

A **PUBLIC HEARING** was held by the City Council acting herein as the Water Pollution Control Authority (WPCA) in the City Hall Auditorium on Wednesday, January 31, 2018, to solicit citizen input regarding an application for approval to construct/extend and connect a sewer transmission line to the City of Torrington's existing sanitary sewer system. The applicant is the Woodridge Lake Sewer District of Goshen, Connecticut. (WLS D) The proposed construction/extension will start at the Torrington/Goshen town line on Goshen Road (Route 4) and continue down Goshen Road (Route 4) where it will connect to an existing interceptor sanitary sewer at Riverside Avenue in Torrington, Connecticut. Present were Mayor Elinor Carbone, Corporation Counsel Jaime LaMere and City Councilors Paul Cavagnero, Gregg Cogswell, Anne Ruwet, Marie Soliani, Fred Simon and Frank Rubino. Public Works Director Jerry Rollett and Water Pollution Control Administrator Raymond Drew were also present. Others present included Atty. Christopher Smith, Partner of Shipman and Goodman; James Mersfelder, President and Treasurer of WLS D; David Prickett, President of DPC Engineering; Jay Sheehan, Senior Vice President of Woodard & Curran; Susan Suhanovsky, President of the Torrington Water Company; Atty. Frederic Kline, of Pullman and Comley, LLC; and Anne Straut, Sanitary Engineer III from CT Department of Energy and Environmental Protection (CT DEEP).

Mayor Carbone called the Public Hearing to order at 6:35 p.m. starting with the Pledge of Allegiance.

City Clerk Carol Anderson read the legal notice.

Atty. LaMere explained the order in which the Public Hearing would proceed, issued some ground rules for public comment and stated that the duration of this evening's public hearing will be three hours, at which point the WPCA will recess until a later date to be announced later tonight.

Mr. Drew gave an opening statement, saying that over the past 20 years there have been periodic discussions about interconnection between the City of Torrington and the Woodridge Lake Sewer District, with the most recent discussions in June 2014. He said that at that time, city staff indicated that they were willing to listen to and review WLS D's preliminary plans for an interconnection. In 2015, meetings were held to discuss the interconnection alternative and possible routes. A flows and load analysis was requested to determine the impact on the Torrington treatment and conveyance infrastructure, and it was determined that the Route 4/Goshen Road route from the town line to Riverside Avenue was the most acceptable route. Mr. Drew listed the items that led up to the application, such as the Engineer's Report, the WLS D presentation to the WPCA, the recommendation from the Planning & Zoning Commission and the Inland Wetlands Commission approval issued between September 2015 and September 2016.

Woodridge Lake Sewer District: Applicant's Presentation

Christopher J. Smith, Esq. of Shipman and Goodwin, explained that his client, the WLS D is seeking a two-fold approval for the extension of a sewer transmission line from the WLS D's system in Goshen to the Torrington system and a connection to the Torrington system to be served by it. He noted that Mr. Drew acknowledged that the Torrington system does have the capacity for this.

Atty. Smith described the purpose, history and composition of the WLS D and its facility built in 1974. He said that based on new laws enacted in the 1980s, which determined the soils involved in the WLS D system were inadequate, CT DEEP issued an order in July 1989 requiring the WLS D to remedy their noncompliance. He noted that the CT DEEP order was not issued due to any leak of associated pipes, but because the leaching fields don't comply with current regulations. Atty. Smith said that CT DEEP concurs with the current proposal.

Atty. Smith reminded the Council that there are two essential issues: determining if there is capacity to extend the transmission line, and determining if the proposal will result in an adverse impact to the environment or public health. He reviewed a letter from CT DEEP to the CT Department of Health (CT DPH) from January 27, 2017, which noted that the project is located entirely within the State Dept. of Transportation roadway as it passes through a short length of the Allen Dam sub-watershed and that no Torrington Water Company-owned lands are being disturbed. Atty. Smith said that the roadway supports 1,690,000 vehicles during the year, posing a significant potential source of pollution to the Allen Dam watershed. He added that the Torrington Water Company (TWC) has an Emergency Response Plan in place to respond to any spills in the Allen Dam watershed and that WLS D is proposing protective controls and measures to decrease any potential for a spill.

Atty. Smith said the September 20, 2016 minutes of the Inland Wetlands Commission indicate that a rough estimate of travel time to the Allen Reservoir Dam, based on textbook soil transmissivity, was found to be in the range of six months to a year, based on generally published soil data for the area. He said the Wetlands Commission found that there was no reasonable likelihood of an adverse impact to the wetlands or watercourses.

Atty. Smith said that CT DEEP indicates that approximately 3400' of Torrington's existing line will be replaced by WLS D as part of this proposal. He said the alternate route, not being proposed, increases the probability of odor issues and clogging due to the addition of the flows at a point requiring the sewage to flow a longer meandering distance through the City of Torrington's undersized sewer pipe before getting to the Torrington Wastewater Treatment.

Atty. Smith stated that his client's leaching fields do not work and do not meet the law that was adopted. He said that no growth is being introduced in either Torrington or Goshen, and that the transmission line cannot be tied into. He said the sewer line segment in question and the associated pump system will be operated by the Torrington WPCA.

Atty. Smith noted that public drinking water surface watersheds are located in 93 municipalities in Connecticut, and of the 214 public drinking water surface watersheds in CT, 130 have sewer surface area parcels within them. He said there is nothing novel about this proposal before the WPCA this evening, that experts on all sides have reviewed the proposal, and that his client has agreed to do all the enhancements that the experts requested.

Atty. Smith said that in a letter from CT DEEP to CT DPH dated March 23, 2016*, a full analysis of all the alternatives showed that every alternative solution goes through a Class GAA water supply area. He confirmed that state experts have concurred with the proposal, and a cease-and-desist order has not been issued.

Mr. Jay Sheehan, P.E., Senior Vice President of Woodard & Curran spoke about the technical pieces of this project. He noted that the U.S. Department of Agriculture has also concurred with this project, and that the proposal has been entirely paid for by the WLSL. Mr. Sheehan said that six different paths were reviewed.

Mr. Dave Prickett, President of DPC Engineering described the proposed project as a wastewater conveyance system, providing an alternate means of treatment and disposal for WLSL. He said the project involves converting the treatment plant into a pumping station to convey the untreated wastewater to the City of Torrington along the proposed pipe route, along the Route 4/Goshen Road alignment. Mr. Prickett explained that at the end of the proposed force main at the intersection of Lovers Lane and Route 4, the City has an existing 8" clay sewer. The proposed project will connect to that point and replace the approximately 60-year old clay pipe with a new, modern, PVC gravity sewer pipe from that point down to Riverside Ave. Mr. Prickett said the proposed project has additional and unique design features that enhance the function and increase the resource-protective nature of the proposed project, such as an odor-control system and the capacity for both current and future connections at Woodridge Lake. Mr. Prickett reviewed and explained the proposed transmission system from the Woodridge Lake Treatment Plant to the City of Torrington, the various routes included the recommended plan route, a graphic displaying the TWC watershed areas, and an illustration of the proposed pipe relative to the watershed area.

Mr. Prickett noted that the project has received concurrence from CT DEEP, CT DPH, the U.S. Dept. of Agriculture, and both the Torrington and Goshen Inland Wetlands Commissions and Planning & Zoning Commissions. He said multiple and extensive meetings were held with the public over the past several years. He pointed out some of the design features that have been requested by the TWC, CT DPH and City Staff, such as twin force mains to provide redundancy and flexibility, as well as vaults located on both sides of a culvert crossing which will encapsulate the primary pipes, the secondary pipes and the sleeves that surround both pipes. In the unlikely event of a leak, any fluid wastewater would be conveyed to the vaults. He said that each vault will contain a float to trigger an alarm to the pump station to tell the pumps to stop running, as well as a proposed panel installed on the side of the road, which has been vetted with the CT Department of Transportation (CT DOT).

Mr. Prickett added that a 45,000-gallon overflow tank at the pump station is another unique design feature which would provide an extensive amount of time for staff to physically visit the site, check and reset the alarm condition and redirect the flow from Pipe 1 to Pipe 2 across the culvert crossing. He explained that the pumping system typically runs the same pressure every time, as it comes on and off throughout the day. If there was an issue anywhere in the proposed transmission system in Goshen or Torrington, the system will have the ability to notice when there is a significant change in pressure, allowing the control system to tell the pumps to stop so the operations staff may attend and recognize what the issue may be.

Councilor Rubino questioned the pipe differentials in the areas of directional boring and Mr. Prickett explained the details of the pipe, its pressure rating and the horizontal boring process.

Councilor Cavagnero asked if a conflict of interest existed when the Planning & Zoning Commission approved this plan, since the Torrington City Planner is a resident of Woodridge Lake. Mayor Carbone assured him that there is no conflict since the City Planner is not a voting member of the Commission.

Councilor Cavagnero asked if this proposal is the industry standard and Mr. Sheehan said it is not typical, and is over-designed to go above and beyond the normal design.

Councilor Cavagnero read from a Republican American newspaper article from November 22, 2017 regarding sewage spills and the CT DEEP's recommendations and approval processes. He said there is some question as to how reliable the CT DEEP is and how their recommendations should be weighed.

Anne Straut, Sanitary Engineer III from CT DEEP, disagreed and explained the combined sewer overflows noted in the article and the problems experienced with the online reporting system.

Mr. Sheehan added that the proposed project is a dedicated sanitary sewer that will have no combination of storm water and wastewater.

Torrington Water Company

Susan Suhanovsky, Torrington Water Company President, appealed to the WPCA to reject the route that WLSD is proposing for its force sewer main line. This route will run through almost a mile of the Allen Dam Reservoir, a public drinking water supply watershed. She said it is an active source of supply during periods of drought and high demand. Ms. Suhanovsky said the Department of Public Health ruled that the proposed project threatens pollution of the Allen Dam Reservoir, but allowed it to move forward if a number of conditions were met. She said the best way to ensure that the watershed is protected now and for future generations is to reject this route.

Ms. Suhanovsky said the Torrington Water Company is not opposed to a project between the WLSD and the Torrington WPCA, but is adamantly opposed to this force main going through Allen Dam watershed.

Frederic Kline, Esq. of Pullman and Comley, explained that the TWC serves 40,000 residents with potable water for drinking, washing and fire protection. A break or significant leak in the proposed sewer line could impact this important source of water for Torrington. He said that the TWC and the CT DPH have made it clear that this project threatens pollution to the Allen Dam Reservoir. He noted that WLSD's rejection of a roughly 20% more costly alternate route is a cost savings to the residents of Woodridge Lake in Goshen that results in jeopardizing the water quality to upwards of 40,000 residents in the Torrington Area.

Atty. Kline noted that WLSD's current collection system's inflow infiltration problems raise the question of how good a job WLSD has done maintaining their system, and asked if the new plastic force main will be maintained any better. He asked if consideration has been given to the operation of, and potential degradation of, the force main under pressure for many years or the potential for leaks or breaks as it goes through an area supplying water to 40,000 people.

Atty. Kline said the proposed modification only addresses one culvert, by sleeving about 100' on either side of that culvert and does nothing to protect the remaining 4,300' of watershed area or nine other culverts in that area. He read from a DPH document dated August 29, 2017 saying this introduces new weak points through which raw sewage may discharge directly into the Allen Dam Reservoir Watershed and into the Allen Dam Reservoir, which include two valve vaults, a cleanout manhole, pipe joints and welds, structural connections and valves, all in the watershed area. He said a U.S. Congress report noted that 2.7 billion gallons of raw sewage spilled nationwide between 2001 and 2003, and listed a number of recent breaks in Connecticut and Massachusetts. He noted that force mains do fail, and that in addition to pipe breaks, valves fail and allow thousands of gallons of raw sewage to escape into and pollute water sources. He said that while the pipe itself may be able to withstand certain pressures, the joints, structural connections, valves and cleanout manholes are weak points that are more susceptible to breaks. Unlike a leak, which is likely to be low in volume, a break or step valve would likely release larger quantities of sewage flowing in to the culverts and storm drains leading to the reservoir. The result could lead to algal blooms, the introduction of pathogens into the water supply and the closure of the Allen Dam Reservoir and the Whist Pond Reservoir.

Atty. Kline quoted the CT DPH as stating *"the proposed project threatens pollution of the Allen Dam Reservoir that, in the Department's judgment, is prejudicial to public health."* He said their order notes *"there are weak points in the sewer system through which raw sewage may discharge directly into the Allen Dam Reservoir Watershed and into the Allen Dam Reservoir."* He said those weak points are the two valve vaults added in July 2016 as additional design features, one cleanout manhole, pipe joints and welds, structural connections and valves. Atty. Kline said the CT DPH further notes that *"a break, either due to external pressures, fatigue, lack of proper maintenance or contract damage, could potentially release thousands of gallons of raw sewage into the Allen Dam Reservoir through culvert or storm drain piping in the area."*

Atty. Kline said the SCADA system might not detect a break in the section of the force main located in the watershed because the break would have to be near the vault, and the vault would have to have 3' of raw sewage in it before it even detects a problem. By the time repair crews could get to the scene, he said, the vault would be even further submerged in sewage. Atty. Kline stated that a break in the 4350 linear foot section of the force main would result in the discharge of raw sewage onto the Allen Dam Reservoir Watershed.

Atty. Kline said that CT DPH recognizes that the soils in the watershed are not able to mitigate sewage effluent if there is a release. He said CT DPH also notes that raw sewage contains cryptosporidium, fecal coliform, e coli, giardia, viruses and microbes, which can cause gastrointestinal illness in healthy people, and pose a special health risk to infants, young children and people with compromised immune systems. He noted that the CT DPH order does not approve the WLSD proposal but rather directs the WLSD to do a number of things, which the City of Torrington WPCA is tasked with reviewing to determine if the proposal is acceptable. He said there are many things that still need to be done before that project is approved by this Authority and then, it will be subject to further review by CT DPH.

Atty. Kline said that attention has been paid just to the single culvert crossing, and no attention has been given to monitoring, maintenance and emergency response upstream or downstream of this point. He said the TWC believes that attention needs to be paid to the entire watershed area, and not just that single 200' section where the culvert is located.

Atty. Kline noted that if an alternative route would cost \$3,300,000 as WLSO claims, this represents anywhere from \$19 to \$94 per month to the WLSO homeowners. He said these amounts are likely to decrease as the newer sewer line allows them to develop upwards of 200 more houses. Atty. Kline said that charging Woodridge Lake homeowners between \$200 and \$800 a year in taxes is a bargain and is an inadequate reason to reject an alternate route, particularly when the current proposal presents a very real risk to Torrington area residents. He said that the TWC encourages the WLSO to pursue its onsite wastewater disposal alternative, rather than the proposed force main through its watershed.

Atty. Kline said that the TWC requests the WPCA to seriously consider the impact of the force main in the watershed area in light of the 40,000 people in this area that depend on TWC for clean, safe water for drinking, bathing and fire protection. He read a recent TWC resolution that urges the City of Torrington not to enter into any inter-municipal agreement which would lead to the construction of sewage-carrying pipes within the watershed of the reservoirs that provide Torrington with its drinking water supply.

Stephen Ruper, P.E. from Tata & Howard said that the rough estimate of travel time to the Allen Dam Reservoir, based on textbook soil transmissivity values, is a range of six months to a year in the context of a low volume leak from a joint in the pipeline, not from a pipeline break. Mr. Ruper pointed out that Tata & Howard has not seen evidence that all the proposed elements were necessarily incorporated in to the project. Those elements include a sedimentation and erosion control plan, a spill protection plan, a vehicle fueling plan, the installation of leak detection equipment at cleanout manholes, the installation of monitoring wells within the TWC watershed, vacuum testing at proposed manholes within the watershed area, a provision for full time resident observation of the construction, the maintaining of a supply of spare air release valves, clarification of operational control responsibilities for City of Torrington and WLSO staff, development of an operation and maintenance plan that includes regular inspections of the pipeline, emergency contact procedures between WLSO and Torrington Water Company staff, and the providing of record plans of all pipelines and appurtenances within the watershed protection area to the TWC.

Mr. Ruper said the average flow rate is projected to be 110,000 gallons per day, with a peak flow rate of 540,000 gallons per day. Mr. Ruper pointed out that WLSO has had past experience of inflow and infiltration into their existing collection system in Goshen. While they have taken steps to alleviate those problems, he said, per the CT DPH order, they were required to submit an inflow and infiltration reduction plan. Mr. Ruper said they have provided a plan to the health department, but Tata & Howard is concerned about that plan as it lacks numerical goals, quantification and check-in points.

Mr. Ruper defined a watershed, saying any point of land is within a watershed. A drop of water hitting a land surface is going to flow somewhere based on the contours of the slope of the ground and a drop of water hitting the ground will flow to the Allen Dam and the Whist Pond Reservoirs. He said it is important to note that Whist Pond cannot be used without flowing through Allen Dam, so impacts on Allen Dam prevent the use of Whist Pond as well. Mr. Ruper said it is also important to note that the CT DPH will not allow the treatment and use of sewage-contaminated water supplies.

Mr. Ruper noted that PVC pipes do have a record of failures, and described some aspects of it. He said there would be over 300 joints along this pipeline, all potential failure points, particularly with the pump system where that force main pipeline is being exercised with the pump cycle. He presented an illustration of the entire route of the force main, showing that the additional features over one culvert cover one small area. He expressed concerns about the operation at the Woodridge Lake plant itself, with the proposed concrete wet well, and pumps operated by a float when the water level reaches a high level. He asked what the response time would be with 540,000 gallons a day coming into the wet well, and there is a large main failure in the TWC watershed.

Mr. Ruper explained that a leak or substantial break in the pipeline beyond the high point located at an air release valve just outside the TWC watershed would not be reflected in pressure at that high point, so it is entirely possible to have a leak in the watershed or a major break outside of the specially-protected culvert area and operators at the WLSO pump station would not know about it.

Councilor Cavagnero asked if there is any way to test the system from end to end at peak concurrence.

Mr. Ruper explained that the industry standard is to pressure test when it is brand new. He said he is unaware of testing that occurs once it is placed in operation. Mr. Ruper said this proposal is generally state of the art for plastic force main, but that does not mean it is appropriate to go through a public water supply watershed.

Mr. Ruper said his firm has not seen any SCADA control box plan or a radio frequency study for the specially designed culvert areas (double pipes). He said they have not received any operational details on how the cleanout manhole would be used, how often and what the protocol is for operating it. Also, there is no note of level sensors in this, he said.

Mr. Rupar questioned the position of a valve box flow switch being poised 3' above the floor of the vaults on either side of the culvert. He asked how operators are going to switch between redundant pipes crossing the culvert when the vault is flooded with raw sewage and if it will be within a 54-minute response time. He noted that when the pumps are shut off, the pipe will continue to flow by gravity and there will be a volume in the 2827-gallon vault from that pipeline.

Mr. Rupar noted that the TWC is not opposed to the pipeline itself, they are opposed to the route through the watershed and the risk it poses to water customers. He asked if the cost savings to the WLSA are worth the risk to the water supply for a population of 40,000 in Torrington. He said that pipe failures are fairly common as documented by the U.S. EPA. A pipe break could release thousands of gallons of sewage into the watershed and may not be detectable at the plant or at the pump station as they may be difficult to locate. Mr. Rupar pointed out that the operation response time provided by some of the additional design elements may not be sufficient to respond to a leak or failure and the additional design elements at the culvert do not address all of the concerns through the 4,500' of watershed. Alternative routes do exist, he said.

Councilor Cogswell noted that the CT DPH placed 17 conditions on the proposal, and asked if all these conditions were met, would the TWC still not be in agreement with the route going down Route 4?

Atty. Kline said the focus has been on the culvert area, but there is another 4300' linear feet that could have problems that could go undetected. A lot of responsibility winds up falling on the City, he said.

Councilor Cogswell read WLSA's considerations for the different routes, authored by the CT DEEP, expressing his surprise that the TWC has no problem with other alternate routes. Mr. Rupar said the alternate routes do not pass through a public water supply watershed.

Councilor Ruwet noted that the Council would like Mr. Drew to respond. She asked if the alternate routes have the same risk as the proposed route.

Mr. Rupar said the risk of joint failure is probably similar on any route.

Councilor Ruwet clarified that the TWC is not opposed to the application, only the route.

Mr. Rupar concurred.

Atty. Kline clarified that the TWC is not opposed to a sewer pipe connecting Woodridge Lake to the Torrington Water Pollution treatment plant and that they are concerned and opposed to this route when other, less-risky routes are available. Mr. Rupar added that the pipe material could be changed as well, such as a metallic pipe that would be more resistant to contractor damage and would make it easier to detect leaks.

Councilor Cavagnero said there are many discrepancies in the presentations, one being the maintenance of the current system at Woodridge Lake. The TWC stated that it is questionable as to how well that system has been maintained already, and how well a future system will be maintained by the parties assigned to it.

Mayor Carbone noted that the time is 9:00 p.m., and explained that the Public Hearing will adjourn ** at 9:30 and reconvene when State agencies can attend. She said the applicant and other members of the public who wish to speak will be invited to do so.

Public Comment

Peter J. Aduba expressed his opposition to the proposal saying the TWC has spoken very well. He said we need our water in Torrington for our children and our farms. Mr. Aduba said we need to protect our drinking water and we need an alternative route.

Stuart Ormsby expressed his opposition to the proposal saying the Statutes as written make no allowance for sewage in a watershed and the idea is repugnant. In light of the facts as they are being ignored, Mr. Ormsby said, the existing situation is a fraud.

Bridget Beauchaine expressed her opposition to the proposal saying the public has not had the opportunity to review all the documents and plans presented. She said that Torrington should be opposed to any route that jeopardizes our water or the safety of 40,000 people.

Bob Valentine, First Selectman of Goshen, stressed the importance of understanding who uses the WLSA, saying they are greater than 40% of the total population of Goshen, and they are our neighbors who have been supportive of the City of Torrington in many ways. We should find a way to work together, he said.

Donna Georgescu expressed her opposition to the proposal and her desire to help ensure Torrington citizens have a clean, safe water supply now and in the future. She said if we are not too worried because of the technology that will be put in place to take care of all these issues, then the project should apply that technology to Goshen and its existing treatment plant. Ms. Georgescu said that many Torrington citizens are tired of being the dumping ground, while area towns remain pristine; while area towns' property values rise and ours decline. She encouraged the City Council and WPC Authority not to enter into any agreement that would lead to sewage-carrying pipelines through our watershed.

PUBLIC HEARING

CITY COUNCIL AS WATER POLLUTION CONTROL AUTHORITY

January 31, 2018

Glenn Royals expressed his opposition to the proposal, saying that the acceptance of other people's sewage could limit our City's capacity, while we are already looking at a 72 million dollar infrastructure change. He said he is also concerned about the pipe that goes down through the 450 range of Riverside Avenue that has overflowed into property owners' cellars five or six times, and asked what happens when large amounts of water and sewage flow into that pipeline. He asked about the status of the Sewer Avoidance Plan that was adopted in 2007, how much reserve we have, and who will guarantee that our water will be made pure again after we have any type of disaster. Mr. Royals said he talked to people along Goshen Rd. and there is not one person that wants to have that chance of contamination running into their pure land.

Meeting Recessed

Mayor Carbone recommended the Public Hearing reconvene on February 12th at 6:30 p.m. She said it is important to include the Department of Public Health, and she offered to reply to the applicants to inform them of the continuation date. On a motion by Councilor Cavagnero, seconded by Councilor Cogswell, the Council voted unanimously to recess at 9:40 P.M. and reconvene the meeting on Monday, February 12, 2018 at 6:30 P.M. in the City Hall auditorium.

ATTEST:



CAROL L. ANDERSON, MMC
CITY CLERK

*Note: The letter is dated 2016, but should read "2017"

**Note: The word adjourn was mistakenly used. The intent of the Chair was to recess.