STATE OF CONNECTICUT
DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT

ENVIRONMENTAL ASSESSMENT CHECKLIST
Project ID No: **(issued by OPM)**

Date: 3/21/2017 **Staff Contact:** Lilia Kieltyka
Municipality: Vernon **Project Name:** Hockanum Mill
Funding Source: Urban Act Grant **State Funds:** $500,000
Type of State Agency Review: Stage 1 **X** Stage 2

This assessment is being conducted in conformance to the department's Environmental Classification Document to determine CEPA obligations

Project Description: The Town of Vernon is requesting a $500,000 Urban Act grant to complete the restoration of the Hockanum Mill located at 200 West Main Street Rockville. Previously, a total of $4,000,000 in brownfield loans funds have been provided to Kaplan Mill Works, LLC to investigate, remediate and to perform building and structural work improvements at the site of the recently renovated mill. The property is a 9-acre, 10-building site which Kaplan acquired through the purchase of tax liens from the Town of Vernon. The goal is to restore 105K square feet of mixed use and industrial space. The Town of Vernon is a partner in this redevelopment and stands to receive economic benefits from the redevelopment of this historic mill.

Note: environmental remediation is a positive environmental impact, but not a CEPA activity.

RCSA sec. 22a-1a-3 Determination of environmental significance (direct/indirect)

1) *Impact on air and water quality or on ambient noise levels*

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

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

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

In keeping with the DEEP interest in furthering the use of alternate fuels for transportation purposes, we recommend that Level 2 electric vehicle charging stations be included at 3% of the parking spaces in the project design. Increasing the availability of public charging stations will facilitate the introduction of the electric vehicle technology into the state and serve to alleviate the present energy dependence on petroleum and improve air quality.

b) *Water Quality*— Where building renovation and site improvements are proposed, the DEEP strongly recommends the use of low impact development (LID) practices for infiltration of stormwater on-site. Although LID techniques are not primarily designed to reduce pathogen pollution, their mitigation of hydrologic impacts is likely to reduce pathogen loading from stormwater by reducing the volume and rate of runoff from a given area. Water quality and quantity benefits are maximized when multiple techniques are grouped together.

c) *Noise*— N/A

2) *Impact on a public water supply system or serious effects on groundwater, flooding, erosion, or sedimentation*

a) *Water Supply*— The Department of Public Health (DPH) Drinking Water Section (DWS) indicates the proposed project is not within a public drinking water supply source water area; therefore the DWS has no source protection comments to offer. The proposed project is within the public water service area of the Connecticut Water Company Northern Region Western System (PWSID# CT 0473011) (CWC). The DWS believes that new developments should be designed to use water wisely. This is especially true today, considering the existing drought watch issued by the Governor and the CWC's request to its customers for voluntary water conservation. The DWS recommends that the proposed development implements measures that conserve the use of public drinking water. The Environmental Protection Agency's Water Sense program and numerous voluntary green building standard model codes are available as references to assist designers in achieving sustainable developments. Links to these programs and more can be found on the DWS's webpage dedicated to water

conservation.

b) *Groundwater*— The effectiveness of various LID techniques that rely on infiltration depends on the soil types present at the site. According to the Natural Resources Conservation Service's Soil Web Survey, the soils at the property consist of urban land. These soils are unrated in their suitability for various stormwater management practices. However, infiltration practices may be suitable at this site. Soil mapping consists of a minimum 3 acres map unit and soils may vary substantially within each mapping unit. Test pits should be dug in areas planned for infiltration practices to verify soil suitability and/or limitations. Planning should insure that areas to be used for infiltration are not compacted during the construction process by vehicles or machinery. The siting of areas for infiltration must also consider any existing soil or groundwater contamination. Even if infiltration is limited at a site, it is still possible to implement LID practices such as green roofs on buildings or the use of cisterns to capture and reuse rainwater.

c) *Flooding*— A vast majority of the site is within the 100-year flood zone of the Hockanum River on the community's Flood Insurance Rate Map. Because of the limited project description and since no conceptual plan was provided, it cannot be determined whether the project must be certified by the sponsoring agency as being in compliance with flood and stormwater management standards specified in section 25-68d of the Connecticut General Statutes (CGS). If the project is limited to building renovation, with limited site work, it may not require certification. The project may be covered under the Flood Management Certification for Minor Activities (FM-200900981) issued to DECD on July 10, 2009. If the mixed use and industrial space includes residential units or more extensive site work is proposed, individual certification would be required. The project would quality under section 25-68d(e) for exemption of the nonintensive floodplain use policy if it meets the criteria in that section. The Land & Water Resources Division should be consulted.

3) *Effect on natural land resources and formations, including coastal and inland wetlands, and the maintenance of in-stream flows*—

Stormwater discharges from construction sites where one or more acres are to be disturbed, regardless of project phasing, require an NPDES permit from the DEEP Permitting & Enforcement Division. The General Permit for the Discharge of Stormwater and Dewatering Wastewaters Associated with Construction Activities (DEEP-WPED-GP-015) will cover these discharges. The construction stormwater general permit dictates separate compliance procedures for Locally Approvable projects and Locally Exempt projects (as defined in the permit). Locally Exempt construction projects disturbing over 1 acre must submit a registration form and Stormwater Pollution Control Plan (SWPCP) to the DEEP. Locally Approvable construction projects with a total disturbed area of one to five acres are not required to register with the DEEP provided the development plan has been approved by a municipal land use agency and adheres to local erosion and sediment control land use regulations and the CT Guidelines for Soil Erosion and

Sediment Control. Locally Approvable construction projects with a total disturbed area of five or more acres must submit a registration form to the DEEP prior to the initiation of construction. This registration shall include a certification by a Qualified Professional who designed the project and a certification by a Qualified Professional or regional Conservation District who reviewed the SWPCP and deemed it consistent with the requirements of the general permit. The SWPCP for Locally Approvable projects is not required to be submitted to the DEEP unless requested. The SWPCP must include measures such as erosion and sediment controls and post construction stormwater management. A goal of 80 percent removal of total suspended solids from the stormwater discharge shall be used in designing and installing post-construction stormwater management measures. Stormwater treatment systems must be designed to comply with the post-construction stormwater performance management requirements of the permit. These include post-construction performance standards requiring retention of the water quality volume and incorporating control measures for runoff reduction and low impact development practices.

4) *Disruption or alteration of an historic, archeological, cultural or recreational building, object, district, site or surroundings*— N/A

5) *Effect on natural communities and upon critical species of animal or plant and their habitats: interference with the movement of any resident or migratory fish or wildlife species*— N/A

6) *Use of pesticides, toxic or hazardous materials or any other substance in such quantities as to create extensive detrimental environmental impact*— N/A

7) *Substantial aesthetic or visual effects*— N/A

8) *Inconsistency with the written and/or mapped policies of the statewide Plan of Conservation and Development and such other plans and policies developed or coordinated by the Office of Policy and Management or other agency*—

The proposed project is located within an area designated as a Priority Funding Area and a Balanced Priority Funding Area on the 2013-2018 Conservation and Development Policies Plan.

9) *Disruption or division of an established community or inconsistency with adopted municipal or regional plans*— N/A

10) Displacement or addition of substantial numbers of people— N/A

11) *Substantial increase in congestion (traffic, recreational, other)*— N/A

12) *A substantial increase in the type or rate of energy use as a direct or indirect result of the action*— N/A

13) *The creation of a hazard to human health or safety—*

The DPH Environmental Health Section indicates the demolition of an existing building in conjunction with this project may impact asbestos-containing materials. As required by the asbestos National Emission Standards for Hazardous Air Pollutants (40 C.F.R. Part 61, Subpart M) and in order to ensure compliance with DPH regulations, a thorough inspection must be conducted to determine the presence of asbestos prior to the commencement of the planned demolition activity. A DPH licensed asbestos consultant, with certification as an Inspector, must be hired to conduct such an inspection. If asbestos is identified it must be abated prior to being impacted by demolition. A DPH licensed asbestos contractor must be hired to conduct asbestos abatement that involves more than three (3) linear feet or more than three (3) square feet of asbestos-containing material. Additionally, the DPH must be provided with notification prior to asbestos abatement that involves greater than ten (10) linear feet or greater than twenty-five (25) square feet of asbestos-containing material. Asbestos abatement must be performed in accordance with all applicable federal, state and local regulations.

The DPH Environmental Health Section indicates it does not appear that renovation or demolition activities that may be associated with this project are subject to the Department of Public Health (DPH), Childhood Lead Poisoning Prevention and Control Regulations (§19a-111-1 through 19a-l11-11). However, there are other issues that must be addressed related to lead-based paint. Among these issues are the following:

- Testing of paint on existing structures marked for demolition or testing for lead in soils should be performed by a lead inspector or lead inspector/risk assessor certified by the DPH.
- Planned demolition or soil removal activities should be performed using lead-safe work practices.
- If lead-based paint or lead contaminated soil is identified, the classification and disposal of generated waste must comply with the Resource Conservation Recovery Act (RCRA) and Connecticut Department of Environmental Protection standards (e. g., Toxicity Characteristics Leaching Procedure [TCLP] testing, reporting, and record keeping requirements).
- Additionally, if lead-based paint, lead containing paint, or lead contaminated soil is identified, workers must be trained (as a minimum) according to the Occupational Safety and Health Administration (OSHA) lead standards (29 CFR 1926.62).
- Because other contaminants may also be present on the site, additional health and safety training may be required (e. g., hazardous waste and/or asbestos).

The Connecticut Department of Public Health Radon Program recommends that during the construction of an occupied building, radon resistant features should be built into the infrastructure of the building. The list below describes the basic components of radon resistant new construction:

- A gas permeable layer, such as 4-inch gravel, placed beneath the slab to allow soil

gases to move freely underneath the building
- Plastic sheeting over the gas permeable layer and under the slab to help prevent soil gases from entering the home
- Sealing and caulking all openings in the foundation floor to reduce soil gas entry
- A vent pipe, such as 6 inch PVC pipe, to run from the gas permeable layer through the building to the roof to safely vent soil gases above the building
- An electrical junction box installed in case an electric venting fan is needed later

The new building should be tested for radon after construction is completed. If radon results are at or above 4.0 picocuries per liter (pCi/L), the existing system should be activated by installing an in-line fan.

The DEEP Remediation Division has not received or reviewed any reports on the project site. The Town of Vernon entered the Voluntary Remediation Program back in 2005 to address the mill, but they eventually backed out. The site entered the Brownfield Remediation and Revitalization Program in August of 2012, but no technical reports have been submitted for review. DECD and/or the project applicant should contact the Remediation Division with any questions regarding additional site investigations or development of a Remedial Action Plan. Robert Robinson, supervisor for the North Central District, is the appropriate contact.

Much of the Hockanum Mill site is built on urban fill, which can contain contaminants above Remediation Standard Regulations (RSR) criteria. Development plans in urban areas that entail soil excavation should include a protocol for sampling and analysis of potentially contaminated soil. Soil with contaminant levels that exceed the applicable criteria of the RSR, which is not hazardous waste, is considered to be special waste. Often such soils can be left in place with an appropriate land use restriction.

The disposal of special wastes, as defined in section 22a-209-1 of the Regulations of Connecticut State Agencies (RCSA), requires written authorization from the Waste Engineering and Enforcement Division prior to delivery to any solid waste disposal facility in Connecticut. If clean fill is to be segregated from waste material, there must be strict adherence to the definition of clean fill, as provided in Section 22a-209-1 of the RCSA.

The Waste Engineering & Enforcement Division has issued a General Permit for Contaminated Soil and/or Sediment Management (Staging & Transfer) (DEP-SW-GP-001). It establishes a uniform set of environmentally protective management measures for stockpiling soils when they are generated during construction or utility installation projects where contaminated soils are typically managed (held temporarily during characterization procedures to determine a final disposition). Temporary storage of less than 1000 cubic yards of contaminated soils (which are not hazardous waste) at the excavation site does not require registration, provided that activities are conducted in accordance with the applicable conditions of the general permit. Registration is required for on-site storage of more than 1000 cubic yards for more than 45 days or transfer of more than 10 cubic yards off-site.

The following standard comments regarding building renovation projects should be observed, as applicable, during future planning and implementation of the project.

During any building renovation, areas to be disturbed must be inspected for the presence of asbestos-containing materials. Abatement projects must be conducted by asbestos abatement contractors that are licensed by the Department of Public Health (DPH). Additional information on asbestos contractors may be found at: Asbestos Contractors. ACM must be properly containerized and labeled, and must be shipped off-site using an asbestos manifest. Written notice must be submitted to the DPH ten working days prior to the demolition of any structure in accordance with Section 19a-332a-3 of the Regulations of Connecticut State Agencies.

Asbestos-containing material is regulated as a "special waste" in Connecticut, and may not be disposed of with regular construction and demolition waste. Instead, it may only be disposed at a facilities that are specifically authorized to accept ACM. Currently, there are only two facilities that are authorized to accept asbestos-containing material in Connecticut: Red Technologies in Portland and Manchester Landfill in Manchester (which can only accept non-friable types of asbestos-containing materials). Although the disposal of asbestos-containing material is typically arranged for by the licensed asbestos abatement contractor, project proponents should ensure that the contractor disposes of all such materials at properly-licensed facilities.

Demolition debris may also include materials that contain polychlorinated biphenyls (PCBs). Such materials can include transformers, capacitors, fluorescent light ballast and other oil-containing equipment, and in certain building materials (i.e., paint, roofing, flooring, insulation, etc.). In recent years, EPA has also learned that caulk containing potentially harmful polychlorinated biphenyls (PCBs) was used around windows, door frames, masonry columns and other masonry building materials in many buildings starting in 1929 with increased popularity in the 1950s through the 1970s, including schools, large scale apartment complexes and public buildings. In general, these types of buildings built after 1978 do not contain PCBs in caulk. In 2009, EPA announced new guidance about managing PCBs in caulk and tools to help minimize possible exposure. The guidance can be found at: PCBs in Caulk. Where schools or other buildings were constructed or renovated prior to 1978, EPA and DEEP recommend that PCB-containing caulk removal be scheduled during planned renovations, repairs (when replacing windows, doors. roofs, ventilation, etc.) and demolition projects, whenever possible. However, the continued use of such PCB materials is prohibited and, where it is identified, it must be addressed. EPA recommends testing caulk that is going to be removed as the first step in order to determine what protections are needed during removal. Where testing confirms the presence of PCBs, it is critically important to ensure that they are not released to air during replacement or repair of caulk in affected buildings. Many such PCB

removal projects will need to include sampling of the substrate and soil, as well as require plans to be approved by EPA in coordination with DEEP.

In addition to asbestos and PCBs, demolition debris may also be contaminated with lead-based paint, chemical residues, or other materials that require special disposal.

Demolition waste that is not contaminated with asbestos, PCBs, or other materials that require special handling is subject to Connecticut's solid waste statutes and regulations, and must be reused, recycled, or disposed of accordingly. Construction and demolition debris should be segregated on-site and reused or recycled to the greatest extent possible. Waste management plans for construction, renovation or demolition projects are encouraged to help meet the State's reuse and recycling goals. Connecticut's Comprehensive Materials Management Strategy outlines a goal of 60% recovery rate for municipal solid waste by the year 2024. Part of this effort includes increasing the amount of construction and demolition materials recovered for reuse and recycling in Connecticut. It is recommended that contracts be awarded only to those companies who present a sufficiently detailed construction/demolition waste management plan for reuse/recycling.

One way that certain types of construction and demolition waste can be reused is as clean fill. Clean fill is defined in section 22a-209-1 of the Regulations of Connecticut State Agencies (RCSA) and includes only natural soil, rock, brick, ceramics, concrete and asphalt paving fragments. Clean fill can be used on site or at appropriate off-site locations. Clean fill does not include uncured asphalt, demolition waste containing other than brick or rubble, contaminated demolition wastes (e.g. contaminated with oil or lead paint), tree stumps, or any kind of contaminated soils. Land-clearing debris and waste other than clean fill resulting from demolition activities is considered bulky waste, also defined in section 22a-209-1 of the RCSA. Bulky waste is classified as special waste and must be disposed of at a permitted landfill or other solid waste processing facility pursuant to section 22a-208c of the Connecticut General Statutes and section 22a-209-2 of the RCSA.

The disposal of special wastes, as defined in section 22a-209-1 of the Regulations of Connecticut State Agencies, requires written authorization from the Waste Engineering and Enforcement Division prior to delivery to any solid waste disposal facility in Connecticut. Special wastes include non-hazardous industrial sludges, liquids or solids.

14) *Any other substantial impact on natural, cultural, recreational or scenic resources*— N/A

Cumulative Impacts: Not aware of any at this time.

Conclusion:
Following are the issues identified by various State agencies:

DEEP:

A vast majority of the site is within the 100-year flood zone of the Hockanum River on the community's Flood Insurance Rate Map. The project may be covered under the Flood Management Certification for Minor Activities (FM-200900981) issued to DECD on July 10, 2009. If the mixed use and industrial space includes residential units or more extensive site work is proposed, individual certification would be required. The project would quality under section 25-68d(e) for exemption of the nonintensive floodplain use policy if it meets the criteria in that section.

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DPH:

The project mentions investigation, remediation, and improvements at the site; therefore, a plan must be in place to address lead-based paint, asbestos and lead contaminated soils since these types of construction activities could result in the disturbance of surfaces that may contain lead-based paint, asbestos and/or lead contaminated soils. The project does mention restoration of 105K square feet of mixed use and industrial space. The construction plans should include radon resistant features for occupied spaces.

Recommendations:
The Environmental Assessment Checklist for this project does not appear to trigger an obligation under CEPA for an Environmental Impact Evaluation (EIE).