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**DATE:** 6/28/2018      **ADDENDUM CONSISTS OF 45 PAGES**  
(Including this Cover Sheet)

**PROJECT NAME:** Torrington WPCF Comprehensive Upgrade Project

**SUBJECT:**            **Addendum No. 3 for BID # WPU-041-040318RB**

**FROM:**                Wright-Pierce

**PROJECT NO.:**        13164H

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**\*REQUIRED\***

Confirmation of receipt of this addendum is required.  
Please sign below and email to: [brenda.strohm@wright-pierce.com](mailto:brenda.strohm@wright-pierce.com)  
Thank You.

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**NAME:** \_\_\_\_\_ **TITLE:** \_\_\_\_\_  
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**SIGNATURE:** \_\_\_\_\_ **COMPANY:** \_\_\_\_\_

**ADDENDUM NO. 3**

**TO**

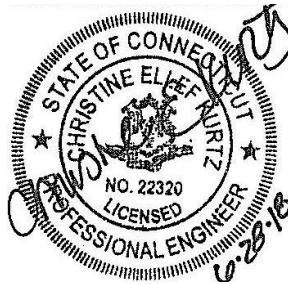
**CITY OF TORRINGTON, CONNECTICUT  
WATER POLLUTION CONTROL FACILITY COMPREHENSIVE UPGRADE**

**BIDDING AND CONTRACT REQUIREMENTS AND SPECIFICATIONS**

**FOR**

**BID # WPU-041-040318RB**

**June 28, 2018**



**PREPARED BY:**

**WRIGHT-PIERCE ENGINEERS  
169 Main Street, 700 Plaza Middlesex  
Middletown, Connecticut 06457**

## ADDENDUM NO. 3

### CITY OF TORRINGTON, CONNECTICUT WATER POLLUTION CONTROL FACILITY COMPREHENSIVE UPGRADE

As a point of clarification, it should be understood that the Contract Documents govern all aspects of the project. Informal discussions held during the Pre-Bid Conference, or over the telephone are informational only. All official changes to the Contract Documents are made only by addenda. The following changes and additional information are hereby made a part of the Contract Documents:

#### **SPECIFICATIONS**

1. Table of Contents – Volume 1 of 3: Under Division 2, after Section 02200, **INSERT** “02201 Excavated Soil and Material Management”.
2. Table of Contents – Volume 3 of 3: **INSERT** the following titles into Appendix F and **INSERT** the attached documents into the Specifications:

“General Permit for Contaminated Soil and/or Sediment Management

Instructions for Completing the General Permit Registration Form for Contaminated Soil and/or Sediment Management” (Staging and Transfer) “

3. Section 01150A-Measurement and Payment: In Item 18, **INSERT** the words “and place into successful operation” after the word “testing”. After the last bullet, **INSERT** the following:
  - “Removal of Temporary System (at direction of the Engineer)”
4. Section 02201 – Excavated Soil and Material Management: **INSERT** the attached new specification into the Specifications.
5. Section 02401 – Dewatering: **ADD** to following to paragraph 3.1.B.4 after ‘construction activities’:  
“, and compliance with the General Permit for the Discharge of Groundwater Remediation Wastewater including registration for submittal to the CTDEEP.”
6. Section 02401 – Dewatering: **ADD** new paragraph 3.1.B.5 as follows:  
“5. Treated groundwater may be discharged to the headworks of the WPCF when fully coordinated with the Owner and Engineer.”

## **QUESTIONS AND ANSWERS**

### **C.H. Nickerson RFI E-1555-02 dated June 19, 2018 via Email**

1. Has the Owner/Engineer accepted the performance guarantee contained in the Veolia proposal? Which documents prevail, the contract specifications and drawings or Veolia's proposal?

*Response: The Contract Documents prevail; we have reviewed Kruger's process guarantee and believe it reflects the intention of what is specified in Section 11200 and as such have included it in the Appendices.*

### **Walsh Construction Company II, LLC dated May 29, 2018 via Email**

1. Specification Volume 3, Appendix A-2 Soil Boring Information. At numerous borings contaminated soils are noted in the Visual-Manual Identification and Description column. B112 for example. Please provide all environmental test data related to testing of Soils and Groundwater for contaminants.

*Response: Refer to changes made by this Addendum.*

### **Walsh Construction Company II, LLC dated June 26, 2018 via Email**

1. Addendum #2, #7 (18) Temporary Phosphorus Removal System, Para B., states the allowance is for a temporary system installed by March 15, 2020. Please confirm all costs for this temporary system is included and it is required to be installed in 2020, until the permanent system is accepted by the owner. Please clarify the meaning of the dates between April 1 and October 31 in relationship to the required NPDES addended date of March 15, 2021.

*Response: Note that Item No. 7 describes the Measurement and Payment terms for the "Temporary Phosphorus Removal System" and the allowance requires purchase, installation and testing to be completed by March 15, 2020.*

*The City of Torrington has a seasonal Total Phosphorus parameter in their NPDES permit; a temporary phosphorus removal system must be operational between April 1 and October 31 beginning in the year 2020 and for the duration of the Contract.*

*The Contract Documents are requiring the selected Contractor to have the permanent phosphorus removal system be operational by April 1, 2021.*

SECTION 02201EXCAVATED SOIL AND MATERIAL MANAGEMENTPART 1 - GENERAL1.1 DESCRIPTION

- A. This Section provides requirements for environmental management of excavated soils and materials. The Work of this Section shall include, but not be limited to, the following:
1. On-site processing and on-site reuse of excavated soils in accordance with the criteria herein and applicable state and federal laws and regulations.
  2. Determining off-site disposition facilities using the chemical test data provided with the submitted a bid and contracting with those facilities acceptable to the Owner.
  3. Excavating, handling, re-handling, loading, and transporting soils and materials from the site to legal off-site disposition facilities in accordance with the criteria herein and applicable state and federal laws and regulations.
  4. Disposal of up to 4,500 tons of soil that will require disposal off site at a licensed disposal facility. Contractor is responsible for all costs associated with the legal off-site reuse of excess soil materials.
  5. Temporarily stockpiling soils for reuse on-site at locations indicated by the Owner or proposed by the Contractor for consideration of the Owner in accordance with the criteria herein and in Section 02200 - Earthwork.
  6. Temporarily stockpiling soils that have not been tested or appear inconsistent with previously tested data based on visual or olfactory evidence of contamination for additional chemical testing to assess on-site reuse or off-site disposition requirements.
  7. Coordinating and/or conducting additional chemical testing as required.
  8. Preparing and implementing an OSHA-compliant site-specific Health and Safety Plan (H&SP) to protect the health and safety of all workers (including subcontractors), the general public, and the environment during the Work. Manage and legally dispose off-site all excess or unsuitable generated materials that cannot be reused on-site and construction generated waste waters as specified herein and in other applicable Sections.
  9. Obtain, pay for and comply with all required permits, licenses, and approvals prior to commencing the work (except those obtained and paid for by the Owner described herein).

1.2 RELATED WORK SPECIFIED ELSEWHERE

- A. Section 02115 – Striping and Stockpiling Topsoil
- B. Section 02270 – Sedimentation and Erosion Control
- C. Section 02200 – Earthwork
- D. Section 02401 - Dewatering

### 1.3 DEFINITIONS AND REFERENCE STANDARDS

- A. Owner: City of Torrington
- B. Engineer: Wright-Pierce
- C. Environmental Consultant: Authorized representative of the Owner. For the work covered under this section, this term shall include Haley & Aldrich, Inc.
- D. Contractor: Entity responsible for completing the work of this Section.
- E. CTDEEP: Connecticut Department of Energy & Environmental Protection (formerly known as the Connecticut Department of Environmental Protection [CTDEP]).
- F. EPA: U.S. Environmental Protection Agency.
- G. RSR: CTDEEP Remediation Standard Regulations.
- H. OSHA: Occupational Safety and Health Administration.
- I. PID: Photoionization detector.
- J. PMC: Pollutant Mobility Criteria.
- K. RDEC: Residential Direct Exposure Criteria.
- L. RSVC: Residential Soil Vapor Criteria.
- M. QHP: Qualified Health Professional. A person retained by the Contractor to prepare the Contractor's Health and Safety Plan (H&SP) and for quality control as specified herein. The QHP shall be certified as a safety professional qualified by training and experience to act in this capacity, and certification as having completed the 40 hr. OSHA health and safety training course, with current 8-hr. refresher training and 8-hr. OSHA manager's training. The QHP may assume the role of Site Health and Safety Officer.
- N. Site Health and Safety Officer (SHSO): (may be the same as the QHP) A person retained by the Contractor to perform field testing for evaluation of environmental contaminants and compounds of concern in air, soil, and groundwater in accordance with the Contractor's H&SP and as directed by the QHP.
- O. Polluted Soil: Soil affected by a release of a regulated substance at a concentration above the analytical detection limit for such substance but below applicable RSR criteria.
- P. Polluted Fill: Soil or sediment which contained polluting substances at the time such soil or sediment was deposited as fill material.
- Q. Contaminated Soil/ Fill: Soil affected by a known or suspect release and determined, or reasonably expected to contain substances exceeding RDEC or GA PMC.

### 1.4 QUALITY CONTROL AND ASSURANCE

- A. The Environmental Consultant will monitor the Contractor's activities associated with the Work of this Section. This monitoring will include, but not be limited to:
  - 1. Observing soils for visual and olfactory evidence of contamination based on discoloration, texture, and odor to assess that their quality is consistent with the findings of the soil test results;
  - 2. Screening excavated soils with a PID as necessary to assess that their quality is consistent with the findings of the soil test results;
  - 3. Establishing requirements for stockpiling, segregating, and handling if the quality of the excavated soils is not consistent with the findings of the soil test results;
  - 4. Collecting additional samples for chemical testing, if and when required;

5. Confirming that the Contractor supplies the appropriate paperwork to accompany each load of excavated soil and material that is transported from the site (at the time the load leaves the site); and
  6. Confirming that on-site reuse of materials is conducted in accordance with this Section.
- B. The Contractor shall be solely responsible for exercising reasonable precaution to protect the health and safety of all on-site personnel, the general public, and the environment during the course of the Work.
  - C. The Contractor shall adhere to the applicable requirements of the Standard Specifications, occupational health and safety statutes and codes, and to all other applicable ordinances, codes, statutory rules, and regulations of federal, state, and local authorities having jurisdiction over the Work of this Section and other applicable Sections.
  - D. In case of conflict between regulations or between regulations and Specifications or between Specifications, the Contractor shall comply with the strictest applicable codes, regulations, or Specifications.
  - E. The Contractor shall be alert for evidence of contaminated soils and groundwater; and shall notify the Environmental Consultant of the presence of hazardous conditions immediately.

#### 1.5 AVAILABLE INFORMATION

- A. Environmentally impacted (polluted and contaminated) soils were identified at the site. Regulated environmentally impacted groundwater was not identified at the site. Refer to the Boring Logs for additional information.
- B. Specific attention to options for off-site disposition or on-site reuse of these materials may be necessary to comply with CTDEEP policies or other regulatory agency requirements.
- C. Management of excavated soils and groundwater shall be conducted in accordance with the requirements of this Section, the Contractor's approved H&SP, and all applicable state and federal laws and regulations.
- D. In no case shall any soil or material be transported to residential settings, schools, playgrounds, or such similar sites unless otherwise approved by the Regulating agencies
- E. If necessary, the Contractor shall file for and obtain the CTDEEP General Permit for Contaminated Soil and/or Sediment Management (Staging and Transfer). If necessary, the Contractor will file for a Disruption Permit from CTDEEP for managing and disposing solid waste (e.g., some types of buried demolition debris). The need for this permit is determined by the amount (i.e., greater than 10 cubic yards at any given location) and type of solid waste, and will be assessed during excavation. Based on information obtained to date, it is anticipated that this permit will not be required.

#### 1.6 ADDITIONAL INVESTIGATION AND TESTING (AS NECESSARY)

- A. The Contractor shall coordinate with the Owner and arrange for any additional chemical testing required by the Contractor's receiving or temporary off-site stockpiling facilities or locations or by the Environmental Consultant. Additional chemical testing, if required to meet Contractor-proposed receiving facility

requirements or to characterize soils deemed not representative of conditions identified by the soil test results or to characterize off-site temporary stockpiling locations, will be conducted by the Owner under standard 5-day turn-around testing conditions. If necessary, expedited (i.e., sooner than one week) turn-around-testing times will be paid by the Contractor. The Contractor shall provide the equipment and labor (e.g., excavators and/or drill rigs) to obtain the samples at no additional cost to the Owner. The Owner shall obtain the samples. The Contractor shall coordinate with the Environmental Consultant (and incorporate into the project sequence and schedule) any additional chemical testing that may be required prior to construction, and the times required for additional sampling, laboratory testing, and data review by the Environmental Consultant.

## 1.7 SUBMITTALS

- A. Unless otherwise indicated by the Environmental Consultant, submit a letter from each proposed off-site receiving or temporary stockpiling facility or location providing the information outlined below a minimum of 30 days prior to transport of soils from the site. The submittal will not be considered complete without this information. The Owner will review and approve up to two facilities for each soil group. Additional reviews will be conducted at the Contractor's expense.
- B. Submit a Soil Management Plan describing the schedule, sequence, materials, locations, and procedures for excavation, off-site disposition and on-site reuse of soils, and stockpiling (including compliance with CTDEEP General Permit for Contaminated Soil and/or Sediment Management (Staging and Transfer), as necessary) a minimum of 14 days prior to the start of Work. The Soil Management Plan shall be revised and resubmitted during the Work as necessary. The Soil Management Plan shall also provide provisions for compliance with the Environmental Justice Public Participation Plan.
- C. Submit copies of completed manifests documenting transport of excavated soils and materials from the site to approved off-site receiving or stockpiling facility or location. The submittal shall also include weight slips for each load transported from the site to the receiving facility. This information is required for payment of Contractor work and must include daily documentation of each truck departure time from the site and return time to the site by transporter name, license plate number and truck type/container size, at a minimum.
- D. Upon completion of earthwork, submit an as-built drawing documenting locations and depths (in elevation) where the various soil groups are reused on-site and the location and depths of the source material (as applicable)
- E. Health and Safety
  1. Submit qualifications of the QHP and SHSO. The QHP and SHSO shall have certification as a safety professional qualified by training and experience to act in this capacity, and certification as having completed the 40 hr. OSHA health and safety training course, with current 8-hr. refresher training and 8-hr. OSHA manager's training. The QHP may assume the role of SHSO.
  2. Submit a Health and Safety Plan prepared by the Contractor's QHP. The Health and Safety Plan shall apply to all Work to be conducted at the site, taking into consideration all workers on-site, the general public, and the environment.



Training will not be provided by the Owner. The plan shall provide compliance with OSHA regulations and include the following information:

- a. A list of the Contractor's work tasks that may involve contact, excavation, and/or handling of contaminated soil and/or groundwater.
- b. Compounds of concern that may be encountered during the course of the Work and signs/symptoms of exposure.
- c. Potential for worker exposure to the compounds of concern for each work task.
- d. Requirements for OSHA training for each work task and a record or schedule for training of Contractor and subcontractor workers in the use of personal protective equipment.
- e. Work task specific levels of protection and a description of health and safety equipment including protective clothing, respiratory equipment and monitoring instruments.
- f. Procedures for containing oil and/or hazardous materials such as decontamination of heavy construction equipment and tools.
- g. Procedures for monitoring, controlling, and mitigating fugitive dust, odors, and gases for each work task to protect worker and public health and safety, including descriptions of monitoring instruments and action levels triggering responses by the Contractor (e.g., donning personal protective equipment).
- h. Emergency Response Plan.

## PART 2 - PRODUCTS

### 2.1 STOCKPILE/ CONTAINMENT MATERIALS

- A. Stockpile covers: Polyethylene sheeting with min. 6-mil thickness (ASTM D4397), or thicker as required for stability and tear, puncture, or ultraviolet resistance based on site/weather conditions and methods used to secure the cover.
- B. Stockpile liners: High density polyethylene (HDPE) sheeting with min. 30-mil thickness (ASTM D-5199.8) unless otherwise proposed by the Contractor and accepted by the Environmental Consultant.
- C. Jersey barriers/ deadmen, and hay bales and silt fence (refer to Section 31-2005), or other barrier/container systems proposed by the Contractor and accepted by the Environmental Consultant for definition of defining work area areas and containing stockpiles.
- D. Geotextile fabric, snow fence, or other material(s) acceptable to the Owner and Environmental Consultant to be used as a marker layer between soil types.

## PART 3 - EXECUTION

### 3.1 HEALTH AND SAFETY

- A. Prepare and implement a Health and Safety Plan that ensures the health and safety of all workers engaged in work at the site and the general public at all times when exposure to contaminated soil, contaminated groundwater, dust, odors, or gases is possible. Implement the plan, including providing personnel protective equipment, throughout the execution of the work.

- B. The Contractor shall monitor the excavation using the equipment described in the Contractor's Health and Safety Plan.
- C. Contractor's workers who will be engaged in work at the site that might result in exposure to contaminated soil or groundwater shall attend the health and safety coordination meeting and any follow-up supplemental briefings.
- D. Provide adequate health and safety training for all personnel who may come in contact with or be exposed to contaminated materials during the course of the work.
- E. Provide personnel, including personnel for subcontractors that are 40-hr. OSHA trained with an 8-hr. OSHA refresher course completed within the previous calendar year. These personnel and their training shall be provided at no additional cost to the Owner. The Contractor shall provide, at the Owner's request, certificates for each worker to demonstrate compliance with this requirement.
- F. As necessary, provide personnel, including personnel for subcontractors, that are confined space entry trained to complete the Work specified herein and in other Sections. These personnel shall be current in all applicable and necessary refresher courses as well. These personnel and their training shall be provided at no additional cost to the Owner. The Contractor shall provide, at the Owner's request, certificates for each worker to demonstrate compliance with this requirement.
- G. Personnel who have not received training, and who are not equipped with the required protective clothing and equipment, shall not be permitted access to the site by the Contractor during the course of the work that may result in exposure to contaminated soil or groundwater.

### 3.2 CLASSIFICATION OF SOILS

- A. Excavated soils and materials are classified into four groups for purposes of on-site reuse, off-site disposition according to criteria established by applicable federal, state, and local agencies having jurisdiction over the Work.
  - 1. Group I:
    - a. Group I-1: Naturally-deposited soils or fill soils that contain no detectable substances other than metals at or below background conditions typical for natural soils, and meet the CTDEEP Residential Direct Exposure Criteria (RDEC), Pollutant Mobility Criteria (PMC) for areas with groundwater classified "GA" by the CTDEEP (GA-PMC), and Residential Soil Vapor Criteria (RSVC).
    - b. Group I-2a: Naturally-deposited soils (Polluted Soils) or artificially-deposited fill (Polluted Fill) that contain substances at concentrations above laboratory detection limits but below CTDEEP RDEC, GA-PMC, RSVC, and that are not otherwise a hazardous waste.
    - c. Group I-2b: Naturally-deposited soils (Polluted Soils) or artificially-deposited fill (Polluted Fill) that contain substances at concentrations above laboratory detection limits but below CTDEEP RDEC, GB-PMC, RSVC, and that are not otherwise a hazardous waste.
    - d. Group I-3: Naturally-deposited soils (Polluted Soils) or artificially-deposited fill (Polluted Fill) that contain substances at concentrations above laboratory detection limits but below CTDEEP RDEC and RSVC, above GB-PMC, and that are not otherwise a hazardous waste.

2. Group II: Soils that contain substances at concentrations above applicable RDEC, and that are not otherwise a hazardous waste.
    - a. Group II-1: Soils that meet applicable criteria for reuse as daily cover, intermediate cover, or pre-cap contouring material at Massachusetts unlined landfills (i.e., COMM-97-001 and/or facility-specific permit requirements).
    - b. Group II-2: Soils that meet applicable for reuse as daily cover, intermediate cover, or pre-cap contouring material at Massachusetts lined landfills criteria (i.e., COMM-97-001 and/or facility-specific permit requirements).
    - c. Group II-3: Soils that exceed Massachusetts landfill criteria (i.e., COMM-97-001 and/or facility-specific permit requirements), but meet applicable criteria for asphalt batching at the proposed facility.
    - d. Group II-4: Soils that require removal to regional thermal treatment facilities or out-of-state recycling facilities.
    - e. Group II-5: Soils that require removal to a regional landfill/ disposal facility.
  3. Group III (Hazardous Waste)
    - a. Group III-1: Soils containing "listed" or "characteristic" hazardous waste constituents that cannot be readily treated on-site, and require transport to an RCRA Subtitle C hazardous waste disposal or treatment facility.
    - b. Group III-2: Soils containing "listed" or "characteristic" hazardous waste constituents that can be readily treated on-site to remove applicable leachable contaminant concentrations. Following successful treatment, the soil will be reclassified depending on other contaminants as Group II-2, II-3, II-4, or II-5.
  4. Group IV (Solid Waste): Debris such as paper, glass, wood, metal, timber piles, timber cribbing, steel sheeting, and miscellaneous rubble shall be disposed at CTDEEP-approved solid waste landfills or processed and recycled if possible.
- B. Soil classification is based on the results of the soil test results unless field screening, field observations, or additional chemical testing indicate the soils to be different from the test results. Soils may be reclassified during excavation based on field PID screening, visual and olfactory observations, and results of additional laboratory chemical testing collected. The Contractor shall segregate and temporarily stockpile excavated soils with the approval of the Environmental Consultant if they are observed to be stained, exhibit unusual odors, or contain other deleterious materials. The Contractor shall coordinate with the Owner to have the soils tested and reclassified by the Environmental Consultant as necessary.
- C. The Contractor shall bear all additional disposal costs (and related incidental costs) associated with comingling of soils with different classifications unless such comingling is directed or approved by the Owner. In the absence of additional chemical test data, comingled soils shall default to the "highest" classification in the stockpile with regard to off-site disposal.
- D. Bedrock is assumed to contain no detectable substances other than metals at or below background concentrations (i.e., consistent with Group I-1 as defined herein). If there is evidence that a release to the environment has occurred proximate to the bedrock

and subsequent bedrock testing indicates contamination, then contaminant levels will be compared to regulatory and disposal facility criteria and classified in accordance with the Group Classifications outlined herein.

### 3.3 EXCAVATION AND SEGREGATION

- A. Excavate by methods that will permit observation of soils for the purpose of identifying, screening, testing, segregating, and stockpiling soils as necessary.
- B. Conduct excavation to prevent comingling of soil classifications and/or soil lithologies (e.g., fill, natural soils).
- C. Segregate oversized and other deleterious materials from excavated soils as necessary to meet disposition facility criteria or on-site reuse requirements. Segregation may consist of hand labor or mechanical screeners at no additional cost to the Owner.
- D. Excavated soils, except those requiring additional testing or on-site reuse, shall be loaded directly onto trucks for removal unless stored by the Contractor prior to removal.

### 3.4 STOCKPILING OF EXCAVATED SOILS

- A. Soils requiring stockpiling shall be placed in bins (unless otherwise indicated by the Owner) at locations identified by the Owner or locations proposed by the Contractor and accepted by the Owner. Bins shall be constructed using Jersey barriers (or equal) to provide confinement, with hay bales and/or other siltation control measures placed around the bins. Soils shall be stockpiled on new stockpile liners, impermeable surfaces such as asphalt, or on soils of the same classification (if approved by the Environmental Consultant).
- B. In the absence of other specific requirements, soils shall be stockpiled separately by classification. Soils sampled shall be stockpiled by lithology (e.g., fill, natural soils).
- C. Stockpiles shall be securely covered with new stockpile covers at the end of each workday to prevent erosion or emission of fugitive dust, odors, and gases. Stockpiles shall be shaped and graded to facilitate drainage.
- D. The Contractor will be responsible for the cost of obtaining all required permits for any non-Owner-owned stockpiling facility or location.
- E. The Contractor shall provide access to all temporary stockpile locations to the Owner and the Environmental Consultant for the purpose of observing site activities and collecting environmental samples to document site conditions, as needed.
- F. At the direction of the Owner or Environmental Consultant, materials can also be stored in containers ranging in size from 55-gallon drums to covered "roll-off" trailers lined with polyethylene sheeting.

### 3.5 TRANSPORTATION OF EXCAVATED MATERIAL

- A. The Contractor will be responsible for handling, re-handling, loading, transporting, and legal off-site removal of all excess excavated soils and materials to approved facilities.
- B. Excavated soils and materials removed from the site shall be loaded into trucks with secure containers within the site limits. Trucks shall not be loaded until the destination facility is approved. All trucks leaving the site shall be covered and cleaned of debris that might fall from the trucks during transport.

- C. Install, operate, maintain and remove a wheel wash at each location where construction vehicles access and depart from the site. The location shall be proposed by the Contractor and approved by the Owner.
- D. The Contractor shall take measures to prevent debris from being spilled from trucks or tracked from the site onto local streets. The Contractor shall sweep streets adjacent to the site as necessary or as directed by the Owner.
- E. Some Contractor-proposed receiving facilities may conduct quality assurance/quality control (QA/QC) chemical testing of soils upon arrival at the receiving facility. Although the results of the chemical analytical data obtained during the soil borings are considered representative of the soil to be excavated, QA/QC chemical testing results conducted by the receiving facility may differ from the previous results due to the heterogeneous nature of urban fill and naturally-deposited soils. Should the receiving facility's QA/QC chemical testing results differ from the previous results and exceed the receiving facility's acceptance criteria, the receiving facility may reject the material, and require that it be removed from the facility. The cost of this additional handling, if required, will be borne by the Contractor.

### 3.6 ON-SITE REUSE OF EXCAVATED SOILS

- A. Backfill and fill material will be required to construct the site improvements. Site logistics and stockpiling will determine the feasibility of reusing select excavated soils as such backfill or fill material. The Contractor shall coordinate, sequence, and schedule work as required to enable reuse of specified soils on-site.
- B. Soils designated for on-site reuse shall be processed (i.e., screened), as necessary, to remove oversize cobbles or boulders, and shall be protected from the elements (covered) at all times while stockpiled. Soil that becomes unusable due to the Contractor's activities shall be disposed off-site in accordance with this Section at the sole cost of the Contractor. Such activities are considered those that the Contractor undertakes (or does not undertake) which result in excavated soils not being able to be reused as compacted fill at the time the soils are required for reuse (e.g., inadequate dewatering, failure to protect prepared surfaces, trafficking over prepared surfaces, failure to cover stockpiles, comingling, etc.).
- C. Based on environmental aspects only, the various soil groups may be reused as follows as proposed by the Contractor and accepted in writing by the Owner and Environmental Consultant.
  - 1. Group I-2a: To underside of the surficial landscaping (i.e., topsoil or planting medium) or pavement sections.
  - 2. Group II-1: If not reused on-site, would require disposal at a state licensed facility.
  - 3. Suitability of the Contractor's proposed on-site reuse of excavated soils will be subject to complying with the requirements of Section 02200 unless otherwise indicated by the Owner's Geotechnical Engineer.
- D. The Contractor shall prepare and submit an as-built plan documenting locations and depths (and elevations) where soils are reused on-site and the location and depths of the source material (as applicable).

### 3.7 MANAGEMENT OF EXCAVATED SOILS

- A. Soils excavated within the site shall be assumed representative of the chemical test data collected as part of the soil boring program and shall be managed (environmentally) as directed herein.
- B. Soils excavated for improvements beyond the limits to which the soil boring program chemical test data can be applied shall be stockpiled on-site in accordance with the requirements herein, and reused on-site where indicated by the Environmental Consultant (e.g., as Common Fill backfill in utility trenches above bedding materials). The balance of the soils remaining following on-site reuse may require testing by the Environmental Consultant to determine off-site disposition requirements, and shall be transported to approved facilities by the Contractor.

### 3.8 CONTINGENCIES

- A. If potentially hazardous conditions develop during the course of the Work, the Work in that specific area shall be terminated until the hazardous condition has been addressed to the Owner's satisfaction. Potentially hazardous conditions include, but are not limited to, releases of hazardous substances, pollutants, contaminants, or oil; encountering visual or olfactory evidence of soil or groundwater contamination not previously identified; or encountering buried containers, tanks, or drums.
- B. In the event of a potentially hazardous condition, the Contractor shall notify the Owner and Environmental Consultant immediately. The Contractor shall secure the area to prevent health risks to workers or the public, and adverse impacts to the environment. Implement the approved Emergency Response Plan and take actions to minimize the impacts of releases. The Contractor shall notify the local Fire Department or CTDEEP, if required, upon discovery of buried containers, tanks, or drums. The Contractor shall obtain permission for removal of buried containers, tanks, or drums.
- C. If odor is noticeable and determined by the Owner to be a nuisance beyond the site limits, the Contractor shall immediately develop alternate work practices to control odors such that odors do not present a nuisance beyond the site limits. The alternate work practices shall be immediately presented to the Environmental Consultant for review and comment and submitted in writing for the record following receipt of comments. The control of odor during all phases of work shall be the sole responsibility of the Contractor.

END OF SECTION



Connecticut Department of  
**ENERGY &  
ENVIRONMENTAL  
PROTECTION**

79 Elm Street • Hartford, CT 06106-5127

[www.ct.gov/deep](http://www.ct.gov/deep)

Affirmative Action/Equal Opportunity Employer

# **General Permit for Contaminated Soil and/or Sediment Management (Staging and Transfer)**

**Issuance Date: September 20, 2013**  
**Expiration Date: September 19, 2018**

Bureau of Materials Management and Compliance Assurance  
Waste Engineering and Enforcement Division  
79 Elm Street, Hartford, CT 06106-5127  
860-424-3366

# General Permit for Contaminated Soil and/or Sediment Management (Staging and Transfer)

## Table of Contents

<b>Section 1.</b>	<b>Authority</b> .....	<b>3</b>
<b>Section 2.</b>	<b>Definitions</b> .....	<b>3</b>
<b>Section 3.</b>	<b>Authorization Under This General Permit</b> .....	<b>5</b>
	(a) Eligible Activities .....	5
	(b) Requirements for Authorization .....	5
	(c) Geographic Area .....	6
	(d) Effective Date and Expiration Date of this General Permit.....	6
	(e) Effective Date and Expiration Date of Authorization .....	6
	(f) Revocation of an Individual Permit .....	6
	(g) Issuance of an Individual Permit.....	7
<b>Section 4.</b>	<b>Registration Requirements</b> .....	<b>7</b>
	(a) Registration Requirements for Contaminated Soil and/or Sediment Staging, Transfer, and Temporary Storage Areas .....	7
	(b) Scope of Registration .....	8
	(c) Contents of Registration .....	9
	(d) Where to File a Registration and Other Related Documents .....	11
	(e) Additional Information .....	12
	(f) Action by Commissioner .....	12
<b>Section 5.</b>	<b>Conditions of This General Permit</b> .....	<b>12</b>
	(a) General Operating Conditions for of Staging, Transfer, and/or Temporary Storage Areas .....	12
	(b) Specific Operating Conditions for of Staging, Transfer, and/or Temporary Storage Areas .....	14
	(c) Record Keeping Requirements .....	15
<b>Section 6.</b>	<b>General Conditions</b> .....	<b>16</b>
	(a) Reliance on Registration .....	16
	(b) Duty to Correct and Report Violations .....	16
	(c) Duty to Provide Information .....	17
	(d) Certification of Documents .....	17
	(e) Date of Filing .....	17
	(f) False Statements.....	17
	(g) Correction of Inaccuracies .....	17
	(h) Transfer of Authorization .....	17
	(i) Other Applicable Law.....	18
	(j) Other Rights .....	18
<b>Section 7.</b>	<b>Commissioner’s Powers</b> .....	<b>18</b>
	(a) Abatement of Violations .....	18
	(b) General Permit Revocation, Suspension, or Modification.....	18
	(c) Filing of an Individual Permit Application.....	18



# General Permit for Contaminated Soil and/or Sediment Management (Staging and Transfer)

## Section 1. Authority

This general permit is issued under the authority of sections 22a-133z and 22a-208a of the Connecticut General Statutes.

## Section 2. Definitions

As used in this general permit:

“*Activity*” means the process of staging, temporarily storing, or transferring, contaminated soil and/or sediment at an authorized site (Staging, Transfer and/or Temporary Storage Area).

“*Approval of registration*” means an approval of registration issued under this general permit.

“*Aquifer Protection Area*” (*APA*) means aquifer protection area as defined in section 22a-354h of the General Statutes.

“*Authorized activity*” means any activity authorized by this general permit.

“*Commissioner*” means the commissioner as defined by section 22a-2(b) of the General Statutes.

“*Contaminated soil and/or sediment*” means treated or untreated soil and/or sediment affected by a known or suspected release and determined, or reasonably expected to contain substances exceeding Residential Direct Exposure Criteria or GA Pollutant Mobility Criteria, as these terms are defined in section 22a-133k-1 of the Regulations of Connecticut State Agencies.

“*Day*” means the calendar day; if any date specified in the general permit falls on a Saturday, Sunday, or legal holiday, such deadline shall be the next business day thereafter.

“*Department*” means the Department of Energy and Environmental Protection.

“*Disposal*” means disposal as defined in section 22a-207(6) of the General Statutes.

“*Facility*” means transfer station as defined in section 22a-207(10) of the General Statutes.

“*Facility storage*” means the combined volume of all contaminated soil and/or sediment stored at the facility at any single point in time.

“*Facility throughput*” means the combined weight of all contaminated soil and/or sediment and incidental excavation waste introduced into or leaving the facility during a specified period of time.

“*Hazardous waste*” means hazardous waste as identified or listed as hazardous wastes in accordance with section 3001 of the Federal Resource Conservation Recovery Act of 1976 (42 USC section 6901) and section 22a-449(c)-101 of the Regulations of Connecticut State Agencies.

“*Incidental excavation waste*” means any material other than soil, sediment, or other material that does not meet the definition of clean fill as defined in section 22a-209-1 of the Regulations of Connecticut State Agencies generated during excavation activities.

“*Individual permit*” means a permit issued to a named permittee under section 22a-208a of the General Statutes.

“*Permittee*” means a person who is authorized by this general permit to stage, transfer, and temporarily store contaminated soil and/or sediment.

“*Person*” means person as defined by section 22a-2(c) of the General Statutes.

“*Registrant*” means a person who files a registration pursuant to Section 4 of this general permit.

“*Registration*” means a registration form filed with the commissioner pursuant to Section 4 of this general permit.

“*Release*” means release as defined in section 22a-133k-1(a) of the Regulations of Connecticut State Agencies.

“*Sediment*” means sediment as defined in section 22a-133k-1(a) of the Regulations of Connecticut State Agencies.

“*Site*” means geographically contiguous property on which an authorized activity takes place or on which an activity for which authorization is sought under this general permit is proposed to take place. Non-contiguous properties owned or leased by the same person and connected by a right-of-way, which such person controls, shall be deemed the same site.

“*Soil*” means soil as defined in section 22a-133k-1(a) of the Regulations of Connecticut State Agencies.

“*Solid waste*” means solid waste as defined in section 22a-207 of the General Statutes.

“*Solid waste facility*” means solid waste facility as defined in section 22a-207 of the General Statutes.

“*Staging*” and/or “*Storage*” means the holding of a solid waste not in transit for a temporary period of time, at the end of which the solid waste is recycled, disposed, or stored elsewhere.

### **Section 3. Authorization Under This General Permit**

#### **(a) *Eligible Activities***

Provided the requirements of subsection (b) of this section are satisfied, this general permit authorizes the staging, transfer, and temporary storage of contaminated soil and/or sediment for a period not to exceed two years. This general permit applies only to activities conducted on land.

Note: This general permit *does not* authorize the treatment (reduction of contaminants via physical removal, dilution, chemical stabilization, etc.) of or any specific reuse of contaminated soil and/or sediment.

#### **(b) *Requirements for Authorization***

This general permit authorizes the activities listed in subsection (a) of this section provided:

##### **(1) Registration**

(A) Except as provided in Sections 4(a)(1) and 4(a)(3) of this general permit, a completed registration with respect to such activity has been filed with the commissioner.

(B) Except as provided in Sections 4(a)(1) and 4(a)(2) of this general permit, a completed registration with respect to such activity has been filed with the commissioner and the commissioner has issued an approval of registration with respect to such activity.

##### **(2) Coastal Area Management**

Such activity is consistent with all applicable goals and policies in section 22a-92 of the General Statutes and will not cause adverse impacts to coastal resources as defined in section 22a-93 of the General Statutes.

##### **(3) Endangered and Threatened Species**

Such activity does not threaten the continued existence of any species listed pursuant to section 26-306 of the General Statutes as endangered or threatened and will not result in the destruction or adverse modification of habitat essential to such species.

##### **(4) Aquifer Protection**

Such activity shall not be conducted within an Aquifer Protection Area except for the staging and/or temporary storage of less than 10,000 cubic yards of contaminated soil and/or sediment at the site of origin (see Section 4(a)(2) of this general permit for additional registration requirements that apply in such instances).

(5) Stream Channel Encroachment

Such activity shall not create an obstruction or hindrance riverward of Stream Channel Encroachment Lines that will have an adverse effect on the flood heights, flood carrying and water capacity of the waterways and floodplains.

(6) Flood Management

Such activity shall be consistent with all applicable standards and criteria established in sections 25-68d(b) of the General Statutes and sections 25-68h-1 through 25-68h-3, inclusive, of the Regulations of Connecticut State Agencies.

(c) ***Geographic Area***

This general permit applies throughout the State of Connecticut.

(d) ***Effective Date and Expiration Date of this General Permit***

This general permit is effective on the date it is issued by the commissioner and expires five (5) years from such date of issuance.

(e) ***Effective Date and Expiration Date of Authorization***

- (1) For an ***activity that is exempt from the requirement to file a registration as specified in Section 4(a)(1) of this general permit***, such activity is authorized by this general permit on the date the general permit becomes effective *or* on the date the staging, transfer and temporary storage activities commence, *whichever is later* and expires two years from such date *or* on the date this general permit expires, *whichever is sooner*.
- (2) For an ***activity that is required to file a registration as specified in Section 4(a)(2) of this general permit***, such activity is authorized by this general permit on the date the commissioner receives a completed registration with respect to such activity and expires two years from the date the staging, transfer and temporary storage activities commence *or* on the date this general permit expires, *whichever is sooner*.
- (3) For an ***activity that is required to file a registration and obtain an approval of registration as specified in Section 4(a)(3) of this general permit***, such activity is authorized by this general permit on the date the commissioner issues an approval of registration with respect to such activity and expires two years from the date the staging, transfer and temporary storage activities commence *or* on the date this general permit expires, *whichever is sooner*.

(f) ***Revocation of an Individual Permit***

If an activity meets the requirements of authorization of this general permit and such activity is presently authorized by an individual permit, the existing individual permit may be revoked by the commissioner upon a written request by the permittee. If the commissioner revokes such individual permit in writing, such revocation shall take effect on the effective date of authorization of such activity by this general permit.

(g) ***Issuance of an Individual Permit***

If after the commissioner approves a registration under this general permit, the commissioner issues an individual permit authorizing the same activity authorized by such general permit approval, such general permit approval shall become null and void on the date such individual permit is issued.

**Section 4. Registration Requirements**

(a) ***Registration Requirements for Contaminated Soil and/or Sediment Staging, Transfer, and Temporary Storage Areas***

All activities authorized under this general permit must be conducted ***in less than two years***. If an activity requiring a registration as listed below is anticipated to exceed the two year time period, such activity must have its registration renewed.

(1) Who Does NOT Need to File a Registration

Any person who stages and/or temporarily stores **greater than 10 cubic yards but less than 1,000 cubic yards** of contaminated soil and/or sediment **at the site of excavation**, does not need to file a registration with the commissioner provided such activities are conducted in accordance with the operating conditions of Sections 5(a) and 5(b) *and* all other applicable conditions of this general permit.

Note: If such an activity is located in an Aquifer Protection Area, the local municipal Aquifer Protection Agency shall be notified in writing of such activity.

(2) Who Must File a Registration

(A) Any person seeking authorization under this general permit to conduct the following activities in an area that *is not located* in an Aquifer Protection Area, shall file with the commissioner, 1) a registration form which meets the requirements of Section 4 of this general permit and 2) the applicable fee.

- Stage and/or temporarily store **greater than or equal to 1,000 cubic yards and less than or equal to 10,000 cubic yards at any one time** of contaminated soil and/or sediment **at the site of excavation for a period exceeding 45 days in duration**.
- Transfer, stage, and/or temporarily store **greater than 10 cubic yards and less than or equal to 10,000 cubic yards at any one time** of contaminated soil and/or sediment **at a site other than the site of excavation** from which the soil and/or sediment originated.

(B) Any person seeking authorization under this general permit to stage and/or temporarily store **greater than 1,000 cubic yards and less than or equal to 10,000 cubic yards at any one time** of contaminated soil and/or sediment **at the site of excavation for a period exceeding 45 days in**

**duration**, and which subject site *is located* in an Aquifer Protection Area, shall file with the commissioner, 1) a registration form which meets the requirements of Section 4 of this general permit and 2) the applicable fee. Such person shall also notify in writing, the local municipal Aquifer Protection Agency.

(3) Who Must Obtain an Approval of Registration

Any person seeking authorization under this general permit to conduct the following activities in an area that *is not located* in an Aquifer Protection Area, shall file with the commissioner, 1) a registration form which meets the requirements of Section 4 of this general permit and 2) the applicable fee *and* shall obtain an approval of registration by the commissioner.

- Stage and/or temporarily store **greater than 10,000 cubic yards at any one time** of contaminated soil and/or sediment **at the site of excavation for a period exceeding 45 days in duration**.
- Transfer, stage, and/or temporarily store **greater than 10,000 cubic yards at any one time** of contaminated soil and/or sediment at a site other than the site of excavation from which the soil and/or sediment originated.

(4) Summary of Registration Requirements

<b>Location</b>	<b>Facility Storage</b>	<b>Activity</b>	<b>Required Action</b>
*On Site	Greater than 10 cy but less than 1,000 cy	Staging and/or storage	Comply with General Permit. No Registration.
*On Site	Greater than 1,000 cy but less than 10,000 cy	Staging and/or storage	Comply with General Permit and File a Registration.
On Site; not in an APA	Greater than 10,000 cy	Staging and/or storage	Comply with General Permit and Obtain an Approval of Registration.
Off Site; not in an APA	Greater than 10 cy but less than 10,000 cy	Transfer, staging, and/or storage	Comply with General Permit and File a Registration.
Off Site; not in an APA	Greater than 10,000 cy	Transfer, staging, and/or storage	Comply with General Permit and Obtain an Approval of Registration.

***\* If the activity will be located in an Aquifer Protection Area (APA), the local municipal Aquifer Protection Agency must be notified in writing.***

***(b) Scope of Registration***

Any person shall register each activity, by site, for which such person seeks authorization under this general permit on a separate registration form that meets the requirements of Section 4 of this general permit.

(c) ***Contents of Registration***

(1) **Registration Fees**

- (A) A fee shall be submitted along with a registration form for any registration. A registration shall not be deemed complete and no activity shall be authorized by this general permit unless the fee has been paid in full.
  - (i) All activities requiring a **registration** pursuant to Section 4(a)(2) of this general permit: **\$250.00**
  - (ii) All activities requiring a **renewal of registration** pursuant to Section 4(a)(2) of this general permit: **\$250.00**
  - (iii) All activities requiring an **approval of registration** pursuant to Section 4(a)(3) of this general permit: **\$1,500.00**
  - (iv) All activities requiring a **renewal of an approval of registration** pursuant to Section 4(a)(3) of this general permit: **\$750.00**

**Note:** In accordance with section 22a-6(b) of the General Statutes, the fee for municipalities is fifty percent (50%) of the fee listed above.

- (B) The registration fee shall be paid by check or money order payable to the **Department of Energy and Environmental Protection**.
- (C) The registration fees are non-refundable.

(2) **Registration Form**

A registration shall be filed on a form prescribed and provided by the commissioner and shall include the following:

- (A) Legal name, address, and telephone number of the registrant. If the registrant is an entity transacting business in Connecticut, and is required to register with the Connecticut Secretary of the State, provide the exact name as registered with the Connecticut Secretary of the State.
- (B) Legal name, address, and telephone number of the owner of the property on which the subject activity is to occur.
- (C) Legal name, address, and telephone number of the registrant's attorney or other representative, if applicable.
- (D) Legal name, address, and telephone number of any consultant(s) or engineer(s) retained by the registrant to prepare the registration.
- (E) Location of the site with respect to which the registration is submitted.

- (F) Anticipated date of commencement of the subject contaminated soil and/or sediment staging, transfer, and temporary storage activities.
- (G) An 8 1/2" by 11" copy of the relevant portion or a full-sized original of a United States Geological Survey (USGS) quadrangle map, with a scale of 1:24,000, showing the exact location of the site and the area within a one-mile radius of the site. Identify the quadrangle name and number on such copy.
- (H) A registration requiring an approval, pursuant to Section 4(a)(3) of this general permit, must also include the following plans and documents, prepared in accordance with Section 4(c)(3) of this general permit:
  - (i) a Facility Site Plan,
  - (ii) a Facility Description,
  - (iii) a Facility Operations and Management Plan.
- (I) A renewal of registration must provide the following additional information: status of the project, an explanation of why the project needs a renewal of registration, and the anticipated remaining duration of the activities being conducted.
- (J) The signature of the registrant and of the individual or individuals responsible for actually preparing the registration, each of whom shall certify in writing as follows:

“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 those individuals responsible for obtaining the information, the submitted information is true, accurate and complete to the best of my knowledge and belief. I understand that a false statement made in the submitted information may be punishable as a criminal offense, in accordance with section 22a-6 of the General Statutes, pursuant to section 53a-157b of the General Statutes, and in accordance with any other applicable statute. I certify that this general permit registration is complete and accurate on forms as prescribed by the commissioner without alteration of their text.”



(3) **Required Plans and Documents for Registrations Requiring an Approval**

The following plans and documents shall be prepared and submitted to the department by those registrants **requiring an approval** issued by the commissioner pursuant to Section 4(a)(3) of this general permit. Such plans and documents shall be prepared in accordance with the following, be available at the site of the subject facility and be maintained for review upon request by the Department.

(A) Facility Site Plan

The facility site plan shall provide a clear and detailed presentation of all topographical and man-made features at the subject facility site. The facility site plan shall also include a drawing showing the layout of the facility. The map or drawing(s) must, at a minimum show the following:

- (i) map scale (scale must be at least 1 in. = 100 ft.);
- (ii) map date;
- (iii) a meridian arrow showing north;
- (iv) contour sufficient to show surface water flow;
- (v) property boundaries of the site.

(B) Facility Description

The facility description must include a detailed description of the facility including the nature and purpose of the excavation activities from which the contaminated soil will originate.

(C) Facility Operations and Management (O&M) Plan

The Facility Operation and Management Plan shall include at a minimum: a Soil Management Plan (that describes how the facility will track, sample, and maintain adequate separation between individual stockpiles of soil during characterization procedures), an Emergency and Preparedness Plan, and a description of the inspection and maintenance procedures for the subject Staging, Transfer, and/or Temporary Storage Area.

(4) **Revision of Required Plans and Documents for Registrations Requiring an Approval**

Whenever any significant or substantial facility or operational change is planned, the permittee shall update the Facility Site Plan, the Facility Description, and the Facility Operation and Management Plan as applicable for the subject facility. Such plans and documents shall be updated prior to making such changes to the facility and shall be submitted to the commissioner for the commissioner's review. The updated plans and documents shall be available at the site of the subject facility and shall be maintained for review upon request by the Department.

For the purpose of this subsection, ‘significant or substantial’ means any change to the facility that results in a new soil management configuration (i.e. the addition of new storage cells or pile staging areas) or results in a need for the maintenance of additional soil tracking information on the facility operational log.

**(d) *Where to File a Registration and Other Related Documents***

- (1) A registration shall be filed with the commissioner at the following address:

CENTRAL PERMIT PROCESSING UNIT  
DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION  
79 ELM STREET  
HARTFORD, CT 06106-5127

- (2) In addition to filing a registration with the commissioner, the registrant shall provide at the same time written notification to the chief elected official of the municipality and, if applicable pursuant to Section 4(a)(2)(B) of this general permit, to the municipal Aquifer Protection Agency, in which the subject facility is or will be located.

**(e) *Additional Information***

The commissioner may require a registrant to submit additional information, which the commissioner reasonably deems necessary to evaluate the consistency of the subject activity with the requirements for authorization under this general permit.

**(f) *Action by Commissioner***

- (1) The commissioner may reject without prejudice a registration if the commissioner determines that it does not satisfy the requirements of Section 4(c) of this general permit or more than thirty (30) days have elapsed since the commissioner requested that the registrant submit additional information or the required fee and the registrant has not submitted such information or fee. Any registration refiled after such a rejection shall be accompanied by the fee specified in Section 4(c)(1) of this general permit.
- (2) The commissioner may disapprove a registration if the commissioner finds that the subject activity is inconsistent with the requirements for authorization under Section 3 of this general permit, or for any other reason provided by law.
- (3) Disapproval of a registration under this subsection shall constitute notice to the registrant that the subject activity may not lawfully be conducted or maintained without the issuance of an individual permit.
- (4) The commissioner may approve a registration with reasonable conditions. If the commissioner approves a registration with conditions, the permittee shall be bound by such conditions as if they were a part of this general permit.
- (5) Rejection, disapproval, or approval of a registration shall be in writing.

## Section 5. Conditions of This General Permit

The permittee shall at all times continue to meet the requirements for authorization set forth in Section 3 of this general permit. In addition, the permittee shall ensure that activities authorized by this general permit are conducted in accordance with the following general conditions of Section 5(a) and the applicable specific conditions of Sections 5(b) and 5(c) of this general permit.

### *(a) General Operating Conditions for Staging, Transfer, and/or Temporary Storage Areas*

- (1) The permittee shall design, operate, maintain and repair the Staging, Transfer, and/or Temporary Storage Area in conformance with the requirements of this general permit.
- (2) The permittee shall maintain a communications system capable of summoning fire, police, and/or other emergency service personnel.
- (3) Unless exempt from the requirement to file a registration as specified in Section 4(a)(1) of this general permit, the permittee shall post and maintain a sign that is visible from a distance of at least 25 feet at the Staging, Transfer, and/or Temporary Storage Area entrance identifying, at the minimum, the name of the permittee, a contact phone number, the hours of operation, and the phrase 'Temporary Soil Staging Area'.
- (4) The permittee shall take appropriate measures to prevent unauthorized entry onto the stockpiles. Appropriate control measures may be accomplished through the use of fences, gates, or other natural or artificial barriers.
- (5) The permittee shall operate the Staging, Transfer, and/or Temporary Storage Area such that the receipt, unloading and processing, if applicable, of contaminated soil and/or sediment does not occur for periods longer than that which is consistent with the local zoning requirements, if applicable, of the municipality where the activity is occurring.
- (6) During all periods of operation of the Staging, Transfer, and/or Temporary Storage Area, the permittee shall have sufficient personnel on site to inspect contaminated soil and/or sediment for the presence of incidental excavation wastes and materials and for any suspect contaminated soil and/or sediment that may contain hazardous wastes. The permittee shall comply with the following management standards regarding wastes:

#### **(A) Allowed Wastes and Materials**

This general permit authorizes only the management of contaminated soil and/or sediment, in the Staging, Transfer, and/or Temporary Storage Area.

(B) **Non Authorized Wastes and Materials**

This general permit does not authorize the management of materials or wastes other than contaminated soil and/or sediment. Management of contaminated soil and/or sediment that either contains or is considered to be hazardous waste is not authorized by this general permit.

(C) **Non Authorized Activities**

This general permit does not authorize the treatment (including but not limited to blending and/or mixing) of soil or sediment for the expressed purpose of diluting contaminants.

(D) **Incidental Excavation Waste**

Incidental excavation waste shall be: (1) separated to the satisfaction of the receiving facility or to an extent that renders the contaminated soil and/or sediment suitable for its intended reuse; (2) isolated and temporarily stored in a safe manner prior to off-site transport; and (3) disposed at a facility lawfully authorized to accept such waste. The maximum amount of incidental excavation waste stored at the Staging, Transfer, and/or Temporary Storage Area shall be as follows:

- (i) **Less than or equal to 10,000 cubic yards of contaminated soil and/or sediment** - No more than 100 cubic yards of incidental excavation waste shall be stored at any one time.
- (ii) **Greater than 10,000 cubic yards of contaminated soil and/or sediment** - No more than 1,000 cubic yards of incidental excavation waste shall be stored at any one time.

(E) **Hazardous Waste**

Hazardous waste inadvertently received at the Facility shall be: (1) promptly sorted, separated, and isolated; (2) recorded in the Site Operating Log required by Section 5(c)(1) of this general permit; and (3) managed in accordance with the conditions contained within section 22a-449(c)-100 through 119 of the Regulations of Connecticut State Agencies (Hazardous Waste Management Regulations).

- (7) The permittee shall at all times take reasonable precautions to control fugitive dust emissions and odors in accordance with section 22a-174-18 and section 22a-174-23, respectively of the Regulations of Connecticut State Agencies.

(b) ***Specific Operating Conditions for Staging, Transfer, and/or Temporary Storage Areas***

- (1) **Erosion Controls.** The permittee shall place the soil stockpiles on a surface sufficiently impervious to prevent or minimize the transfer or infiltration of contaminants from the soil stockpiles to the ground and shall also securely cover any stockpiles of soil when the Staging, Transfer and/or Temporary Storage Area is not in use with an impervious material such as a tarp or other

equivalent material to control and minimize storm water run-on and run-off. Soil stockpiles shall be covered at the end of each operating day or at any time that the Staging, Transfer and/or Temporary Storage Area is unattended by the permittee. Run-on/run-off controls shall be consistent with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control.

- (2) **Dust Controls.** The permittee shall minimize wind erosion and dust transport from the stockpiles and the travel areas of the Staging, Transfer and/or Temporary Storage Area by ensuring that all necessary dust controls (tarps, dust suppressants, routine street sweeping, etc.) are implemented and maintained at all times during periods of operation.
- (3) **Anti-Tracking.** The permittee shall employ anti-tracking measures (street sweepers, anti-tracking pads, etc.) at the Staging, Transfer and/or Temporary Storage Area to ensure that vehicles that have entered the Staging, Transfer and/or Temporary Storage Area do not track soils from the Staging, Transfer and/or Temporary Storage Area onto a public roadway at any time. Construction entrance anti-tracking pads shall be constructed in a manner that is consistent with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control.
- (4) **Characterization.** The permittee shall characterize each soil stockpile staged at the Staging, Transfer and/or Temporary Storage Area prior to transporting such stockpile for soil reuse or disposal. The permittee shall analyze soil obtained from representative samples collected from the media such that the permittee can reasonably determine whether such media does or does not exceed any applicable analytical performance standard (such as the Remediation Standard Regulations or a receiving facility's acceptance criteria). The permittee shall ensure that physical separation is maintained between previously sampled soil stockpiles (by means of concrete walls, aisle space, etc.) while awaiting the results of soil sample analyses. The permittee shall ensure that an independent laboratory certified by the Connecticut Department of Public Health for chemical testing performs the soil sample analyses used to characterize the soil.
- (5) **Storage Cell/Pile Capacity and Placement.** Unless otherwise approved in writing by the commissioner as part of a site specific soil management plan, the permittee shall ensure that individual contaminated soil and/or sediment storage piles do not exceed a volume of 1,000 cubic yards and are maintained with a minimum distance of 12 feet from any property line (unless the stockpiles are staged at the site of excavation).
- (6) **Transporter Practices.** The permittee shall instruct the transporters of contaminated soil and/or sediment of best management practices for the transportation of such soil (proper tarping of hauling dump bodies, removing loose material from dump body, etc.).
- (7) **Queuing and Idling of Transport Vehicles.** The permittee shall: (a) control all traffic related to the operation of the facility in such a way as to mitigate the queuing of vehicles off-site and excessive or unsafe traffic impact in the area

where the facility is located; and (b) ensure that except as allowed in section 22a-174-18(b)(3)(C) of the Regulations of Connecticut State Agencies, trucks are not left idling for more than three (3) consecutive minutes.

(c) **Record Keeping Requirements**

- (1) **Site Operating Log.** Unless exempt from the requirement to file a registration as specified in Section 4(a)(1) of this general permit, the permittee shall maintain a Site Operating Log for the duration of the authorized activities. The Site Operating Log shall include up-to-date records that clearly identify the origin of each soil stockpile placed at the Staging, Transfer and/or Temporary Storage Area; indicate the date such soils are received at the Staging, Transfer and/or Temporary Storage Area; list the specific Staging, Transfer and/or Temporary Storage Area storage cell, if applicable; indicate the date such soils are transported from the Staging, Transfer and/or Temporary Storage Area; and, indicate the final disposition (i.e. transportation to a soil processing facility or placement on the land) of such soils.
- (2) **Records Retention.** Unless exempt from the requirement to file a registration as specified in Section 4(a)(1) of this general permit, the permittee shall maintain an up-to-date record of its operating activities during the entire operational period of the Staging, Transfer and/or Temporary Storage Area. At a minimum, the operating record shall include:
  - (A) Any initial site characterization data and information and a summary of the Contaminants of Concern (COCs) identified;
  - (B) The location of excavation activities where soils were generated and subsequently transported to the Staging, Transfer and/or Temporary Storage Area for additional sampling and characterization;
  - (C) An accounting of the total facility throughput including the quantity of soil (expressed in tons or cubic yards) shipped to and stored at the Staging, Transfer and/or Temporary Storage Area during sampling and characterization procedures;
  - (D) A statement describing each of the soil reuse, or disposal sites (facility name, location, and address) utilized and an accounting of the quantity of soil (expressed in tons or cubic yards) shipped to each;
  - (E) Certifications, site maps, the site operating log, and either a complete set of the soil sampling test results or a complete set of soil sampling summary tables, and;
  - (F) Any other data or documents required by this authorization.

The permittee shall retain the operating record at its place of business for a period of at least three years following the expiration of this permit and shall make such records available for review by the commissioner or the commissioner's designee upon request.

## Section 6. General Conditions

### (a) *Reliance on Registration*

When evaluating a registration, the commissioner relies on information provided by the registrant. If such information proves to be false or incomplete, the authorization issued under this general permit may be suspended or revoked in accordance with law, and the commissioner may take any other legal action provided by law.

### (b) *Duty to Correct and Report Violations*

Upon learning of a violation of a condition of this general permit, the permittee shall immediately take all reasonable action to determine the cause of such violation, correct such violation and mitigate its results, prevent further such violation, and report in writing such violation and such corrective action to the commissioner within five (5) days of the permittee's learning of such violation. Such report shall be certified in accordance with Section 6(d) of this general permit.

### (c) *Duty to Provide Information*

If the commissioner requests any information pertinent to the authorized activity or to determine compliance with this general permit, the permittee shall provide such information in writing within thirty (30) days of such request. Such information shall be certified in accordance with Section 6(d) of this general permit.

### (d) *Certification of Documents*

Any document, including but not limited to any notice, which is submitted to the commissioner under this general permit shall be signed, as applicable, by the registrant or the permittee in accordance with section 22a-430-3(b)(2) of the Regulations of Connecticut State Agencies, and by the individual or individuals responsible for actually preparing such document, each of whom shall certify in writing as follows:

“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 those individuals responsible for obtaining the information, the submitted information is true, accurate and complete to the best of my knowledge and belief. I understand that a false statement made in the submitted information may be punishable as a criminal offense, in accordance with section 22a-6 of the General Statutes, pursuant to section 53a-157b of the General Statutes, and in accordance with any other applicable statute.”

### (e) *Date of Filing*

For purposes of this general permit, the date of filing with the commissioner of any document is the date such document is received by the commissioner.

### (f) *False Statements*

Any false statement in any information submitted pursuant to this general permit may be punishable as a criminal offense, in accordance with section 22a-6 of the General

Statutes, pursuant to section 53a-157b of the General Statutes, and in accordance with any other applicable statute.

**(g) *Correction of Inaccuracies***

Within fifteen (15) days after the date a permittee becomes aware of a change in any of the information submitted pursuant to this general permit, becomes aware that any such information is inaccurate or misleading, or that any relevant information has been omitted, such permittee shall correct the inaccurate or misleading information or supply the omitted information in writing to the commissioner. Such information shall be certified in accordance with Section 6(d) of this general permit. The provisions of this subsection shall apply both while a request for approval of registration is pending and after the commissioner has approved such request.

**(h) *Transfer of Authorization***

A registration or an approval of registration under this general permit is transferable only in accordance with the provisions of section 22a-60 of the General Statutes.

**(i) *Other Applicable Law***

Nothing in this general permit shall relieve the permittee of the obligation to comply with any other applicable federal, state and local law, including but not limited to the obligation to obtain any other authorizations required by such law.

**(j) *Other Rights***

This general permit is subject to and does not derogate any present or future rights or powers of the State of Connecticut and conveys no rights in real or personal property nor any exclusive privileges, and is subject to all public and private rights and to any federal, state, and local laws pertinent to the property or activity affected by such general permit. In conducting any activity authorized hereunder, the permittee may not cause pollution, impairment, or destruction of the air, water, or other natural resources of this state. The issuance of this general permit shall not create any presumption that this general permit should or will be renewed.

## **Section 7. Commissioner's Powers**

**(a) *Abatement of Violations***

The commissioner may take any action provided by law to abate a violation of this general permit, including the commencement of proceedings to collect penalties for such violation. The commissioner may, by summary proceedings or otherwise and for any reason provided by law, including violation of this general permit, revoke a permittee's authorization hereunder in accordance with sections 22a-3a-2 through 22a-3a-6, inclusive, of the Regulations of Connecticut State Agencies. Nothing herein shall be construed to affect any remedy available to the commissioner by law.

**(b) *General Permit Revocation, Suspension, or Modification***

The commissioner may, for any reason provided by law, by summary proceedings or otherwise, revoke or suspend this general permit or modify it to establish any



appropriate conditions, schedules of compliance, or other provisions which may be necessary to protect human health or the environment.

**(c) *Filing of an Individual Permit Application***

If the commissioner notifies a permittee in writing that such permittee must obtain an individual permit to continue lawfully conducting the activity authorized by this general permit, the permittee may continue conducting such activity only if the permittee files an application for an individual permit within thirty (30) days of receiving the commissioner's notice. While such application is pending before the commissioner, the permittee shall comply with the terms and conditions of this general permit and the subject approval of registration. Nothing herein shall affect the commissioner's power to revoke a permittee's authorization under this general permit at any time.

Issued Date: September 20, 2013

Macky McCleary  
Deputy Commissioner

This is a true and accurate copy of the general permit executed on September 20, 2013 by the Department of Energy and Environmental Protection





**Connecticut Department of  
Energy & Environmental Protection**  
Bureau of Materials Management & Compliance Assurance  
Engineering & Enforcement Division

## **Instructions for Completing the General Permit Registration Form for Contaminated Soil and/or Sediment Management (Staging and Transfer)**

*Use these instructions to complete the registration form for the General Permit for Contaminated Soil and/or Sediment Management (Staging and Transfer) (DEP-SW-REG-001). These instructions are not a substitute for the requirements of any relevant statutes or regulations. You should review all applicable laws prior to completing the registration form. Remember, it is your responsibility to comply with all applicable laws.*

A completed registration form must be submitted for each location to be used as a facility for the management of contaminated soil and/or sediment.

### **Introduction**

The subject general permit authorizes the staging, transfer, and temporary storage of contaminated soil and/or sediment and is intended to address the management of these materials when they are generated during site remediation, construction, and utility installation projects. As used in this general permit, 'contaminated soil and/or sediment' means treated or untreated soil and/or sediment affected by a known or suspected release and determined, or reasonably expected to contain substances exceeding Residential Direct Exposure Criteria or GA Pollutant Mobility Criteria, as defined in the Connecticut Remediation Standard Regulations (RCSA sections 22a-133k-1 through 22a-133k-3).

This general permit *does not* authorize the treatment of contaminated soil and/or sediment (i.e. the reduction of contaminants via physical removal, dilution, chemical stabilization, etc.) *or* any specific reuse of contaminated soil and/or sediment (i.e. use in the production of road base aggregate, asphalt, structural fill, etc.)

DEEP uses both individual and general permits to regulate the management of contaminated soil and/or sediment. Individual permits are issued directly to an applicant, whereas general permits are permits issued to authorize similar activities by one or more registrants throughout a prescribed geographic area. Authorization of an activity under a general permit is governed by that general permit. A general permit sets terms and conditions for conducting an activity which, when complied with, are protective of the environment. General permits are a quicker and more cost effective way to permit specific activities for both the department and the applicant.

Any questions that you may have regarding the general permit program for the management of contaminated soil and/or sediment should be directed to 860-424-3366.

### **Who May Apply for General Permit Authorization?**

Any person who stages, transfers and/or temporarily stores contaminated soil and/or sediment either at the site from which it was excavated (for a period of 45 days or more), or at

a location other than the site from which it was excavated (for any period of time) must comply with the subject general permit and under certain instances listed below may need to apply for authorization and if applicable obtain approval of authorization. All activities authorized under this general permit must be conducted *in less than two years*. If an activity requiring a registration as listed below may exceed the two year time period, such activity must have its registration renewed.

### (1) Who Does NOT Need to File a Registration

Any person who stages and/or temporarily stores **greater than 10 cubic yards but less than 1,000 cubic yards** of contaminated soil and/or sediment **at the site of excavation**, does not need to file a registration with the commissioner provided such activities are conducted in accordance with all other applicable conditions of the subject general permit. If such an activity is located in an Aquifer Protection Area, the local municipal Aquifer Protection Agency shall be notified in writing of such activity.

### (2) Who Must File a Registration

Any person seeking authorization under the subject general permit to conduct the following activities, shall file a registration.

- (A) Stage and/or temporarily store **greater than or equal to 1,000 cubic yards and less than or equal to 10,000 cubic yards** at any one time of contaminated soil and/or sediment **at the site of excavation for a period exceeding 45 days in duration**. If such an activity is located in an Aquifer Protection Area, the local municipal Aquifer Protection Agency shall be notified in writing of such activity.
- (B) Transfer, stage, and/or temporarily store **greater than 10 cubic yards and less than or equal to 10,000 cubic yards** at any one time of contaminated soil and/or sediment **at a**

**site other than the site of excavation** from which the soil and/or sediment originated. If such an activity is located in an Aquifer Protection Area, such activity is *not* qualified to be authorized under this general permit.

### (3) Who Must Obtain an Approval of Registration

Any person seeking authorization under this general permit to conduct the following activities, shall file a registration *and* shall obtain an approval of registration by the commissioner. If any of the following activities are located in an Aquifer Protection Area, such activities are *not* qualified to be authorized under this general permit.

- (A) Stage and/or temporarily store **greater than 10,000 cubic yards** at any one time of contaminated soil and/or sediment **at the site of excavation for a period exceeding 45 days in duration**.
- (B) Transfer, stage, and/or temporarily store **greater than 10,000 cubic yards** at any one time of contaminated soil and/or sediment **at a site other than the site of excavation** from which the soil and/or sediment originated.

Any person proposing to transfer a DEEP permit must submit a completed *Permit Transfer Form* (DEP-APP-006) and transfer fee to DEEP. The *Permit Transfer Form* may be used for changes in owners and operators of the licensed activity; if other changes are proposed to the facility, the site, and/or to facility operations, the proposed transferee must also request a permit modification. For further information concerning permit transfers or to obtain a *Permit Transfer Form*, please contact the Permit Assistance Office at 860-424-3003.

### How To Apply

Your general permit registration must include the following:

- An original *General Permit Registration Form for Contaminated Soil and/or Sediment Management (Staging and Transfer)* (DEP-SW-REG-001) and all supporting documents,
- **One** copy of the registration package,
- The applicable initial fee, paid by check or money order, made payable to the “Department of Energy and Environmental Protection”.

You must submit the above materials together as a package to:

CENTRAL PERMIT PROCESSING UNIT  
DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION  
79 ELM STREET  
HARTFORD, CT 06106-5127

**Refer to the Available Resources Section at the end of these instructions to obtain all required documents related to the subject general permit.**

When submitting your general permit registration, label your supporting documents as directed on your registration form and always include, on each document, the registrant's name as indicated on the *Registration Form*. When additional space is necessary to answer a question stated in the registration, please insert additional sheets by the appropriate question. Label each sheet with the registrant's name as indicated on the *Registration Form*, along with the corresponding part number and question number indicated on the general permit registration form. You should retain a copy of all documents for your files.

### **Part I: Registration and Fee Type**

Check the appropriate box to specify if the registration is for a *new* authorization under a general permit, a *renewal* or *modification* of an existing authorization under a general permit. If your activity has been formerly licensed by an individual permit, registration or other authorization, or if you are applying for a

renewal or modification of an existing general permit authorization, please identify the previous or existing permit/authorization/registration number in the space provided.

### ***Renewal of Registrations***

DEEP uses both individual and general permits to regulate the management of contaminated soil and/or sediment. Whereas the subject general permit is intended to authorize soil management activities that are temporary in nature, individual permits can be issued to authorize activities that are permanent (duration of three years or more). All activities authorized under the subject general permit must be conducted within a two year time frame. However, should it become evident to a registrant that such activities cannot be completed within a period of two years, the authorized activities may be extended for additional periods of time (in one year increments and at the discretion of the commissioner only) *if* the registrant submits for a renewal of its registration no less than 120 days prior to the expiration of its current registration.

Please be aware that DEEP may require a registrant that wishes to renew its current registration to also begin the process of obtaining an individual permit before issuing a registration renewal for the subject general permit, should it be determined that the activities being conducted at its facility are not temporary (will exceed a total duration of three years).

### ***Fee***

The following fees must be submitted with the registration form:

For registrations: \$250.00

For approval of registrations: \$1500.00

For renewal of registrations: \$250.00

For renewal of approval of registrations: \$750.00

The fee for municipalities is 50% of the above listed rate. The registration will not be processed without the fee. The fee shall be non-refundable and shall be paid by check or money order to the

“Department of Energy and Environmental Protection”.

Provide a brief description of the activity and the town location of the subject activity. The description should be specific to identify the application. For example soil staging and transfer in the town of Norwalk.

If there are any changes or corrections to your company/facility or individual name, 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. For any other changes you must contact the specific program from which you hold a current DEEP license. If there is a change in ownership, please contact the Permit Assistance Office for questions concerning license transfers at 860-424-3003.

## Part II: Registrant Information

When completing this part, please use the following standards:

When completing this part, please use the following standards:

- *Name* - Provide the full, legal *company/firm* name. (If identifying an entity registered with the Secretary of the State, fill in the name exactly as it is shown on such registration.) This information can be accessed at [CONCORD](#). If identifying 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 the registrant is a governmental body, identify the city or town of such body followed by the relevant department, board or division.
- *Phone* - Unless otherwise indicated, the phone number provided should be the number where the registrant correspondent can be contacted during daytime business hours.
- *Contact Person* - Provide the name of the specific individual within the company whom DEEP may contact.

- *E-Mail* – Registrants must provide an accurate company email address when completing their registration form. The email address may be used for future correspondence from the DEEP to your business.
1. *Registrant* - Complete the information concerning the registrant.
  2. *Billing Contact* – If the registrant is not the billing contact, complete this section.
  3. *Primary Contact* - If you have authorized a consultant, engineer, attorney or other individual to act for you during the processing of this [approval of] registration, complete this section. DEEP will direct copies of all correspondence and inquiries to this primary contact.
  4. *Attorney* - It is not required that a registrant be represented by an attorney or any other agent. If you do have an attorney, complete this section.
  5. *Facility Operator* - If the registrant is not the operator of the affected facility or equipment, complete this section.
  6. *Property Owner* - If the registrant is not the owner of the affected facility or equipment, complete this section.
  7. *Engineers or Consultants* - List any engineers or other consultants employed or retained to assist in preparing the registration or to design, construct or operate the proposed activity. Be sure to identify the service that is being provided by each.

## Part III: Site Information

### 1. *Site Location*

The site name, if applicable, should be the name by which the site is commonly known and/or uniquely identified.

The information given as the location address should be the address of the property at which the proposed activity will take place. Include

the street address and municipality. If the property does not have a street number, describe the location in terms of the distance and direction from an obvious landmark such as an intersection with another roadway, a bridge, or a river. For example, "... on River Street, approximately 1000 feet north of its intersection with Bear Swamp Road."

Provide the latitude and longitude, in degrees, minutes and seconds, or in decimal degrees, of the exact location of the proposed activity. In addition, please indicate the method used to determine the latitude and longitude coordinates. There are a variety of methods of deriving latitude and longitude coordinates with the Global Positioning System (GPS) being the most accurate.

**2. Indian Lands**

Check the appropriate box to specify if the site is or will be located on federally recognized Indian lands.

**3. Coastal Management Act Consistency**

Activities within the state's coastal area must be consistent with the Connecticut Coastal Management Act, i.e., sections 22a-90 through 22a-112 of the Connecticut General Statutes (CGS). You may be required to complete a *Coastal Consistency Review Form* (DEP-APP-004) to demonstrate that the activity is consistent with the standards and policies of the Connecticut Coastal Management Act. To determine whether this requirement pertains to you, you must first decide if your activity is, or is proposed to be, located in either the coastal area or the coastal boundary.

The *coastal area*, as defined in CGS section 22a-94 (a), includes the land and water within the following towns:

Branford	Guilford	Old Saybrook
Bridgeport	Hamden	Orange
Chester	Ledyard	Preston
Clinton	Lyme	Shelton

Darien	Madison	Stamford
Deep River	Milford	Stonington (Borough and Town of)
East Haven	Montville	Stratford
East Lyme	New London	Waterford
Essex	New Haven	West Haven
Fairfield	North Haven	Westbrook
Greenwich	Norwalk	Westport
Groton (City and Town of)	Norwich	
	Old Lyme	

The *coastal boundary*, as defined in CGS section 22a-94(b), is a designated region within the coastal area. It is delineated on DEEP-approved coastal boundary maps which are available for review at the DEEP Office of Long Island Sound Programs (OLISP), the DEEP File Room, and municipal offices of towns located in the coastal area. Copies of these maps may also be purchased from DEEP Maps and Publications. The map can also be viewed at: [www.lisrc.uconn.edu/](http://www.lisrc.uconn.edu/). (Click on the upper tab or left hand column labeled "Maps", then "Coastal Connecticut")

***Activities within the coastal boundary:***

If your activity is, or is proposed to be, located in the coastal boundary, and you are applying for a new authorization or a modification of an existing authorization where the physical footprint of the subject activity changes, you must complete a [Coastal Consistency Review Form](#) (DEP-APP-004) and submit it with your registration as Attachment B.

For a renewals or other modifications located within the coastal boundary, you are not required to submit a *Coastal Consistency Review Form* with your initial registration materials. However, DEEP may notify you that submission of this form is required to process your registration depending upon the specific activities to be conducted and their potential impact on coastal resources.

***Activities outside the coastal boundary but within the coastal area:***

For general permit registrations for activities located outside of the coastal boundary, but within a town in the coastal area, you are not required to submit a *Coastal Consistency Review Form* with your initial registration

materials. However, DEEP may notify you that submission of this form is required to process your registration depending upon the specific activities to be conducted and their potential impact on coastal resources.

If you need copies of the *Coastal Consistency Review Form*, refer to the Available Resources Section at the end of these instructions. For assistance in completing the form, or if you have questions on this process, call OLISP at 860-424-3034.

#### **4. *Natural Diversity Data Base -Endangered or Threatened Species***

Section 26-310 (a) of the Connecticut General Statutes states that each state agency, in consultation with the DEEP commissioner, shall conserve endangered and threatened species and their essential habitats, and shall ensure that any activity authorized, funded or performed by such agency does not threaten the continued existence of any endangered or threatened species or result in the destruction or adverse modification of habitat designated as essential to such species.

Please refer to “*Requests for Natural Diversity Data Base State Listed Species Reviews*” located on the DEEP website at: [www.ct.gov/deep/nddbrequest](http://www.ct.gov/deep/nddbrequest) to determine if your activity is located within an area identified as a habitat for endangered, threatened or special concern species. If applicable, submit a CT NDDB response and copies of any other correspondence to and from the NDDB, including a copy of the completed *Request for NDDB State Listed Species Review*” form (DEP-APP-007) with your registration as Attachment C.

#### **5. *Aquifer Protection Areas***

Aquifer protection areas are defined in CGS section 22a-354a through bb and are the areas that contribute water to public water supply wells. Many towns within the state are required to establish Aquifer Protection

Areas. Level A areas are final, regulated areas under the aquifer protection program. Level B areas are preliminary approximations of aquifer protection areas that have not yet been mapped to final standards, so the shape of the area may change when final mapping is completed. Level B maps provide an approximation of the Aquifer Protection Areas.

Please review the list of towns, available on the DEEP website, to determine if your site location is within one of these towns and, if yes, check the appropriate map, also available on the DEEP website, to see if the site is within the area identified on a Level A or Level B map.

- If your site location is within an area identified on a Level A map, you may be required to register your activity with either the local aquifer protection agency or the DEEP aquifer protection program.
- If your site location is within an area identified in a Level B map, no action is required at this time, however you may be required to register under the Aquifer Protection Area Program in the future when the area is delineated as Level A.

The following DEEP website, [www.ct.gov/deep/aquiferprotection](http://www.ct.gov/deep/aquiferprotection), provides the list of towns and maps, regulated activities and information to determine if your activity may be regulated either by the local aquifer protection agency or the DEEP Aquifer Protection Program. For further assistance, you may call the Aquifer Protection Program at 860-424-3020.

#### **6. *Conservation or Preservation Restriction***

If the subject site has a conservation or preservation restriction, proof of written notice of this registration to the holder of such restriction or a letter from the holder of such restriction verifying that this registration is in compliance with the terms of the restriction, must be submitted as Attachment D. The municipality where the soil staging site is



located may have information concerning such restrictions.

## 7. *Environmental Justice Communities*

- a. If the site includes a *new* facility or a *new* activity and is located in an environmental justice community, the registrant must hold an informal public meeting that is convenient to the public, prior to issuance of permit approval.
- b. If the subject registration includes an activity which will occur at an *existing applicable* facility and is located in an environmental justice community, the registrant shall submit an Environmental Justice Public Participation Plan **PRIOR TO FILING THE SUBJECT REGISTRATION WITH THE DEPARTMENT** and adhere to the requirements of section 22a-20a CGS. Refer to the Environmental Justice Public Participation Guidelines (DEP-EJ-GUID-001) for more information, ([www.ct.gov/deep/environmentaljustice](http://www.ct.gov/deep/environmentaljustice))

An environmental justice community is defined as:

- a. a United States census block group, as determined in accordance with the most recent United States census, for which thirty percent or more of the population consists of low income persons who are not institutionalized and have an income below two hundred percent of the federal poverty level, or
- b. a distressed municipality.

A facility or activity must be located directly in the defined census block or the distressed municipality in order to be subject to the requirement of holding an informal public meeting. A list of current environmental justice communities can be found on the DEEP website at

[www.ct.gov/deep/environmentaljustice](http://www.ct.gov/deep/environmentaljustice) . The list of distressed municipalities can also be found on the DECD website at [www.ct.gov/ecd/cwp/view.asp?a=1105&q=251248](http://www.ct.gov/ecd/cwp/view.asp?a=1105&q=251248)

The registrant must provide public notice of the informal public meeting by each of the following forms: 1) a newspaper announcement and 2) notice to abutting property owners. Other forms of notice may include, but not be limited to, a visible and accessible sign or a broadcast media announcement. The registrant shall notify DEEP confirming the date, time and place of the meeting, submit proof of the notification of the meeting and submit the meeting attendance sheet.

Confirmation of the meeting and submittals must be addressed to the following DEEP program:

Environmental Justice Program  
Office of the Commissioner  
Department of Energy and Environmental Protection  
79 Elm Street  
Hartford, CT 06106-5127  
860-424-3044

## Part IV: Project Information

1. Check the box that best describes the type of project from which the contaminated soil and/or sediment will be generated.
- 2a. Provide the address where the soil will be staged.
- 2b. Provide the address where the soil will be excavated, if different than where the soil will be staged.
3. Provide a brief description in the space provided of the specific nature of the excavation activities (for example: removal of petroleum impacted soil associated with a leaking underground storage tank; bridge abutment and roadway reconstruction project; trenching to perform underground utility line and associated splice vault installations).
4. Provide the date that you anticipate the contaminated soil and/or sediment staging and transfer activities will commence.

## **Part V: For Renewals of Registrations Only**

If you intend to renew an existing registration, please complete this section.

Refer to Part I: Registration Type, Renewal Registrations, of these instructions for additional requirements concerning renewals.

1. *Project Status* - Provide a brief description of the status of the project from which the contaminated soil and/or sediment is being generated.
2. *Rational for Renewal* - Provide an explanation of why the facility needs a renewal of its registration.
3. *Anticipated Duration* - Provide the anticipated remaining duration of the contaminated soil and/or sediment management activities being conducted at the facility.

## **Part VI: Supporting Documents**

Check the appropriate box by each attachment being submitted as verification that all applicable attachments have been submitted. Please label all attachments as referenced in the registration form and these instructions and be sure to include the name of the registrant as indicated on the *Registration Form*.

### **Attachment A: United States Geological Survey (USGS) Topographic Quadrangle Map**

Submit, as Attachment A, an 8 ½" x 11" copy of the relevant portion or a full-sized original of a USGS Quadrangle Map, at a scale of 1:24,000, indicating the exact location of the project site and proposed activities.

The quadrangle name should be noted on the copy of the map submitted. See Figure A at the end of these instructions for an example of how a USGS map must be labeled when submitted.

DEEP will use this map to enter your project location into its Geographic Information System

(GIS). It is important that you accurately locate the project site and proposed activities because the GIS generates natural resource information relevant to your site. An inaccurate description of the project location may delay the processing of your registration.

### **Attachment B: Coastal Consistency Review Form**

Activities within the state's coastal area which includes the coastal boundary must be consistent with the Connecticut Coastal Management Act (CGS sections 22a-90 through 22a-112). You may be required to complete (and submit as Attachment B) a *Coastal Consistency Review Form* (DEP-APP-004) to demonstrate that the activity is consistent with the standards and policies of the Connecticut Coastal Management Act. Please refer to the instructions in Part III, item 3, to determine if this requirement pertains to you.

### **Attachment C: CT NDDB Information**

Submit copies of any correspondence provided to or received from the CT NDDB program, including a copy of a *completed CT NDDB Request Form* (DEP-APP-007) as Attachment C, as explained in Part III, item 4 of these instructions.

### **Attachment D: Conservation or Preservation Restriction**

If the property is subject to a conservation or preservation restriction, submit proof of written notice of this registration to the holder of such restriction or a letter from the holder of such restriction verifying that this registration is in compliance with the terms of the restriction, as Attachment D.

### **Attachment E: Facility Plan**

#### ***For Registrations Requiring Approval only***

Submit, as Attachment E, the facility site plan prepared in accordance with Section 4(c)(3) of the subject general permit. The facility site plan shall provide a clear and detailed presentation of all topographical and man-made features at the subject storage and processing facility site. The

facility site plan shall also include the proposed layout of the facility. More than one map or drawing may be used, if necessary. The map or drawing(s) shall, at a minimum show the following:

- map scale (scale shall be at least 1 in. = 100 ft.);
- map date;
- a meridian arrow showing north;
- contour sufficient to show surface water flow;
- property boundaries of the site.

### **Attachment F: Facility Description**

#### ***For Registrations Requiring Approval only***

Submit as Attachment F, the facility description.

The facility description shall include a detailed description of the facility including the nature and purpose of the excavation activities from which the contaminated soil will originate.

### **Attachment G: Facility Operations and Management (O&M) Plan**

#### ***For Registrations Requiring Approval only***

Submit as Attachment G, the Facility Operations and Management (O&M) Plan.

The Facility Operation and Management Plan shall include at a minimum: Soil Management Plan that describes the procedures the facility will use to track and sample individual stockpiles of soil, Emergency and Preparedness Plan, and Inspection and Maintenance Procedures for the subject Staging, Transfer, and/or Temporary Storage activities.

### **Attachment H: Environmental Justice Public Participation Plan**

Submit a copy of the written Environmental Justice Plan approval as Attachment H. Please refer to the instructions in Part III, item 7, to determine if this requirement pertains to you.

## **Part VII: Registrant Certification**

After the registration has been completed it must be reviewed and signed by both the

registrant and the individual(s) who actually prepared the registration and any part thereof required by the registration. This includes consultants, professional engineers, surveyors, soil scientists, etc. By their signature, they certify that, to the best of their knowledge and belief, the information contained in the application, including all attachments, is true, accurate and complete.

The certification of the registration package shall be signed as follows:

1. For an individual(s) or sole proprietorship: by the individual(s) or proprietor, respectively;
2. For a corporation: by a principal executive officer of at least the level of vice president, or his agent;
3. For a limited liability company (LLC): by a manager, if management of the LLC is vested in a manager(s) in accordance with the company's "Articles of Organization", or by a member of the LLC if no authority is vested in a manager(s);
4. For a partnership: by a general partner;
5. For a municipal, state, or federal agency or department: by either a principal executive officer, a ranking elected official, or by other representatives of such registrant authorized by law.

A registration will be considered insufficient unless all required signatures are provided.

### **Available Resources**

Below is a list of possible resources for specific information required for this registration. Be sure to also check the DEEP website, [www.ct.gov/deep](http://www.ct.gov/deep) and your local town hall or library for maps and other reference materials.

Both the DEEP Maps and Publications 860-424-3555 and the DEEP File Room 860-424-4180 are located on the store level at 79 Elm Street, Hartford, CT. Please call the appropriate office in advance for hours of operation.

For general assistance regarding this subject general permit, contact the Waste Engineering and Enforcement Division at 860-424-3366.

For the subject general permit, registration form, instructions and other required documents visit the DEEP website at:

[www.ct.gov/deep/wastepermitapps](http://www.ct.gov/deep/wastepermitapps)

- Coastal Boundary Areas: Town Hall and/or DEEP Maps and Publications; "Coastal Boundary Map". Additional information: Office of Long Island Sound Programs: 860-424-3034
- [Coastal Consistency Review Form](#)
- Coastal Resource Maps: Town Hall and/or DEEP Maps and Publications 860-424-3555
- USGS Topographic Quadrangle Map:
- [\(USGS\) Topographic Quadrangle Map:](#) ([www.ct.gov/deep/gis](http://www.ct.gov/deep/gis)); DEEP Maps and Publications, 860-424-3555, or USGS Office, 303-202-4700, or US Geological Survey, Western Distribution Branch, Box 25286, Denver Federal Center, Denver, CO 80225 (sells USGS maps and publications) [www.usgs.gov](http://www.usgs.gov)
- Endangered or Threatened Species Areas: DEEP File Room; "State and Federal Listed Species and Natural Communities"; [www.ct.gov/deep/endangeredspecies](http://www.ct.gov/deep/endangeredspecies)
- Aquifer Protection Area Maps: [www.ct.gov/deep/aquiferprotection](http://www.ct.gov/deep/aquiferprotection), DEEP Maps and Publications
- DEEP's Environmental Equity Policy, Environmental Justice Program, Environmental Justice Public Participation Guidelines: 860-424-3044 [www.ct.gov/deep/environmentaljustice](http://www.ct.gov/deep/environmentaljustice)
- Pollution Prevention: A variety of pollution prevention publications are available from DEEP's Office of Pollution Prevention 860-424-3297

State and federal statutes and regulations are available for review at various locations:

On the web:

- State Statutes: [www.cga.ct.gov/asp/menu/Statutes.asp](http://www.cga.ct.gov/asp/menu/Statutes.asp)
- DEEP website for Statutes and Regulations: [www.ct.gov/deep/laws-regs](http://www.ct.gov/deep/laws-regs)
- US EPA website for Federal Laws, Regulations (Code of Federal Regulations; CFR), Policy, Guidance and Legislation: [www.epa.gov/lawsregs](http://www.epa.gov/lawsregs)

Book Format:

- State Library (Hartford)
- University Law Schools (UCONN-Hartford, Yale)
- Superior Courthouse Libraries (located throughout the state)
- Town Halls and Libraries (statutes)

### **Affirmative Action, Equal Employment Opportunity and Americans with Disabilities**

The Connecticut Department of Energy and Environmental Protection is an Affirmative Action/Equal Opportunity Employer that is committed to complying with the requirements of the Americans with Disabilities Act (ADA). Please contact us at (860) 418-5910 or [deep.accommodations@ct.gov](mailto:deep.accommodations@ct.gov) if you: have a disability and need a communication aid or service; have limited proficiency in English and may need information in another language; or if you wish to file an ADA or Title VI discrimination complaint.

Figure A: Waste Example

USGS Quadrangle Map: Clinton  
Map Scale: 1:24, 000 (1 " = 2, 000')

Please include Latitude and Longitude in your registration.

Facility with Structures

Facility without Structures

Location of activity \*

Center of activity \*

Boundary of site

Boundary of activity \*

