted Y/N		Map of Scene Submitted Y/N	NO

Samples				
Samples	Samples Taken? Y/N	YES	Taken By:	LARRY SECOR
	Analytical Results Attached? Y/N	NO	Date Taken:	3-6-08
	Laboratory Performing Analysis?	UNK.	Chain Of Custody? Y/N	YES
	Split Samples: Y/N	NO	Split With Whom:	
	Analysis Required:	IDENT. , METALS , PCBS', TPH		

Cost Recovery Information							
Spill Fund Authorized? Y/N	NO	Authorized by:		Date & Time:		Release Letter Received:	
Whom did you give the "RP Handout" to?							
Was there a witness? Y/N		If yes, Name & Phone # of Witness(s):					
Whom did you Fax the "RP Handout" to				Fax Transmission Submitted Y/N			
Explain any statements made by RP as to the assumption of responsibility:							
Explain efforts by DEP to have RP perform clean up (include dates, times, DEP staff, party contacted, witness(s) if any):							
Do you know of any violations, negligence, or intentional acts that may have contributed to this incident?		If yes, Explain:					

ERU Internal Safety And Health Critique			
Were there any Safety &/or Health problems encountered during the response? Y/N		NO	If yes, notify your Supervisor ASAP.
Case Status Of Incident			
Case Open? Yes / No	**NO**	*Case Closed? Date Closed:*	**YES 3-6-08**
Case Referred?		If yes, to which program(s)?	
Date that the on-scene work completed:			**3-6-08**
Report Author:	**MIKE CAPUANO**	Date:	**3-13-08**
Signature of Case Emergency Response Coordinator:			

FIELD REPORT NARRATIVE: WRITER RESPONDED TO SAID LOCATION FOR A REPORT OF A DRUM DISCOVERED DURING A EXCAVATION.

UPON ARRIVAL THE ENGINEERING FIRM REPRESENTING THE TOWN OF BEACON FALLS FOR A SEWER PROJECT WAS ON SITE. THEY WERE UPGRADING A PUMPING STATION INVOLVING EXCAVATION FOR REPLACING PIPING. DURING THE EXCAVATION THEY DISCIVERED A DRUM BURIED . IT APPEARED TO HAVE DISCOLORED THE SOIL AROUND IT WITH A BLACK PETROLEUM PRODUCT. THEY CEASED EXCAVATING AND ISOLATED THE AREA.

A MR. LARRY SECOR , WITH THE ENGINEERING FIRM STATED THAT THE DRUM MAY NOT BE ON TOWN PROPERTY, AS IT WAS VERY CLOSE TO THE TOWN PROPERTY LINE WRITER ADVISED THAT DUE TO THE FACT THAT IT WAS ON THE PROPERTY LINE AND THEY WERE TO CONTINUE WITH THE EXCAVATION , IT WOULD BE IN THEIR BEST INTEREST TO RETAIN A SPILL CONTRACTOR AND REMOVE THE DRUM.

MR. SECOR RETAINED E.M.&S. , INC. AND THEY RESPONDED . THE DRUM WAS OVERPACKED AND SOIL WAS REMEDIATED. SAMPLES WERE TAKEN. RESULTS PENDING AND WILL BE FORWARDED TO THIS OFFICE.

NO FURTHER ACTION , CAS CLOSED.

THIS CONTAINER ON HOLD
PENDING ANALYSIS

CONTENTS Empty 5 Gal. Drum
did contain unknown

ORIGIN OF MATERIALS Unknown

ADDRESS Town of Niagara Falls

CONTACT [illegible]

DO NOT [illegible] WITH CONTENTS
AUTHORIZED PERSONNEL ONLY

BRADY SIGNMARK® DIV

STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION
EMERGENCY RESPONSE UNIT
DATE 3-5-08 CASE # 08-01625 ERC # 915
PHOTO # 1 OF 3
DESCRIPTION: EXCAVATED TRENCH WHERE DRUM WAS FOUND.
RAILROAD AVE.
BEACON FALLS

STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION
EMERGENCY RESPONSE UNIT
DATE 3-5-08 CASE # 08-01625 ERC # 915
PHOTO # 2 OF 3
DESCRIPTION: OVERPACK WITH DRUM ON SITE.
RAILROAD AVE.
BEACON FALLS

STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION
EMERGENCY RESPONSE UNIT
DATE 3-5-08 CASE # 08-01625 ERC # 915
PHOTO # 3 OF 3
DESCRIPTION: LABEL ON OVERPACK WITH DRUM.
RAILROAD AVE.
BEACON FALLS

DEP CASE #
2008-01306

RECEIVED

MAR 17 2008

DEPT. OF ENVIRONMENTAL PROTECTION
EMERGENCY RESPONSE UNIT

STATE OF CONNECTICUT
DEPARTMENT OF
ENVIRONMENTAL PROTECTION
79 Elm Street
Hartford, CT 06106-5127
http://dep.state.ct.us

Bureau of Waste Management
Oil and Chemical Spill Response Division

REPORT OF PETROLEUM OR CHEMICAL PRODUCT DISCHARGE, SPILLAGE OR RELEASE

1. When did the incident occur? Date 04 / 04 / 2008 Time 14 : 30
   month/day/year

2. Where did the incident occur? Private Driveway at end of Railroad Ave. Beacon Falls, CT

3. How did the incident occur? (Describe the cause) While Contractor was excavating in easement to install two new force main sanitary sewer connections a buried 55 gal. drum was discovered.

4. Under whose control was the chemical or petroleum product at the time of the incident?
   Name: Unknown/Historical Release
   Mailing & street address: _____
   Town: _____ State: ____ Zip: _____ Telephone: _____

5. Who is the owner of the property onto which the spill occurred?
   O&G Industries, 112 Wall St. Torrington, CT 06790
   If this is a corporate property or property owned jointly, who is the represents the owner?
   Corporate property ☒ *Property owned jointly* ☐
   Name: O&G Industries
   Mailing & street address: 112 Wall St.
   Town: Waterbury State: CT Zip: 06790 Telephone: 860.489.9261

6. When was the incident verbally reported to the Department of Environmental Protection?
   Date 03 / 05 / 2008 Time 12.30
   month/day/year

STATE OF CONNECTICUT
DEPARTMENT OF
ENVIRONMENTAL PROTECTION
79 Elm Street
Hartford, CT 06106-5127
http://dep.state.ct.us

7. Who reported the incident and who were they representing?
Name: Lawrence Secor, Nafis and Young Engineers, Inc. (Town Engineer Beacon Falls)
Mailing & street address: 1355 Middletown Ave.
Town: Northford State: CT Zip: 06472 Telephone: 203.484.2793

8. What were the chemicals or petroleum products released, spilled or discharged? Give an exact description of each of the materials involved in the incident, including the chemical names, percent concentrations, trade names, etc.

If the chemicals are Extremely Hazardous substances or CERCLA hazardous substances they must be identified as such and include the reportable quantity (RQ). Please attach a Material Safety Date Sheet (MSDS) for each chemical involved.

What were the quantities of chemicals that were released, spilled or discharged to each environmental medium (air, surface water, soil, ground water)? [NOTE: Connecticut General Statutes requires the reporting of any amount of any substance or material released to the environment].

Total petroleum hydrocarbons, Semi-volatile organic compounds,
Volatile organic compounds (See Attached analysis reports)

9. Did any of the chemical(s) travel beyond the property line? [NOTE: Materials that enter the ground water are considered to have gone beyond the property line.]

Assumed as release was historical in nature

STATE OF CONNECTICUT
DEPARTMENT OF
ENVIRONMENTAL PROTECTION
79 Elm Street
Hartford, CT 06106-5127
http://dep.state.ct.us

10. What actions were taken to respond to and contain the release, spill or discharge?

Spill response contract Environmental Maintenance Services Inc, Prospect, CT hired to Remove and overpack drum. The impacted soils were excavated and stored in 20 YD dumpster and tarped pending analysis results.

11. What actions are being taken to prevent reoccurrence of an incident of this type? (Attach additional sheets if necessary) NA historical release

12. Were there any injuries as a result of the incident? If so, list the names of exposed individuals, their addresses, phone numbers and describe their injuries. (Attach additional sheets if necessary)

Name: None

Mailing & street address: _____

Town: _____ State: ____ Zip: _____ Telephone: _____

13. What is the appropriate advice regarding medical attention necessary for exposed individuals?

None

STATE OF CONNECTICUT
DEPARTMENT OF
ENVIRONMENTAL PROTECTION
79 Elm Street
Hartford, CT 06106-5127
http://dep.state.ct.us

10. What actions were taken to respond to and contain the release, spill or discharge?

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11. What actions are being taken to prevent reoccurrence of an incident of this type? (Attach additional sheets if necessary)

NA historical release

12. Were there any injuries as a result of the incident? If so, list the names of exposed individuals, their addresses, phone numbers and describe their injuries. (Attach additional sheets if necessary)

Name: None

Mailing & street address: _____

Town: _____ State: ____ Zip: _____ Telephone: _____

13. What is the appropriate advice regarding medical attention necessary for exposed individuals?

None

STATE OF CONNECTICUT
DEPARTMENT OF
ENVIRONMENTAL PROTECTION
79 Elm Street
Hartford, CT 06106-5127
http://dep.state.ct.us

14. Are there any known or anticipated health risks, acute or chronic, associated with the release of this chemical or medical advice that should be communicated?

None

15. Was the incident completely cleaned up by the time this report was submitted? If not, what are the anticipated remedial actions and their duration?

Soil immediately around drum cleaned up. Additional soil under paved driveway to be removed from easement up to point of sewer connection. Hole will be filled with clean fill and driveway repaved. Impacted soils pending treatment at Phoenix Soil LLC.

16. CERTIFICATION: *I hereby affirm that the foregoing statement is true to the best of my knowledge.*

Signature	Title	Date
Lawrence K. Secor	Sr. Env. Proj. Mgr.	March 10, 2008

Print Name	Telephone
Lawrence K. Secor, CHMM	203.484.2793

Street Address/P.O.Box	City/Town	State & Zip
Nafis & Young Engineers, Inc. 1355 Middletown, Ave.	Northford,	CT 06472

This form may be reproduced or computerized as long as it contains all of the information requested and is on an 8½ x 11 white paper, black type format. For serious incidents the questions may be answered in narrative format which must include the preparer's affidavit.

MAIL TO:

State of Connecticut
Department of Environmental Protection
Bureau of Waste Management
Oil and Chemical Spill Response Division
79 Elm Street
Hartford, CT 06106-5127

Telephone: Routine Calls (860)424-3024
Emergency 24 hours (860)424-3338

Date Samples Received: 03/06/08

Client Name : **Nafis & Young Engineers**	Date Extracted: 03/06/08
CTL Lab No.: 0308065	Date Analyzed: 03/06/08
Job/PO No. : 2005-012	Analyst: LP
Report. Date: 03/07/08	

RESULTS OF ANALYSIS

Matrix Type : **S**
CTL Sample No.: **3669**
Field ID : **O&G 6'**

Parameters	MDL				
CT-ETPH-mg/kg	50	882			

RSR
2500 mg/kg GB-Anc
0.1 mg/kg GPC

MDL= Method Detection Level / BDL= Below Detection Level

Matrix Type: W= Water/Aqueous S= Soil/Solid O= Oil/Hydrocarbon

Post-it® Fax Note 7671		Date 3/7	# of pages ▶ 6
To Larry Secor		From Steve Fraus	
Co./Dept. Nafis Young		Co. CTL	
Phone #		Phone #	
Fax #		Fax #	

Connecticut Testing Laboratories, Inc.
165 Gracey Avenue / Meriden, CT 06451
(203) 634-3731 (Fax) 630-1336
Certification CT-PH0547/ MA-CT035

Date Samples Received: 03/06/08

Client Name : **Nafis & Young Engineers**	CTL Lab No. : 0308065
Report Date : 03/07/08	PO/ Job No. : 2005-012

RESULTS OF ANALYSIS

EPA Method 8082

Matrix Type :	**S**
CTL Sample No.	**3669**
Field ID :	**O&G 6'**

Parameters	MDL				Date Analyzed
Total PCBs-mg/kg	1	BDL			03/06/08

MDL= Method Detection Level BDL= Below Detection Level

Matrix Types: **W** = *Water/Aqueous* **S**= *Soil/Solid* **O**= *Oil/Hydrocarbon*

Connecticut Testing Laboratories, Inc.
165 Gracey Avenue / Meriden, CT 06451
(203) 634-3731 (Fax) 630-1336
Certification CT-PH0547/ MA-CT035

Client Name : **Nafis & Young Engineers**	Date Extracted: 03/06/08
CTL Lab No.: 0308065	Date Analyzed: 03/07/08
Job/PO No. : 2005-012	Analyst: YK
Report Date : 03/07/08	

EPA METHOD 8260B GC/MS Date Samples Rec'd: 03/06/08

Matrix Type : S
CTL Sample #: 3669
Field ID : O&G 6'

Results of Analysis-ug/kg

Parameters	MDL				
Dichlorodifluoromethane	10	BDL			
Chloromethane	10	BDL			
Vinyl chloride	10	BDL			
Chloroethane	10	BDL			
Bromomethane	10	BDL			
Trichlorofluoromethane	10	BDL			
1,1-Dichloroethylene	10	BDL			
Methylene chloride	10	BDL			
t-1,2-Dichloroethylene	10	BDL			
1,1-Dichloroethane	10	BDL			
2,2-Dichloropropane	10	BDL			
cis-1,2-Dichloroethylene	10	BDL			
Chloroform	10	BDL			
Bromochloromethane	10	BDL			
1,1,1-Trichloroethane	10	BDL			
1,1-Dichloropropylene	10	BDL			
Carbon tetrachloride	10	BDL			
Benzene	10	BDL			
1,2-Dichloroethane	10	BDL			
Trichloroethylene	10	BDL			
1,2-Dichloropropane	10	BDL			
Bromodichloromethane	10	BDL			
Dibromomethane	10	BDL			
cis-1,3-Dichloropropylene	10	BDL			
Toluene	10	BDL			
t-1,3-Dichloropropylene	10	BDL			
1,1,2-Trichloroethane	10	BDL			
Tetrachloroethylene	10	BDL			
1,3-Dichloropropane	10	BDL			
Dibromochloromethane	10	BDL			
1,2-Dibromoethane (EDB)	10	BDL			
Chlorobenzene	10	BDL			
Ethylbenzene	10	BDL			
1,1,1,2-Tetrachloroethane	10	BDL			
p/m-Xylene	10	BDL			
o-Xylene	10	BDL			

MDL= Method Detection Level BDL= Below Detection Level

Matrix Type: W= Water/Aqueous S= Soil/Solid O= Oil/Hydrocarbon

Connecticut Testing Laboratories, Inc.
165 Gracey Avenue / Meriden, CT 06451
(203) 634-3731 (Fax) 630-1336
Certification CT-PH0547/ MA-CT035

Client Name : Nafis & Young Engineers
CTL Lab No.: 0308065
Job/PO No. : 2005-012
Report Date : 03/07/08

Date Extracted: 03/06/08
Date Analyzed: 03/07/08
Analyst: YK

EPA METHOD 8260B GC/MS

Date Samples Rec'd: 03/06/08

Matrix Type : S
CTL Sample #: 3669
Field ID : O&G 5'

RSR

Results of Analysis-ug/kg

Parameters	MDL				
Styrene	10	BDL			
Bromoform	10	BDL			
Isopropylbenzene	10	36.0			
1,1,2,2-Tetrachloroethane	10	BDL			
Bromobenzene	10	BDL			
1,2,3-Trichloropropane	10	BDL			
n-Propylbenzene	10	BDL			
2-Chlorotoluene	10	BDL			
1,3,5-Trimethylbenzene	10	BDL			
4-Chlorotoluene	10	BDL			
tert-Butylbenzene	10	BDL			
1,2,4-Trimethylbenzene	10	BDL			
sec-Butylbenzene	10	17.0			
p-Isopropyltoluene	10	BDL			
1,3-Dichlorobenzene	10	BDL			
1,4-Dichlorobenzene	10	BDL			
n-Butylbenzene	10	BDL			
1,2-Dichlorobenzene	10	BDL			
1,2-Dibromo-3-chloropropane	10	BDL			
1,2,4-Trichlorobenzene	10	BDL			
Hexachlorobutadiene	50	BDL			
Naphthalene	50	285.0			
1,2,3-Trichlorobenzene	10	BDL			
Methyl ethyl ketone	50	BDL			
Methyl butyl ketone	50	BDL			
Methyl isobutyl ketone	50	BDL			
MTBE	10	BDL			
1,2-Dichloroethane-d4 (SR)	—	84			
Toluene-d8 (SR)	—	112			
p-Bromofluorobenzene (SR)	—	102			

Cumene
132,000 ug/kg GB-PMC
30ug/L GPC

1,400 GB-PMC
61ug/L G-PC

5,600 GB-PMC
280ug/L GPC

SR=Surrogate Recovery-percent

MDL= Method Detection Level BDL= Below Detection Level

Matrix Type: W= Water/Aqueous S= Soil/Solid O= Oil/Hydrocarbon

Connecticut Testing Laboratories, Inc.
165 Gracey Avenue / Meriden, CT 06451
(203) 634-3731 (Fax) 630-1336
Certification CT-PH0547/ MA-CT035

Client Name : **Nafis & Young Engineers**
CTL Lab No.: 0308065
PO/Job No. 2005-012
Report Date : 03/07/08

Date Extracted: 03/06/08
Date Analyzed: 03/06/08
Analyst : KM

PAHs by EPA METHOD 8270C (GC/MS) Date Samples Rec'd: 03/06/08

Matrix Type: S
CTL Sample #: 3669
Field ID : O&G 6'

Results of Analysis-ug/kg

Parameters	MDL		GB-PMC	RDEC	
Naphthalene	100	1,080.0	56,000	1,000,000	
Acenaphthylene	100	164.0	84,000	1,000,000	
Acenaphthene	100	254.0	84,000	1,000,000	
Fluorene	100	527.0	56,000	1,000,000	
Phenanthrene	100	2,170.0	40,000	1,000,000	
Anthracene	100	427.0	400,000	1,000,000	
Carbazole	500	BDL			
Fluoranthene	100	1,410.0	56,000	1,000,000	
Pyrene	100	1,630.0	40,000	1,000,000	
Benzo(a)anthracene	100	601.0	1,000	1,000	
Chrysene	100	701.0	1,000	8,400	
Benzo(b)fluoranthene	100	656.0	1,000	1,000	
Benzo(k)fluoranthene	100	376.0	1,000	84,000	
Benzo(a)pyrene	100	491.0	1,000	1,000	
Indeno (1,2,3-cd)pyrene	500	BDL	—	—	
Dibenzo(a,h)anthracene	500	BDL	—	—	
Benzo(ghi)perylene	500	BDL	—	—	
2-Fluorobiphenyl (SR)	—	102	—	—	
Nitrobenzene-d5 (SR)	—	99	—	—	
p-Terphenyl-d14 (SR)	—	101	—	—	

SR = Surrogate Recovery - Percent

MDL= Method Detection Level BDL= Below Detection Level

Matrix Type: W= Water/Aqueous S= Soil/Solid O= Oil/Hydrocarbon

DOCUMENT SEPARATOR

UNDERGROUND STORAGE FACILITY NOTIFICATION

2. PG. 1 of

STATE OF CONNECTICUT
Department of Environmental Protection
UNDERGROUND STORAGE FACILITIES PROGRAM
HAZARDOUS MATERIALS MANAGEMENT UNIT
165 Capitol Avenue, Hartford, CT 06106
TEL. 566-4630

EPHM-5 REV. 3/90

NOV 04 1991
NOV 25 1991

3. FOR STATE AGENCY USE ONLY | A. SITE I.D. | B. DATE RCVD BY D.E.P | C. DATE ENTERED 11-3-91 | D. GRID COORDINATES X ____ Y ____ | E. DOES FACILITY MEET NEW REQUIREMENTS? ☐ YES ☐ NO

SECTION A

1a. ☐ FIRST NOTIFICATION OR
b. ☐ SUBSEQUENT NOTIFICATION (If checked, enter No.)

SITE I.D. 06-3932

PLEASE TYPE. ALL THREE COPIES MUST BE LEGIBLE!
Refer to INSTRUCTIONS FOR FILING NOTIFICATION before completing form.

SECTION B

	NAME	NO. AND STREET	NEAREST INTERSECTING STREET	CITY OR TOWN	STATE	LAT / LONG	ZIP CODE	TELEPHONE
4. LOCATION OF FACILITY	SITE NAME: MURTHA INDUSTRIAL PARK	RAILROAD AVE.	DEPOT ST.	BEACON FALLS	CT.			
6. BUSINESS NAME AND MAILING ADDRESS	HAROLD MURTHA	RAILROAD AVE., P.O. BOX 51		BEACON FALLS	CT		06403	(203) 723-7466
7. FACILITY OWNER	HAROLD MURTHA	RAILROAD AVE., P.O. BOX 51		BEACON FALLS	CT		06403	(203) 723-7466
8. TYPE OF OWNER	☑ PRIVATE ☐ STATE ☐ MUNICIPAL ☐ FEDERAL (G.S.A. No. _____)							
9. OPERATOR/CONTACT PERSON	HAROLD MURTHA	RAILROAD AVE.		BEACON FALLS	CT.		06403	(203) 723-7466

SECTION C

10. TANK ID.	11a. DATE OF INSTALLATION (Mo./Yr.)	11b. LIFE EXPECTANCY (# of years)	12a. TOTAL CAPACITY (Gals.)	12 b. STATUS: IN USE	ABANDONED IN PLACE	EST. QUANTITY LEFT STORED (if any). (Gals.)	REMOVED	DATE TANK LAST USED (Mo./Yr.)	13. TYPE OF CONTENTS: OIL/PETROLEUM PRODUCT	CHEMICAL LIQUID	14. CONTENTS- CHEMICAL NAME OF PRINCIPAL SUBSTANCE (not trade name.) (Enter C.A.S. No., if known)	15. CONSTRUCTION MATERIALS: STEEL	FIBERGLASS REINFORCED PLASTIC	OTHER (Specify from list A)	16. PROTECTION a. INTERNAL: LINED	UNLINED	b. EXTERNAL: CATHODIC PROTECTION	COATED/WRAPPED	CATHODIC PROTECTION	OTHER (Specify from list B)	17. INTEGRAL PIPING SYSTEM a. CONSTRUCTION MATERIAL (from list A)	a. PROTECTION (from list B)	b. DATE OF INSTALLATION OR REPLACEMENT (Mo./Yr.)	18. MONITORING SYSTEM (Specify type from list B)	19. FAILURE DETERMINATION CONDUCTED? (If "YES", enter DATE and attach results). (If "NO", enter "NO")
Example	5/75	30	5000	X					X		Heating fuel #2		X			X				H	3	H	5/75	U	NO
Example	7/60	-	8000				X	8/78		X	1, 1, 1, - Trichloroethane CAS #79016	X				X				E	7	W	7/60	U	—
4B	10/91	30	8000	X					X		HEATING OIL #2	X				X			X				10/91		NO

RECEIVED
OCT 16 1991
DEP-Waste Management Bureau
OCSD-Underground Storage Tanks
Toxic Substances

SECTION D

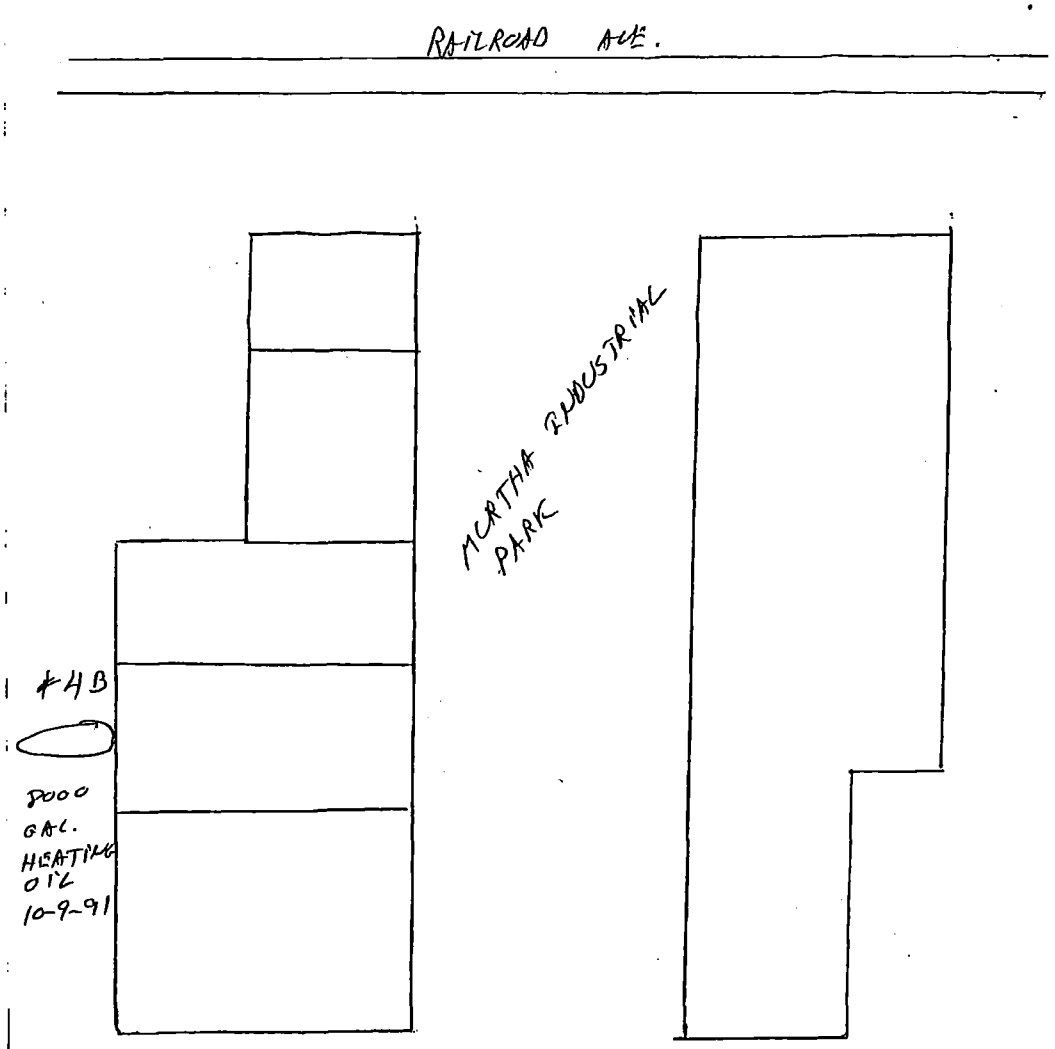
20. HAVE YOU ATTACHED SKETCH OF TANKS AND LOCATION? ☑ YES

21. COMMENTS:

22. CERTIFICATION: I certify under penalty of law that I have personally examined and am familiar with the information submitted in this and all attached documents and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. Penalties: any owner who knowingly fails to notify shall be subject to a civil penalty not to exceed $10,000 for each tank for which notification is not given or for which false information is submitted.

22a. SIGNATURE: X Terrance J. Murtha
22b. DATE SIGNED: 10/14/91
22c. NAME (Type or Print): TERRANCE J. MURTHA
22d. OFFICIAL TITLE (of owner or authorized representative): VICE PRESIDENT

COPY 1: SEND TO DEP: 165 CAPITOL AVE. HARTFORD, CT 06106


RAILROAD AVE.
MARTHA INDUSTRIAL PARK
#4B
2000 GAL. HEATING OIL 10-9-91

UST Data Report

Owner ID: **2888**

Owner

Owner	2888
OwnerType:	Private
Name:	HAROLD W. MURTHA
Address:	RAILROAD AVE
City, ST Zip:	Beacon Falls CT 06403
Contact:	Phone: (203) 723-7466
OwnerDesc:	Private Fax:
Comment:	

Facility

Owner ID: 2888 | Alt Fac ID: 6-3936

Facility ID: FacilityType: OperFirstNam OperLastName Phone
Facility Name: Street Address: City: State ZIP:
Comments:

3936 Not Listed	HAROLD W. MURTHA	
MURTHA INDUSTRIAL PARK		
RAILROAD AVE. EXT.	Beacon Falls	CT 06403

Site Owner GSA #:
Site Basin Name: NAUGATUCK RIVER
Site Proprietary Code: N
Site Grid X: 1
Site Grid Y: 1
Intersecting Street: DEPOT ST.
Check ZIP code...may not be correct!

Date of Receipt: 11/27/2006

LatDeg:	+41
LatMin:	26
LatSec:	30.00
LongDeg:	007
LongMin:	33
LongSec:	48.00

Facility Contacts:

Last Name:	Phone:
HAROLD W. MURTHA	(203) 723-7466
HAROLD W. MURTHA	(203) 723-7466

Tank

Tank Status: (●) All Tanks ( ) In Use ( ) Perm Out of Use ( ) Temp Out of Use

Fac ID: 3936

TankID | Tank Stat Desc: | Closure Status Desc | Capacity:
Overfill inst | Spill Inst | CP Met | FedRegd? | Tank Mat Desc:
Subs.Desc: | Dt Lst Usd: | TankModsDesc: | PipeMatDe | PipeModDesc:

1	Permanently Out of U	Removed		10000
☐	☐	☐	☐	Asphalt Coated or Bare Steel
Heating Oil	06/01/90	None	Unknown	None
2	Currently In Use			8000
☐	☐	☐	☐	Cathodically Protected Steel
Heating Oil		None	Unknown	None
3	Permanently Out of U	Tank removed from ground		10000
☐	☐	☐	☐	Asphalt Coated or Bare Steel
Heating Oil	08/06/06	None	Unknown	None

UST Data Report

Owner ID: **2880**

Owner

	2880
OwnerType:	Private
Name:	HAROLD MURTHA
Address:	RAILROAD AVE, BOX 51
City, ST Zip:	Beacon Falls CT 06403
Contact:	Phone: (203) 723-7466
OwnerDesc:	Private Fax:
Comment:	

Facility

Owner ID: 2880 Alt Fac ID: 6-3932

Facility ID: FacilityType: OperFirstNam OperLastName Phone
Facility Name: Street Address: City: State ZIP:
Comments:

3932	Not Listed	
MURTHA INDUSTRIAL PARK		
RAILROAD AVENUE	Beacon Falls	CT 06403

Site Owner GSA #:
Site Basin Name: NAUGATUCK RIVER
Site Proprietary Code: N
Site Grid X: 1
Site Grid Y: 1
Intersecting Street: DEPOT STREET
Check ZIP code...may not be correct!

Date of Receipt: 5/7/1986

LatDeg: +04
LatMin: 12
LatSec:
LongDeg: 007
LongMin: 33
LongSec: 52.00

Facility Contacts:

Last Name:	Phone:
HAROLD MURTHA	(203) 723-7466
HAROLD MURTHA	(203) 723-7466

Tank

Tank Status: (●) All Tanks ( ) In Use ( ) Perm Out of Use ( ) Temp Out of Use

Fac ID: 3932

TankID	Tank Stat Desc:	Closure Status Desc	Capacity:
Overfill inst	Spill Inst	CP Met	FedRegd?	Tank Mat Desc:
Subs.Desc:	Dt Lst Usd:	TankModsDesc:	PipeMatDe	PipeModDesc:
1	Currently In Use			8000
☐	☐	☐	☐	Cathodically Protected Steel
Heating Oil		None	Unknown	None
2	Currently In Use			10000
☐	☐	☐	☐	Asphalt Coated or Bare Steel
Heating Oil		None	Unknown	None

SITS Data Report

Spillcase: **2000-08762**

2000	RP: **MURTHA ENTERPRISES**	Area3: (203)	
	Location: **RAILROAD AVE.**	Discharger Phone: 723-7466	
Release Town, State: **BEACON FALLS** CT		RP Town:	
Assigned To: 000		State / ZIP:	CT
Date Reported: 11/17/2000		Responsibility:	YES
Date of Release: 11/17/2000		Rel. Substance:	DEISEL FUEL & GASOLINE
Reported By: TANKWORKS			
Area1: (860)		Gallons, Yards, FT:	0 0 0
Phone: 646-3348		Waterbody:	N/A
Representing: SELF		Tot Quant Recovered:	0
Area2:		Tot Quantity in Water:	0
Phone2:		Release Term, Status:	YES CLOSED
Street:		AT Inspector name:	**NO RESPONSE
Emerg Measures: SOIL REMOVAL			

LUST Flags:

◯ Removal ◯ Leak ◯ Emergency ◯ Tank ◯ Piping ◯ Overfill ◉ OCSRD Complt ◉ Referral Site ◯ RP
◯ Spill$ ◉ Motor Fuel ◯ Other ◯ Private HF ◯ Comm HF ◯ Comm HF > ◯ Comm HF <

Lust Referred LUST 3/2/01, Tankworks abandonment of 1 8000 gasoline UST and 1 2000 gal diesel tank.
Comment Upon receipt of the drilling cores contamination was evident. 20.34 tons soil removed.

Action:	Other:	**Media:**	Other :
Soil Removed		Other	SOIL
		Waterbody:	Other:
		Other	N/A
Release Type:	Other :		
petroleum		**Discharge Class:**	Other:
		Commercial	
Agency:	Other:	**Cause:**	Other:
DEP Dispatch		Transfer Line Failure	
		OVERFILL	

Lust Lookup

59964 Entry: 6/23/2011 Active: ☑

Status: ○ Pending ○ Investigation ○ Cleanup Initiated ◉ LUST Completed ○ RSRs Reached

Incident Date:	11/17/2000	LUST Staff:	
Site Name1:	Murtha Industrial Park	ERC:	0
Site Name2:		DEP Contact:	
Site Address1:	125 Railroad Avenue Extensio	Ref Source:	
Site Address2:		Date Referred:	
Site Town, Zip:	6 Beacon Falls CT	Zip Code:	06403-
Comments:	UST Enforcement Files and LUST Files		

Referred To:

Flags

☐ **Emergency** ☐ OCSRD Complete ☐ Alt Water Supply
☑ **Private HF**
☑ **Commercial HF**
☐ Comm HF LE 2100 Ga
☐ Comm HF GR 2100 Gal
☐ Comm HF Unknown Amt.
☐ **Leak**
☑ Tank
☑ Removal
☐ Piping
☐ Overfill
☐ **Motor Fuel** ☐ Other Release >
☐ Diesel ☐ Spill $ Candidate ☐ Relocation
☐ Gasoline
☐ **No Release** ☐ **Non-LUST Site**
☐ Lust Follow Up Follow Up Date:

	Contractor	Consultant
Site Contact:	Tankworks	Thomas Tatoian (Sunshine En
Contact Address1:		130 Railraod Hill Street
Contact Address2:		
Contact Town St.:	0	151 Waterbury CT
Contact Zip:		06708-
Contact Phone:	(860) 646-3348	(203) 753-5353
Contact Fax:		(203) 757-6515
Contact Type:		President

Work Done: ☐ Site Inspection

☐ Cellar Borings ☐ Soil Gas ☐ Survey
☐ Install MWs ☐ Soil Venting ☐ Potable Well Sample
☐ GW Sample ☑ Soil Excavate ☐ Sample MWs
☑ Soil Sample ☐ Geoprobe ☐ GW Gauging

☐ Responsible Party

RP Name1:	Murtha Enterprises
RP Name2:	Harold W. Murtha (Opera
RP Address1:	Railroad Avenue Extensio
RP Address2:	
RP Town, St:	6 Beacon Falls CT
RP ZipNo:	06403-
RP Phone:	(203) 723-7466
RP Phone2:	
RP Fax:	

Links

USTE Facility ID: 3936
Owner ID: 2888

SITS Spillcase No: 2000-08762

Old SITS Spillcase No: 0000-00000

Cost Recovery Spillcase No: 0000-00000

UST Comm Site No: 00000

Case Log Log ID: 0000

Monthly Rpt Monthly Rpt ID: 0000-00000

Ground Water

GW Classification:	GB
Sampling/Gauging Frequency:	
GW Flow Direction:	
GW Depth:	
GW Gradient:	
Depth of Free Product:	0
No. of Wells:	0
Wells Containing LPH:	0
Possible Receptors/Comments:	

Action

Action	Date	Medium:	DEP?
Tank & Soil Removed	11/17/2000	soils	☐
Tank/Soil Removal	11/7/2013	tank	☐
Sampled	11/7/2013	soils	☐
Tank/Soil Removal	5/27/2014	tank	☐
Sampled	5/27/2014	soils	☐

NOV

NOV Discovery Date:	Discovery	☐ Stop All NOV Actions
NOV Issued:	+90	
NOV Compliance Sched:	+120 (30)	
Admin Order:	+180	
Referred To AG:	+210	

Release

Substance	Source	Quantity	Unit
Heating Oil	Tank Removal	20.34	tons soils
Heating Oil	UST Removal	0	

☐ Release Investigation Rpt ☐ Qrtly GWater Monitor Rpts
☐ DEP Approval Letter1 ☐ Closure Request Report
☐ Corrective Action Plan ☐ DEP Closure Letter
☐ DEP Approval Letter2
☐ Remedial System Install Install Date:
☐ Remedial Sys Monitor Rpt

NOV Comments: Closure Date:

Location:
Release:
Work done:
Follow up:

Lust Lookup

59964 Entry: 6/23/2011
Active: ☑

Status:
○ Pending ○ Investigation ○ Cleanup Initiated ◉ LUST Completed ○ RSRs Reached

Correspondence

Date Issued:	Date Recd:	Correspondence Type
12/8/2013	1/2/2014	Tank Closure Assessment Report

Closure Report, 10,000-gallon Fuel Oil UST Removal (T. Tatoian) Sunshine Environmental Services, Inc.: On November 7, 2013, one 10,000-gallon heating fuel UST was removed from site. The UST was observed to be in very good condition. 10 confirmation soil samples were collected from the UST grave and were analyzed for ETPH (CT ETPH). Only the oil line bottom soil sample had ETPH (1,500 mg/kg) above the Res DEC, but below the GB PMC and 30 x Res DEC. Consultant does not provide any recommendations.

Docs: B:\Beacon Falls\125 Railroad Avenue Extension\Beacon Falls\125 Railroad Avenue\Beac

6/15/2014	7/8/2014	UST Facility Notification

Notification for Underground Storage Tanks (T. Murtha) Murtha Enterprises.: One 10,000-gallon heating fuel UST (A1) was removed from ground on January 1, 2013. The required site assessment was completed by Sunshine Environmental Services of Waterbury, CT. Soil samples were collected. The boxes for COCs above the RSRs remedial actions recommended and remedial actions completed were not checked. Attached was a UST Closure Report.

Docs: B:\Beacon Falls\125 Railroad Avenue Extension\Beacon Falls\125 Railroad Avenue\Beac

6/15/2014	7/8/2014	Tank Closure Assessment Report

Closure Report, 10,000-gallon Fuel Oil UST Removal (T. Tatoian) Sunshine Environmental Services, Inc.: On May 24, 2014, one 10,000-gallon heating fuel UST was removed from site. The UST was observed to be in very good condition. 10 confirmation soil samples were collected from the UST grave and were analyzed for ETPH (CT ETPH). All COCs were below the GA PMC and Res DEC. Consultant does not provide any recommendations.

Docs: B:\Beacon Falls\125 Railroad Avenue Extension\Beacon Falls\125 Railroad Avenue\Beac

UST Data Report

Owner ID: 4873

Owner

Owner	4873
OwnerType:	Private
Name:	O & G INDUSTRIES
Address:	112 WALL ST.
City, ST Zip:	Torrington CT 06790
Contact:	Phone: (860) 496-4250
OwnerDesc:	Private Fax:
Comment:	

Facility

Owner ID: 4873 | Alt Fac ID: 6-3951

Facility ID: FacilityType: OperFirstNam OperLastName Phone
Facility Name: Street Address: City: State ZIP:
Comments:

3951 Not Listed

BEACON FALLS CONCRETE PLANT

RAILROAD AVE | Beacon Falls | CT 06403

Site Owner GSA #:
Site Basin Name: NAUGATUCK RIVER
Site Proprietary Code: N
Site Grid X: 1
Site Grid Y: 1
Intersecting Street: DEPOT ST
Check ZIP code...may not be correct!

Date of Receipt: 5/8/1986

LatDeg: +41
LatMin: 26
LatSec: 30.00
LongDeg: 007
LongMin: 33
LongSec: 51.00

Facility Contacts:

Last Name:	Phone:
WILLIAM PORTER	(203) 366-3761
P. J. KUCHMA CONST. CO. INC.	(203) 366-3761
FARONI	(860) 496-4250

Tank

Fac ID: 3951

Tank Status: (•) All Tanks ( ) In Use ( ) Perm Out of Use ( ) Temp Out of Use

TankID	Tank Stat Desc:	Closure Status Desc	Capacity:
Overfill inst	Spill Inst	CP Met	FedRegd?	Tank Mat Desc:
Subs.Desc:	Dt Lst Usd:	TankModsDesc:	PipeMatDe	PipeModDesc:
1	Permanently Out of U	Removed	3000
☐	☐	☐	☑	Asphalt Coated or Bare Steel
Diesel	10/01/88	None	Bare Steel	None
2	Permanently Out of U	Removed	3000
☐	☐	☐	☑	Asphalt Coated or Bare Steel
Diesel	10/01/88	None	Bare Steel	None
3	Permanently Out of U	Removed	2000
☐	☐	☐	☑	Asphalt Coated or Bare Steel
Diesel	10/01/88	None	Bare Steel	None

DOCUMENT SEPARATOR

STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION

INTERDEPARTMENTAL MESSAGE

SITE NAME: Town File
TOWN: Beacon Falls
FILE TYPE: PRIDA

TO: Town Files, Beacon Falls CT, Seymour CT.

FROM: Thomas R. Neville TRN
Environmental Analyst 2
Water Management Bureau, Permitting, Enforcement, and Remediation Division

DATE: November 30, 1994

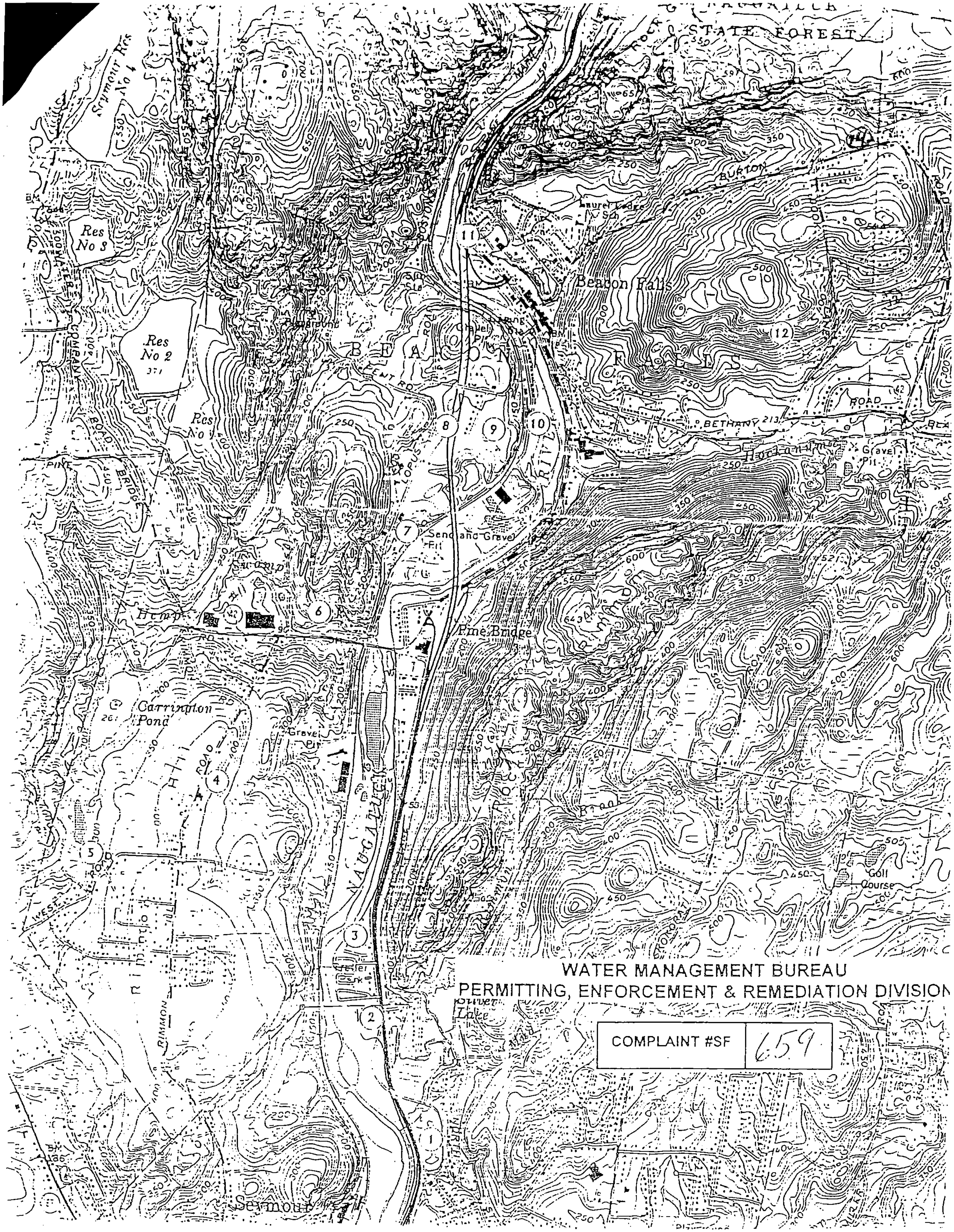
SUBJECT: Alleged Solid Waste and/or Hazardous Waster Disposal Sites in Vicinity of Beacon Falls and Seymour, CT.

On 11/01/94 at 10:00am, Thomas R. Neville and Steve Gaura, of the Water Management Bureau, Permitting, Enforcement, and Remediation Division, met with the complainant in Beacon Falls, Connecticut. The complainant notified CT DEP of the existence of numerous solid and/or hazardous waste disposal sites(historic and present), and was willing to accompany us as a guide and point out the locations of the alleged disposal sites. The complainant claims knowledge of the undocumented disposal sites due to having resided in Beacon Falls for a long period of time, interviewing townspeople and researching(for the past 20 years) historic waste disposal practices to have allegedly occurred in the area, and being involved with the waste disposal industry himself. The complainant pointed out a total of at least 14 alleged waste disposal sites located in the towns of Beacon Falls and Seymour. All of these disposal sites allegedly contain solid wastes, and may contain industrial wastes. Five of the sites allegedly have a higher likelihood of having buried hazardous wastes including casting sands and drums of hazardous wastes(these sites have been noted on following table, and are being investigated by the Site Discovery and Assessment group). The complainant continues that a "Napalm-like" material, manufactured in the 1940's by the Uniroyal or Naugatuck Chemical Company for World War II, was allegedly buried at four of the five alleged hazardous waste disposal locations, and possibly others. This material was allegedly transported by truck in 55-gallon drums separated by foam rubber in order to prevent accidental ignition of the substances. There is no information alleging quantities of wastes or the actual presence of this or other wastes. Refer to attached map for individual locations and descriptions. This information has been forwarded to the Waste, Engineering, and Enforcement Divsion due to possible violations of solid waste management regulations.

COMPLAINT № SF659

Previously undocumented waste disposal areas in the towns of Beacon Falls, and Seymour, CT.(numbers coincide with numbered areas on attached map.

Site №	Street/Town	Comment/Description	Waste Type Alleged	Coordinates
1	North Street, Seymour	aka D&C Transportation, Filled Area-Parking	Solid Wastes/Fill Material	Latitude: 41° 24′ 11″N Longitude: 73° 04′ 01″W
2	North Street, Seymour	aka Town Line Motors, Filled Area	Solid Wastes/Fill Material, Casting Sands	Latitude: 41° 24′ 33″N Longitude: 73° 04′ 19″W
3	North Street, Beacon Falls	Former Gas Station, Filled Area	Solid Wastes/Fill Material	Latitude: 41° 24′ 43″N Longitude: 73° 04′ 21″W
4	Rimmon Hill Road, Beacon Falls	aka Beacon Valley Beagle Club, Filled Area-Open Lot	Solid Wastes/Fill Material, Hazardous Wastes(Napalm/drums)	Latitude: 41° 25′ 11″N - 41° 25′ 19″N Longitude: 73° 04′ 44″W - 73° 04′ 54″W
5	West Road, Beacon Falls	Open Lot, Filled Area	Solid Wastes/Fill Material	Latitude: 41° 25′ 02″N Longitude: 73° 05′ 20″W
6	Bridge Street, Beacon Falls	Beacon Falls Industrial Park, Open Lot-Filled Area-	Solid Wastes/Fill Material	Latitude: 41° 25′ 41″N Longitude: 73° 04′ 27″W
7	Lopus Road, Beacon Falls	Former Town Garage Filled Area	Solid Wastes/Fill Material	Latitude: 41° 26′ 00″N Longitude: 73° 04′ 10″W
8	Lopus Road, Beacon Falls	Residence/Private Transfer Station	Solid Wastes/Fill Material(?)	Latitude: 41° 26′ 15″N Longitude: 73° 04′ 04″W
9	Gruber Road, Beacon Falls	Gravel Pit, Open-Lot Filled Area	Solid Wastes/Fill Material	Latitude: 41° 26′ 15″N Longitude: 73° 03′ 53″W
10	Railroad Avenue, Beacon Falls	aka Zollo Drum, and Chestnutis Properties	Solid Wastes/Fill Material, Hazardous Wastes	Latitude: 41° 26′ 15″N Longitude: 73° 03′ 45″W
11	North Main Street, Beacon Falls	Former DOT Garage, Presently Beneath Rte. 8	Solid Wastes/Fill Material, Hazardous Wastes	Latitude: 41° 26′ 45″N Longitude: 73° 02′ 47″W
12	Cook Lane, Beacon Falls	Unnamed Dead End Off Of Cook Lane	Solid Wastes/Fill Material, Hazardous Wastes	Latitude: 41° 26′ 30″N Longitude: 73° 04′ 00″W
13	Teresa Street, Beacon Falls	Wooded Area Beyond Terminus Of Road(Dead End)	Solid Wastes/Fill Material, Hazardous Wastes	Latitude: 41° 27′ 13″N Longitude: 73° 02′ 18″W
14	Burton Road, Beacon Falls	Alleged Historic Dumping	Solid Wastes/Fill Material, Hazardous Wastes	Latitude: 41° 27′ 08″N Longitude: 73° 02′ 34″W



WATER MANAGEMENT BUREAU
PERMITTING, ENFORCEMENT & REMEDIATION DIVISION

COMPLAINT #SF	659

Bureau of Waste Management, Oil and Chemical Spill Response Division

Emergency Incident Report

Case No.: 2001-04389
Staff Receiving Call: 912 CIASULLO, RICH Assigned To: 000 NO RESPONSE
Date Reported: 06/18/2001 Time Reported: 11:05
Date of Release: 06/18/2001 Time of Release: UNKNOWN
Town of Release: BEACON FALLS State of Release: CT
Location of Reported Release: RIMMON HILL RD. - NAUGATUCK VALLEY BEACON CLUB PROPERTY
Reported By: CORPORAL BRAIN BLAKEMAN Phone: (203) 393-4200
Representing: CSP TROOP I- BEACON FALLS RESIDENT TROOPER OFFIC
Responsible Party: UNKNOWN Phone:
Street Address:
Town: State: Zip Code:
Does the Responsible Party Accept Financial Responsibility? NO
Release Type: CHEMICAL
Release Substance: DRUMS OF NAPALM
Media: SUBSURFACE SOILS
Total Quantity: 0 Gallons 0 Cubic Yards 0 Cubic Feet 0 Drums 0 Pounds
Emergency Measures: COMPLAINANT STEVEN POSIK REPORTED ILLEGAL DISPOSAL OF DRUMS OF NAPALM FROM UNIROYAL CHEMICAL, SEE ATTACHED REPORT COPY OF CSP REPORT FROM 6-15-01
Has the Release Been Terminated?: NO
Type of Waterbody Affected: GROUNDWATER
Name of Waterbody Affected:
Total Quantity Recovered: 0 Total Quantity In Water: 0
Corrective Actions Taken: REFERRED INVESTIGATING
Discharge Class: COMMERCIAL
Cause of Incident: DUMPING
Agencies Notified: STATE POLICE-RESIDENT TROOPER BLAKEMAN
DEP DISPATCH

Status: CLOSED

Mike H

TATE OF CONNECTICUT
EPARTMENT OF PUBLIC SAFETY
IVISION OF STATE POLICE
'S-302-C REV. 7/85

CONTINUATION OF INVESTIGATION REPORT

BUREAU OF WATER MANAGEM.
JUN 29 2001

CASE NUMBER	INCIDENT TYPE	PROSECUTOR'S				
-01-140590	Susp/Incident	☐ REPORT SENT	☐ SUPPLEMENTARY	☐ RE-OPEN	☐ ASSIST	☒ CLOSING

ction Taken: On Thursday June 14, 2001 the complainant Steven Posik came to the Beacon Falls esident Troopers Office to express concern of some hazardous material he believes was buried in Beacon Falls during the mid 1960's. Mr. Posik said that he is concerned because of the close proximity of ie burial site to the new high school that is being built. Mr. Posik said that a man he knows as Dodie orton, told him that there are drums or barrels of napalm buried on property on Rimmon Hill Road. Mr. osik said that Dodie Norton told him that he (Dodie) buried the drums on what now is known as the augatuck Valley Beagle Club property on Rimmon Hill Road. Posik said that Dodie Norton told him that e operated John Betkoski's backhoe to dig the holes to bury the barrels. Posik said that Dodie told him iat the barrels were wrapped in sponge rubber while being transported and buried so they would not ome in contact with one another. Posik also said that last year some foam rubber was dug up by a ontractor who was installing a sewer line on West Road, which is in the area of the Beagle Club on immon Hill Road. Mr. Posik said that Dodie Norton said that the barrels were hauled from the Uniroyal lant by Clarke Trucking. Posik said that the owner MR. Clarke is not alive any more. Mr. Posik said that odie Norton lives in Naugatuck.

Ir. Posik said that he believes that a Beacon Falls Resident named Del Gandarillas of 302 Bethany Road Beacon Falls may have been involved and was an employee of the Uniroyal Company during the time eriod when the barrels were buried. Mr. Posik said that Del Gandariellas and Mr. Clark were very close lends. Mr. Posik said that there might also be drums buried on the Scheithe property at 198 Cook Lane Beacon Falls.

Ir. Posik went on to say that he did report this information to the DEP and EPA in the past. Mr. Posik said iat he also has made past and present Beacon Falls Selectmen aware of this information and does not elieve that anything has ever been done about this.

Ir. Posik said that he thought that the Botti family owned the Beagle club property when the material was uried. Mr. Posik thought that the property was given to the Beagle club after the material was buried. Mr. osik said that another town resident named Mike Krenesky Sr. of 70 Avenue E in Beacon Falls who nows information about this incident.

Ir. Posik said that he would be available to talk to any authority about what he was told and knows.

ction Pending: This information will be forwarded to The Connecticut Department of Environmental rotection for review.

his case will be suspended but re-opened if new information is developed.

STATUS OF CASE 1. ACTIVE 2. CLEARED ARREST 3. SUSPENDED 4. X-CLEARED F. FUGITIVE 6. NO CRIMINAL SPECT	CODE 6	AGE OF OLDEST ACCUSED(MUST BE USED WHEN CODE 2 OR 4/5 USED.)	PAGE NUMBER 2 OF 2
SUPERVISOR'S SIGNATURE / ID NO.	INVESTIGATOR'S SIGNATURE: Corporal Brian Blakeman / ID NO. 1044		DATE OF REPORT 06/18/01

1-01-140580 | 2. [X] INITIAL REPORT 3. [ ] PROSECUTOR'S REPORT HAS BEEN SENT 4. [ ] SUPPLEMENTARY 5. [ ] RE-OPEN 6. [ ] ASSIST 7. [X] CLOSING

8. DATE	TIME INCIDENT	9. DATE	TIME INCIDENT	10. TOWN	11. TOWN CODE	12. ADDRESS INCIDENT
06-15-01	1500			Beacon Falls	006	200 Rimmon Hill Road

13. INCIDENT TYPE (If Crime, List lowest UCR first)	UCR No.	STATUTE NO.	14. CRIME 2ND	UCR NO.	STATUTE NO.
Suspicious Incident	990				
15. Crime 3RD	UCR No.	STATUTE NO.	16. CRIME 4TH	UCR NO.	STATUTE NO.

PERSON STATUS: 1. ARRESTED 2. ACCUSED 3. COMPLAINT 4. JUVENILE 5. SUSPECT 6. MISSING 7. VICTIM 8. WITNESS 9. ALIAS X. DANGEROUS (Multiple entry, list lowest code first)
CODES RACE: W: WHITE B: BLACK I: INDIAN A: ASIAN H: HISPANIC U: UNKNOWN

18. STATUS	LAST NAME	FIRST NAME	M.I.	SEX	RACE	D.O.B.	AGE	ADDRESS	TELEPHONE NO.
3,7,8	Posik	Steven		M	W	09-22-39	61	460 Locus Rd. Beacon Falls	203 729-9164

COPY

OBJECT	MRVSH	CURRENCY	JEWELRY	CLOTHING	OFFICE EQUIP.	TV/RADIO	FIREARMS	HOUSEHOLD	CONSUMABLE	LIVESTOCK	DRUGS	MISC.	TOTAL
VALUE STOLEN	18.	19.	20.	21.	22.	23.	24.	25.	26.	27.	28.	29.	30.
VALUE RECOVERED	31.	32.	33.	34.	35.	36.	37.	38.	39.	40.	41.	42.	43.

VEH	STATUS	YEAR	MAKE	MODEL	BODY CODE	COLOR	STATE	REGISTRATION	V.I.N
	44. [ ] STOLEN [ ] USED IN CRIM [ ] SUSPECT [ ] VICTIM'S VEH.	45.	46.	47.	48.	49.	50.	51:	52.

53. NO. OF VICTIMS	BURGLARY	LARCENIES	M.V. STOLEN	60. WEAPON CODE	61. ROBBERY CODE	62. AGE OF OLDEST ACCUSED INVOLVED	63. ARSON PROPERTY CLASS CODE	ARSON 64. STRUCTURE INHABITED	65. ESTIMATED TOTAL VALUE OF PROPERTY DAMAGE	66. ASSAULT OF OFFICER
HOMICIDE: RAPE: ASSAULT:	54. LOCATION [ ] RESIDENCE [ ] NON-RESIDENCE 55. TIME [ ] NIGHT 6pm-6am [ ] DAY 6am - 6pm [ ] UNKNOWN	56. NATURE 57. AMOUNT [ ] $200&over [ ] $50-$199 [ ] under $50	58. STOLEN [ ] S.P. JURIS. [ ] OTHER JURIS. 59. RECOVERED [ ] S.P. JURIS. [ ] OTHER JURIS.			(This must be filled in when case closed 2 or 4)		[ ] YES [ ] NO	$	[ ] YES [X] NO

67. PHOTOGRAPHS TAKEN? [ ] YES [X] NO [ ] BLACK&WHITE [ ] POLAROID [ ] COLOR [ ] OTHER
68. SEARCH FOR PHYSICAL EVIDENCE [ ] YES [X] NO LATENT PRINTS DUSTED FOR [ ] YES [X] NO ELIMINATION PRINTS TAKEN [ ] YES [X] NO K-9 USED [ ] YES [X] NO 69. NEIGHBORHOOD CANVASSED [ ] YES [X] NO

CASE STATUS 1.ACTIVE 2.CLEARED/ARREST 3.SUSPENDED 4.X-CLEARED F.FUGITIVE G.NO CRIM ASPECT

70. CODE	PAGE NO. OF	INVESTIGATING OFFICER'S SIGNATURE	71. I.D. #	72. COMPLAINT DATE	73. REPORT DATE
C		Corporal Brian Blakeman	IC44	6-15-01	6/19/01

SUPERVISOR'S SIGNATURE: I.D.NO.

STATE OF CONNECTICUT DEPARTMENT OF PUBLIC SAFETY
DIVISION OF STATE POLICE MASTER COPY INVESTIGATION REPORT
SP-683-C REV. 12/93

02/10/06 18:18 FAX 008

DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF WASTE MANAGEMENT
OIL AND CHEMICAL SPILL RESPONSE DIVISION
REFERRAL

TO: Name Dave Nash | Division WEED | Date of Transmittal 6/18/01

FROM: Rich Caruso Approved by:

Oil and Chemical Spill Response Division (OCSRD)
79 Elm Street, 4th Floor, East Wing, Rear
Intercom 2665/2268

Case Number: 2001-04389

The attached case report is being referred to you

- ☒ information
- ☐ consideration for action
- ☐ other

☐ Water Management Bureau - Permitting, Enforcement and Site Remediation Division

- ☐ Illegal discharge §22a-430-3(k)
- ☐ threat to water supply
- ☐ illegal drains/pipes
- ☐ surface water contamination
- ☐ septage problem
- ☐ WWTP problem
- ☐ sewage overflow
- ☐ fish kills
- ☐ discovery of a hazardous waste site
- ☐ other
- ☐ Groundwater
  - ☐ groundwater contamination detected/confirmed/reported
  - ☐ underground tank failure
  - ☐ underground piping failure
  - ☐ surface discharge
  - ☐ illegal disposal
  - ☐ illegal discharge
  - ☐ public/private wells
  - ☐ known GAA/GA area
  - ☐ other
- ☐ Inland Water
  - ☐ Wetlands
  - ☐ Siltation
  - ☐ Dams
  - ☐ Flood related

☒ Waste Management Bureau - Engineering and Enforcement Division

- ☐ illegal discharge of hazardous waste
- ☐ illegal disposal of hazardous waste
- ☐ illegal disposal of solid waste
- ☐ emergency hazardous waste cleanup
- ☐ hazardous waste transportation incident
- ☐ transporter/contractors permit
- ☐ hazardous waste facility violations
- ☐ contaminated soil disposal
- ☒ Illegal Drum Burial

TOWN OF BEACON FALLS, CONNECTICUT
RESIDENT TROOPER/POLICE DEPARTMENT
119 NORTH MAIN STREET
BEACON FALLS, CT. 06403
(203) 729-3313
FAX: (203) 723-8768

To: Zoning Enforcement Officer
Cc: Selectmen Town of Beacon Falls
From: Corporal Brian Blakeman

Date 05-03-00

On Sunday 03-25-00 I was notified by Steven Posik about illegal dumping that was occurring on the O+G Property between Gruber Road and Railroad Avenue. I responded to the area along with Officer Cianci. We found Lee Rallis and a contractor dumping wood and logs from a roll off truck in the area. The truck was owned by Scott Mcnight from New Haven. They gained access to the property through a gate located between the Public works garage and the Sewage treatment plant. Lee stated that the publics works director supplied him with a key to the gate.

Lee stated that his intent was to store all of the wood, stumps logs etc. to be ground up for mulch.

Lee produced a permission slip signed by Leonard Velardi giving Lee Rallis permission to store firewood on the property owned by Velardi. I contacted Velardi by phone. Velardi stated that he did give Lee Rallis permission to store firewood on the property for about 6 months back in 1991. Velardi stated that he did not think Lee Rallis ever took advantage of the permission to store firewood on the property. Velardi stated that he sold the property to O+G about 3 years ago. Sold to O+G

Lee Rallis also had a slip from O+G giving him permission to cross O+G Property to gain access to land that Lee Rallis owned. (Lee Rallis did not own the property). I contacted Ken Faroni from O+G and notified him of the situation. Ken Faroni said he was unaware of anyone dumping on the O+O property. Ken Faroni stated that he did not wish to pursue criminal charges against Lee Rallis for dumping on the O+G property.

Lee Rallis also had a slip from the Town of Beacon Falls. The slip gave Lee Rallis permission to cross town owned land to gain access to the Velardi property from November 1996 through November 1997. The permission was never renewed.

I contacted Neil Williams from the Department of Environmental Protection and informed him of the situation. Williams told me that according to CT statute 22a-250 any storage of wood for processing has to be permitted by the D.E.P.

The material has not been cleaned up as of this date. I also took possession of the key given to Lee by the public works director.

Interoffice

MEMORANDUM DEPARTMENT OF ENVIRONMENTAL PROTECTION

[redacted] WASTE BUREAU: Waste Engineering and Enforcement Division

to: Robert Isner, Assistant Director

from: Martha Fraenkel, Environmental Analyst

Subject: Complaint # 1624 Beacon Falls, property of O & G, 19.6 acres

date: November 4, 2002

Background

The subject complaint originated with a contact by Steve Posick on 10/16/00, who identified six sites in Beacon Falls with possible waste violations.

Inspection and Followup

I viewed these sites on 10/31/00 with Mr. Posick (see complaint report dated 12/11/00 by M. Fraenkel). Subsequently, all were discussed with the Beacon Falls Wetlands Officer, Dave Keating. Sites #2, 3 and 4 were referred to Keating and the Zoning Enforcement Officer for municipal jurisdiction. No jurisdiction was found at sites #1 and 4. Site #6, property of O & G, was reviewed further for wood waste violations.

Site #6, between the railroad tracks and the Town garage, was an old gravel pit on an approximately 20 acre parcel which is accessed through the Town garage property on Lopus Road. At the time I viewed Site #6, it was not accessible but was visible from Lopus Road. It appeared that there were some 1200 yards of landclearing debris disposed of along the tracks, on the east side of the property. Per Mr. Posick, the wood had been placed by a landscaper with the permission of a previous owner, in 1996-97.

The complaint was passed to other staff per reorganization of solid waste enforcement staff's workload. On 1/15/02, WEED received a complaint about wood waste violations at the O&G quarry in Torrington, which was assigned to me, and on 2/28/02 another O&G related complaint was received and assigned to other WEED staff.

To expedite handling of the three O&G complaints, I contacted Mike Postle, Environmental Manager of O&G, regarding all three complaints, by phone and subsequently in a letter of 7/16/02. In correspondence from Postle dated 8/9/02 and 11/1/02, Postle acknowledged the on-site waste on the Beacon Falls property, and its removal from the property on 10/30/02.

Recommendation

I recommend the Posick complaint be closed with no further action.

G:\complaints\beacon falls o&G.doc

STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION
WASTE MANAGEMENT BUREAU

DATE 10/16/00 COMPLAINT NO. follow up on #1624 (attached)

REPORT OF COMPLAINT

Complaint received by: Tom Pregman

Site Name (Alleged Source) Call back for status on Complaint #1624

Source Address 7 sites in Beacon Falls
(Street) To MF 8/16/00 (Town)

Complainant Steve Posick

Address 460 Lopus Rd (Street) Beacon Falls (Town)

Phone # ( ) (Home) ( ) (Office)

STATEMENT OF COMPLAINT

1 Please contact him by mail or phone call to his son at 723-5233. He wants to (not wed.) show us the sites in the July complaint noted above. Gave the following additional information:

#1 Rallis B.W. dump is below the RR station in town.

#2&3 are the same site below the St DOT Garage West side Naugatuck River below Pines Bridge but not used by the state.

#4 Current filling at PW Garage - covered over an embankment.

(If needed, continue on back) (over)

Assigned to M Fraenkel Date 10/16/00

Date Investigated __/__/__ No Need to Investigate ____ (check ✓)

Referred to ____ Date __/__/__

Status ____

STATEMENT OF COMPLAINT CONTINUED

#5 McGeever residence Corner Rimmon Hill & West ST owns 30+ acres up to/around new High School Site - Said to have filled a swamp from RT 42 highway reconstruction near entrance and from the high school site construction and Rimmon Hill Sewers (2 yrs ago)

#6 Bargas Ind. Park near emission Sta Stump dump out back

#7 Does sand blasting on-site and disposes of the sand there - lead paint?

McGeevers. She asked if there were an exemption for farms. I said no. She said she would ask the other employees about it and get back to me. Later, Ray of Bartomeli called. Ray stated that he had placed the woodchips at McGeever's, and that McGeever had since spread them out. He confirmed that the source was the high school project, and that there would be no more wood going to the McGeever property.

Recommendation: Followup inspection to confirm.

3. **Industrial Park site, property of Bargas Dev. Co**, west side Lancaster Drive about 700 ft north of emissions station, frontage starting at pole #5522 and going north.
Inspection: Some waste wood has been placed on site. (Bargas may be located in Stratford? Chris Bargas 268 8611/203)
Recommendation: Contact Bargas to discuss regulatory authority re: wood waste.

4. **James Mayer property**, west side of Lopus Rd., sandblasting operation. Posick says he has no zoning permit.
Recommendation: Inform Zoning Enforcement Officer Joe Tarascio (203 729 8254).

5. **Town Garage, Lopus Rd**. Posick states that the Town has filled behind the garage.
Inspection: I viewed the site from the adjacent property to the south and saw only clean fill. Keating said that he had visited the property recently. He said that the Town has mistakenly stored equipment and placed fill on adjacent O&G parcel. Resolution involves moving equipment, but fill will probably be left in place. Keating said he has not observed any organic matter or garbage or other solid waste buried or dumped at this location. He did note that there is a bulky waste transfer station at this location.
Recommendation: No violations seen. Reinspect when in the area.

6. O&G property, west side of train tracks, with access from Town property between sewage treatment and public works garage on Lopus Rd.
Inspection: I viewed a significant quantity of wood deposited along west side of tracks. Quantities could not be accurately assessed due to distance from which viewed but best estimate is 1200 yards of wood. The site is an old gravel pit; it lacks topsoil. It is part of the Naugatuck River floodplain, heavily used by ATVs and denuded. See memo from Beacon Falls resident trooper Corp. Brian Blakeman regarding illegal dumping by Lee Rallis. The key giving Rallis access across Town land was confiscated by the trooper on 3/25/00, presumably curtailing any additional dumping. Rallis may be in the landscaping business, according to Keating. The Beacon Falls IWC had a previous enforcement case involving Rallis for storage of woodchips on the edge of the Naugatuck River; this case was resolved.
Recommendation: Reinspect; anticipate issuance of NOV to property owner.

East of Lopus, west of Tracks, access past Town Garage.

November 1, 2002

Via: Facsimile (860-424-4059)

Martha Frankel, Environmental Analyst
Waste Engineering and Enforcement Division
Department of Environmental Protection
79 Elm Street
Hartford, CT 06106-5127

Re: Beacon Falls, WEED complaint #1624

Dear Martha:

The removal of the solid waste from this site was completed on October 30, 2002. The removal consisted of 4 log truck loads and 10 dumpster loads (30 cyd) that went to Supreme Industries, Inc., from Harwinton, CT. The logs and dumpster loads were processed into bark mulch for resale. The scrap building materials were taken in 3 dumpster loads by Waste Management of CT from Winsted, CT.

I hope this information is sufficient to close the file on this property. If you need any additional information please contact me.

Sincerely,

O & G INDUSTRIES, INC.

Michael W. Postle
Environmental Manager

Telephone: (860) 496-4255
Fax: (860) 626-6469

From: Robert Isner RCI 11/21/02
To: Martha Fraenkel
Subject: O & G, Beacon Falls.

Martha,

I've signed off on your 11/4/02 memo closing out the O & G file in Beacon Falls. In doing so, I recognize earlier this year WEED investigated several allegations involving O & G sites, and reviewed the requirements of Consent Order Number WC5349/WPC015487 issued 1/4/02.

In summary, no clear solid waste violations were found to exist at the various sites inspected, and certainly no PHPV or HPV were noted. In addition, the audit & self disclosure provisions of Consent Order Number WC5349/WPC015487 were determined to not be inclusive of solid waste issues, thus no violations of the consent order exists.

Lastly, as your memo notes, the wood material including landclearing debris and wood waste was placed at the Beacon Falls site prior to acquisition of the site by O & G, and based on O & G submittals all waste has been removed from the site.

Closure of this file without issuance of an NOV or other action falls within the allowances of Section II.3.A. of the ERP, and in consideration of other priority cases and limited resources, closing the O & G file is the prudent action at this time. O & G has been adequately informed through dialog and correspondence of the pertinent solid waste issues and standards.

Please let me know if any of my summary is not accurate so that we can address any remaining issues.

Janis Tsang/R1/USEPA/US
04/10/2006 06:42 PM

To Dave McIntyre/R1/USEPA/US@EPA
cc Elise Jakabhazy/R1/USEPA/US@EPA, Randy Rice/R1/USEPA/US@EPA, Tina Hennessy/R1/USEPA/US@EPA
bcc

Subject Chestnutis Property and other Beacon Falls Sites

Dave:

I am writing to give you a quick update of the above. Early last week, I got signed access agreements for both Chestnutis property (450 Lopus Road) and 200 Rimmond Hill Road (Naugatuck Valley Beagle Club). On April 7, Tony Bobowicz of CT DEP and I went to visit both of the above-referenced properties.

Before our visit to Lopus Road and Rimmond Road, we met with State Police Corporal Brian Blakeman at his office. Cpl Blakeman who took the report of alleged dumping from Mr. Posik back in 2001, indicated that Mr. Steven Posik would come by his office to talk to us directly about his report. Cpl Blakeman then showed us a few pictures with some handwritten notes originated from Mr. S. Posik. Cpl Blakeman indicated that several individuals including Dodie Norton and Mike Kresnesky who were mentioned in 2001report have since passed away. Mr. S. Posik comes by Cpl. Blakeman's office everyday with new pictures and allegations. Mr. S. Posik suffers bipolar disease and has a very difficult time to focus. In light of that, Cpl. Blakeman indicated that we might have a hard time to follow or understand Mr. S. Posik.

During our conversation with Cpl. Blakeman, Mr. S. Posik arrived. From 1100 hrs to 1240 hrs, Tony and I met with Mr. S. Posik to try to go over the list of areas of alleged dumping in 2001 report and the number of pictures and handwritten notes he gave us through Cpl. Blakeman. As alerted by Cpl. Blakeman, we had a difficult time to keep Mr. Posik focused on the 2001 list. In addition, Mr. S. Posik attempted to talk about the pictures he took recently of other locations (65 West Road, 202 Cold Spring Road, 189 and 198 Cook Lane) that were not in 2001 report. In a nutshell, the pictures he took were someone's yard, end of a street or a pond in town. There were no evidence in any of these pictures that showed any signs of stress vegetation, soil staining or the like that might indicate environmental concerns. I should make a note that Mr. S. Posik emphasized that folks he knew who at one point worked as truck drivers for UniRoyal or Naugatuck Chemical Company told him about these dump sites. Mr. S. Posik is concerned about groundwater contamination due to the fact that private drinking wells are in the area. Unfortunately, other than Mr. Dodie Norton and Mr. Mike Kresnesky (both deceased), Mr. S. Posik did not have anyone else whom we can follow up. Mr. S. Posik did not accompany us to his alleged dump sites because he did not want to be seen with DEP and EPA and he alleged that his life has been threatened. Prior to Mr. S. Posik's departure, I told him that due to the fact that the information he provided us so far are very sketchy, after our site walk, unless something we observe during our site walk, we may not be able to investigate further at any of his referenced locations until he can come up with more workable information or witnesses.

After meeting with Mr. S. Posik, Tony Bobowicz and I proceeded to 450 Lopus Road (Chestnutis Property) to meet with Mr. Robert Posik, one of Mr. S. Posik's son. Mr. R. Posik operated Hill Auto Sales and Service Inc. on site. A site walk and a visual inspection was conducted at the cap installed during 1989 removal action in response to a recent report made by John Hircshfield of CTDEP regarding a potential breach of the cap releasing hazardous substances from the cap to the environment. The result of the visual inspection did not show that the cap was breached. Mr. R. Posik indicated that his father suffers bipolar disease and has been making a number of unfound allegations in town. People's reputation and finance suffered. As a result, everyone around his father is stressed out by his father's allegation and is angry with his father.

After visiting Lopus Road, Tony and I went to 200 Rimmond Hill Road (Naugatuck Valley Beagle Club) to meet the club president, Mr. Harold (Butch) Howe and two other club members (Mr. John Steinbachei and Mr. Ron Vitti). Mr. Howe and Mr. Vitti took us around to seen the 65-acre property. The club owned the property since 1940's and has been maintaining the land since then. During the visit, we observed no

sign of dumping, soil staining and/or stress vegetation. The land is used to train Beagle dog for hunting. There are a number of rabbit feeders on the property. The ground appeared to be well maintained. Mr. Howe and his members indicated that Mr. Posik regularly made various unfound allegations in town.

I have talked to Pat DeRosa of CTDEP today regarding the above. I would like to meet with you, Elise and Randy (Tina, you are welcome to come) to review what each of us learned and what our next course of actions should be.

I unfortunately will be on leave from 4 pm April 13 to April 21. I will be tied up with GIUE as soon as I return on April 24 and 25. Please let me know when is the earliest date and time we can meet.

Thanks,
Janis

DOCUMENT SEPARATOR

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION I
ENVIRONMENTAL SERVICES DIVISION
60 WESTVIEW STREET, LEXINGTON, MASSACHUSETTS 02173-3185

SUPERFUND
SITE NAME: Watkins Bros.
TOWN: Beacon Falls
FILE TYPE: REM

March 10, 1992

Ms. Christine Lacas
Connecticut Department of Environmental Protection
Site Remediation and Closure Division
165 Capital Ave.
Hartford, Connecticut 06106

Dear Ms. Lacas:

In August 1991, Mr. John Watkins and Mr. Randall Watkins, under Order by the U.S. Environmental Protection Agency, performed a removal action at the Watkins Machinery Site, located at 100 Railroad Avenue in Beacon Falls, Connecticut. During this removal action, approximately 9,000 gallons of organic liquid and 13,000 gallons of organic sludge were disposed of at EPA-approved disposal facilities. The two 20,000 gallon underground tanks which contained the organic materials were exhumed, cleaned and removed from the Site.

Before the tank pit was backfilled, soil samples were taken from the sides and bottom of the pit. Surface soil samples were also taken from around the Site. Copies of the analytical data from these samples were sent you in December 1991.

On October 30, 1991, the Agency for Toxic Substances and Disease Registry (ATSDR) was asked to provide a health consultation of the Site based on the soil data analysis. Enclosed is a copy of ASDTR's health consultation. In their memorandum, ATSDR concludes that the Watkins Machinery Site does not present a health threat to residents living around the Site or to workers on Site.

EPA has completed its removal activities in accordance with the National Contingency Plan 40 CFR §300.400 and plans no further action at this Site at this time, based on existing conditions.

If you have any questions, please feel free to contact me at the above address or at (617) 860-4621.

Sincerely,

Alex Sherrin, On-Scene Coordinator
Site Evaluation and Response Branch II

cc. John Watkins, Watkins Brothers Machinery Corporation
Randall Watkins, Watkins Brothers Machinery Corporation
Len D'Amico, Selectman, Town of Beacon Falls
Robert Cole, Fire Chief, Town of Beacon Falls

Enclosure

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION I
ENVIRONMENTAL SERVICES DIVISION
60 WESTVIEW STREET, LEXINGTON, MASSACHUSETTS 02173-3185

SUPERFUND
SITE NAME: Watkins Bros.
TOWN: Beacon Falls
FILE TYPE: Rem CPD

November 16, 1992

Barbara Ramsey, Executive Secretary
National Response Team (OS-120)
U.S. Environmental Protection Agency
401 M Street, S.W.
Washington, D.C. 20460

Dear Ms. Ramsey:

Enclosed please find the On-Scene Coordinator's Report for the PRP lead/fund-financed Emergency Removal Action conducted at th Watkins Machinery Site, in Beacon Falls, Connecticut in August, 1991. This report chronicles the removal actions taken to mitigate the threat posed by unknown waste chemicals stored in underground tanks.

This report is being submitted to you in accordance with 40 CFR 300.165 of the National Oil and Hazardous Substance Pollution Contingency Plan which states, "the OSC shall submit to the RRT a complete report on the removal operation and the actions taken. The OSC shall at the same time send a copy of the report to the Secretary of the NRT."

If you have any questions, please contact me at (617) 860-4306.

Sincerely,

Alex Sherrin, On-Scene Coordinator
Site Evaluation and Response Section II

Enclosure

pc: Leonard B. Wallace IV, RRT Coordinator, Lexington, MA
Pat Hawkins, EPA ERD, Washington, DC, OS-210
Christine Lacas, Connecticut DEP
Leonard Damico, First Selectman, Beacon Falls, Connecticut
Site File, ESD, Lexington, MA
Steve Novick, EPA, Lexington, MA (w/o enclosure)

AFTER ACTION REPORT
WATKINS MACHINERY SITE
BEACON FALLS, CONNECTICUT

U.S. Environmental Protection Agency
Region I
60 Westview Street
Lexington, MA 02173

April 1992

EXECUTIVE SUMMARY

SITE: Watkins Machinery Site

LOCATION: Beacon Falls, Connecticut

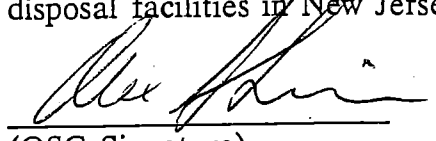
PROJECT DATES: August 21, 1991 - December 23, 1991

INCIDENT DESCRIPTION:

The Watkins Machinery Site housed an industrial waste disposal facility from 1964 to 1976. Randall and John Watkins purchased the property in the late 1970s and cleaned and reconditioned wire reels at the site until the mid to late 1980s. Two underground storage tanks on the site contained material which was sampled by the Connecticut Department of Environmental Protection in 1979 and was found to contain high levels of volatile organic compounds and metals. Further sampling and investigation by state and federal agencies led to the determination that rupture of, or leakage from, the tanks was likely, and that they must be removed. On June 25, 1991, the U.S. Environmental Protection Agency issued a Unilateral Administrative Order to the potentially responsible parties (PRPs) to clean up the site.

ACTIONS:

The PRP's contractor mobilized on August 21, 1991 and removed the contents of two underground storage tanks, removed the tanks from the ground, cleaned the tanks and then transported them to a disposal facility in Bridgeport, Connecticut. This portion of the removal was concluded on September 5, 1991. After disposal analysis on the material removed from the tanks and the associated personal protective equipment and decontamination materials had been completed, the drums in which it was stored were transported from the site, by the Emergency Response Clean-up Services contractor, to disposal facilities in New Jersey, Massachusetts and Ohio on December 9 and 23, 1991.



(OSC Signature)

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I. Summary of Events

A. Site Conditions and Background

1. Initial situation

The property referred to as the Watkins Machinery Site (Site), a former industrial wharehouse and then a wire reel reconditioning shop, is located at 100 Railroad Avenue in a residential/ industrial area of the town of Beacon Falls, New Haven County, Connecticut. The property lot is identified on Tax Map 7, as block 2, lot 15, zone 1. The site encompasses approximately 0.6 acres. It is bordered on the western side by the Penn Central Railroad tracks, along the eastern side by Railroad Avenue, and to the north and south by other industrial enterprises. The Naugatuck river is located approximately 0.1 mile east of the site. There are several single and multiple family dwellings between the Naugatuck River and the site.

Previous operations on the Watkins Machinery Company site included the Reliable Industrial Waste Disposal Company (RIWD) and Reliable Warehouse. The owner of RIWD, Albert Chestnutis, operated a waste incinerator for approximately ten years on-Site and a drum reclamation business on an adjacent property. According to the Connecticut Department of Environmental Protection (CT DEP), Chestnuttis' business was taken over by the Zollo Drum Company which continued operating the small drum reclamation company.

The activities of the Zollo Drum Company, as described in 1980 CT DEP waste handling permit included; transportation and storage of waste oils and waste chemicals including laboratory reagents, solid toxic wastes, industrial sludges and wastewater. In addition to the drum storage facility, one or two, 10,000 or 20,000-gallon storage tanks located on the Watkins Machinery Company site were used by the Zollo Drum Company for the storage of waste oils and waste chemicals.

In 1979, CT DEP investigators spoke with Mr. Watkins of Watkins Machinery Company concerning the status of the underground storage tanks used by Zollo Drum. According to Mr. Watkins, 6,000 gallons of wastes had been removed from the tanks. On November 13, 1979, CT DEP Senior Field Inspector Mark Aschenback and Field Inspector Collette Ready collected one sample from an underground tank located on the Watkins Machinery Company property, and submitted the sample (#36590) for analyses.

On November 19, 1979, the Connecticut State Department of Health (CSDH) conducted both vapor phase screening and total metals analyses of sample #36590. The results indicated several volatile organic compounds (VOCs) in the parts per million (ppm) range. A written notation on the vapor phase analyses results sheet by Barbara L. Cole of the CSHD, stated that the actual concentrations of the organic chemical compounds may have been in the percentages. Results of the total metals analyses indicate cadmium, chromium, copper, lead, nickel and zinc concentrations of 0.93 ppm, 20.00 ppm, 13.00 ppm, 15.00 ppm, 0.12 ppm and 1.80 ppm respectively.

According to CT DEP records, the integrity and capacity of the storage tanks located on the Watkins Machinery Company Site were never thoroughly investigated. However, the age and reported character of the underground storage tanks suggested that they may have been unsuitable for use as hazardous waste storage facilities.

In 1982, CT DEP Field Inspector Collette Ready, spoke with Mr. Watkins concerning the status of the underground storage tanks. Mr. Watkins was not sure if the underground tanks had been removed. The access pipes that were previously above ground were not present.

In 1988, a Screening Site Inspection (SSI) of the Zollo Drum Company was conducted by the NUS Field Investigation Team (NUS/FIT). According to the SSI, stained soil and rusted drums were visible on the Watkins Machinery Company property. The location of the buried tanks was not determined.

The Roy F. Weston, Inc., Technical Assistance Team (TAT) conducted a removal program site investigation at the facility in July of 1990. Results of this investigation included: indications of a large (20 feet by 35 feet) underground electromagnetic conductor, soil gas samples indicating identifiable VOC concentrations and U.S. Environmental Protection Agency (EPA) New England Regional Laboratory analyses indicating the presence of VOCs, base/neutral acid-extractable compounds and polychlorinated biphenyls in the soil sample collected from the site. An EPA Unilateral Administrative Order was issued to the potentially responsible parties (PRPs) to clean up the site on June 25, 1991.

Portions of this section were referenced from an NUS/FIT report dated 1988.

2. Location of hazardous substances
As stated in the previous section, the underground storage tanks on the site were known to contain hazardous substances. There were no other known locations of hazardous substances on the site.

3. Cause of release or discharge
A potential for release existed due to the unknown age and condition of the underground storage tanks.

4. Efforts to obtain response by the responsible parties
Correspondence with the PRPs began on September 7, 1990, in the form of a PRP notice letter, and culminated with the issuance of an EPA Unilateral Administrative Order to remediate the site on June 25, 1991.

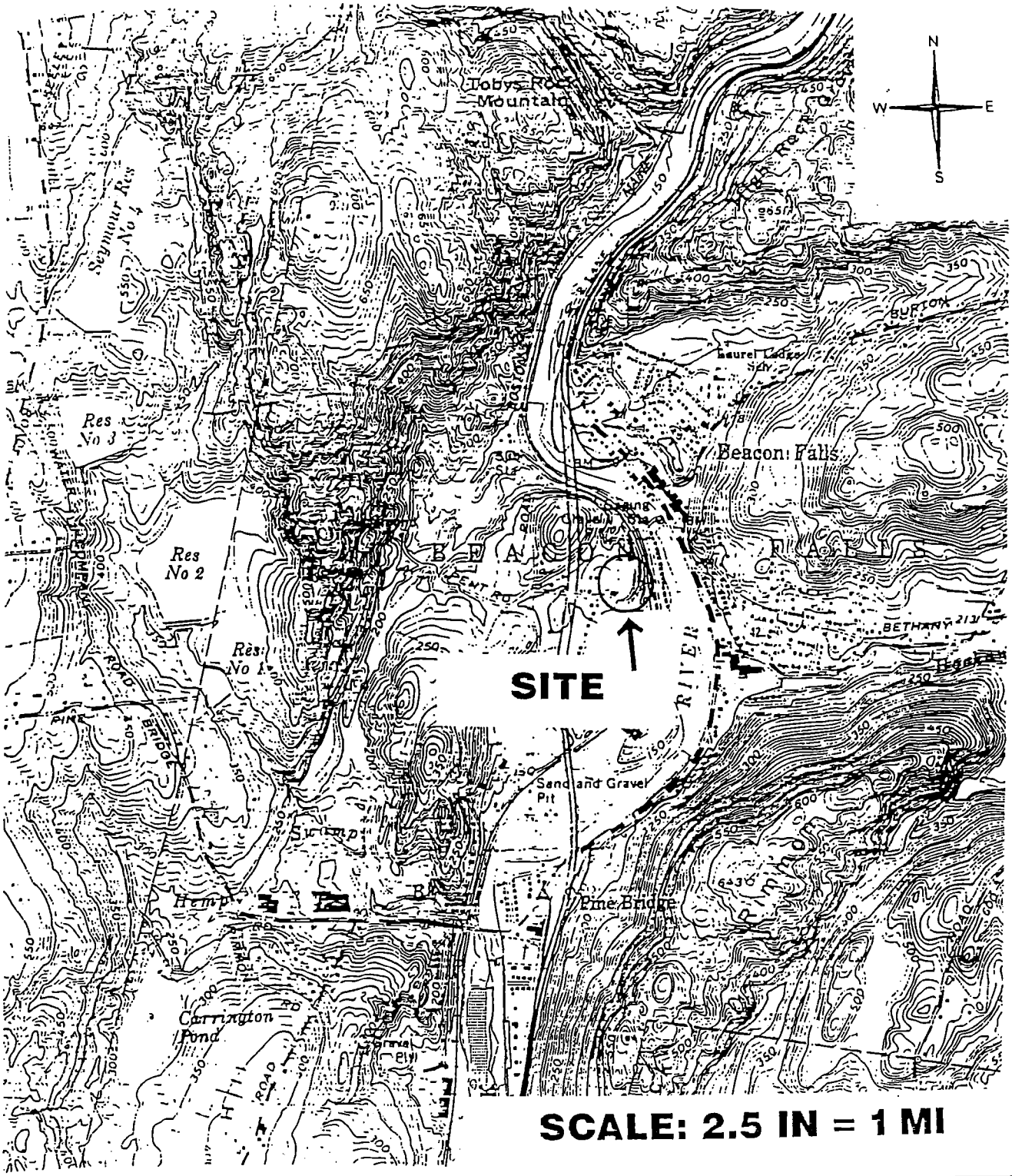


FIGURE 1
SITE LOCATION MAP
WATKINS MACHINERY
BEACON FALLS, CT

WESTON
REGION I TECHNICAL ASSISTANCE TEAM

DRAWN	DATE	PCS #
TIM JOHNSON	12/91	1568
APPROVED	DATE	TDD #
	12/91	01-9108-130

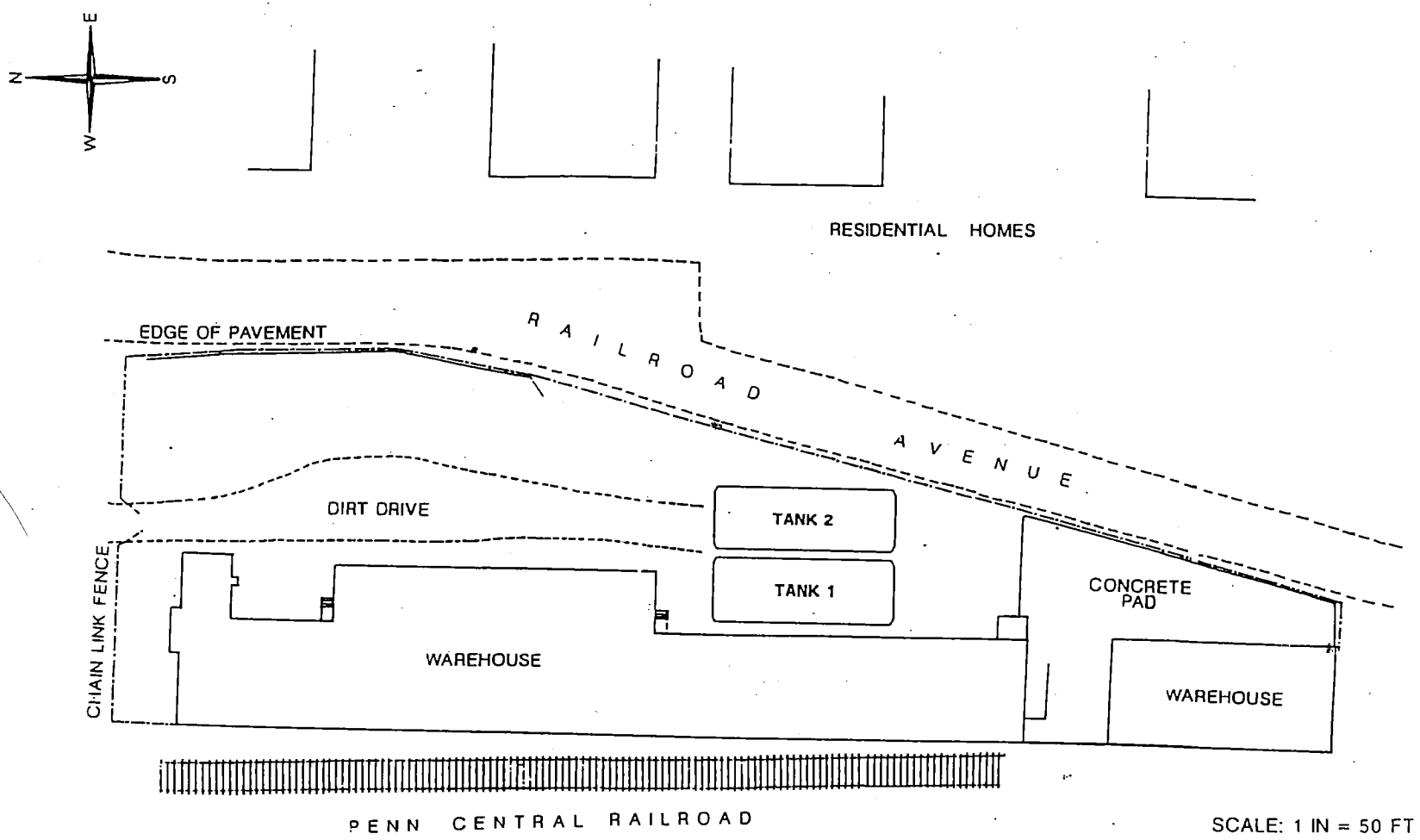


FIGURE 2
SITE DIAGRAM
WATKINS MACHINERY SITE
BEACON FALLS, CT

WESTON
REGION I TECHNICAL ASSISTANCE TEAM

DRAWN TIM JOHNSON	DATE 12/91	PCS # 1568
APPROVED	DATE 12/91	TDD # 01-9108-13D

B. Organization of the Response

EPA, Region I

Emergency Planning and Response Branch
Alex Sherrin, On-Scene Coordinator (OSC)
Steven Novick, Section Chief
John Carlson ERCS/TAT Deputy Project Officer

TAT
Timothy Johnson
Alan Peterson
Timothy Jones

Town of Beacon Falls, Connecticut
Leonard Dimeco, First Selectman

PRP
John Watkins
Randall Watkins

Contractors
PRP Contractors
EnroServ, Inc. (Tank Removal Contractor)
RPG, Inc. (Vacuum Truck)
Freehold Cartage, Inc. (Tank Truck)
R.L. Rogers & Sons (Excavation)

EPA Contractors
OHM Remediation Services, Inc. (Drum Removal)

C. Injury/Possible Injury to Natural Resources

1. Content and time of notice to natural resource trustees

The natural resource trustee, William Patterson, was informed of possible injury to natural resources on September 7, 1990 and December 28, 1990, in the form of PRP notice letters.

D. Chronological Narrative of Response Actions

1. Threat abatement actions taken: PRP lead clean-up

Wednesday, August 21, 1991
Weather: Overcast, 70° F

1030 hrs: Members of the clean up team arrived at the Watkins Machinery site in Beacon Falls, CT. EPA OSC Alex Sherrin met with TAT member Tim Johnson, and the PRP's contractor's (EnroServ, Inc., Farmingdale, Long Island) representative, Rich Iannelli.

The contractor had previously uncovered the tops of two buried tanks with a hydraulic excavator.

REMEDIAL ACTION PLAN

FORMER ZOLLO DRUM COMPANY PROPERTY
100-A Railroad Avenue
Beacon Falls, Connecticut

ConnDOT Assignment No. 202-2965
ConnDOT Project No. 300-107

Prepared for:

State of Connecticut

Department of Transportation
Newington, Connecticut 06131

Prepared by:

Maguire Group Inc.
One Court Street
New Britain, Connecticut

September 7, 2005

TABLE OF CONTENTS

1.0 INTRODUCTION

At the request of the Connecticut Department of Transportation, Maguire Group Inc. (Maguire) has prepared a Remedial Action Plan (RAP) for the "Former Zollo Drum Company Property" ("Site") located at 100-A Railroad Avenue in Beacon Falls, Connecticut (Refer to Figure 1- Site Location Map).

The proposed remedial activities will consist of the excavation, stockpiling, characterization and disposal of material from the "Release Areas" designated on the attached "Remedial Action Site Plan" and detailed in this RAP. Remediation of these areas is required to achieve compliance with the Remediation Standard Regulations (RSRs), verification of the site in accordance with the Connecticut General Statutes (C.G.S.) Section 22a-133x (Voluntary Remediation Program) and removal of the site from the CERCLIS Hazardous Waste Site Inventory. This RAP has been developed to provide specific remedial requirements, including specifications for health & safety requirements, construction of a temporary waste stockpile area and excavation and off site disposal of controlled materials from the "Release Areas".

2.0 SITE DESCRIPTION

2.1 General

The Site is located at 100-A Railroad Avenue in Beacon Falls, Connecticut and is approximately 0.75 acres in size. The property is owned by the Connecticut Department of Transportation (CTDOT) and had been leased to the Zollo Drum Company from 1976 to 1990. The Site, known as the "Former Zollo Drum Company Property" (CTD075394254) is currently listed on the Connecticut Department of Environmental Protection's CERCLIS Hazardous Waste Site Inventory List, and is

also listed on the EPA's "Site Awaiting a National Priorities Decision" (SAND). The property was utilized as a drum storage area, and formerly housed a warehouse in the western portion of the lot that was destroyed by a fire in 1977. The property is currently vacant and consists of a gravel parking area, which is vegetated with grass and weeds.

The adjacent property to the south is occupied by vacant buildings that formerly housed the Superior Fire Protection Company. This industrial property previously contained two (2) 20,000-gallon underground storage tanks (USTs) that were used by the Zollo Drum Company, and was also the former location of the Watkins Brothers Machinery Company (Watkins property). The Peter Paul Syrup Company is located to the north of the site, and a railroad right-of-way owned by CTDOT forms the western border of the property. Railroad Avenue is located along the eastern property boundary, across which are multi-family residential properties. Further south along Railroad Avenue is an industrial park and a sand and gravel quarrying operation.

2.2 Surface Water

The Site is located within the Naugatuck Regional Basin, within the Housatonic Major Basin. The Naugatuck River is located approximately 550 feet east of the site and is classified a Class "C/B" surface water by the Connecticut Department of Environmental Protection (CTDEP). Surface waters with this classification currently do not meet certain criteria or one or more designated uses assigned to Class "B" waters due to point or non-point sources of pollution. The water quality goal is achievement of Class "B" criteria and attainment of Class "B" designated uses.

The Naugatuck River flows approximately 8 miles southward where it enters the Housatonic River, which is a Class "C/B" surface water. The Former Zollo Drum Site is not located within the flood zone of the Naugatuck River.

2.3 Groundwater

The 2005 edition of "Environmental GIS Data for Connecticut" provided by the CTDEP, depicts the groundwater classification for the area as "GB." A "GB" groundwater classification indicates that the groundwater has been adversely impacted by waste discharges, spills or leaks of chemicals, or land use impacts. The groundwater is not suitable for direct human consumption without the need for treatment and a public water supply source is available.

Groundwater was encountered at the site at depths ranging from approximately fourteen (14) to seventeen (17) feet below the ground surface during the advancement of the monitoring wells. The estimated direction of groundwater flow in the vicinity of the site is east/southeast. The properties immediately adjacent to the site are all connected to the Aquarion Water Company's public water distribution system. There are no public water supply sources within a one-mile radius of the Site, according to the CTDEP Bulletin 4, "The Atlas of the Public Water Supply Sources and Drainage Basins of Connecticut," June, 1982. However, the Bridgeport Hydraulic Water Company's Seymour Division Reservoirs #1 through #4 are located approximately 1.1 to 1.5 miles west and northwest of the site. In addition, according to MGI's potable well receptor survey that was conducted in December 2004, thirteen (13) properties with potable wells were identified within an approximate 1,000-foot radius of the Former Zollo Drum Company Site. The properties are situated on Gruber and Lopus Roads, which are located to the west/southwest of the site.

2.4 Geology

The 2005 edition of "Environmental GIS Data for Connecticut" provided by the CTDEP, depicts the surficial materials at the Site as Sand & Gravel/Sand, which is described as sand and gravel overlying sand deposits that are generally less than 20 feet thick. Soil encountered during the Task 210 Subsurface Site Investigation (SSI) conducted by Maguire Group in December 2004 and January 2005 consisted of brown, gray-brown, and orange-brown sand units with varying amounts of silt, gravel, and cobbles. Underlying the shallow sand units was a brown sand and gravel unit. A fill unit comprised of black ash and cinders was encountered at depths ranging from 0 to 4.5 feet below grade in borings G-4, G-6, G-7, G-10, G-11, G-12, and G-18 advanced during the Task 210 SSI.

The Bedrock Geological Map of Connecticut, compiled by John Rodgers in 1985, indicates that the bedrock units underlying the Site area are the Straits Schist and the Collinsville Formation. The Straits Schist is described as a gray to silver, coarse-grained schist. The Collinsville Formation is described as a silver and gray medium to coarse-grained schist, and a dark fine to medium-grained amphibolite and hornblende gneiss. The estimated depth to bedrock is approximately 40 feet below grade, and bedrock was not encountered during the Task 210 SSI.

The topography surrounding the Former Zollo Drum Company Site is irregular. The property borders the transition from low-lying hills to the west, to the relatively flat Naugatuck River valley. Many topographic features are elongated in a north-south direction that reflects the structure of the underlying bedrock.

3.0 BACKGROUND

The CTDOT has owned the site since approximately 1964. The Former Zollo Drum Company Site

(CTD 075394254) is currently on the CERCLIS Hazardous Waste Site Inventory list at CTDEP and is listed on EPA's "Site Awaiting a National Priorities List Decision" (SAND). The following environmental investigations have been conducted at the Former Zollo Drum Company Site:

- *"Final Site Screening Inspection Letter Report"*, Zollo Drum Company, prepared by NUS Corporation Field Investigation Team (NUS/FIT), dated May 17, 1989.
- *"Final Site Inspection Prioritization Report"*, Zollo Drum Company, Beacon Falls, Connecticut, Prepared for: USEPA, Office of Site Remediation and Restoration, Boston, MA, Prepared by: CDM Federal Programs Corporation, Dated: December 27, 1995.
- *"Task 210 Subsurface Site Investigation"*, Former Zollo Drum Site, 100A Railroad Avenue, Beacon Falls, Connecticut, Prepared for: State of Connecticut Department of Transportation, Prepared by: Maguire Group Inc., March 2, 2005

The results of the previous investigations conducted at the Site for the EPA indicated the presence of contaminants in shallow soils collected from the perimeter of the former drum storage area. The soils were impacted with inorganic compounds; semi-volatile organic compounds (SVOCs); pesticides; and polychlorinated biphenyls (PCBs).

The following section summarizes the results of CTDOT's Task 210 Subsurface Site Investigation (SSI) conducted at the Site. Laboratory results indicated that the soil within the Former Drum Storage Area had been impacted with petroleum hydrocarbons (CT ETPH), dieldrin, chlordane, and PCBs at concentrations that exceeded the Pollutant Mobility Criteria (PMC) for a GB area, the Residential Direct Exposure Criteria (RDEC), and Industrial/Commercial Direct Exposure Criteria (I/C DEC). Volatile organic compounds (VOCs) were detected in the soil samples collected from the site but at concentrations below applicable standards. The contamination was detected in soil at depths ranging from 0 to 8 feet below the ground surface in the samples collected from borings locations G-1, G-2, G-3, G-5, G-6, G-7, G-9, G-10, G-11, G-13, G-14, G-17 through G-20, G-23, and G-24. In addition, the groundwater sample collected from monitoring well, W-1, contained total

zinc at a concentration that exceeded the Surface Water Protection Criteria (SWPC). The Task 210 SSI recommended excavation and off site disposal of impacted soils from the Site.

4.0 REMEDIAL ACTION PLAN

The Remedial Action Plan (RAP) for the Site will be limited to the "Release Areas" shown on the attached Site Plan and as detailed below. It is estimated that approximately 3,540 cubic yards of material will require excavation, characterization and off-site disposal from the site during remediation.

Release Area 1

Laboratory results from the Task 210 SSI indicated the presence of elevated concentrations of Petroleum Hydrocarbons (CT ETPH), the Pesticides Dieldrin and Chlordane, and PCBs at boring locations G-1, G-2, G-3, G-5, G-6, G-7, G-9, G-10, G-11, G-13, G-14, G-17 through G-20, G-23, and G-24 at depths of 0 to two (2) feet below grade. Soil from "Release Area 1" will be excavated from a minimum depth of two (2) feet to a maximum depth of four (4) feet below grade as directed by the Engineer. The excavation limits will extend laterally from these locations based on observations in the field and confirmation sampling as directed by the Engineer. Confirmation samples will be collected from the bottom and sides of the excavation to determine compliance with the RSRs. Upon compliance with the applicable RSR standards the excavation will be backfilled in accordance with the following sections.

Release Area 2

Laboratory results from the Task 210 SSI indicated the presence of elevated concentrations of the Pesticide Dieldrin at boring location G-2 ("Release Area 2A") at a depth of four (4) to six (6) feet

below grade and elevated concentrations of PCBs (Aroclor-1260) at boring location G-8 ("Release Area 2B") at a depth of four (4) to eight (8) feet below grade. In addition to the excavation specified above for "Release Area 1", soil from "Release Area 2A"will be excavated an additional two (2) feet for a maximum depth of six (6) feet below grade and soil from "Release Area 2B" will excavated an additional four (4) feet for a maximum depth of eight (8) feet below grade as directed by the Engineer. The excavation limits will extend laterally from these locations based on observations in the field and confirmation sampling as directed by the Engineer. Confirmation samples will be collected from the bottom and sides of the excavation to determine compliance with the RSRs. Upon compliance with the applicable RSR standards the excavation will be backfilled in accordance with the following sections.

Release Area 3

Laboratory results from the Task 210 SSI indicated the presence of elevated concentrations of PCBs (Arolor-1260) at boring location G-23 at a depth of four (4) to eight (8) feet below grade. In addition to the excavation specified above for "Release Area 1", soil from "Release Area 3"will be excavated an additional four (4) feet for a maximum depth of eight (8) feet below grade as directed by the Engineer. The excavation limits will extend laterally from these locations based on observations in the field and confirmation sampling as directed by the Engineer. Confirmation samples will be collected from the bottom and sides of the excavation to determine compliance with the RSRs. Upon compliance with the applicable RSR standards the excavation will be backfilled in accordance with the following sections.

4.1 Definitions

Controlled Material shall be defined as (1) soil materials and groundwater located within a defined "release area" at the project site, excluding pavement, subbase, structures, or utilities, extending from surface grade to the depth indicated, or (2) any material containing regulated substances at concentrations exceeding numeric criteria in the Connecticut Department of Environmental Protection Remediation Standard Regulations or (3) material exhibiting evidence of contamination as determined by the Engineer, or (4) wastewater collected within the temporary waste stockpile area at the project.

Special Handling shall mean the methods used to excavate, grade, load, move, transport, store, dispose, fill, utilize, pump, treat, convey, manage, or otherwise handle a Controlled Material such that (1) the spillage, loss, commingling, or uncontrolled deposition of such material is minimized, (2) personal exposure to contaminants in such a material are minimized, and (3) the adverse impacts to the community and the surrounding environment from contaminants present in such a material are minimized.

4.2 Health & Safety Requirements

The Contractor shall establish protocols and provide procedures to protect the health and safety of his employees and subcontractors as it relates to the proposed remedial activities. The Contractor shall develop and implement a written Health and Safety Plan (HASP) which addresses the relative risk of exposure to documented hazards present within the limits of the project site. The HASP shall establish health and safety protocols which address the relative risk of exposure to regulated substances in accordance with 29 CFR 1910.120 and 29 CFR 1926.65. Such protocols shall only address those concerns directly related to site conditions. A copy of the Maguire Group Inc. site specific HASP is attached as Appendix A to this Work Plan.

The Contractor shall be responsible for the implementation of the HASP throughout the performance of remedial activities, as specified in the Remedial Action Plan and Figures. All remedial activities shall be performed in conformance with Title 29 of the Code of Federal Regulations, Part 1910.120, Hazardous Waste Site Operations and Emergency Response (HAZWOPER).

4.3 Waste Stockpile Area Construction

The Waste Stockpile Area (WSA) shall be constructed in accordance with the Project Drawings and the requirements of Form 816 at the location shown. Construction of the WSA shall be completed prior to the initiation of remedial activities. The Contractor shall be responsible for the maintenance and protection of all utilities potentially affected during the WSA construction. The Contractor shall locate and mark all existing utilities potentially affected prior to initiating the WSA construction.

The proposed location of the WSA shall be cleared of any debris, vegetation and objectionable materials which may result in damage to the polyethylene sheeting underlayment prior to stockpiling excavated controlled materials.

Following the removal of all stockpiled material, soil residue shall be removed from all surfaces of the WSA as directed by the Engineer. This operation shall be accomplished using dry methods such as shovels, brooms, mechanical sweepers, or a combination thereof. Residual soil shall be disposed of as Controlled Material.

Upon completion of the project and following removal of all residual Controlled Material, the Contractor shall dismantle the WSA and return the area to original condition. During dismantling, the Contractor shall remove all materials such as polyethylene sheeting and sand bags. Materials

shall be disposed of by the Contractor as solid waste in accordance with the all Federal, State and local regulations.

4.4 Controlled Material Excavation

Excavation activities involving Controlled Material performed by the Contractor or subcontractors within the designated "Release Areas" shall be performed in a manner which considers the health and safety of operating personnel, motorists, the community, and the surrounding environment. Activities involving Controlled Material shall be conducted in accordance with the applicable sections of this Remedial Action Plan.

Unless otherwise directed by the Engineer, materials removed from excavations within the "Release Areas" shall be transported directly from their point of origin on the project site to the WSA. At the WSA, the material shall be placed on and covered with polyethylene sheeting as shown on the Drawings. The Engineer will sample the stockpiled materials for waste characterization determinations for disposal.

The Contractor shall manage all controlled material excavation in such a manner as to minimize tracking of potential controlled materials across the site and off-site, and minimize dust generation. Dust minimization techniques may include the use of fine water sprays and covering of high traffic areas.

All soils excavated from within the "Release Areas", are considered to be controlled material. Soil contamination has been documented to exist and such contamination generally consists of non-hazardous concentrations of Volatile Organic Compounds (VOCs), Base Neutral Acid Extractable Compounds (BNAs), Polychlorinated Biphenyls (PCBs), Pesticides, Metals, and Petroleum Hydrocarbons.

Where contaminated soil is excavated, such soil will not be reusable as backfill, unless authorized by the Engineer in writing, and will require special handling, disposal and documentation procedures.

4.5 Disposal of Controlled Material

The Contractor shall load, transport and dispose of contaminated soil, hereinafter also called "controlled material", which has been generated from the remedial activities and determined to be contaminated at non-hazardous levels. Such material, after proper characterization by the Engineer, shall be taken from the WSA, loaded, transported to and disposed of at a permitted disposal facility listed herein.

The Contractor must obtain prices from all of the following CTDOT approved disposal facilities for the disposal of non-hazardous waste soil. The Department will determine which disposal facility will be utilized for this project.

Phoenix Soil LLC 130 Freight Street Waterbury, CT 06721 (800) 586-4774	Clean Harbors Environmental Services, Inc. 41 Broderick Road Bristol, CT 06010 (800) 637-2666

The Engineer will sample materials stored at the waste stockpile area at a frequency established by the selected disposal facility. Samples shall be submitted to a Connecticut Department of Public Health certified laboratory for final waste characterization determination.

All manifests or bills of lading utilized to accompany the transportation of the waste material shall be

prepared by the Contractor and signed by an authorized CTDOT representative, as Generator, for each truck load of material that leaves the site. The Contractor shall forward the appropriate original copies of all manifests or bills of lading to the Engineer the same day the material leaves the project site.

A load-specific certificate of disposal, signed by the authorized agent representing the waste disposal facility, shall be obtained by the Contractor and promptly delivered to the Engineer.

In addition to all pertinent Federal, State and local laws or regulatory agency polices, the Contractor shall adhere to the following precautions during the transport of controlled material off-site:

- Transported controlled material is to be covered prior to leaving the site and is to remain covered until the arrival at the selected disposal facility;

- All vehicles departing the site are to be properly logged to show the vehicle identification, driver's name, time of departure, destination, and approximate volume, and contents of material carried;

- No material shall leave the site unless a disposal facility willing to accept all of the material being transported has agreed to accept the type and quantity of waste; and,

- Documentation must be maintained indicating that all applicable laws have been satisfied and that the material has been successfully transported and received at the disposal facility.

4.6 WSA Management

The Contractor shall be responsible for the maintenance of all components of the WSA throughout the clean-up. The Contractor shall repair or replace any damaged elements of the WSA including, but not limited to, polyethylene sheeting or sand bags.

The Contractor shall provide all necessary materials, equipment, tools and labor incidental thereto for activities anticipated to occur within the waste stockpile area. Such activities include, but are not limited to, handling and management of stockpiled waste and drummed CPC/PPE, loading controlled soils onto transport vehicles for off-site disposal, uncovering and recovering waste stockpiles, maintenance of waste stockpile area, replacement of damaged components (i.e. sand bags, plastic polyethylene sheeting, etc.) and waste inventory record management. The Contractor shall manage all soil handled in the waste stockpile area to minimize tracking of potential controlled materials across the site and off-site, and minimize dust generation. Dust minimization techniques may include the use of fine water sprays and covering of high traffic areas.

Each stockpile shall be securely covered when not in active use with a plastic sheet of sufficient size to prevent generation of dust and infiltration of precipitation. The plastic sheet shall be secured with sandbags to prevent wind erosion.

The staged stockpiles shall be inspected regularly by the Contractor to ensure that the cover and containment have not been damaged and that there is no apparent leakage from the pile. If the plastic cover has been damaged, or there is evidence of leakage from the piles, the Contractor shall replace the cover or containment as needed to prevent the release of materials to the environment from the piles.

Drummed waste CPC/PPE shall be staged in an area away from equipment traffic to prevent damage to drums. Stacking of drums is not allowed.

An inventory of stockpiled waste materials and drummed CPC/PPE shall be conducted on a daily basis. Inventory records shall indicate the approximate volume of waste material/drums stockpiled per day, the approximate volume of waste material/drums stockpiled to date, waste material/drums loaded and transported off-site for disposal, and identification of waste stockpiles relative to their points of generation.

4.7 Monitor Well Abandonment

The Contractor shall abandon the existing monitor wells at the site prior to the commencement of any excavation. The grout used to seal the groundwater monitoring wells shall be a mixture of sodium bentonite and Portland cement at a 1:2 ratio (40 pounds sodium bentonite to 80 pounds Portland cement), with not more that 8 gallons of clean, potable water per 80 pound bag of Portland cement. The Contractor shall not use admixtures to decrease the set time of the grout unless directed to do so by the Engineer.

The Contractor shall submit the name of the registered driller and a copy of their Certificate of Registration, as indicated in the Connecticut Department of Consumer Protection Regulations Section 25-129, at least fourteen (14) days prior to starting well abandonment work.

Wells shall be abandoned in accordance with the Connecticut Department of Consumer Protection Regulations, particularly Sections 25-128-56 and 25-128-57. In the event of any conflict between the regulations and this specification, the more stringent shall apply.

Well Abandonment Procedure:

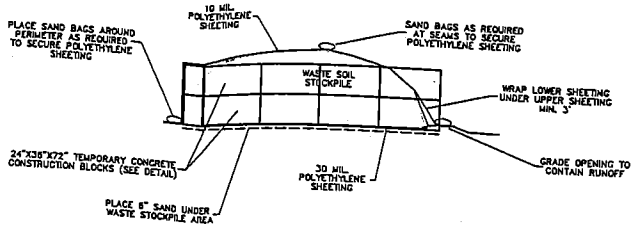
1. The well shall be plugged to prevent the entrance of surface water, circulation of water between or among producing zones, or any other process resulting in the contamination or pollution of ground water resources.
2. The well shall be chlorinated prior to abandonment using a chlorine solution with a minimum concentration of 150 ppm of chlorine.
3. The well shall be checked from land surface to the entire depth of the well before it is sealed to ensure against the presence of any obstruction that will interfere with sealing operations.
4. The well bore shall be completely filled and sealed with bentonite cement grout.
5. The grout material shall be placed in such a way to prevent voids in the grout or dilution of the grout.
6. Any test well or bore shall be abandoned in such a manner that it does not become a channel for the vertical movement of water or other substance to the potable ground water resources.
7. Upon completion of abandonment of the well, the top of the casing and grout material shall not be terminated more than four feet below the ground surface of the final grade.

4.8 Site Restoration

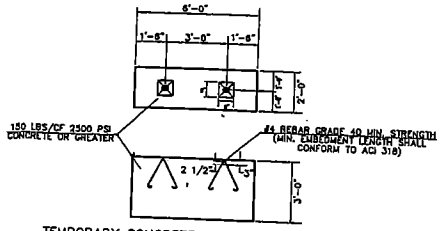
Upon completion of remedial activities and as directed by the Engineer, the Contractor shall backfill the areas utilizing granular fill in accordance with Section M.02.01 of Form 816. The material shall be placed and compacted as specified in Section 2.13 "Granular Fill" of Form 816.

The Contractor shall dismantle the WSA and restore the area in accordance with Section 4.3 of this Remedial Action Plan and as directed by the Engineer. The project shall not be considered complete until final approval is given by the Engineer.

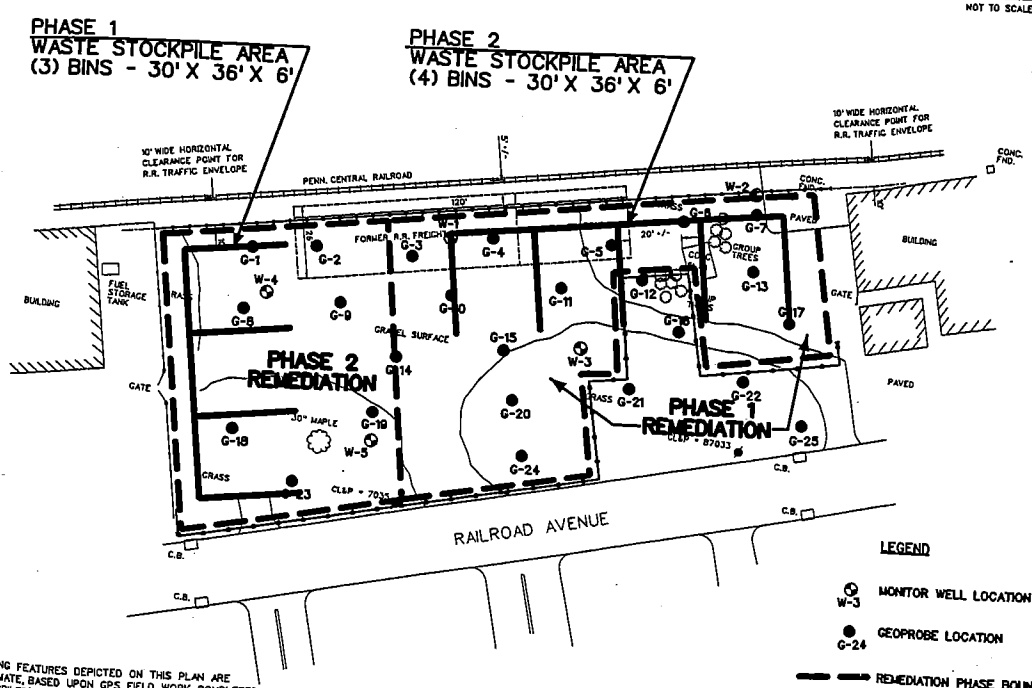
FIGURES

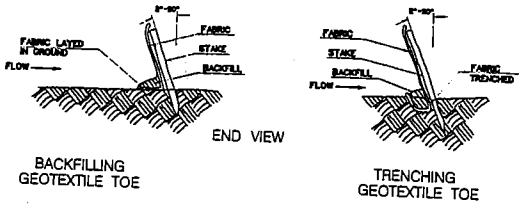


WASTE STOCKPILE AREA
NOT TO SCALE



TEMPORARY CONCRETE CONSTRUCTION BLOCK
NOT TO SCALE





NOTES:

1. MAPPING FEATURES DEPICTED ON THIS PLAN ARE APPROXIMATE, BASED UPON GPS FIELD WORK COMPLETED AND COMPILED NOVEMBER 2004.
2. THE SIZE AND LOCATION OF THE FORMER R.R. FREIGHT HOUSE IS BASED UPON LEASE DOCUMENTS AND RELATED FIGURES PROVIDED BY CTDOT.

LEGEND

- W-3 — MONITOR WELL LOCATION
- G-24 — GEOPROBE LOCATION
- REMEDIATION PHASE BOUNDARY
- GEOTEXTILE FENCE SYSTEM
- 4' HIGH ORANGE CONSTRUCTION SECURITY FENCE

GEOTEXTILE FENCE SYSTEM

NOTES:

1. GEOTEXTILE FENCE SHOULD BE PLACED SO THE FENCE LEANS TOWARD THE SOURCE OF SEDIMENT.
2. MAXIMUM SPACING FOR WOODEN STAKES OR STEEL POSTS IS 10.0 '.
3. WOOD STAKES SHALL HAVE A MINIMUM CROSS-SECTION SIZE OF 1.5" X 1.5" AND A MINIMUM LENGTH OF 4 FT.. STEEL POSTS SHALL BE AT LEAST 0.5 LB. PER FOOT WITH A MINIMUM LENGTH OF 4 FT..
4. WOODEN STAKES OR STEEL POSTS SHALL BE DRIVEN TO A MINIMUM OF 1 FT. INTO THE GROUND.
5. 8" OF GEOTEXTILE SHALL BE BURIED BY BACKFILLING OR TRENCHING AND AT LEAST 2.5 FT. IN HEIGHT OF GEOTEXTILE SHALL BE EXPOSED.
6. FABRIC SHALL BE JOINED ONLY AT A SUPPORT POST WITH A MINIMUM OF 6" OVERLAP AND SECURELY SEALED.
7. UPON RE-ESTABLISHMENT OF GROUND COVER IN DISTURBED AREAS AND WHEN DIRECTED BY THE ENGINEER, OR UPON FINAL INSPECTION FENCE AND ANY SEDIMENT SHALL BE REMOVED. AT NO TIME WILL THE FENCE REMAIN IN PLACE AFTER PROJECT COMPLETION.
8. GEOTEXTILE FENCE SHALL NOT BE USED IN A WATER COURSE.
9. ONLY GEOTEXTILE FROM THE DEPARTMENTS APPROVED PRODUCT LIST SHALL BE USED.
10. BACKFILLING OF GEOTEXTILE SHALL ONLY BE USED WHEN GROUND IS FROZEN OR WHERE OTHER OBSTRUCTIONS ARE ENCOUNTERED THAT PROHIBIT TRENCHING, SUCH AS STUMPS OR ROCKS.
11. CLEAN OUT ACCUMULATED SEDIMENT WHEN ONE-HALF (1/2) OF THE ORIGINAL HEIGHT OF THE GEOTEXTILE FENCE, AS INSTALLED, BECOMES FILLED WITH SEDIMENT OR AS DIRECTED BY THE ENGINEER.

REV.	DATE	DESCRIPTION	SHEET NO.
1:			
2:			
3:			
4:			
5:			

REVISIONS

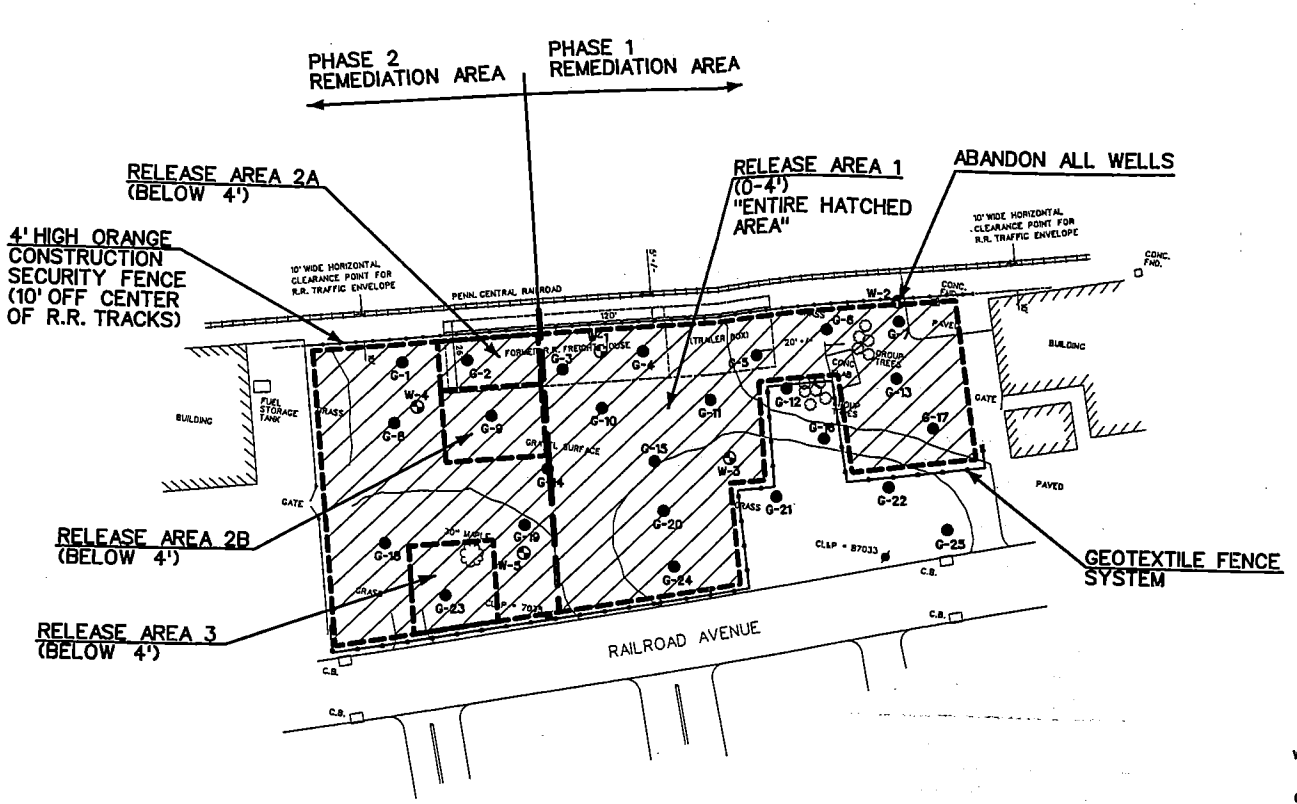
SCALE IN FEET: 0 20 40 — SCALE 1"=20'

DESIGNED: J.D.L.
DRAFTED: J.D.L.
CHECKED BY: D.R.S.
DATE CHECKED:

STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION

ENGINEER: MAGUIRE GROUP INC.
APPROVED BY:
DATE:

PROJECT TITLE: FORMER ZOLLO DRUM COMPANY PROPERTY
TOWN: BEACON FALLS
CADD FILE: 300107001I ENV
PLOTTED DATE: 08/14/05
DRAWING TITLE: WASTE STOCKPILE AREA AND DETAILS
PROJECT NO.: 300-107
DRAWING NO.: ENV-2
SHEET NO.:



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2. THE SIZE AND LOCATION OF THE FORMER R.R. FREIGHT HOUSE IS BASED UPON LEASE DOCUMENTS AND RELATED FIGURES PROVIDED BY CTDOT.

LEGEND

- W-3 MONITOR WELL LOCATION
- G-24 GEOPROBE LOCATION
- REMEDIATION PHASE BOUNDARY
- RELEASE AREA BOUNDARY
- GEOTEXTILE FENCE SYSTEM
- 4' HIGH ORANGE CONSTRUCTION SECURITY FENCE

REV.	DATE	DESCRIPTION REVISIONS	SHEET NO.

SCALE IN FEET 0 20 40 SCALE 1"=20'

DESIGNED: J.D.L.
DRAFTED: J.D.L.
CHECKED BY: D.R.S.
DATE CHECKED:

STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION

ENGINEER: NAGUBRE GROUP, INC.
APPROVED BY:
DATE:

PROJECT TITLE: FORMER ZOLLO DRUM COMPANY PROPERTY

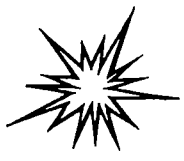
CADD FILE: 300107D01G ENV
PLOTTED DATE: 07/14/08

TOWN: BEACON FALLS

DRAWING TITLE: REMEDIAL ACTION SITE PLAN

PROJECT NO. 300-107
DRAWING NO. ENV-1
SHEET NO.

ATTACHMENT 10



STATE OF CONNECTICUT

DEPARTMENT OF ENVIRONMENTAL PROTECTION

79 ELM STREET HARTFORD, CT 06106-5127

PHONE: 860-424-3001

Gina McCarthy
Commissioner

February 13, 2009

Mr. Mark A. Gottlieb
Catalyst Environmental Consulting, Inc.
7B Herman Drive
Simsbury, CT 06070

Dear Mr. Gottlieb,

Thank you for your letter outlining your concerns regarding the availability of timely information on hazardous waste shipments from Connecticut businesses. The Department understands that the data from hazardous waste manifests are a valued source of information used in Phase One site investigations and other work by environmental consultants.

The Department is taking steps to improve our data management of this resource by moving the electronic data to a more robust platform than the current one. This is expected to alleviate a significant impediment to keeping the database running properly.

We also expect your concerns will be addressed in part when the national E-Manifest system is enacted. As you may know, the federal EPA and the regulated community have both been actively supporting the E-Manifest system. Congress took the first step to authorize this system, when on September 27, 2008 the Senate passed S-3109 and forwarded the bill to the House of Representatives for consideration. This bill authorizes the EPA to start the E-Manifest program, which will provide for a national manifest clearinghouse to receive and process all hazardous waste manifests. All data, along with the E-manifest document would be available to the states within 30 days of receipt, which should help alleviate the timeliness issues you have described.

If you have any questions, please contact David Westcott of the Bureau of Materials Management & Compliance Assurance at (860) 424-3666, 79 Elm St., Hartford, CT 06106-5127, or via email at david.westcott@ct.gov

Yours truly,

Gina McCarthy,
Commissioner

GM/rci/dw

Catalyst Environmental Consulting, Inc.
(860) 651-6900 Fax (860) 651-6902
M.A. Gottlieb & Associates, Inc.
(860) 988-0010 Fax (860) 988-0011

7B Herman Drive
Simsbury, Connecticut 06070

January 19, 2009

The Honorable Gina McCarthy, Commissioner
CT Department of Environmental Protection
79 Elm Street
Hartford CT 06106-5127

Re: Hazardous Waste Manifest Accessibility

Dear Commissioner McCarthy,

As you know, the Department maintains hazardous waste manifests on file for various purposes including due diligence assessments relative to the Connecticut Transfer Act (Conn. Gen. Stat. § 22a-134 (3)). At present, manifests after December 31, 2006, are not available for review either through the File Room or by FOIA requests, due to a processing backlog.

The lack of available Hazardous Waste Manifest information creates significant issues for three types of stakeholders:

The regulated community: Buyers of property or businesses cannot obtain up-to-date manifest information from CTDEP and are limited to that information supplied by the seller. In my eighteen years of practice here in Connecticut, I have seen several cases where the seller did not release all documents with respect to hazardous waste generation. Similarly, non-occupant sellers of a property who do not have first hand knowledge of on-site operations may not have sufficient information to determine if the site is an Establishment as defined in §22a-134(3). Clearly the Department has an obligation to provide the regulated community with sufficient information to determine the regulatory status of a property or business.

Licensed Environmental Professionals and other consultants: It has become common practice in Connecticut for the potential applicability of the Transfer Act to be addressed in a Phase I ESA. Without access to up-to-date manifest records, we are unable to definitively state that a site is or is not an Establishment If we erroneously conclude that a site is not an Establishment, we are subject to a significant error & omissions claim; a analogous situation arises if we erroneously conclude that a site is an Establishment when it is not.

In addition, without information regarding the types and amounts of wastes generated, an LEP is not able to comply with the "prevailing standard of practice" as defined in the Departments 2007 Site Characterization Guidance Document with respect to determining the contaminants of concern at a given site.

Connecticut Department of Environmental Protection: Without up-to-date manifest information, the Department has no way of determining who is and who is not complying with the Transfer Act. Allowing transactions that are subject to the Transfer Act to occur without enforcement action is unfair to those buyers and sellers who have complied with the Transfer Act, often at great expense.

I am requesting that the department take steps to correct this situation in as timely a manner as possible. I understand that there are budgetary concerns, however the Department has an obligation to the regulated community in this matter.

Sincerely,

Mark A. Gottlieb, LEP
President

CERTIFIED MAIL ARTICLE # 7005 3110 0004 5129 3120

EXHIBIT K

Cultural/SHPO Correspondence

Engineering, Planning,
Landscape Architecture
and Environmental Science

MILONE & MACBROOM®

May 12, 2015

Mr. Daniel Forrest
Connecticut Commission on Culture & Tourism
Historic Preservation and Museum Division
One Constitution Plaza
Second Floor
Hartford, CT 06103

RE: Beacon Falls Energy Park
Beacon Falls, Connecticut
MMI #1103-87-16.2

Dear Mr. Forrest:

We are herein requesting a review from your office of the archaeological resources in the area of the above-referenced project, along Lopus Road in Beacon Falls, Connecticut. Milone & MacBroom, Inc. (MMI) has been retained to prepare a preliminary environmental assessment for the planned Beacon Falls Energy Park. This assessment has been prepared in support of a proposal response to the Connecticut Department of Energy & Environmental Protection (CTDEEP) Requests for Proposals for Renewable Energy Resources.

The proposed energy park will be located on a 23.8-acre parcel that is bounded to the west by State of Connecticut property, private undeveloped land, and Gruber Road; to the north by Lopus Road; and to the east and south by Metro North railroad. The energy park will generate electricity through the use of fuel cells. This park will consist of 21 individual fuel cell units. The park will be a nonmanned facility and will only experience periodic service and maintenance visits from key personnel. No office space and/or restroom facilities are proposed. When the system is fully operational, this energy park will generate approximately 63 megawatts of electricity per day. The electricity will be purchased by a local energy supplier such as Eversource and transmitted into its grid system for customer use.

We would like to note that the project area consists of a former sand and gravel extraction site. The site location is depicted on a United States Geological Survey (USGS) quadrangle map (Figure 1). A 2014 aerial photograph depicts current site conditions (Figure 2).

Please feel free to contact me should you or your staff have any questions regarding this request. I have sent a similar request for a historical, architectural, or archaeological review to Dr. Brian Jones, the State Archaeologist.

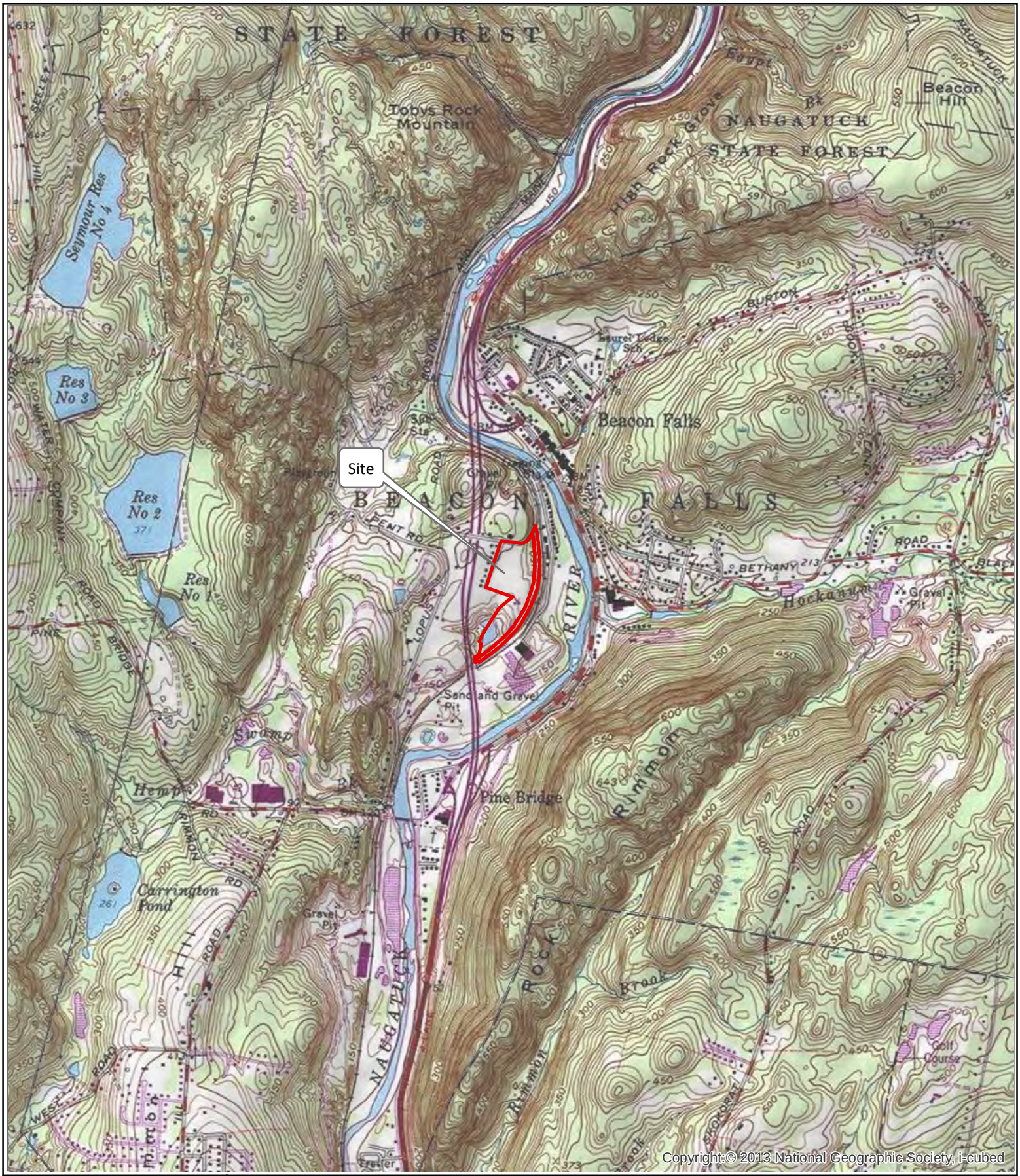
Very truly yours,

MILONE & MACBROOM, INC.

Matthew J. Sanford, MS, PWS, Associate
Lead Environmental Scientist

Enclosures

1103-87-16.2-m1215-1-ltr



SOURCE(S):
ESRI USA Topo Maps

Figure 1: Location Map

LOCATION:
Beacon Falls, CT

N

Beacon Falls Energy Park

MXD: Y:\1103-87\Maps\Location Map.mxd

Map By: CMP
MMI#: 1103-87
Original: 4/16/2015
Revision: 4/16/2015
Scale: 1 inch = 2,000 feet

MILONE & MACBROOM
99 Realty Drive Cheshire, CT 06410
(203) 271-1773 Fax: (203) 272-9733
www.miloneandmacbroom.com

SOURCE(S):
CT ECO 2012 Orthoimagery

Figure 2: Aerial Map of Site

LOCATION:
Beacon Falls, CT

N

Beacon Falls Energy Park

MXD: Y:\1103-87\Maps\Aerial Map.mxd

Map By: CMP
MMI#: 1103-87
Original: 4/23/2015
Revision: 4/16/2015
Scale: 1 inch = 250 feet

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Engineering, Planning,
Landscape Architecture
and Environmental Science

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May 12, 2015

Dr. Brian D. Jones
State Archaeologist
Connecticut State Museum of Natural History
2019 Hillside Road, Unit 1023
University of Connecticut
Storrs, CT 06269-1023

RE: Beacon Falls Energy Park
Beacon Falls, Connecticut
MMI #1103-87-16.2

Dear Dr. Jones:

We are herein requesting a review from your office of the archaeological resources in the area of the above-referenced project, along Lopus Road in Beacon Falls, Connecticut. Milone & MacBroom, Inc. (MMI) has been retained to prepare a preliminary environmental assessment for the planned Beacon Falls Energy Park. This assessment has been prepared in support of a proposal response to the Connecticut Department of Energy & Environmental Protection (CTDEEP) Requests for Proposals for Renewable Energy Resources.

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We would like to note that the project area consists of a former sand and gravel extraction site. The site location is depicted on a United States Geological Survey (USGS) quadrangle map (Figure 1). A 2014 aerial photograph depicts current site conditions (Figure 2).

Please feel free to contact me should you or your staff have any questions regarding this request. I have sent a similar request for a historical, architectural, or archaeological review to Mr. Daniel Forrest at the Connecticut Historical Commission.

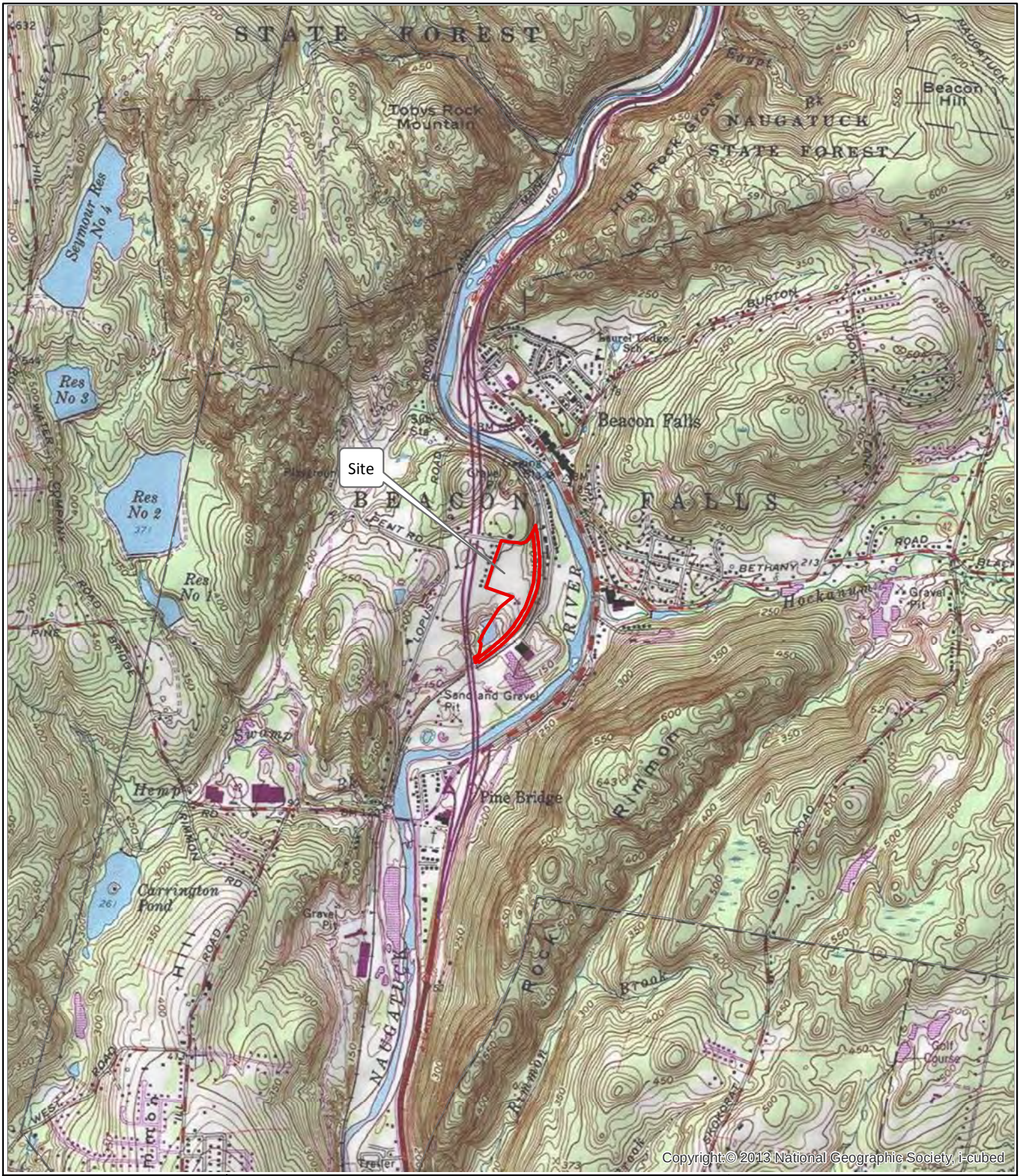
Very truly yours,

MILONE & MACBROOM, INC.

Matthew J. Sanford, MS, PWS, Associate
Lead Environmental Scientist

Enclosures

1103-87-16.2-m1215-2-ltr



SOURCE(S):
ESRI USA Topo Maps

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LOCATION:
Beacon Falls, CT

N

Beacon Falls Energy Park

MXD: Y:\1103-87\Maps\Location Map.mxd

Map By: CMP
MMI#: 1103-87
Original: 4/16/2015
Revision: 4/16/2015
Scale: 1 inch = 2,000 feet

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SOURCE(S):
CT ECO 2012 Orthoimagery

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LOCATION:
Beacon Falls, CT

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Beacon Falls Energy Park

MXD: Y:\1103-87\Maps\Aerial Map.mxd

Map By: CMP
MMI#: 1103-87
Original: 4/23/2015
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Engineering, Planning,
Landscape Architecture
and Environmental Science

MILONE & MACBROOM®

May 12, 2015

Ms. Marissa Turnbull – Tribal Historic Preservation Officer
Mashantucket Pequot Tribal Office
550 Trolley Line Boulevard
P.O. Box 3202
Mashantucket, CT 06338

RE: Beacon Falls Energy Park
Beacon Falls, Connecticut
MMI #1103-87-16.2

Dear Ms. Turnbull:

We are herein requesting a review from your office of the archaeological resources in the area of the above-referenced project, along Lopus Road in Beacon Falls, Connecticut. Milone & MacBroom, Inc. (MMI) has been retained to prepare a preliminary environmental assessment for the planned Beacon Falls Energy Park. This assessment has been prepared in support of a proposal response to the Connecticut Department of Energy & Environmental Protection (CTDEEP) Requests for Proposals for Renewable Energy Resources.

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Please feel free to contact me should you or your staff have any questions regarding this request. I have sent a similar request for a historical or archaeological review to the State Historic Preservation Officer and State Archaeologist.

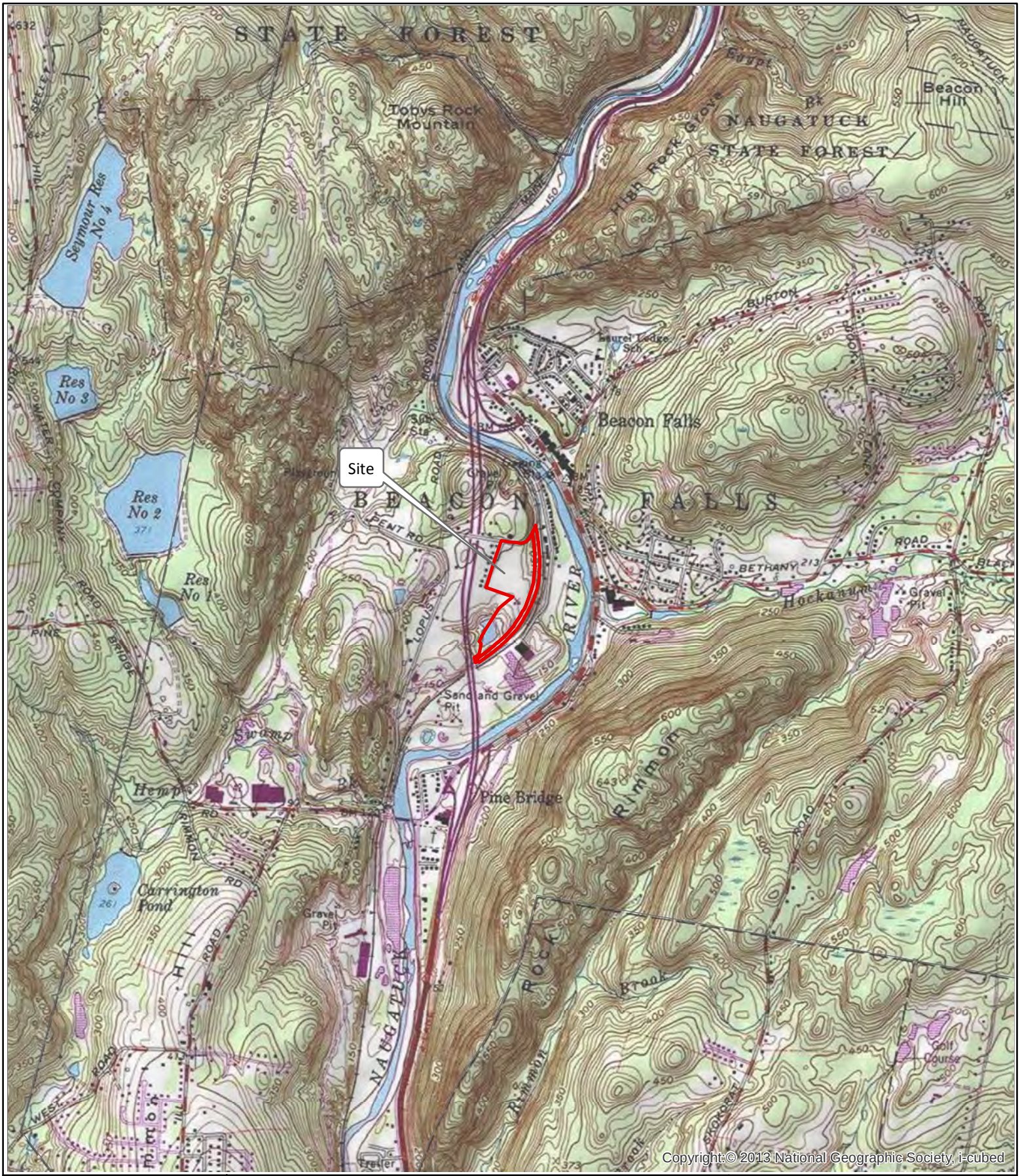
Very truly yours,

MILONE & MACBROOM, INC.

Matthew J. Sanford, MS, PWS, Associate
Lead Environmental Scientist

Enclosures

1103-87-16.2-m1215-3-ltr



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ESRI USA Topo Maps

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Beacon Falls, CT

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Beacon Falls Energy Park

MXD: Y:\1103-87\Maps\Location Map.mxd

Map By: CMP
MMI#: 1103-87
Original: 4/16/2015
Revision: 4/16/2015
Scale: 1 inch = 2,000 feet

MILONE & MACBROOM
99 Realty Drive Cheshire, CT 06410
(203) 271-1773 Fax: (203) 272-9733
www.miloneandmacbroom.com

SOURCE(S):
CT ECO 2012 Orthoimagery

Figure 2: Aerial Map of Site

LOCATION:
Beacon Falls, CT

N

Beacon Falls Energy Park

MXD: Y:\1103-87\Maps\Aerial Map.mxd

Map By: CMP
MMI#: 1103-87
Original: 4/23/2015
Revision: 4/16/2015
Scale: 1 inch = 250 feet

MILONE & MACBROOM
99 Realty Drive Cheshire, CT 06410
(203) 271-1773 Fax: (203) 272-9733
www.miloneandmacbroom.com

Engineering, Planning,
Landscape Architecture
and Environmental Science

MILONE & MACBROOM®

May 12, 2015

Mr. James Quinn – Tribal Historic Preservation Officer
The Mohegan Tribe
13 Crow Hill Road
Uncasville, CT 06382

RE: Beacon Falls Energy Park
Beacon Falls, Connecticut
MMI #1103-87-16.2

Dear Mr. Quinn:

We are herein requesting a review from your office of the archaeological resources in the area of the above-referenced project, along Lopus Road in Beacon Falls, Connecticut. Milone & MacBroom, Inc. (MMI) has been retained to prepare a preliminary environmental assessment for the planned Beacon Falls Energy Park. This assessment has been prepared in support of a proposal response to the Connecticut Department of Energy & Environmental Protection (CTDEEP) Requests for Proposals for Renewable Energy Resources.

The proposed energy park will be located on a 23.8-acre parcel that is bounded to the west by State of Connecticut property, private undeveloped land, and Gruber Road; to the north by Lopus Road; and to the east and south by Metro North railroad. The energy park will generate electricity through the use of fuel cells. This park will consist of 21 individual fuel cell units. The park will be a nonmanned facility and will only experience periodic service and maintenance visits from key personnel. No office space and/or restroom facilities are proposed. When the system is fully operational, this energy park will generate approximately 63 megawatts of electricity per day. The electricity will be purchased by a local energy supplier such as Eversource and transmitted into its grid system for customer use.

We would like to note that the project area consists of a former sand and gravel extraction site. The site location is depicted on a United States Geological Survey (USGS) quadrangle map (Figure 1). A 2014 aerial photograph depicts current site conditions (Figure 2).

Please feel free to contact me should you or your staff have any questions regarding this request. I have sent a similar request for a historical or archaeological review to the State Historic Preservation Officer and State Archaeologist.

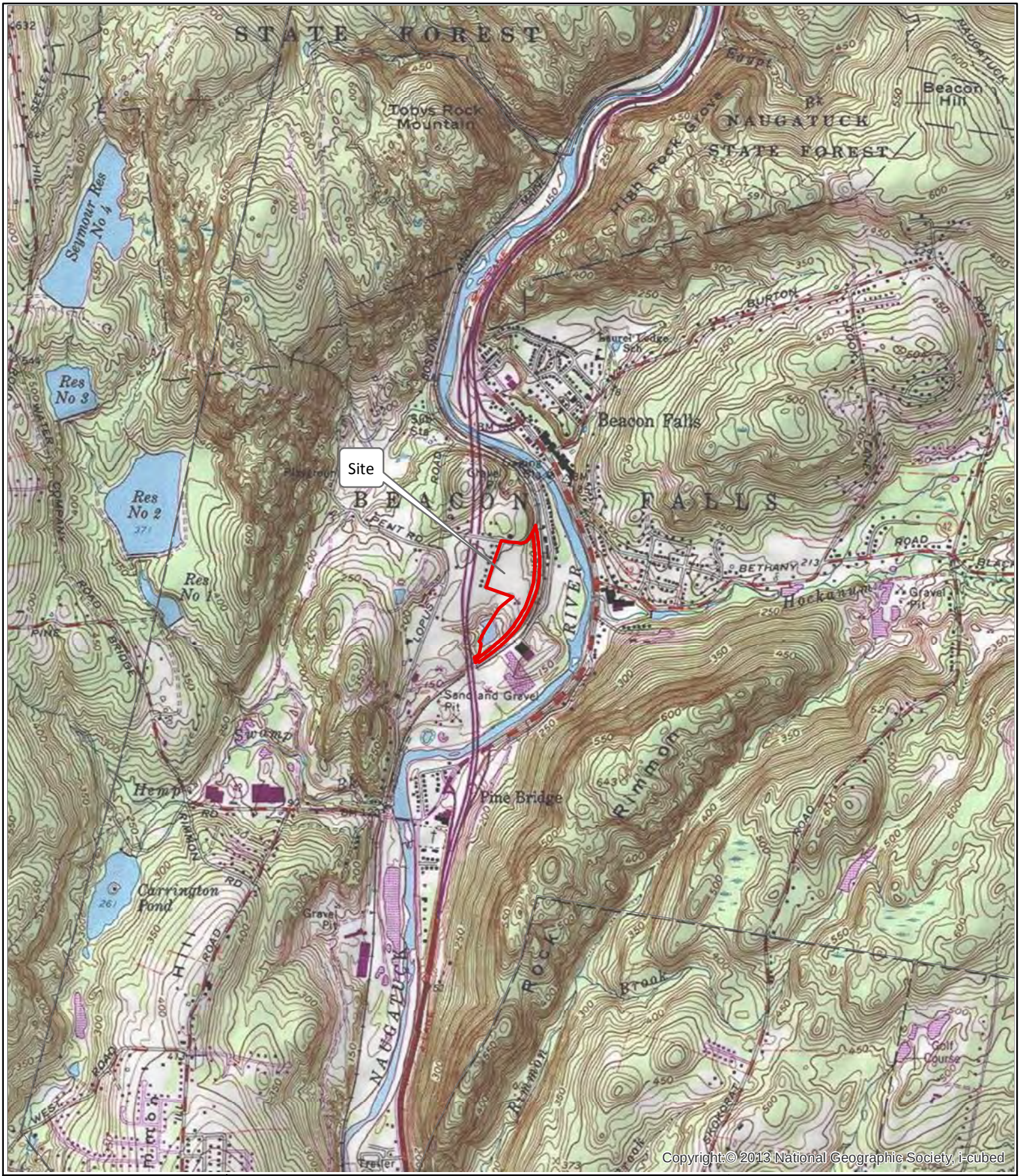
Very truly yours,

MILONE & MACBROOM, INC.

Matthew J. Sanford, MS, PWS, Associate
Lead Environmental Scientist

Enclosures

1103-87-16.2-m1215-4-ltr



SOURCE(S):
ESRI USA Topo Maps

Figure 1: Location Map

LOCATION:
Beacon Falls, CT

N

Beacon Falls Energy Park

MXD: Y:\1103-87\Maps\Location Map.mxd

Map By: CMP
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Original: 4/16/2015
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SOURCE(S):
CT ECO 2012 Orthoimagery

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Beacon Falls, CT

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Beacon Falls Energy Park

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Map By: CMP
MMI#: 1103-87
Original: 4/23/2015
Revision: 4/16/2015
Scale: 1 inch = 250 feet

MILONE & MACBROOM
99 Realty Drive Cheshire, CT 06410
(203) 271-1773 Fax: (203) 272-9733
www.miloneandmacbroom.com

Matt S.

Department of Economic and Community Development

Connecticut
still revolutionary

June 18, 2015

Mr. Matthew Sanford
Milone & MacBroom, Inc.
99 Realty Drive
Cheshire, CT 06410

RECEIVED
JUN 22 2015
MILONE AND MACBROOM

Subject: Beacon Falls Energy Park (MMI #1103-87-16.2)
Beacon Falls, Connecticut.

Dear Mr. Sanford:

The State Historic Preservation Office (SHPO) is in receipt of your request for our comments on the potential effects of the referenced project on historic properties received on May 12, 2015. The request for comments is in support of a proposal to the Connecticut Department of Energy and Environmental Protection (DEEP). SHPO understands that the proposed unstaffed facility will generate energy through the use of fuel cells. The energy park will occupy 23.8 acres at the southeast corner of Lopus and Gruber Roads.

There are no archeological sites or properties listed on the National Registers of Historic Places recorded within or in the immediate vicinity of the project area. The project parcel is comprised primarily of Udorthents-Pit complex soils. During the past 40 years, the site was mined for sand and gravel. Although this office considers this area to be archeologically sensitive, the proposed project facility is within existing disturbed footprints. Based on the information provided to our office, it is SHPO's opinion that no historic properties will be affected by this undertaking as described.

SHPO appreciates the opportunity to review and comment upon this project. These comments are provided in accordance with Section 106 of the National Historic Preservation Act, as amended, and the Connecticut Environmental Policy Act. For additional information, please contact Catherine Labadia, Staff Archeologist, at (860) 256-2764 or catherine.labadia@ct.gov.

Sincerely,

Mary B. Dunne

Mary B. Dunne
Deputy State Historic Preservation Officer

Matt S.

Department of Economic and Community Development

Connecticut
still revolutionary

June 18, 2015

Mr. Matthew Sanford
Milone & MacBroom, Inc.
99 Realty Drive
Cheshire, CT 06410

RECEIVED
JUN 22 2015
MILONE AND MACBROOM

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Sincerely,

Mary B. Dunne

Mary B. Dunne
Deputy State Historic Preservation Officer

EXHIBIT L

Natural Diversity Database Correspondence

Connecticut Department of

ENERGY &
ENVIRONMENTAL
PROTECTION

June 22, 2015

Corey Pelletier
Milone & MacBroom, Inc.
99 Realty Drive
Cheshire, CT 06410
cpelletier@mminc.com

Project: Preliminary Site Assessment for Construction of Beacon Falls Energy Park on Lopus Road in Beacon Falls, Connecticut
NDDB Preliminary Assessment No.: 201503256

Dear Corey,

I have reviewed Natural Diversity Data Base maps and files regarding the area delineated on the map provided for the preliminary site assessment for the proposed construction of Beacon Falls Energy Park located on Lopus Road in Beacon Falls, Connecticut. According to our records there are historic populations of state-listed species that occur within or very close to the boundaries of this property. I have attached the list to this letter. Please be advised that this is a preliminary review and not a final determination. A more detailed review will be necessary to move forward with any subsequent environmental permit applications submitted to DEEP for the proposed project. This letter cannot be used or submitted with your permit applications at DEEP. If you submit another NDDB review request to be used for DEEP permits please let us know how you will protect the state-listed species from being impacted by this project. This preliminary assessment is good for one year.

Natural Diversity Data Base information includes all information regarding critical biological resources available to us at the time of the request. This information is a compilation of data collected over the years by the Department of Energy and Environmental Protection'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 the Data Base 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. The result of this review does not preclude the possibility that listed species may be encountered on site and that additional action may be necessary to remain in compliance with certain state permits.

Please contact me if you have further questions at (860) 424-3592, or dawn.mckay@ct.gov . Thank you for consulting the Natural Diversity Data Base.

Sincerely,

Dawn M. McKay

Dawn M. McKay
Environmental Analyst 3

Species List for NDDB Request

Scientific Name	Common Name	State Status
Vascular Plant		
Blephilia ciliata	Downy wood-mint	SC*
Hydrophyllum virginianum	Virginia waterleaf	SC
Platanthera hookeri	Hooker's orchid	SC*
Vertebrate Animal		
Toxostoma rufum	Brown thrasher	SC
Heterdon platirhrinos	Hognose Snake	SC

E = Endangered, T = Threatened, SC = Special Concern, * Extirpated

Connecticut Department of

ENERGY &
ENVIRONMENTAL
PROTECTION

June 22, 2015

Corey Pelletier
Milone & MacBroom, Inc.
99 Realty Drive
Cheshire, CT 06410
cpelletier@mminc.com

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Dawn M. McKay

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Environmental Analyst 3

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Vertebrate Animal		
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E = Endangered, T = Threatened, SC = Special Concern, * Extirpated

Connecticut Department of
Energy & Environmental Protection
Bureau of Natural Resources
Wildlife Division

CPPU USE ONLY
App #:_____
Doc #:_____
Check #: No fee required
Program: Natural Diversity Database Endangered Species
Hardcopy _____ Electronic _____

Request for Natural Diversity Data Base (NDDB) State Listed Species Review

Please complete this form in accordance with the instructions (DEEP-INST-007) to ensure proper handling of your request.
There are no fees associated with NDDB Reviews.

Part I: Preliminary Screening & Request Type

Before submitting this request, you must review the most current Natural Diversity Data Base "State and Federal Listed Species and Significant Natural Communities Maps" found on the DEEP website. These maps are updated twice a year, usually in June and December.

Does your site, including all affected areas, fall in an NDDB Area according to the map instructions:

☒ Yes ☐ No **Enter the date** of the map reviewed for pre-screening: **December 2014**

This form is being submitted for a :

☒ *New* NDDB request ☐ *Renewal/Extension* of a NDDB Request, ***without*** *modifications and within* ***one year*** *of issued NDDB determination* (no attachments required) [*CPPU Use Only - NDDB-Listed Species Determination #* 1736]	☐ *New* **Safe Harbor Determination** (optional) must be associated with an application for a GP for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities ☐ *Renewal/Extension* of an existing Safe Harbor Determination ☐ With modifications ☐ Without modifications (no attachments required) [*CPPU Use Only - NDDB-Safe Harbor Determination #* 1736]
Enter NDDB Determination Number for Renewal/Extension:	Enter Safe Harbor Determination Number for Renewal/Extension:

Part II: Requester Information

If the requester is a corporation, limited liability company, limited partnership, limited liability partnership, or a statutory trust, it must be registered with the Secretary of State. If applicable, the name shall be stated **exactly as it is registered with the Secretary of State. Please note, for those entities registered with the Secretary of State, the registered name will be the name used by DEEP. This information can be accessed at the Secretary of the State's database CONCORD.* (www.concord-sots.ct.gov/CONCORD/index.jsp)

If the requester is an individual, provide the legal name (include suffix) in the following format: First Name; Middle Initial; Last Name; Suffix (Jr, Sr., II, III, etc.).

If there are any changes or corrections to your company/facility or individual mailing or billing address or contact information, please complete and submit the Request to Change company/Individual Information to the address indicated on the form.

1. Requester*

Company Name: **Milone & MacBroom, Inc.**

Contact Name: **Corey Pelletier**

Address: **99 Realty Drive**

City/Town: **Cheshire** State: **CT** Zip Code: **06410**

Business Phone: **203-271-1773** ext.

E-mail: **cpelletier@mminc.com

**By providing this email address you are agreeing to receive official correspondence from the department, at this electronic address, concerning this request. Please remember to check your security settings to be sure you can receive emails from "ct.gov" addresses. Also, please notify the department if your e-mail address changes

a) Requester can best be described as:

☐ Individual ☐ Federal Agency ☐ State agency ☐ Municipality ☐ Tribal

☒ *business entity (* if a business entity complete i through iii):

i) Check type ☒ corporation ☐ limited liability company ☐ limited partnership ☐ limited liability partnership ☐ statutory trust ☐ Other:

ii) Provide Secretary of the State Business ID #: 0160851 This information can be accessed at the Secretary of the State's database (CONCORD). (www.concord-sots.ct.gov/CONCORD/index.jsp)

iii) ☐ Check here if your business is **NOT** registered with the Secretary of State's office.

b) Acting as (Affiliation), pick one:

☐ Property owner ☒ Consultant ☐ Engineer ☐ Facility owner ☐ Applicant

☐ Biologist ☐ Pesticide Applicator ☐ Other representative:

2. List Primary Contact to receive Natural Diversity Data Base correspondence and inquiries, if different from requester.

Company Name:

Contact Person: Title:

Mailing Address:

City/Town: State: Zip Code:

Business Phone: ext.

**E-mail:

Part III: Site Information

This request can only be completed for one site. A separate request must be filed for each additional site.

1. SITE NAME AND LOCATION

Site Name or Project Name: **Beacon Falls Energy Park**

Town(s): **Beacon Falls**

Street Address or Location Description:
Lopus Road, Beacon Falls, CT

Size in acres, or site dimensions: **23.97 acres**

Latitude and longitude of the center of the site in decimal degrees (e.g., 41.23456 -71.68574):

Latitude: **73.064543** Longitude: **41.437529**

Method of coordinate determination (check one):

☐ GPS ☐ Photo interpolation using CTECO map viewer ☒ Other (specify): **ArcGIS**

2a. Describe the current land use and land cover of the site.

Inactive resource extraction area. Site is vegetated with native xeric plant species and non-native invasives.

b. Check all that apply and enter the size in acres or % of area in the space after each checked category.

☐ Industrial/Commercial _____ ☐ Residential _____ ☒ Forest 24%

☐ Wetland _____ ☒ Field/grassland 30% ☐ Agricultural _____

☒ Water 6% ☐ Utility Right-of-way _____

☐ Transportation Right-of-way _____ ☒ Other (specify): **Scrub-shrub 40%**

Part IV: Project Information

1. PROJECT TYPE:

Choose Project Type: Utility construction/modification , If other describe: _____

2. Is the subject activity limited to the maintenance, repair, or improvement of an existing structure within the existing footprint? ☐ Yes ☒ No If yes, explain.

Part IV: Project Information (continued)

3. Give a detailed description of the activity which is the subject of this request and describe the methods and equipment that will be used. Include a description of steps that will be taken to minimize impacts to any known listed species.

   Creation of the Beacon Falls Energy Park

4. If this is a renewal or extension of an existing Safe Harbor request *with* modifications, explain what about the project has changed.

5. Provide a contact for questions about the project details if different from Part II primary contact.

   Name:

   Phone:

   E-mail:

Part V: Request Requirements and Associated Application Types

Check *one* box from either Group 1, Group 2 *or* Group 3, indicating the appropriate category for this request.

Group 1. If you check one of these boxes, complete Parts I – VII of this form and submit the required attachments A and B.

- ☐ Preliminary screening was negative but an NDDB review is still requested
- ☐ Request regards a municipally regulated or unregulated activity (no state permit/certificate needed)
- ☒ Request regards a preliminary site assessment or project feasibility study
- ☐ Request relates to land acquisition or protection
- ☐ Request is associated with a *renewal* of an existing permit, with no modifications

Group 2. If you check one of these boxes, complete Parts I – VII of this form and submit required attachments A, B, *and* C.

- ☐ Request is associated with a *new* state or federal permit application
- ☐ Request is associated with modification of an existing permit
- ☐ Request is associated with a permit enforcement action
- ☐ Request regards site management or planning, requiring detailed species recommendations
- ☐ Request regards a state funded project, state agency activity, or CEPA request

☐ **Group 3.** If you are requesting a **Safe Harbor Determination**, complete Parts I-VII and submit required attachments A, B, and D. Safe Harbor determinations can only be requested if you are applying for a GP for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities

If you are filing this request as part of a state or federal permit application(s) enter the application information below.

Permitting Agency and Application Name(s): _____

State DEEP Application Number(s), if known: _____

State DEEP Enforcement Action Number, if known: _____

State DEEP Permit Analyst(s)/Engineer(s), if known: _____

Is this request related to a previously submitted NDDB request? ☐ Yes ☐ No

If yes, provide the previous NDDB Determination Number(s), if known: _____

Part VI: Supporting Documents

Check each attachment submitted as verification that *all* applicable attachments have been supplied with this request form. Label each attachment as indicated in this part (e.g., Attachment A, etc.) and be sure to include the requester's name, site name and the date. **Please note that Attachments A and B are required for all new requests and Safe Harbor renewals/extensions with modifications.** Renewals/Extensions with no modifications do not need to submit any attachments. Attachments C and D are supplied at the end of this form.

☒ Attachment A:	**Overview Map:** an 8 1/2" X 11" print/copy of the relevant portion of a USGS Topographic Quadrangle Map clearly indicating the exact location of the site.
☒ Attachment B:	**Detailed Site Map:** fine scaled map showing site boundary and area of work details on aerial imagery with relevant landmarks labeled. (Site and work boundaries in GIS [ESRI ArcView shapefile, in NAD83, State Plane, feet] format can be substituted for detailed maps, see instruction document)
☐ Attachment C:	**Supplemental Information, Group 2 requirement (attached, DEEP-APP-007C)** ☐ Section i: Supplemental Site Information and supporting documents ☐ Section ii: Supplemental Project Information and supporting documents
☐ Attachment D:	**Safe Harbor Report Requirements, Group 3 (attached, DEEP-APP-007D)**

Part VII: Requester Certification

The requester *and* the individual(s) responsible for actually preparing the request must sign this part. A request will be considered incomplete unless all required signatures are provided.

"I have personally examined and am familiar with the information submitted in this document and all attachments thereto, and I certify that based on reasonable investigation, including my inquiry of the individuals responsible for obtaining the information, the submitted information is true, accurate and complete to the best of my knowledge and belief."

Corey Pelletier	5/8/15
Signature of Requester (a typed name will substitute for a handwritten signature)	Date
Corey Pelletier	Env. Analyst
Name of Requester (print or type)	Title (if applicable)
Signature of Preparer (if different than above)	Date
Name of Preparer (print or type)	Title (if applicable)

Note: Please submit the completed Request Form and all Supporting Documents to:

CENTRAL PERMIT PROCESSING UNIT
DEPARTMENT OF ENERGY & ENVIRONMENTAL PROTECTION
79 ELM STREET
HARTFORD, CT 06106-5127

Or email request to: deep.nddbrequest@ct.gov

SOURCE(S):
ESRI USA Topo Maps

Attachment A: Natural Diversity Data Base Map

LOCATION:
Beacon Falls, CT

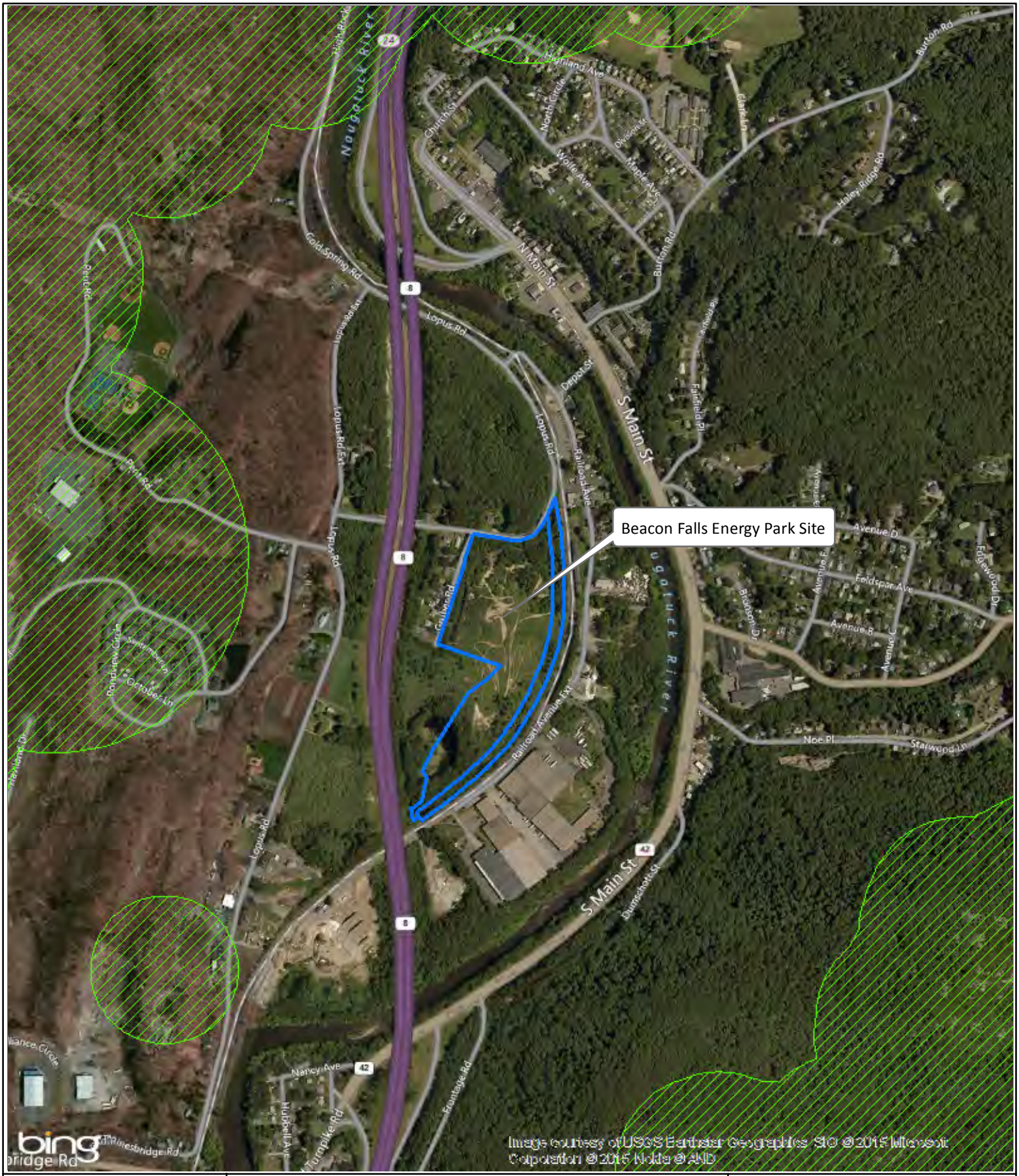
N

Beacon Falls Energy Park

MXD: Y:\1103-87\Maps\NDDB.mxd

Map By: CMP
MMI#: 1103-87
Original: 5/8/2015
Revision: 4/16/2015
Scale: 1 inch = 2,000 feet

MILONE & MACBROOM
99 Realty Drive Cheshire, CT 06410
(203) 271-1773 Fax: (203) 272-9733
www.miloneandmacbroom.com



SOURCE(S): BING Aerial Imagery CT DEEP NDDB Layer	**Attachment B: Natural Diversity Data Base Map**	**LOCATION:** **Beacon Falls, CT**
N **Beacon Falls Energy Park** **MXD:** Y:\1103-87\Maps\NDDB-2.mxd	**Map By:** CMP **MMI#:** 1103-87 **Original:** 5/8/2015 **Revision:** 4/16/2015 **Scale:** 1 inch = 850 feet	MILONE & MACBROOM 99 Realty Drive Cheshire, CT 06410 (203) 271-1773 Fax: (203) 272-9733 www.miloneandmacbroom.com

EXHIBIT M

Proof of Service Notice to Abutting Property Owners

BEACON FALLS ENERGY PARK, LLC

CERTIFICATION OF SERVICE TO ABUTTING PROPERTY OWNERS

CT SITING COUNCIL

ABUTTER NAME / ENTITY	**MAILED From Pullman & Comley**	**RETURN RECEIPT BACK [Green Card]**
O&G INDUSTRIES 112 WALL STREET, TORRINGTON, CT 06790	**08/26/15**	
GINA M. MEDER 152 LOPUS ROAD BEACON FALLS, CT 06403	**08/26/15**	
SUSAN L. and DAVID J. KEATING 176 LOPUS ROAD, BEACON FALLS, CT 06403	**08/26/15**	
THERESA H. SHEA 4 GRUBER ROAD BEACON FALLS, CT 06403	**08/26/15**	
THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT C/O MICHAELSON, CONNOR & BOUL, INC. 4400 WILL ROGERS PKWY, SUITE 300 OKLAHOMA CITY, OK 73108	**08/26/15**	
JOY JOHNSON-BROWN 14 GRUBER ROAD BEACON FALLS, CT 06403	**08/26/15**	
WILLIAM H. STEINBACHER IV and LINDA L. STEINBACHER 18 GRUBER ROAD BEACON FALLS, CT 06403	**08/26/15**	
CHRISTINA KNOX 22 GRUBER ROAD BEACON FALLS, CT 06403	**08/26/15**	

BEACON FALLS ENERGY PARK, LLC

CERTIFICATION OF SERVICE TO ABUTTING PROPERTY OWNERS

CT SITING COUNCIL

ABUTTER NAME / ENTITY	**MAILED From Pullman & Comley**	**RETURN RECEIPT BACK [Green Card]**
SANDRA SCOTT-KIESEL 30 GRUBER ROAD BEACON FALLS, CT 06403	**08/26/15**	
DAVID P. ODELL 34 GRUBER ROAD BEACON FALLS, CT 06403	**08/26/15**	
BRIAN J. and DONNA M. HOURIGAN 38 GRUBER ROAD BEACON FALLS, CT 06403	**08/26/15**	
JUNE RYDZIK and TERRANCE MURTHA 26 FAIRFIELD PLACE BEACON FALLS, CT 06403	**08/26/15**	
CT DEPARTMENT OF TRANSPORTATION ATTN: RAILROAD PROPERTIES 2800 BERLIN TURNPIKE NEWINGTON, CT 06111	**08/26/15**	

EXHIBIT N

Fuel Cell Specification Sheets

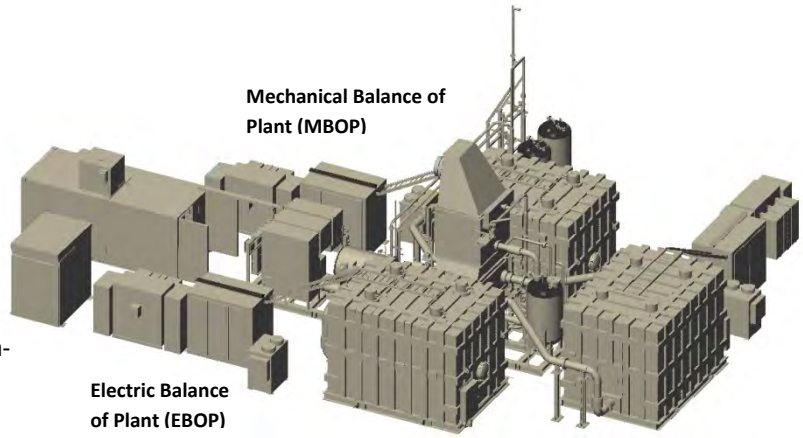
FuelCell Energy
Ultra-Clean, Efficient, Reliable Power

HEFC™

HIGH EFFICIENCY FUEL CELL

Key Features

- High Efficiency
- Low Environmental Impact
- Fuel Flexibility
- High Reliability
- Quiet Operation



Advantages

FuelCell Energy's HEFC™ system is capable of providing high-quality baseload power with 59% electric power generation efficiency. Scalable to more than 50 MW, the system is especially suitable to applications with larger load requirements and limited waste heat utilization such as data centers and utility/grid support.

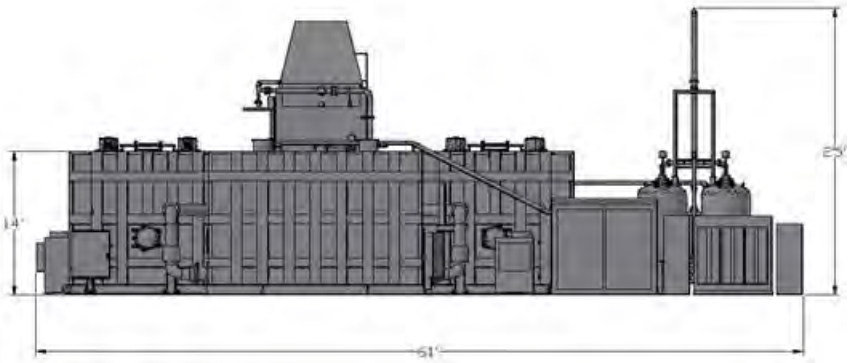
Performance

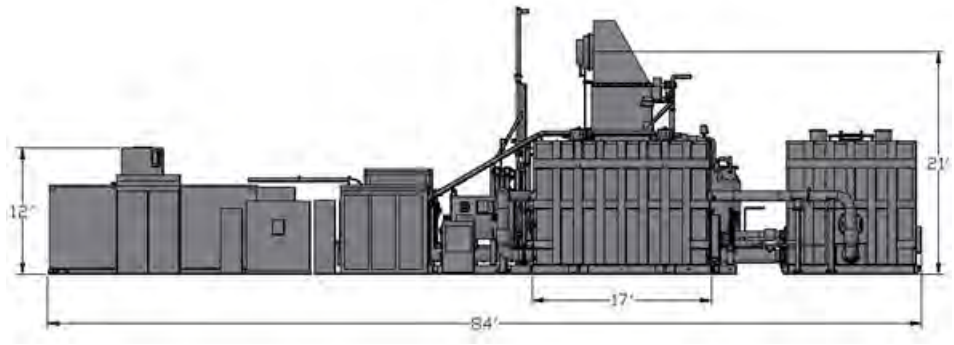
Power Output	
Power @ Plant Rating	3,700 kW
Standard Output AC Voltage	13,800 V
Standard Frequency	60 Hz
Optional Output AC Voltages	12,700, 4,160 V
Optional Output Frequency	50 Hz
Efficiency	
LHV	59% +/- 2%[1]
Available Heat	
Exhaust Temperature	430°F
Exhaust Flow	36,600 lb/h
Allowable Backpressure	5 iwc
Heat Energy Available for Recovery	
(to 250F°)	1,800,000 Btu/h
(to 120F°)	5,100,000 Btu/h
Fuel Consumption	
Natural Gas (at 930 Btu/ft^3)	383 scfm
Heat Rate, LHV	5,785 BTU/kWh

Water Consumption	
Average	10 gpm
Peak during WTS backflush	30 gpm
Average with water recovery option	< 1 gpm[2]
Water Discharge	
Average	5.0 gpm
Peak during WTS backflush	30 gpm
Average with water recovery option	0 gpm
Pollutant Emmissions	
NOx	< 0.01 lb/MWh
SOx	< 0.0001 lb/MWh
PM10	< 0.00002 lb/MWh
Greenhouse Gas Emissions	
CO_2	740 lb/MWh
CO_2 (with waste heat recovery)	520-680 lb/MWh
Noise Level	
Standard	72 dB(A) at 10 feet

[1] Projected efficiency for 1st article. Output and efficiency will decline by 10% over the life of the fuel cell modules, and increase to original values after scheduled module replacement.
[2] Amount of water recovered will vary based on site conditions.

Specifications





Weights

Water Treatment Skid:	20,000 lb
Main Process Skid:	50,000 lb
Desulfurization:	15,000 lb
Electrical Balance of Plant:	75,000 lb
Fuel Cell Module:	107,000 lb
(each of 3 modules)	

Experience & Capabilities

With more than 40 years of experience, FuelCell Energy is recognized as a world leader in the development, manufacture, and commercialization of fuel cells for stationary electric power generation. The result of years of research and the investment of more than $530 million, our patented, carbonate Direct FuelCell products have generated more than 2 billion kilowatt hours of electrical energy to date at more than 50 locations worldwide.

This brochure provides a general overview of FuelCell Energy products and services. This brochure is provided for informational purposes only. Warranties for FuelCell Energy products and services are provided only by individual sales and service contracts, and not by this brochure. This brochure is not an offer to sell any FuelCell Energy products and services. Contact FuelCell Energy for detailed product information suitable for your specific application. FuelCell Energy reserves the right to modify its products, services, and related information at any time without prior notice.

FuelCell Energy's fleet of FuelCell power plants are certified to or comply with a variety of commercial and industrial standards: ANSI/CSA America FC-1, UL 1741, CARB 2007, OSHA 29 CFR Part 1910, IEEE 1547, NFPA 70, NFPA 853, and California Rule 21.

FuelCell Energy, Inc.
3 Great Pasture Road
Danbury, CT 06813-1305
203 825-6000

www.fuelcellenergy.com

FuelCell Energy
Ultra-Clean, Efficient, Reliable Power

EXHIBIT O

Visual Assessment Report

TRC
Results you can rely on

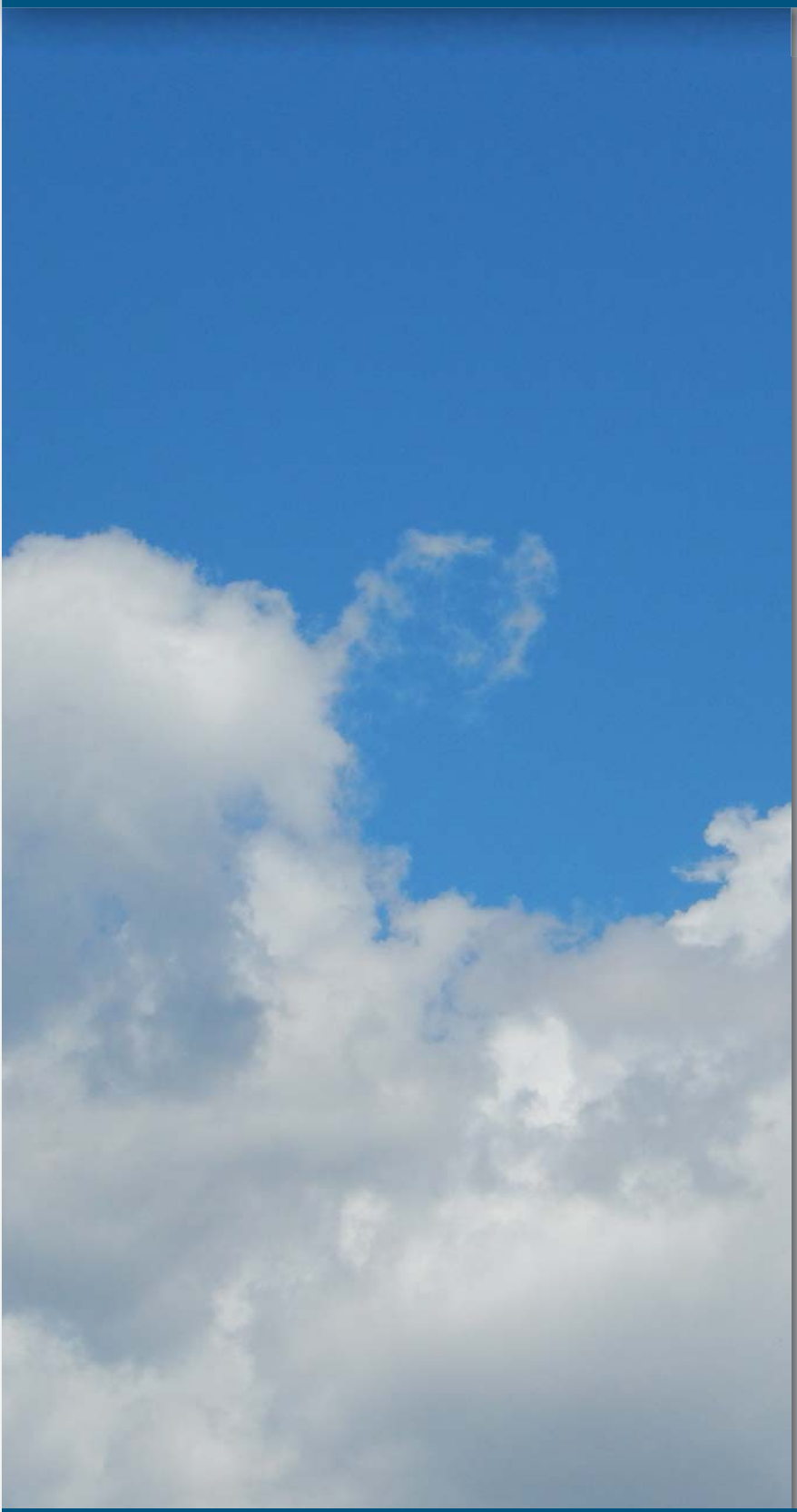
BEACON FALLS ENERGY PARK
VISUAL IMPACTS STUDY

Prepared for:
Beacon Falls Energy Park, LLC

Prepared by:
TRC Environmental Corporation

AUGUST 2015

TRC
Results you can rely on



BEACON FALLS ENERGY PARK VISUAL IMPACTS STUDY

Prepared for:

Beacon Falls Energy Park, LLC

Prepared by

TRC Environmental Corporation

21 Griffin Road North
Windsor, Connecticut 06095
Telephone 860-298-9692
Facsimile 860-298-6399

TRC Project No. 232127.0000.0000

AUGUST 2015

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FIGURES

1.0 Visual Impacts Analyses

The visual impact of the proposed Beacon Falls Energy Park was assessed using computer simulations of the terrain surrounding the project site and a field survey of publicly accessible areas in Beacons Falls to document potential views of the project site.

2.0 Viewshed Analysis

2.1 Methodology

A viewshed analysis, based on topography only, was conducted as shown in Figure 1. A viewshed is the geographical area that is visible from a location. It includes all surrounding points that are in line-of-sight with that location and excludes points that are beyond the horizon or obstructed by terrain. This analysis is a Geographic Information System (GIS) technique that allows one to determine if and where the potential exists to see an object within a larger regional area. The results of the viewshed analysis are typically displayed over a USGS topographic map or aerial photo, and are combined with other information such as roadway locations to assist in understanding the potential for project visibility.

This evaluation used LIDAR elevation data in order to establish baseline ground elevations within the project area. The location (x, y) and elevation (z) data (accounting for the proposed grade) of the fuel cells were incorporated into the viewshed model. These data were controlled within the model to ensure that the surface elevation and the vertical offsets of the fuel cells were embedded properly against the elevation surface. The final resulting output grid identified those areas from which viewers would potentially see all or some part of the proposed fuel cells assuming there are no trees or other interfering objects along the line of sight.

2.2 Assumptions and Limitations

The viewshed analysis identifies locations that contain elevation information and computes the differences along the terrain surface between an observer at any point within the study area and a target (i.e., fuel cell facility). The analysis assumes a clear line of sight and therefore certain factors in the interpretation of results need to be considered:

1. The model, because of its computerized aspect, assumes the observer to have perfect vision at all distances. Therefore, a certain amount of reasonable interpretation needs to be considered because of the limitations of human vision at greater distances or those atmospheric/meteorological conditions that may cause imperfect vision, such as haze or inclement weather. Additionally, an object is naturally smaller and shows much less detail at distances and will have less visual impact.
2. Because an area may show visibility, it does not mean the entirety of the fuel cells will be seen. In most cases for this Project, the existing vegetative buffer surrounding the site is expected to provide a visual impediment for the majority of the facility.
3. Trees, buildings, shrubs, and other above ground visual obstructions have not been incorporated into the model.

2.3 Results and Discussion

Landform and elevation in the landscape are a key influence on the visibility and sightline of a project. Figure 1 shows a map of the study area. The general elevation of the facility site is approximately 132-140 feet above mean sea level (MSL) and topography in the surrounding one-mile study area ranges from approximately ~100 feet to ~650 feet MSL with increasing topographic elevation in all directions from the site with lower elevations found between Old Turnpike Rd and Breault Rd along the Naugatuck River.

- The largest area with potential visibility of the project site is from the commercial/industrial areas southeast and east of the site. These properties adjacent to Railroad Ave., southeast and east of the site are primarily commercial buildings.
- Exposed facing topographical ridges show site visibility such as the three areas described below; east of South Main St. and south of Noe Pl., northwest of the site near the one-mile radius, and north of the site at the one-mile radius are all heavily wooded and do not contain any housing or commercial buildings. Due to tree cover there is either no or very limited visibility expected in these areas.
- A small housing development along Pondview Cir. may have limited visibility to the site, but primarily will be buffered from view by undulating topography and existing treelines.
- A small residential area along Breault Rd. may have limited visibility to the site, but intervening vegetation will minimize their view.
- There may be some visibility along S. Main St. south of Burton Rd. near the Salon Luxera and the commercial buildings to the east of S. Main St.
- Intermittent views along Bethany Rd., Fairfield Pl. and Feldspar Ave. may occur in the gaps between trees.

3.0 Field Survey

On July 31, 2015, TRC investigated the area surrounding the proposed Beacon Falls Energy Park in order to obtain photographs and field information for facility photosimulations. Several locations as discussed above were considered with the field effort primarily focused on community areas with public access including travel corridors and the nearest neighborhoods. The survey team found the site environs and Beacon Falls to be heavily treed with many hills that prevent clear lines of sight from any of the publicly accessible areas (e.g., roadways, parks) surveyed. From a high point on the project itself site near Gruber Road, only one roof on the far (i.e., east) side of the Naugatuck River was visible, and no other roads, homes or commercial properties (other than Gruber Road and its homes) were visible. As a result of the field effort and the viewshed analysis, it was observed that the facility will have limited visibility due to topography and heavily vegetated areas surrounding the site in addition to visual impediments from street side trees.

It was not possible to find a full-on view of the facility to depict in a simulation from a public location. The site itself sits in a low lying area between Route 8 and the Metro-North Rail line with a proposed maximum grade elevation of approximately 140 feet MSL. The height of the

highest element of the fuel cells is expected to be approximately 25' 6". Approximately 300 feet to the west, the elevation rises to approximately 188 feet MSL in the vicinity of Gruber Road. A vegetated hill lies north of the site. South of the site are industrial-commercial buildings along Railroad Avenue Extension. To the east, various tree groups and riparian edges along the Naugatuck River exist, also with the potential to block views. East of the river and South Main Street, the topography begins to rise from that of the site elevation. Two heavily vegetated ridges/hills exist north and south of the east-west running Route 42 Bethany Road.

4.0 Photosimulations

Three photosimulations from publicly accessible areas are depicted.

4.1 Figure 2: Camera Location 1. Hockanum Court, 1.2 miles east of the Project

This location is in an easterly neighborhood at Hockanum Court, 1.2 miles from the facility. The survey team did not find any locations east of the Naugatuck River with an unobstructed view of the site. An attempt was made to obtain a photograph from a high elevation neighborhood with a view through the Route 42 Bethany Road "valley" that lies between higher elevation hills located both north and south of the roadway. There will be no views of the facility from this location due to intervening topography and vegetation. The simulation shows a "ghosted" depiction of the facility in the photograph, seen near the upper left leg of the tripod in the photograph. In fact, the facility will actually be located behind the trees and foreground hill. However the "ghosting" of the facility brought to the foreground of the photograph depicts where the facility would be expected to be if there were no visual obstructions, and shows the size, scale, and placement of the facility at this location.

4.2 Figure 3: Camera Location 2. Gruber Road, 300 feet west of the Project

This photograph was taken at the nearest neighborhood located on Gruber Road approximately 300 feet west of the proposed facility. The majority of the ridge between the site and the neighborhood is vegetated, including a line of mature trees likely planted in the past to screen the site from the Gruber Road residences. However, due to its proximity to the site and potential noise issues, a sound wall is proposed that will run north to south along the ridge between the facility and Gruber Road. Although there will be no views of the major facility components, there will be views of the sound wall through various gaps in the trees as seen in the simulation. The proposed sound wall will be neutral in color to minimize its visual impact.

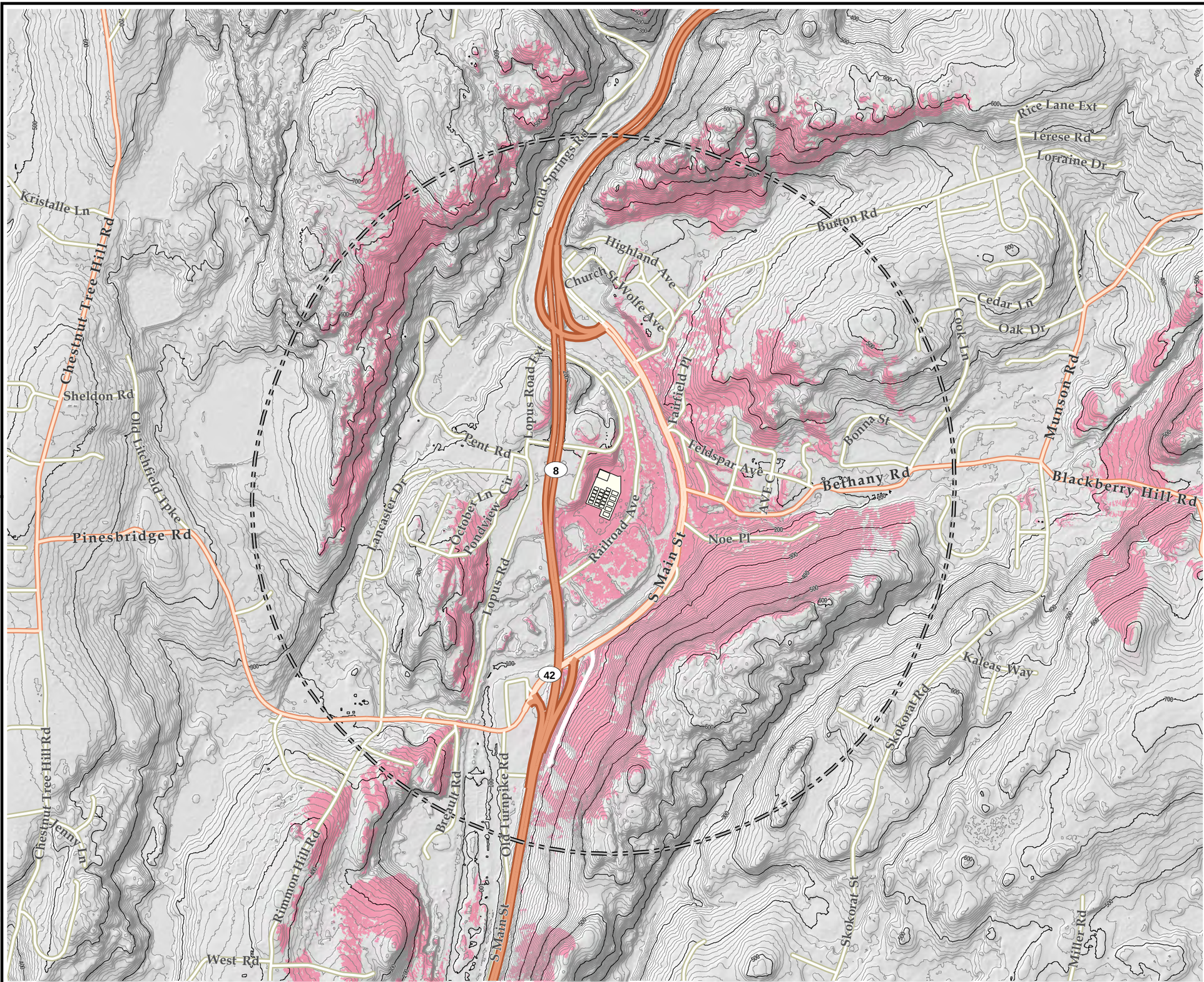
4.3 Figure 4: Camera Location 3. Railroad Avenue, 0.2 miles north of the Project

This location is at the Beacon Falls Train Station on Railroad Avenue, a public high-use area. It is approximately 0.2 miles north of the site. There will be no views of the facility at this location due to intervening vegetation and partial topographic obstructions from a hill in the vicinity of Lopus Road. The "ghosted" image of the facility can be seen in the leftmost part of the simulation photograph.

5.0 Summary

The computerized viewshed analysis, based on the terrain elevations and assuming there are no trees, buildings or other sightline obstructions, shows that there are limited populated areas, primarily along the Naugatuck River, from which the project might be visible. Other potential areas with sightlines to the project are on high terrain on either side of the river valley, but these areas are not developed or easily accessible. The field survey covered much of the publicly accessible area shown on Figure 1 and found that trees and terrain effectively block views of the project site (see Figures 2 through 4) except along Gruber Road, from which the sound wall will be visible through the trees.

The visual impacts of the proposed facility will not be significant. The site is an old existing quarry, and thus is "walled in" by the edges of the quarry pit. At longer distances, the terrain and vegetation in Beacons Falls also shield the site from view. There is an existing line of trees planted on the west side of the property between the site and Gruber Road that screens the site. The sound wall that will be installed along the west side of the site will be visible from Gruber Road through gaps in the vegetation.



LEGEND

- 1-MILE SETBACK FROM PROJECT AREA
- SITE LAYOUT
- AREAS OF SITE VISIBILITY
- AREAS OBSTRUCTED FROM SITE

N

0 1,500 3,000 Feet

1 " = 1,500 '

1:18,000

PROJECT:

BEACON FALLS ENERGY PARK, LLC.
BEACON FALLS, CONNECTICUT

TITLE:

FACILITY VISIBILITY MAP

DRAWN BY:	PAPEZ J	PROJ NO.:	232127
CHECKED BY:	JB		
APPROVED BY:	MA		**FIGURE 1**
DATE:	AUGUST 2015		

TRC

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Madison, WI 53717
Phone: 608.826.3600
www.trcsolutions.com

FILE NO.: 232127-001.mxd

TRC - GIS
Coordinate System: NAD 1983 StatePlane Connecticut FIPS 0600 Feet (Foot US)
Map Rotation: 0
Plot Date: 8/26/2015, 09:39:08 AM by BRHODE -- LAYOUT: ANSI B(11"x17")
Path: E:\O_G_Industries\BeaconFalls\2015_232127\232127-001.mxd

Figure 2: Camera Location 1. Hockanum Court, 1.2 miles east of the Project

Figure 3: Camera Location 2. Gruber Road, 300 feet west of the Project

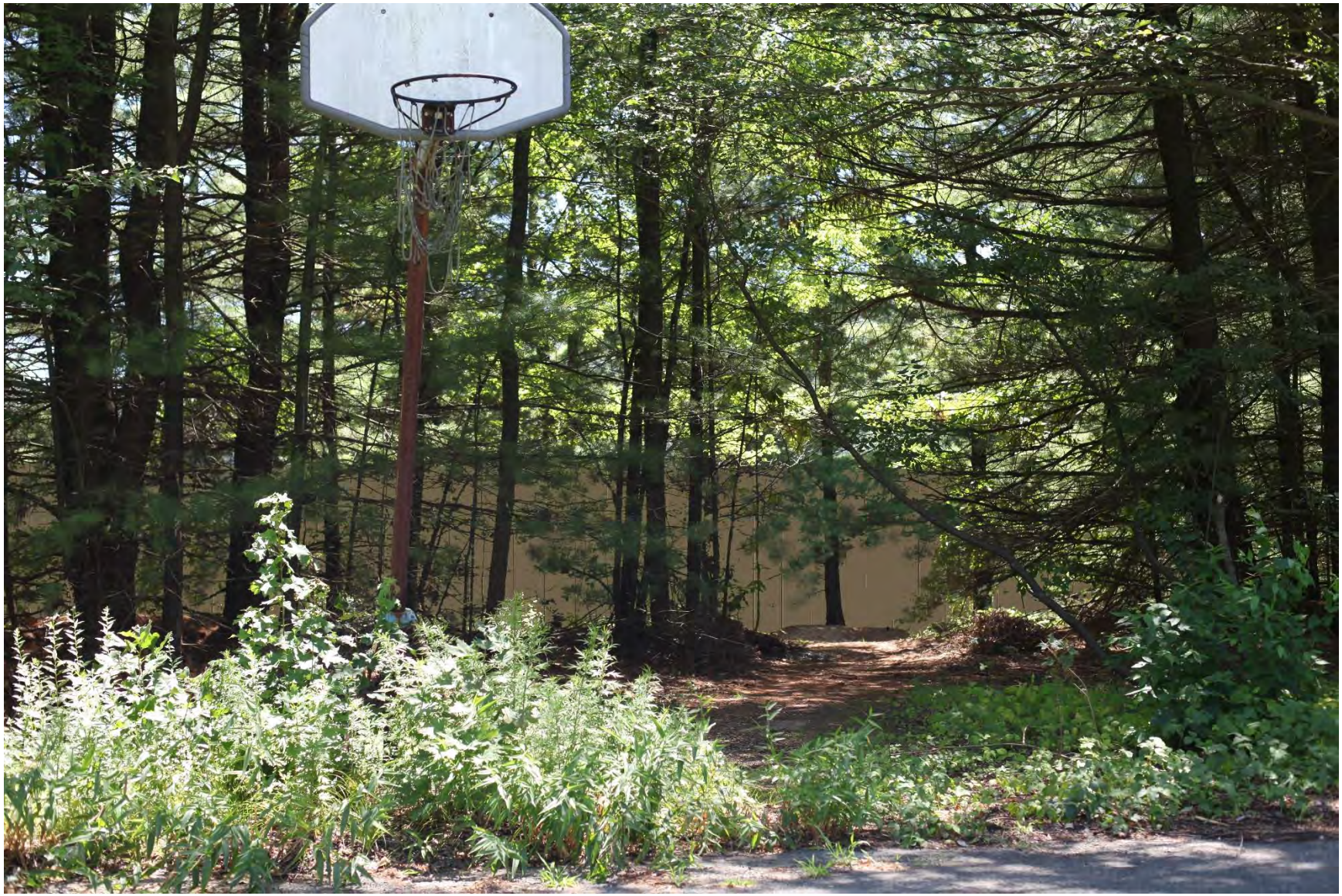

Figure 4: Camera Location 3. Railroad Avenue, 0.2 miles north of the Project