

STATE OF CONNECTICUT  
DEPARTMENT OF PUBLIC HEALTH

Raul Pino, M.D., M.P.H.  
Commissioner



Dannel P. Malloy  
Governor  
Nancy Wyman  
Lt. Governor

April 18, 2017

VIA FIRST CLASS MAIL

Frederic Lee Klein, Esq.  
Pullman & Comley LLC  
90 State House Square  
Hartford, CT 06103-3702

RE: Woodridge Lake Sewer District's Proposed Regional Sewer Connection Project

Dear Attorney Klein:

This is in response to your February 28, 2017 letter in which you requested information regarding any meeting the Department of Public Health ("the Department") has held or may hold with the Department of Energy and Environmental Protection ("DEEP") regarding Woodridge Lake Sewer District's ("WLS D") proposed regional sewer connection project ("Proposed Project"). You also requested in your letter that the Department provide to you, *inter alia*, any handouts or other documentation prepared prior to any meeting the Department has held with the DEEP, if the Department held such a meeting.

As you know, as part of its *Conn. Gen. Stat.* § 25-34 investigation of the Proposed Project, the Department is reaching out to people and entities that may have information relevant to the Department's investigation, including the DEEP. To that end, Lori Mathieu, Antony Casagrande and Kathryn Keenan of the Department met with Robert Kaliszewski, Denise Ruzicka, Jennifer Perry, and Ann Straut of the DEEP on March 6, 2017 to obtain information relevant to the Department's investigation. At that meeting, the DEEP provided the attached document to the Department that the DEEP had prepared prior to the meeting.



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If you have any questions, please contact Lori Mathieu, Public Health Section Chief, Drinking Water Section, at (860) 509-7333.

Sincerely,



Raul Pino, MD, MPH  
Commissioner

Attachment

cc: Yvonne T. Addo, MBA, Deputy Commissioner, DPH ([yvonne.addo@ct.gov](mailto:yvonne.addo@ct.gov))  
Lori Mathieu, Public Health Section Chief, Drinking Water Section, DPH ([lori.mathieu@ct.gov](mailto:lori.mathieu@ct.gov))  
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Ms. Susan Suhanovsky, President, Torrington Water Company  
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Ms. Betsey Wingfield, Bureau Chief, Bureau of Water Protection and Land Reuse, DEEP  
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Hon. Elinor Carbone, Mayor, City of Torrington ([elinor\\_carbone@torringtonct.org](mailto:elinor_carbone@torringtonct.org))  
Mr. Jay Bate, Jr., Chairman, Inland Wetland Commission, City of Torrington  
Ms. Rista Malanca, Zoning and Wetlands Enforcement Officer, City of Torrington  
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Mr. Thomas R. Stansfield, Chairman, Inland Wetland and Water Courses Commission,  
Town of Goshen  
Ms. Stacey Sefcik, Land Use Commissions Clerk, Town of Goshen ([ssefcik@goshenct.gov](mailto:ssefcik@goshenct.gov))  
Mr. Johan Strandson, Area Director, USDA Norwich Service Center  
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Mr. David LeVasseur, Office of Policy and Management ([david.levasseur@ct.gov](mailto:david.levasseur@ct.gov))  
Connecticut Water Planning Council ([wpc@ct.gov](mailto:wpc@ct.gov))  
Torrington Area Health District

## Woodridge Lake Sewer District Sewer Main Extension to Torrington Sewer Treatment Plant



Connecticut Department of Energy and Environmental Protection

- DEEP's perspectives on the alternatives reviewed and the alternative chosen including any other technical information that DEEP wanted to share



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## WLSD Background

- WLSD Established 7/17/1970
- Construction of sewerage facilities completed 1974 – Design size 200,000gpd
- Permit issued for 40,000gpd Nov 1974
- Engineering reports on the hydraulic capacity of the Ridge and Furrow system completed in the 1980s – none were approved due to unresolved technical issues



Connecticut Department of Energy and Environmental Protection

## Ridge and Furrow Description



A ridge and furrow system is simply described as a series of interconnected ditches (furrows) which allow for the distribution, infiltration, and treatment of wastewater.

Design is based on hydraulic loading rates and BOD5 loading rates.

The design did not consider the short-circuiting that occurs due to the ledge <3ft from the surface – biggest issue.



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## WLSD Background Continued

- Consent Order No. WC4856 issued July 27, 1989.
- Permit modified from 40,000gpd to 100,000gpd July 1989
- 1989 -1994 several additional reports submitted – none approved by DEP.
- 1995 report approved in 1996. *Note: the report stated that the hydraulic capacity of the ridge and furrow system under optimal conditions equaled 34,000gpd*



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## WLSD Background Continued

- 2001 – 2003 many meetings, the 1996 engineering report approval was rescinded.
- 2004-2005 Another report done. No progress made until...
- 2010 Board change at WLSD. Public meetings held. A new direction was decided upon.



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## 2011 onward

- On-site testing was completed.
- An alternative discharging to Class B river was chosen.
  - Discharge to City of Torrington.
- Funded by USDA – Rural Development
- Public review under NEPA process complete
- No state funding – No CEPA or C&D review required



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## Alternative Discussion

- First Alternative – Discarded
  - On-site Treatment
    - All considerations were reviewed including treating to drinking water standards before discharging, applying for a change to the Class A designation, etc.
    - WLSD could not demonstrate to DEEP's satisfaction that there was sufficient separation from groundwater and adequate travel time to achieve disinfection.
    - It became clear that an off-site alternative was needed and those alternatives were also reviewed.



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## Alternative Discussion

- Second Alternative - Discarded
  - Individual On-Site Systems
    - Homes originally constructed with sewer service due to being in an environmentally sensitive area
      - Within Shepaug River PWS watershed
    - Homes are served by on-site wells making siting for septic impractical on most lots
    - Transition to individual or “small community” septic systems not feasible.



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## Alternative Discussion

- Third Alternative - Discarded
  - Litchfield POTW<sup>5</sup>
    - Not enough capacity at the Litchfield POTW to accept any portion of the flow.
    - Litchfield has just completed an upgrade and were not interested in pursuing taking the flow.
    - It is twice the distance of the Torrington Alternatives



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## Alternative Discussion Cont'd

- Fourth Alternative
  - Torrington POTW
    - Directs flows to advanced treatment plant and discharges to a Class B stream
    - City of Torrington able and willing to accept the WLSO flow
    - Woodward and Curran responses summarize alternatives and rationale for selection



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## DEEP Role in Alternate Routes

- Choice of alternative was between USDA and WLSO with consideration given to City of Torrington preferred connection locations
- Selected option most viable project due to cost effectiveness
- All alternative routes higher cost
- DEEP "concurred" with facilities plan
- Because no state funding DEEP approval not necessary, NO CEPA review required
- Federal NEPA process allowed for public input
- Federal NEPA process considered alternatives



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## Facts

- Project solves a long standing community pollution problem in a Class AA watershed.
- Sewer collection systems/mains already throughout drinking water watersheds in Connecticut
  - 130 of the 214 public drinking water surface watersheds
  - 93 municipalities which have public drinking water surface watersheds within them
- Torrington Sewer/WPCA sewers exist within Torrington water Company watershed
- Selected alternative upgrades existing sewers within the watershed, increasing protection



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## Recap

- No Water Company Lands affected
- No disturbance to Water Company Owned lands
- New sewers completely within DOT roadway
- In addition, flows enter City of Torrington system where there are large capacity collection pipes to the plant via selected route



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## DPH's Decision

- Investigation under CGS 25-34
- Standard of review is "pollution or threatened pollution which in its judgement is prejudicial to public health"
- Decision will be precedent setting for entire state – infers that mere presence of sewer pipes are prejudicial to public health
- Decision will impact other municipalities and state agencies



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## DPH's Decision

- Has lasting impact not just to this project, but:
  - 130 of the 214 public drinking water surface watersheds
  - 93 municipalities which have public drinking water surface water sheds within them
- Impacts also to DECD, and OPM (economic development & priority funding areas)
- Given potential impacts to so many communities, should DPH be considering an adverse decision, we strongly recommend that all potentially impacted communities be contacted and given the opportunity to comment.



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