



STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION



APPROVAL LETTER

September 28, 2007



RDMS DocID

106027

Mr. Stephen Soler, Pres.
Georgetown Land Development Company, LLC
Georgetown Special Taxing District
P.O. Box 36
One North Main Street
Georgetown, CT 06829-0036

RCRA RECORDS CENTER
FACILITY Gilbert + Bennett
I.D. NO. CTD001162775
FILE LOC. R-12
OTHER #106027

RE: US EPA I.D. No. CTD001149277 former Gilbert & Bennett site
One North Main Street, Georgetown, CT
Approval for Remedial Action Plan for Corrective Action, Property Transfer and
Brownfields, Approval for Engineered Control Variance and CAMU designation

Dear Mr. Soler:

The Remediation Division of the Bureau of Water Protection and Land Reuse has reviewed the report titled "REMEDIATION ACTION PLAN AND ENGINEERED CONTROL VARIANCE REQUEST, FORMER GILBERT & BENNETT SITE NORTH MAIN STREET, GEORGETOWN, CT", dated September 2004 and revised September 2005, July 2006, May 2007 and September 2007 . The remedial action plan (RAP), engineered control variance and Corrective Action Management Unit (CAMU) Designation were prepared on your behalf by Fuss & O'Neill of Manchester, CT. The proposal was submitted in conjunction with the filing of a Form III certification pursuant to Section 22a-134a(c) of the Connecticut General Statutes, and Section 22a-449(c)-105(h) of the Regulations of Connecticut State Agencies (Corrective Action regulations).

The RAP proposes the remediation of soils and groundwater to satisfy the CTDEP Remediation Standard Regulations (RSRs) requirements that are appropriate for the final proposed mixed use. Site preparation and other work already conducted include decontamination of most buildings, removal of asbestos and lead and demolition of several buildings.

The RAP encompasses remediation of the contaminated soils and groundwater at both the manufacturing parcel and the southern parcel (the RCRA landfill location). The RAP and its accompanying documents were public noticed on July 19, 2007.

Incoming Document Label

[X] Facility File (Original) - Do Not Mark Up!
[Z] FOIA Releasable

[ ] Working Copy - Margin Notes Possible

Reviewer:

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The RAP proposes excavation of contaminated soil, excavation of soil containing hazardous waste, and the stabilization and proper disposal of soil at licensed hazardous waste/contaminated soils disposal facilities. Soil that is excavated from the manufacturing parcel will be either disposed off-site or stabilized if necessary and consolidated in the designated CAMU, which is the RCRA landfill located at the Southern Parcel of the site. At certain areas of the manufacturing parcel, soil will not be excavated but will be covered with an engineered control and its use protected with the filing of an Environmental Land Use Restriction (ELUR).

The remedial approach for groundwater remediation is natural attenuation for the first 2 years after removal of the contaminated soils and soils containing hazardous waste. By 60 days after such 2 year period, Georgetown Land Development Company, LLC (Georgetown), will submit to CTDEP a detailed evaluation of the natural attenuation remedy and propose whether to continue such remedy or to perform more aggressive remedies. CTDEP will evaluate the merits of continuing with natural attenuation, and will decide whether Georgetown shall perform a more aggressive remedial option, e.g. pump and treat and/or installation of permeable reactive barriers.

The RAP proposes to excavate 40,000 cubic yards of contaminated soil from the manufacturing parcel and dispose of these soils at an on-site RCRA landfill (the CAMU) at the southern parcel. The RAP also proposes a double liner RCRA cap and a train station and parking garage at the site of the RCRA landfill (Southern Parcel). For certain locations at the manufacturing parcel, the RAP proposes a cover system consisting of a 40 mil LLDPE geomembrane cap with vegetated cover, or a 40 mil LLDPE geomembrane cap with paved/gravel cover.

As an additional requirement for the RCRA landfill, a detailed RCRA Closure and Post-Closure Plan will be submitted at a later date, and therefore is not part of this approval. Other technical deliverables enumerated in the schedule of activities in the RAP and in its CAMU appendix will also be submitted in the near future and therefore are not the subject of this approval.

An ecological risk assessment and potential remediation of contaminated sediments at the adjacent Norwalk River is under review by the CTDEP at this time, and therefore is not part of this approval. The ecological risk assessment and its potential associated remediation are subject to a separate future approval process pursuant to the Transfer Act and RCRA Corrective Actions requirements.

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The above referenced remedial action plan, engineered control variance and CAMU designation are hereby approved. Management of the waste at the CAMU is subject to this approval and to the attachment to this approval letter entitled Corrective Action Management Unit "CAMU" Designation .

Nothing in this approval shall affect the Commissioner's authority to institute any proceeding, or take any action to prevent or abate pollution, to recover costs and natural resource damages, and to impose penalties for violations of law. If at any time the Commissioner determines that the approved actions have not fully characterized the extent and degree of pollution or have not successfully abated or prevented pollution, the Commissioner may institute any proceeding, or take any action to require further investigation or further action to prevent or abate pollution. This approval relates only to pollution or contamination identified in the above referenced proposal.

In addition, nothing in this approval shall relieve any person of his or her obligations under applicable federal, state and local law.

If you have any questions pertaining to this matter, please contact Marina Roser of my staff at (860) 424 - 3574.

Sincerely,



Patrick F. Bowe  
Director  
Remediation Division  
Bureau of Water Protection and Land Reuse

PFB: MCR

Encl: CAMU Designation attachment

cc: Rob Danielson - Fuss & O'Neill, 146 Hartford Road, Manchester, CT 06040  
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*Attachment A to Remedial Action Plan Approval*

**CORRECTIVE ACTION MANAGEMENT UNIT "CAMU" DESIGNATION**

**SECTION I**

**A. DESIGN AND OPERATION OF THE CAMU**

Georgetown Land Development Company, LLC is subject to RCRA Corrective Action (environmental cleanup) obligations. This Corrective Action Management Unit designation is designed to expedite the cleanup through the use of an on-site unit for managing remediation waste generated during cleanup. The designation holder shall operate, maintain, and repair the CAMU to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment.

**B. EFFECT OF THE DESIGNATION**

1. Compliance with this designation constitutes compliance, for purposes of enforcement, with Section 22a-449(c)-104(a)(2)(JJ)-(VV).
2. The issuance of this designation does not authorize any injury to persons or property, invasion of other private rights, or any infringement of state and local law or regulations.

**C. SEVERABILITY**

The provisions of this designation are severable, and if any provisions of this designation, or the application of any provisions of this designation to any circumstances is held invalid, the application of such provisions to other circumstances and the remainder of this designation shall not be affected thereby.

**D. CONFIDENTIAL INFORMATION**

The designation holder may claim that any information required to be submitted by this designation contains or constitutes a trade secret in accordance with Section T-210 (b)(5) of the CGS.

**E. DUTIES AND REQUIREMENTS**

1. Duty to Comply. The designation holder shall comply with all elements of this designation except that the designation holder need not comply with the elements of this designation to the extent and for the duration such non-compliance is authorized in an *Emergency Authorization* that explicitly authorizes any such non-compliance.
2. Need to halt or reduce activity not a defense. It shall not be a defense for the designation holder in an enforcement action that it would have been necessary to halt or reduce any activity authorized by this designation in order to maintain compliance with the elements of this designation.

3. Duty to mitigate. In the event of noncompliance with this designation, the designation holder shall take all reasonable steps to minimize releases to the environment, and shall carry out such measures as are reasonable to prevent its noncompliance from having significant adverse impacts on human health or the environment. No action taken by the designation holder pursuant to this section of this designation shall affect or limit the Commissioner's authority under any other statute or regulation.
4. Designation actions. This designation may be modified or terminated in accordance with all applicable law, including but not limited to, RCSA Section 22a-449(c)-104(a)(2)(JJ)-(VV). The filing of a request by the designation holder for a designation modification, or termination, or a notification of planned changes or anticipated non-compliance, does not stay any designation element.
5. Property rights. This designation does not convey any property rights of any sort, or any exclusive privilege to the designation holder.
6. Duty to provide information. The designation holder shall furnish to the Commissioner, within a reasonable time, any information which the Commissioner may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this designation or to determine compliance with this designation. The designation holder shall also furnish to the Commissioner, upon request, copies of records required to be kept by this designation.
7. Operation and Maintenance of Remedial Systems. The designation holder shall at all times properly operate and maintain all facilities and remedial systems of treatment and control (and related appurtenances) which are installed or used by the designation holder to achieve compliance with this designation. Proper operation and maintenance, at a minimum, includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up, auxiliary facilities or similar systems only when necessary to achieve compliance with this designation.
8. Inspection and entry. The designation holder shall allow the Commissioner, or an authorized representative, upon the presentation of credentials and other documents as may be required by law to:
  - a. Enter at reasonable times upon the designation holder's premises where the CAMU or activity is located or conducted, or where records must be kept to comply with this designation;
  - b. Have access to and copy at reasonable times, any records that shall be kept to comply with this designation;
  - c. Inspect at reasonable times any area of the CAMU, equipment (including monitoring and control equipment), practices or operations regulated or required under this designation; and
  - d. Sample or monitor at reasonable times, for the purposes of assuring the designation holder's compliance with this designation or as otherwise authorized by any applicable statute, any substances or parameters at any location.
9. Security. The designation holder shall prevent the unknowing and unauthorized entry of persons or livestock into the Southern parcel. The designation holder shall ensure that:

- a. All entrances are locked at all times unless authorized personnel are present;
- b. Access is limited to the emergency coordinators, security personnel and/or other authorized personnel; and
- c. The Southern parcel is provided with an artificial or natural barrier (e.g., a fence in good condition) that completely surrounds it.

The designation holder shall maintain in good repair the security system until soil exceeding the Direct Exposure Criteria as defined in RCSA Section 22a-133k et. seq. ("Remediation Standard Regulations") has been rendered environmentally isolated or inaccessible.

The designation holder shall maintain a communications system capable of summoning fire, police, and/or emergency service personnel.

10. Monitoring and records.

- a. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
- b. Records for monitoring information shall include:
  - (i) The date, exact place and time of sampling or measurements;
  - (ii) The individual(s) who performed the sampling or measurements;
  - (iii) The date(s) analyses were performed;
  - (iv) The name of the State of Connecticut Department of Public Health certified laboratory that performed the analyses;
  - (v) The analytical techniques or methods used; and
  - (vi) The results of such analyses.

11. Signatory Requirements. The designation holder's application and all reports, or information submitted to the Commissioner by the designation holder pursuant to this designation shall be signed by the person specified in and contain the certification prescribed in 40 CFR 270.11

12. Transfers. This designation is not transferable to any person without advanced written authorization of the Commissioner, who may request whatever information deemed necessary regarding the potential transferee.

In addition to complying with the above requirements, before transferring ownership or operation of the CAMU anytime before its final closure, the designation holder shall notify the new owner or operator in writing of the requirements of this designation. The designation holder shall provide such new owner or operator with a copy of this designation.

The designation holder's failure to notify the new designation holder of the requirements of this designation in no way relieves the new designation holder of the obligation to comply with all applicable requirements.

13. Reporting Requirements.

- a. Anticipated non-compliance. The designation holder shall give as much advance written notice as possible to the Commissioner of any planned changes in the CAMU or activity that may result in non-compliance with any requirement of

this designation. Generally this notice is expected to be at least five business days in advanced of any planned change.

- b. Compliance schedules. Except where otherwise provided for in this designation, reports of compliance and noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this designation shall be submitted no later than fourteen (14) calendar days following each schedule date.

- c. Twenty-four (24) hour reporting:

- (i) The designation holder or the designation holder's designee shall verbally report to the Commissioner any waste related activity at the CAMU, irrespective of whether such activity is in compliance with the requirements of this designation, which does or may pose an imminent and substantial endangerment to human health or the environment, immediately but no later than twenty-four (24) hours from the time the designation holder becomes aware or should be aware of the circumstances causing such endangerment.

The report to the Commissioner shall include:

- (A) Name, address, and telephone number of the designation holder;
  - (B) Name, address, and telephone number of the facility;
  - (C) Date, time and type of incident;
  - (D) Description of the occurrence and its cause;
  - (E) Name and quantity of waste(s) or constituents thereof involved;
  - (F) The extent of injuries, if any;
  - (G) An assessment of actual or potential hazards to human health and the environment;
  - (H) Estimated quantity and disposition of recovered waste that resulted from the incident;
  - (I) All information concerning the release of any waste or constituents thereof that may cause an endangerment to public drinking water supplies; and
  - (J) All information concerning a release or discharge of waste or constituents from or of a fire or explosion at the facility, which could threaten human health or the environment.
- (ii) A written submission shall also be provided within five (5) calendar days of the time the designation holder becomes aware of the circumstances described in subdivision (i) above. The written submission shall contain a description of the endangerment and its cause; the period of endangerment including exact dates and times, if the endangerment has been abated, and if not, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the endangerment. The designation holder shall maintain a copy of each such written report for a period of three (3) years from the date of its submission to the Commissioner. The Commissioner may waive the five (5) day written notice requirement in favor of a written report within fifteen (15) days of any incident requiring reporting.

- (iii) Nothing in this section shall effect or relieve the designation holder of its obligations under Section 22a-450 of the CGS.
  - d. Other noncompliance. The designation holder shall report all instances of non-compliance with this designation not otherwise required to be reported by this designation to the Commissioner along with any other required monitoring report, but no later than thirty (30) days of the date the designation holder is aware, or reasonably should have been aware of any such noncompliance. Any such report shall contain the information listed in section 13(c)(i) of this section.
  - e. Other information. When the designation holder becomes aware that it failed to submit any relevant facts or incorrect information in a designation application, or submitted incorrect information in a designation application, report or other document provided to the Commissioner regarding this designation, it shall promptly submit such relevant facts or correct information to the Commissioner.
14. Computation of time.
- a. Except as is expressly provided for in this designation, the computation of time periods set forth in this designation shall be as follows:
    - (ii) Any time period scheduled to begin on the occurrence of an act or event shall begin on the day after the act or event.
    - (iii) Any time period scheduled to begin before the occurrence of an act or event shall be computed so that the period ends on the day before the act or event.
    - (iv) If the final day of any time period falls on a weekend or a federally or state recognized legal holiday, the time period shall be extended to the next working day.
  - b. Submission of reports. Where this designation requires the submission of a written report, a notification or other information or documentation to the Commissioner, the report or notification shall be deemed submitted on the date such report, notification or other information is received by the Department.
15. Additional requirements. Requirements not included in this designation, which become effective by statute or regulation, and not specifically stated in this designation, shall apply. In the event of any conflict between this designation and any such requirement, the designation holder shall comply with the more stringent requirement.

The designation holder shall submit for the Commissioner's review and written approval all necessary documentation supporting any proposed substantive modifications to the CAMU operation in accordance with the public notice requirements of 40 CFR 270.41 and 270.42. The Commissioner may issue a written approval of any such proposed modification only if, in the Commissioner's judgment, the proposed modification (a) is deemed consistent with the goals and methodology stated in 40 CFR 264.552; (b) is not significantly changing the nature of the CAMU or its impact on the environment; and (c) is consistent with any necessary additional designation or authorization pursuant to CGS Section 22a-208.

16. Federal state and local law. Nothing in this designation shall be construed to prohibit any federal, state, local or political subdivision thereof from imposing any requirements to the extent authorized by law which are more stringent than those imposed by this designation. In addition, nothing in the designation shall relieve the designation holder of its obligation to comply with any other applicable federal, state, or local statute, regulation or ordinance.
17. Imminent Hazard Actions. Notwithstanding any provision of this designation, enforcement actions may be brought pursuant to Section 7003 of RCRA, Section 22a-6 of the CGS, or any other applicable law.
18. Records. The designation holder shall maintain, in writing, the following information in its records for at least three (3) years from the expiration of this designation:
  - b. Records and results of inspections as required by this designation, except this data need only be kept for three (3) years from the date of any such inspection;
  - a. Monitoring, testing, analytical data and corrective action where as required by this designation;
  - b. Certifications, site maps, the site operating log, a complete set of the soil sampling test results and a complete set of soil sampling summary table; and any other information required by this designation.
19. Availability, Retention, and Disposition of Records. The designation holder shall ensure that all records required under RCSA Sections 22a-449(c)-100 to 119 or this designation, including all plans, are furnished upon request and made available at all reasonable times for inspection, by any officer, employee, or representative of the Commissioner or the Environmental Protection Agency (EPA).

The designation holder shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this designation, and records of all data used to complete the application for this designation, for a period of at least three (3) years from the date of the sample, measurement, certification, report or application. This period may be extended by request of the Commissioner at any time. The designation holder shall maintain all required records from all groundwater monitoring wells and associated groundwater surface elevations for the Southern parcel until the termination of the post-closure care period.

The retention period for all records required under RCSA Sections 22a-449(c)-100 to 119 and this designation is extended automatically during the course of any unresolved administrative order or legal action brought by the Commissioner or EPA regarding the CAMU or as requested by the Commissioner or the Regional Administrator of EPA.

## F. DEFINITIONS

Any term not otherwise defined herein shall be defined as that term is defined in Section 22a-449(c)-100 of the RCSA, incorporating 40 CFR 260.

1. "Clean fill" means soil and other material defined as clean fill in Section 22a-209-1 of the RCSA.

2. "CFR" means the Code of Federal Regulations in effect on the date that this designation is issued.
3. "Commissioner" means the Commissioner of Environmental Protection as defined in the Section 22a-2 of the CGS or the Commissioner's designee.
4. "Corrective Action Management Unit" or "CAMU" means the definition in RCSCA Section 22a-449(c)-104(a)(2)(JJ), incorporating 40 CFR 264.552 and specifically at this facility refers to the approximately 3-acres of the 5.5-acre Southern parcel shown on Figure Nos. 2, 5 and 9 of the application for this designation.
5. "Daily" as used in this designation means once every twenty-four (24) hours.
6. "Each Operating Day" as used in this designation means once every twenty-four (24) hours that the facility is conducting any excavation and/or consolidation activities.
7. "Facility" means for the purposes of implementing corrective action under 40 CFR 264.101, all contiguous property under control of the owner or operator seeking a designation under Subtitle C of RCRA or implementing corrective action under RCRA Section 3008(h).
8. "Final Closure" means the completion of the closure of the CAMU in accordance with the requirements of this designation and other applicable law.
9. "Hazardous Waste" or "Hazardous Wastes" shall mean hazardous waste as identified or listed as hazardous waste pursuant to 42 U.S.C. Subpart 6901 and RCSCA Section 22a-449(c)-101.
10. "Leachate" means any liquid, including any suspended components in the liquid, that has percolated through or drained from the hazardous waste.
11. "Manufacturing Area" means the 45.5 acre parcel of land incorporating the New Warehouse Area, the Post Office parcel, the North Mill Yard, the South Mill Yard, the East Wire Mill and OMSA Building, the Factory Pond and the South Parking Lot as set forth on Figure No. 2 of the application for this designation.
12. "Partial Closure" means the closure of a portion of the CAMU in accordance with the applicable closure requirements of this designation while other portions of the CAMU continue in operation or to be active.
13. "The designation holder" shall mean the person responsible for the overall operation of the facility. As used herein "person" is defined in Section 22a-423, Chapter 446k, of the CGS.
14. "Polluted Soils and Sediments" means soils and sediments that have been affected by a release of a substance(s) and defined as polluted according to Section 22a-133k-1 through 22a-133k-3 of the RCSCA.
15. "Remediation Waste" means all solid and hazardous wastes, and all media (including soils and sediments) and debris that are managed for implementing clean up.

16. "Solid Waste(s)" means unwanted or discarded solid, liquid, semisolid or contained gaseous material, including, but not limited to, demolition debris, material burned or otherwise processed at a resource recovery facility or incinerator, material processed at a recycling facility, and sludges or other residue from a water pollution abatement facility, water supply treatment plant or air pollution control facility as defined in Section 22a-207 of the CGS.
17. "Southern Parcel" means the approximately 5.5-acre parcel of land formerly used in part as surface impoundments and drying pits for the metal hydroxide sludge generated by the on-site wastewater treatment system and historic manufacturing activities, and for facility fill. This area was stabilized in 1997 by Malcolm Pirnie and in 2001 by the Environmental Protection Agency. This area is bounded to the east by the Norwalk River; to the south and west by the railroad right-of-way; and to the north by the Redding wastewater treatment plant as shown on Figure Nos. 2, 5, and 9 of the application for this designation.
18. "Staging Pile" means an accumulation of solid, non-flowing remediation waste that is not in a containment building and that is used only during remedial operations for temporary storage at a facility.

## SECTION II Authorized Activities

### A. Corrective Action Management Unit (CAMU)

This designation authorizes only those activities that are explicitly provided for in this designation.

The designation holder shall operate, maintain and repair the CAMU in conformance with its application and the requirements of this designation. In the event of a conflict between the designation holder's application and the requirements of this designation, the requirements of this designation shall take precedence and apply.

The purpose of the CAMU is to manage only remediation wastes for implementing corrective action and clean up at the facility.

#### Authorized Activities

1. The designation holder is authorized to excavate and manage approximately 40,000 cubic yards of polluted soils and/or sediments resulting from remediation and redevelopment activities occurring in the Manufacturing Area of the facility. Pursuant to 40 CFR 264.552(a)(1) the designation holder shall ensure that such polluted soils and/or sediments do not contain the following: as-generated wastes from ongoing industrial operations; intact or substantially intact containers, tanks or other units; and bulk or non-containerized hazardous and non-hazardous or free liquids containing hazardous waste.
2. The designation holder is authorized to perform the following activities at the CAMU:
  - a. Staging of soils and/or sediments excavated during remediation and redevelopment in staging piles;
  - b. Staging of clean fill in staging piles;
  - c. Characterization of excavated soil for hazardous constituents;
  - d. Stabilization and/or treatment of polluted soil(s) and/or sediments as required;
  - e. Transportation of polluted soil and/or sediment to the CAMU, by way of municipal and state roads when prudent;
  - f. Consolidation of polluted soils and/or sediments in the CAMU;
  - g. Interim grading of the CAMU;
  - h. Installation and maintenance of erosion control measures;
  - i. Installation of piles, footings, retaining walls and other structures;
  - j. Perimeter air monitoring; and
  - k. Soil may be transported for re-use in the Manufacturing Area provided the soil meets remedial goals specified in the Remedial Action Plan as approved by the Commissioner.
3. The designation holder shall ensure that polluted soils and/or sediments containing any of the following are not managed in the CAMU: VOC-polluted soils and sediments with the potential to cause exceedances of the volatilization criteria as defined in RCRA Section 22a-133k et. seq. ("Remediation Standard Regulations"); soils containing separate-phase petroleum hydrocarbons; and TSCA-regulated PCB remediation waste.

### SECTION III Design and Operating Requirements

#### Consolidation of Polluted Soils and/or Sediments

1. The designation holder shall ensure that the polluted soil(s) and/or sediment(s) will only be placed within the aerial configuration of the CAMU as shown in Figure No. 9 of the CAMU application.
2. Prior to placement of polluted soils and/or sediments in the CAMU, the designation holder shall prepare this area by stripping and temporarily stockpiling one (1) to four (4) feet of clean cover material.

The designation holder shall ensure that approximately six (6) inches of existing cover material and the existing geotextile membrane for the metal hydroxide sludge landfill is left in place.

3. The designation holder shall ensure that polluted soils and/or sediments are consolidated and placed in the CAMU in accordance with the operation plans in the CAMU application and in this designation. At a minimum, the designation holder shall ensure that polluted soils and/or sediments are:
  - a. Placed in a maximum of two (2) foot lifts;
  - b. Compacted to no less than 90% compaction in accordance with Standard Proctor Test (ASTM-D698-78) until the final grades have been achieved; and
  - c. All polluted soils and sediments shall be placed in covered stockpile or placed in the CAMU and compacted by the end of the fifth working day, unless otherwise approved in writing by the Commissioner.
4. The designation holder shall maintain a Site Operating Log. The Site Operating Log will be available for inspection at the facility during operation of the CAMU and for at least three years following closure of the CAMU. A summary of the Site Operating Log shall be included in the final remedial action report. The designation holder shall ensure that the following information is maintained in the Site Operating Log:
  - a. Up-to-date records clearly identifying the origin of the soil and/or sediment;
  - b. The quantity of polluted soil(s) and/or sediments placed in the CAMU
  - c. The date such soils and/or sediments were transported to the CAMU;
  - d. A list of the specific storage bins /cells, if applicable; for staged materials.

#### Stabilization of Hazardous Soils and/or Sediments

5. The designation holder shall determine if the soil and/or sediment generated from the "hot spots" included in Figure 5 of the Remedial Action Plan contains hazardous waste and requires stabilization based on the Soil Characterization Protocol included in the Remedial Action Plan.
6. The designation holder shall ensure that in accordance with 40 CFR 268.49 (Alternative Land Disposal Restriction (LDR) Treatment Standards for Contaminated Soil), if the soil is characterized as containing a hazardous waste prior to treatment then the soil must comply with the LDRs after treatment.

The designation holder shall ensure that any soil characterized as containing hazardous waste that is generated from the "hot spots" shown in Figure 5 of the Remedial Action Plan be stabilized in accordance with a Stabilization Plan, either in-situ or within the boundaries of the CAMU prior to consolidation within the CAMU. Pursuant to 40 CFR 268.49(c)(1) the hazardous constituents must be reduced by at least 90% through treatment so that no more than 10% of the initial concentration remains or comparable reductions in mobility for metals is achieved; and/or the hazardous constituents must not exceed ten (10) times the universal treatment standards of 40 CFR 268.48.

7. The designation holder shall stage any soil and/or sediment containing hazardous waste that is not stabilized in accordance with the above requirements, for off-site transportation and disposal in accordance with the requirements of section 15 through 22 of this section.

#### **Staging and Re-use of Excavated Soils**

8. The designation holder shall ensure that the clean fill stockpiles comply with the following requirements:
  - a. Constructed with side slopes no greater than 2 feet horizontal to 1 foot vertical;
  - b. Silt fencing, Silt Soxx<sup>TM</sup> or approved equal shall be placed a minimum of ten (10) feet from the toe of the stockpile;
  - c. Any stockpile remaining for greater than thirty (30) days shall be hydro-seeded or covered with 10-mil polyethylene sheeting that is held in place with appropriate weights to prevent wind damage; and
  - d. The clean fill material shall be sampled in accordance with Section 3.6.2 in the CAMU Construction Quality Assurance Plan included as an appendix to the CAMU application.
9. Soil in which sampling has confirmed to be acceptable for reuse in accordance with the Remedial Action Plan, as approved by the Commissioner, may be used to backfill the excavated areas in the Manufacturing Area.
10. Soils in which sampling has confirmed the presence of hazardous waste shall be stabilized and placed in the CAMU or staged for off-site transportation and disposal in accordance with the requirements of section 15 through 22 of this designation.

#### **Air Monitoring**

11. The designation holder shall perform continuous perimeter air monitoring of the CAMU during the excavation and consolidation of polluted soil and/or sediment to evaluate the airborne concentration of particulate matter in accordance with "Air Monitoring Plan, revised June 25, 2007" (Appendix G of the Remedial Action Plan).
12. At a minimum, the continuous perimeter air monitoring shall consist of the following:
  - a. Calibrated mini-rams shall be placed downwind of the active excavation and consolidation areas each operating day;
  - b. The results shall be checked at a minimum of every 8 hours during excavation and/or consolidation; and
  - c. Standards and responses identified in "Air Monitoring Plan, revised June 25, 2007" (Appendix G of the Remedial Action Plan).

#### **Health and Safety Plan**

13. The designation holder shall ensure that a Health and Safety Plan for the site is developed prior to the excavation and consolidation of the polluted soil and/or sediment. A copy of this plan shall be maintained on-site until final closure of the CAMU has been completed in accordance with the approved Closure Plan.

#### **Installation of Interim Cover**

14. The designation holder shall ensure that within thirty (30) days of reaching the maximum capacity or the approved elevations and grades the interim cover is installed in accordance with the CAMU Construction Quality Assurance Plan and the Interim Grading Plan of the application. At a minimum, the interim cover shall comply with the following requirements:
  - a. Side slopes graded at a maximum of 3 feet horizontal to 1 foot vertical;
  - b. Non-woven geotextile fabric;
  - c. Six (6) inches of clean cover; and
  - d. Temporary vegetative cover or if outside the growing season hay or fiber mulch.

#### **Temporary Staging of Excess Polluted Soil and Soils Containing a Hazardous Waste**

15. The designation holder shall ensure that the CAMU does not exceed 40,000 cubic yards or the approved elevations identified in accordance with the Interim Grading Plan of the application. Excess soil may be temporarily staged in piles within the boundaries of the CAMU prior to off-site transportation.
16. The designation holder may temporarily stage at the Manufacturing Parcel, while awaiting off-site transportation and disposal, a maximum of 20,000 cubic yards throughput at any one time of excess soil and/or sediment and soils and/or sediments characterized as containing hazardous constituents above the hazardous waste threshold.
17. The designation holder shall ensure that the piles of excess polluted soil and/or sediment comply with the following requirements:
  - a. The staging area is not located within a distance of twelve (12) feet from the property lines;
  - b. The staging area is underlain with 20-mil polyethylene sheeting capable of preventing seepage;
  - c. Piles are covered with 10-mil polyethylene sheeting that is held in place with appropriate weights to prevent wind damage;
  - d. Absorbent barriers and/or granular absorbent shall be placed around the piles to eliminate any surface run-off;
  - e. Piles shall be constructed with side slopes no greater than 2 feet horizontal to 1 foot vertical and shall not exceed 10,000 cubic yards; and
  - f. Silt fencing, Silt Soxx™ or approved equal shall be placed a minimum of ten (10) feet from the toe of each pile; and
  - g. No piles shall remain on-site for greater than two (2) years.
18. The designation holder shall ensure that excess polluted soil and/or sediment characterized as containing hazardous constituents above the hazardous waste threshold comply with the following requirements:
  - a. The staging area is not located within a distance of twelve (12) feet from the property lines;

- b. Containers or stockpiles are kept covered at all times to prevent precipitation infiltration, except when adding soil and/or sediment; and
  - c. No container or stockpile of soil and/or sediment shall remain on-site for greater than ninety (90) days from the date soil and/or sediment was placed in the container.
19. The designation holder shall ensure that the staging area is inspected each operating day, excluding weekends and state and federal holidays to ensure compliance with the requirements set forth in sections 15 through 18 of this section. The designation holder shall immediately remedy any deterioration that an inspection reveals, to ensure that the problem does not lead to an environmental hazard.
20. Unless otherwise posted with signs indicating that the property is undergoing remediation or being used as a soil staging area, the designation holder shall post and maintain a sign that is visible from a distance of at least twenty-five (25) feet at the Staging Area(s) entrance identifying:
- a. The name of the designation holder;
  - b. The contact phone number;
  - c. The hours of operation; and
  - d. The phrase "Temporary Soil Staging Area."
21. The designation holder shall operate the staging area(s) such that receipt, unloading, and processing does not occur for periods longer than that which is consistent with local zoning requirements, if applicable, of the municipality.
22. The designation holder shall employ anti-tracking measures (street sweepers, anti-tracking pads) to ensure entering and exiting vehicles do not track soils onto a public roadway at any time.

#### **Sedimentation and Erosion Controls**

23. The designation holder shall ensure that all sedimentation and erosion control measures installed at the site are in accordance with the 2002 Connecticut Guidelines for Soil Erosion & Sediment Control and the General Permit for Stormwater and Dewatering Wastewaters from Construction Activities. At a minimum this shall include:
- a. Silt fencing and hay bales or Silt Soxx<sup>TM</sup> installed along the banks of the Norwalk River, downgrade of all excavation areas, around the perimeter of the CAMU, and a minimum of ten (10) feet from the soil staging areas; and
  - b. An anti-tracking pad at the entrance(s) of the CAMU and staging area(s).

#### **Queuing and Idling of Transport Vehicles**

24. The designation holder 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 RCSA, trucks are not left idling for more than three (3) consecutive minutes.

**SECTION IV**  
**Closure and Financial Assurance**

**A. CLOSURE REQUIREMENTS**

1. The designation holder shall close the CAMU in a manner that:
  - a. Minimizes the need for further maintenance; and
  - b. Controls, minimizes or eliminates, to the extent necessary to protect human health and the environment, the post-closure escape of hazardous wastes, hazardous constituents, leachate, contaminated run-off, or hazardous waste decomposition products to the ground, surface waters or to the atmosphere.
2. The designation holder shall have a written Closure Plan, that includes but is not limited to the following requirements:
  - a. The decontamination and removal of equipment, devices and structures used in the waste management activities within the CAMU;
  - b. Areas of the CAMU in which the constituent concentrations are at or above remedial levels or goals shall have a final cover designed and constructed to meet the following performance criteria:
    - i. Long-term migration of liquids through the closed unit;
    - ii. Function with minimum maintenance;
    - iii. Promote drainage and minimize erosion of the cover;
    - iv. Accommodate settling and subsidence in order to maintain the integrity of the cover; and
    - v. Have a permeability less than or equal to the permeability of any bottom liner system or natural subsoils present.
  - c. Establishment of an Environmental Land-Use Restriction (ELUR) for the CAMU; and
  - d. Post-closure requirements necessary to protect human health and the environment, including but not limited to: monitoring and maintenance activities and the frequency of the activities necessary to ensure the integrity of the final cover.
3. The designation holder shall ensure that a copy of the approved Closure Plan is kept on-site or at an alternate location acceptable to the Commissioner until final closure is completed and certified in accordance with the requirements of this designation.
4. The designation holder may amend its closure plan at any time prior to the notification of intent to begin partial or final closure of the CAMU. A summary shall be provided to identify the proposed changes. The designation holder may integrate the CAMU Closure Plan schedule into the final Closure Plan for the RCRA Land Disposal Facility co-located at the facility.
5. The designation holder shall notify the Commissioner in writing at least ninety (90) days prior to the date it expects to begin either partial or final closure of the CAMU for the Commissioner's review and written approval.

The date that the designation holder "expects to begin closure" shall be no later than thirty (30) days after the date on which the CAMU has reached the maximum capacity or approved elevations and grades.

6. The Commissioner will provide notice that conforms to the requirements specified in Section 22a-6h of the CGS, regarding the designation holder's proposed Closure Plan of this designation. Comments on the designation holder's Closure Plan shall be accepted for up to thirty (30) days from the date of publication of the newspaper notice. At the discretion of the Commissioner, a public meeting or hearing may be held regarding the designation holder's proposed Closure Plan.

At the end of the public comment period, the Commissioner may approve the designation holder's Closure Plan with or without conditions that the Commissioner deems necessary. If the Commissioner approves the designation holder's Closure Plan, the approved plan with any conditions deemed necessary by the Commissioner will become a condition of this designation. If the Commissioner does not approve the proposed Closure Plan, a detailed statement of reasons for such refusal shall be provided to the designation holder. The designation holder must modify or submit a new Closure Plan within thirty (30) days of receiving such written statement. The Commissioner shall then approve or modify in writing the Closure Plan resubmitted by the designation holder. If the Commissioner modifies the plan, the modified plan will become the approved Closure Plan. A copy of the modified plan with a detailed statement of reasons for the modifications shall be provided to the designation holder.

7. The designation holder shall complete final closure activities, as applicable, in accordance with the approved Closure Plan. The Commissioner may approve a longer period for Closure if the designation holder demonstrates to the Commissioner's satisfaction that:
  - a. The activities required to comply with the approved Closure Plan will of necessity take longer than twenty-four (24) months to complete; and
  - b. The designation holder has taken and will continue to take all steps needed to prevent threats to human health and the environment and will comply with any additional conditions deemed necessary by the Commissioner arising from the final closure.
8. Within sixty (60) days of the completion of final closure, the designation holder shall submit to the Commissioner by registered mail, a certification signed by both the designation holder and by an independent registered professional engineer stating that the CAMU has been closed in accordance with the specifications in the approved Closure Plan. Documentation supporting the independent, registered professional engineer's certification shall be furnished to the Commissioner upon request.

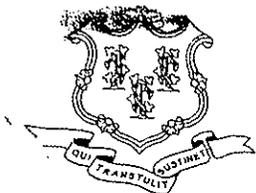
## **B. FINANCIAL ASSURANCE**

1. The designation holder shall have and maintain on-site or at an alternate location acceptable to the Commissioner a written estimate of the cost of closing the CAMU. The designation holder shall ensure that this written estimate is prepared in accordance with the methodology specified in 40 CFR 264.142(a).

2. The designation holder shall adjust the closure cost estimate for inflation and any changes that affect the cost of closing the CAMU. Adjustments for inflation shall be calculated in accordance with 40 CFR 264.142(b). This adjustment shall be made by September 30<sup>th</sup> of each year. The designation holder shall maintain the latest adjusted cost estimate and a signed copy shall be submitted to the Commissioner no later than thirty (30) days after its preparation, until the Commissioner releases the designation holder from the financial assurance requirements for closure under this designation.
3. The designation holder shall establish and continually maintain financial assurance for the final closure of the CAMU in accordance with the methods specified in 40 CFR 264 Subpart H. The designation holder shall ensure that the wording in the financial assurance mechanism(s) secured for the purposes of compliance with this section of the designation is substantially similar to the wording specified in 40 CFR 264.151 and approved by the Commissioner except that all references to the "Regional Administrator of EPA" shall be changed to the "Commissioner of DEP". The designation holder shall maintain such assurance in effect until the Commissioner notifies the designation holder in writing that it is no longer required to maintain such financial assurance, as is provided in section IV.B.4. of this designation.
4. Within sixty (60) days after receiving certifications from the designation holder and an independent registered professional engineer that final closure of the CAMU has been completed in accordance with the Approved Closure Plan, the Commissioner will notify the designation holder in writing that it is no longer required to maintain *financial assurance* for closure of the CAMU, unless the Commissioner has reason to believe that final closure has not been in accordance with the Approved Closure Plan. The Commissioner shall provide the designation holder with a detailed written statement of any such reason to believe that closure has not been in accordance with the Approved Closure Plan.
5. The designation holder shall establish and continuously maintain liability coverage for sudden accidental occurrences at the facility in the amounts and in the manner specified in 40 CFR 264.147(a). The designation holder shall ensure that the wording of the liability insurance secured for the purposes of compliance with this designation is identical to the wording specified in 40 CFR 264.151, except that all references to the "Regional Administrator of EPA" shall be changed to the "Commissioner of DEP." The designation holder shall maintain such liability coverage in effect until the Commissioner notifies the designation holder in writing that maintaining such coverage is no longer required, as is provided in section IV.B.6. of this designation.
6. Within sixty (60) days after receiving certifications from the designation holder and an independent registered professional engineer that final closure of the CAMU has been completed in accordance with the Approved Closure Plan, the Commissioner will notify the designation holder in writing that it is no longer required to maintain *liability coverage* for the CAMU, unless the Commissioner has reason to believe that final closure has not been in accordance with the Approved Closure Plan. The Commissioner shall provide the designation holder with a detailed written statement of any such reason to believe that closure has not been in accordance with the Approved Closure Plan.
7. The designation holder shall comply with the requirements specified in 40 CFR 264.148 in the event of incapacity of the designation holder, guarantors or financial institutions.

**SECTION V**  
**Compliance Schedule**

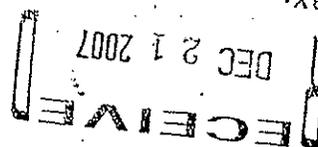
- A. All requirements set forth below shall be conducted within one hundred twenty days (120) days of the approval of the Remedial Action Plan (the effective date of this designation) Otherwise, the designation holder may be subject to the revocation of this designation and shall be required to cease all designated activities upon receipt of written notification by the Commissioner.
1. The designation holder shall submit for the Commissioner's review and written approval, the Closure Plan required in section IV. A.2. of this designation. Such Closure Plan may be integrated with the final Closure Plan to be developed for the Land Disposal Facility co-located at the facility.
  2. The designation holder shall submit for the Commissioner's review and written approval, written documentation demonstrating that the designation holder has established a mechanism for financial assurance for closure, such that the value of the mechanism is at least one million five hundred and seventy (\$1,570,000) dollars. Documentation demonstrating compliance with this provision will depend on the type of financial assurance mechanism used, and must comply with the requirements of 40 CFR 264 Subpart H as incorporated in the RCSA.



STATE OF CONNECTICUT  
DEPARTMENT OF ENVIRONMENTAL PROTECTION



APPROVAL



December 17, 2007

Mr. Stephen Soler  
Georgetown Land Development  
1 North Main Street  
P.O. Box 36  
Georgetown, CT 06829

RE: Former Gilbert & Bennett US EPA ID No. CTD001149277  
Corrective Action /Property Transfer Program  
Post Office Parcel Alternative GWM Application

Dear Mr. Soler:

The Connecticut Department of Environmental Protection (CTDEP), has reviewed the report entitled "Application for an Alternative Groundwater Monitoring Program, Post Office Parcel, Former Gilbert & Bennett Facility", dated August 2007 and submitted on your behalf by Fuss & O'Neill, Inc. This alternative groundwater monitoring program proposed discontinuance after one year of compliance monitoring pursuant to the requirements of section 22a-133k-3(g)(3) of the Remediation Standard Regulations (RSRs). This regulation applies to groundwater monitoring for remediation of sites with GA groundwater class. Georgetown Land Development has had 4 quarters of groundwater monitoring at the former Post-Office parcel with groundwater quality results show that compliance with surface water protection criteria as stated in the RSRs has been demonstrated. In addition and in accordance with the RSRs, compliance with background concentrations has also been demonstrated.

The application is hereby approved.

Nothing in this approval shall affect the Commissioner's authority to institute any proceeding to prevent or abate pollution, to recover costs and natural resource damages and to impose penalties for violations of law. If at any time the Commissioner determines that Georgetown Land Development has not fully characterized the extent and degree of pollution or has not successfully abated or prevented pollution, the Commissioner may institute any proceeding to require further investigation, or further action to prevent or abate pollution.

Georgetown Land Development  
Former Gilbert & Bennett site  
Post Office Parcel Discontinuance of GWM  
Approval letter  
Page 2

This approval does not relieve the facility of the obligation to obtain any other authorizations as may be required by other provisions of the Connecticut General Statutes, Regulations of Connecticut State Agencies, Code of Federal Regulations, Federal Statutes, or, to the extent local law is consistent with this approval, local law.

If you have any questions, please call Marina Roser at (860) 424-3574.

Sincerely,



Patrick Bowe  
Director  
Remediation Division  
Bureau of Water Protection and Land Reuse

PFB/MCR

cc: Rob Danielson - Fuss & O'Neill, 146 Hartford Road, Manchester, CT 06040  
David Hurley -  
Kurt Frantzen, PhD - Kleinfelder, 99 Lamberton Road, Suite 201, Windsor, CT 06095  
Douglas Hartline - Redding Health Department, 100 Hill Road, PO Box 1028, Redding CT 06875  
Atty. Richard Gibbons - Wake, See, Dimes and Bryniczka, 27 Imperial Ave., Westport, CT 06880  
Atty. Barbara Miller - Brody, Wilkinson and Ober, P.C., 2507 Post Road, Southport, CT 06890  
Carolyn Casey - US EPA Region I, JFK Bldg., One Congress Street, Boston, MA 02203  
D. Zimmerman - ecopy



# Federal Emergency Management Agency

Washington, D.C. 20472

APR 27 2007

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

IN REPLY REFER TO:  
Case No.: 07-01-0470R

The Honorable Natalie Ketcham  
First Selectman  
Town of Redding  
100 Hill Road  
Redding, CT 06875

Community: Town of Redding, CT  
Community No.: 090141

104

Dear Ms. Ketcham:

This responds to a request that the Department of Homeland Security's Federal Emergency Management Agency (FEMA) comment on the effects that a proposed project would have on the effective Flood Insurance Rate Map (FIRM), Flood Boundary and Floodway Map (FBFM), and Flood Insurance Study (FIS) report for your community, in accordance with Part 65 of the National Flood Insurance Program (NFIP) regulations. In a letter dated February 8, 2007, Mr. Joseph Canas, P.E., Tighe and Bond, requested that FEMA evaluate the effects that proposed redevelopment along the Norwalk River from State Route 107 (SR107) to Factory Pond would have on the flood hazard information shown on the effective FIRM, FBFM, and FIS report. The proposed redevelopment will involve removal and replacement of several structures.

All data required to complete our review of this request for a Conditional Letter of Map Revision (CLOMR) were submitted with letters from Mr. Canas.

We reviewed the submitted data and the data used to prepare the effective FIRM and FBFM for your community and determined that the proposed project meets the minimum floodplain management criteria of the NFIP. The submitted existing conditions HEC-2 hydraulic computer model, dated March 27, 2007, based on updated topographic information, was used as the base conditions model in our review of the proposed conditions model for this CLOMR request. We believe that, if the proposed project is constructed as shown on the plan entitled "100-Year Floodplain Comparison," prepared by Georgetown Land Development Company, dated March 27, 2007, and the data listed below are received, the floodplain boundaries of the base (1-percent-annual-chance) flood and the 0.2-percent-annual-chance flood will be delineated as shown on the above-mentioned plan.

As a result of the updated topographic information, the existing conditions Base Flood Elevations (BFEs) for the Norwalk River increased and decreased compared to the effective BFEs. The maximum increase in BFE, 3.8 feet, occurred approximately 500 feet upstream of State Route 465 (Main Street). The maximum decrease in BFE, 2.7 feet, occurred just upstream of SR107.

The proposed conditions model incorporated the proposed project into the existing conditions model. The proposed project will include removal of several structures from the floodplain and replacement of some structures. As a result of the proposed project, the BFEs for the Norwalk River will decrease compared to

the existing conditions BFEs. The maximum decrease in BFE, 4.8 feet, will occur just downstream of the Factory Pond Dam outlet.

As a result of the updated topographic information and proposed project, the BFEs will increase and decrease compared to the effective BFEs for the Norwalk River. The maximum increase in BFE, 2.1 feet, will occur just upstream of the Factory Pond Dam. The maximum decrease in BFE, 5.4 feet, will occur approximately 400 feet upstream of SR107.

As a result of the updated topographic information and proposed project, the width of the Special Flood Hazard Area (SFHA), the area that would be inundated by the base flood, will increase in some areas and decrease in other areas compared to the effective SFHA width along the Norwalk River. The maximum increase in SFHA width, approximately 150 feet, will occur just upstream of SR107. The maximum decrease in SFHA width, approximately 50 feet, will occur approximately 200 feet upstream of SR107.

As a result of the updated topographic information, the width of the regulatory floodway will increase compared to the effective floodway width along the Norwalk River. The maximum increase in floodway width, approximately 50 feet, will occur just downstream of the Factory Pond Dam.

Upon completion of the project, your community may submit the data listed below and request that we make a final determination on revising the effective FIRM, FBFM, and FIS report.

- Detailed application and certification forms, which were used in processing this request, must be used for requesting final revisions to the maps. Therefore, when the map revision request for the area covered by this letter is submitted, Form 1, entitled "Overview & Concurrence Form," must be included. (A copy of this form is enclosed.)
- The detailed application and certification forms listed below may be required if as-built conditions differ from the preliminary plans. If required, please submit new forms (copies of which are enclosed) or annotated copies of the previously submitted forms showing the revised information.

Form 2, entitled "Riverine Hydrology & Hydraulics Form"

Form 3, entitled "Riverine Structures Form"

Hydraulic analyses, for as-built conditions, of the base flood; the 10-percent-, 2-percent-, and 0.2-percent-annual-chance floods; and the regulatory floodway, together with a topographic work map showing the revised floodplain and floodway boundaries, must be submitted with Form 2.

- Effective October 30, 2005, FEMA revised the fee schedule for reviewing and processing requests for conditional and final modifications to published flood information and maps. In accordance with this schedule, the current fee for this map revision request is \$4,000 and must be received before we can begin processing the request. Please note, however, that the fee schedule is subject to change, and requesters are required to submit the fee in effect at the time of the submittal. Payment of this fee shall be made in the form of a check or money order, made payable in

U.S. funds to the National Flood Insurance Program, or by credit card (Visa or MasterCard only). The payment, along with the revision application, must be forwarded to the following address:

FEMA National Service Provider  
3601 Eisenhower Avenue  
Alexandria, VA 22304-6425

- As-built plans, certified by a registered professional engineer, of all proposed project elements
- Community acknowledgment of the map revision request
- A copy of the public notice distributed by your community stating its intent to revise the regulatory floodway, or a statement by your community that it has notified all affected property owners and affected adjacent jurisdictions
- A letter stating that your community will adopt and enforce the modified regulatory floodway, OR, if the State has jurisdiction over either the regulatory floodway or its adoption by your community, a copy of your community's letter to the appropriate State agency notifying it of the modification to the regulatory floodway and a copy of the letter from that agency stating its approval of the modification

After receiving appropriate documentation to show that the project has been completed, FEMA will initiate a revision to the FIRM, FBFM, and FIS report. Because the BFEs would change as a result of the project, a 90-day appeal period would be initiated, during which community officials and interested persons may appeal the revised BFEs based on scientific or technical data.

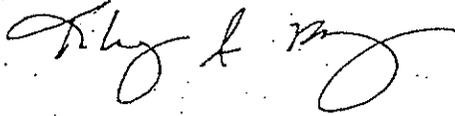
The basis of this CLOMR is, in whole or in part, a channel-modification/culvert project. NFIP regulations, as cited in Paragraph 60.3(b)(7), require that communities assure that the flood-carrying capacity within the altered or relocated portion of any watercourse is maintained. This provision is incorporated into your community's existing floodplain management regulations. Consequently, the ultimate responsibility for maintenance of the modified channel and culvert rests with your community.

This CLOMR is based on minimum floodplain management criteria established under the NFIP. Your community is responsible for approving all floodplain development and for ensuring all necessary permits required by Federal or State law have been received. State, county, and community officials, based on knowledge of local conditions and in the interest of safety, may set higher standards for construction in the SFHA. If the State, county, or community has adopted more restrictive or comprehensive floodplain management criteria, these criteria take precedence over the minimum NFIP criteria.

If you have any questions regarding floodplain management regulations for your community or the NFIP in general, please contact the Consultation Coordination Officer (CCO) for your community. Information on

the CCO for your community may be obtained by calling the Director, Federal Insurance and Mitigation Division of FEMA in Boston, Massachusetts, at (617) 832-4761. If you have any questions regarding this CLOMR, please call our Map Assistance Center, toll free, at 1-877-FEMA MAP (1-877-336-2627).

Sincerely,



Kelly A. Bronowicz, CFM, Project Engineer  
Engineering Management Section  
Mitigation Division

For: William R. Blanton Jr., CFM, Chief  
Engineering Management Section  
Mitigation Division

Enclosures

cc: Mr. Steven Soler  
Georgetown Land Development Company

Mr. Joseph Canas, P.E.  
Tighe and Bond



STATE OF CONNECTICUT  
DEPARTMENT OF ENVIRONMENTAL PROTECTION



November 18, 2004

Susan Guswa  
Tighe & Bond, Inc.  
Westfield Executive Park  
53 Southampton Road  
Westfield, MA 01085

Dear Susan Guswa,

RE: NORWALK RIVER STUDY

I have reviewed the September 13, 2004 report prepared by Tighe & Bond for the Redding WPCF expansion. This report evaluated the impact on the water quality of the Norwalk River due to the proposed expansion of the Redding Water Pollution Control Facility, based on a projected flow of 245,000 gallons per day. Based on the material submitted, it appears that the proposed discharge would be acceptable under Connecticut's Water Quality Standards. The proposed discharge to the Norwalk River must be permitted through the NPDES permitting process, subject to the public notice process, and final issuance of a discharge permit by the Department. The Town of Redding should proceed to submit a permit application for the proposed expansion to the Department.

One minor editorial comment: for the Figures in Chapter 7 on metals concentration, the units should be in (ug/l) rather than (mg/l).

Sincerely,

A handwritten signature in cursive script, appearing to read "Art Mauger".

Art Mauger, P.E.  
Supervising Sanitary Engineer  
Bureau of Water Management

AM/AM

cc: Roland Denny, DEP



STATE OF CONNECTICUT

STATE TRAFFIC COMMISSION  
DEPARTMENT OF TRANSPORTATION  
2800 BERLIN TURNPIKE, P.O. BOX 317546  
NEWINGTON, CT 06131-7546  
Phone: (860) 594-3020  
Fax: (860) 594-2377

MEMBERS

Commissioner of Transportation  
Commissioner of Public Safety  
Commissioner of Motor Vehicles

July 18, 2008

Mr. Stephen Soler, President  
Georgetown Land Development Company  
One North Main Street  
P.O. Box 36  
Georgetown, CT 06829-0036

Dear Mr. Soler:

Subject: Towns of Redding and Wilton  
Gilbert & Bennett Wire Mill Mixed-Use Development  
Certificate Issuance Approval

This is to advise you that a one-year extension for the approval of the issuance of a certificate for the subject development has been granted. The approval shall not become effective until a copy of this letter has been recorded on the municipal land records, in accordance with the enclosed procedure, and this office has received evidence as such (i.e. copy of the recorded letter). The extended expiration date is August 14, 2009.

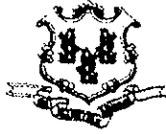
If the conditions and requirements will not be met within that time, a request for an extension should be sent to this office sixty days prior to the expiration date. Also, these requests for extensions will be considered in light of current conditions, and may require the submission of updated traffic data.

Your cooperation will be appreciated.

Very truly yours,

Robbin L. Cabelus  
Executive Director

cc: Chief Douglas Fuchs  
Chief Edward V. Kulhawik  
Mr. James Hennessey  
Mr. Robert Root  
Ms. Susan VanBenschoten



STATE OF CONNECTICUT

STATE TRAFFIC COMMISSION  
DEPARTMENT OF TRANSPORTATION  
2800 BERLIN TURNPIKE, P.O. BOX 317546  
NEWINGTON, CT 06131-7546

Phone: (860) 594-3020

Fax: (860) 594-2377

MEMBERS

Commissioner of Transportation

Commissioner of Public Safety

Commissioner of Motor Vehicles

September 17, 2008

Mr. Stephen Soler, President  
Georgetown Land Development Company  
One North Main Street  
P.O. Box 36  
Georgetown, CT 06829-0036

Dear Mr. Soler:

Subject: Towns of Redding and Wilton  
Gilbert & Bennett Wire Mill Mixed-Use Development

Enclosed is a copy of Traffic Investigation Report No. 116-0809-01, approved at the September 16, 2008 meeting of the State Traffic Commission, detailing the revised conditions of Traffic Investigation Report No. 116-0609-01.

The approval shall not become effective until the Traffic Investigation Report has been recorded on the municipal land records in accordance with Condition No. 3, and this office has been provided with evidence of recording (i.e. copy of recorded report).

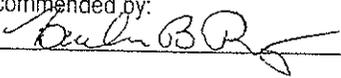
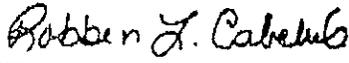
Very truly yours,

Robbin L. Cabelus  
Executive Director

Enclosures

cc: Chief Douglas Fuchs  
Chief Edward Kulkawik  
Mr. James Hennessey  
Mr. Robert Root  
Planning Commission - Redding  
Zoning Commission - Redding  
Planning and Zoning Commission - Wilton  
Mr. Susan VanBenschoten  
Mr. Jonathan Chew

TIR - 10 REF 108

Report by: GMG Date: 8/08	STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION TRAFFIC INVESTIGATION REPORT TO THE STATE TRAFFIC COMMISSION	STC No: 116-0809-01
Checked by: MFM Date: 8/08		Loc No.
Recommended by: 	Towns of Redding and Wilton Location: Gilbert and Bennett Wire Mill Mixed Use Development	Approved by STC
See Previous Traffic Investigation Report No: 116-0609-01		Date: SEP 16 2008
Requested by: James W. Ford, P.E.		 EXECUTIVE DIRECTOR
How Requested: Letter		
Date: July 30, 2008		

**Recommendation:**

In accordance with Section 14-311 of the Connecticut General Statutes, as revised, it is recommended that the conditions of State Traffic Commission (STC) Traffic Investigation Report (TIR) No. 116-0609-01 approved September 19, 2006 be revised as indicated below.

1. That Condition No. 4 of Traffic Investigation Report No. 116-0609-01 (approved September 19, 2006) be rescinded.
2. That Condition No. 8 of Traffic Investigation Report No. 116-0609-01 (approved September 19, 2006) be revised to read:

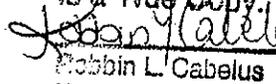
That prior to the opening of the North Main Street grade crossing and no later than August 1, 2009, a bond be posted to cover the costs of satisfying the conditions of Traffic Investigation Report No. 116-0508-01 related to the railroad station and platform. Upon submission of final design plans, the dollar amount of this bond will be established based upon the review and approval of the Department of Transportation.

3. These revisions shall not become effective until a copy of this report is recorded on the municipal land records in accordance with the attached procedure.

Ms. Susan VanBenschoten, the applicant's authorized representative, concurred with the above recommendations on September 8, 2008.

Chief Douglas Fuchs, the Local Traffic Authority for the Town of Redding, concurred with the above recommendations on September 8, 2008.

Chief Edward Kulhawik, representative for the Local Traffic Authority for the Town of Wilton, concurred with the above recommendations on September 4, 2008.

I hereby Certify & Attest this  
is a True Copy.  
 Date: 9/17/08  
Robbin L. Cabelus  
Executive Director

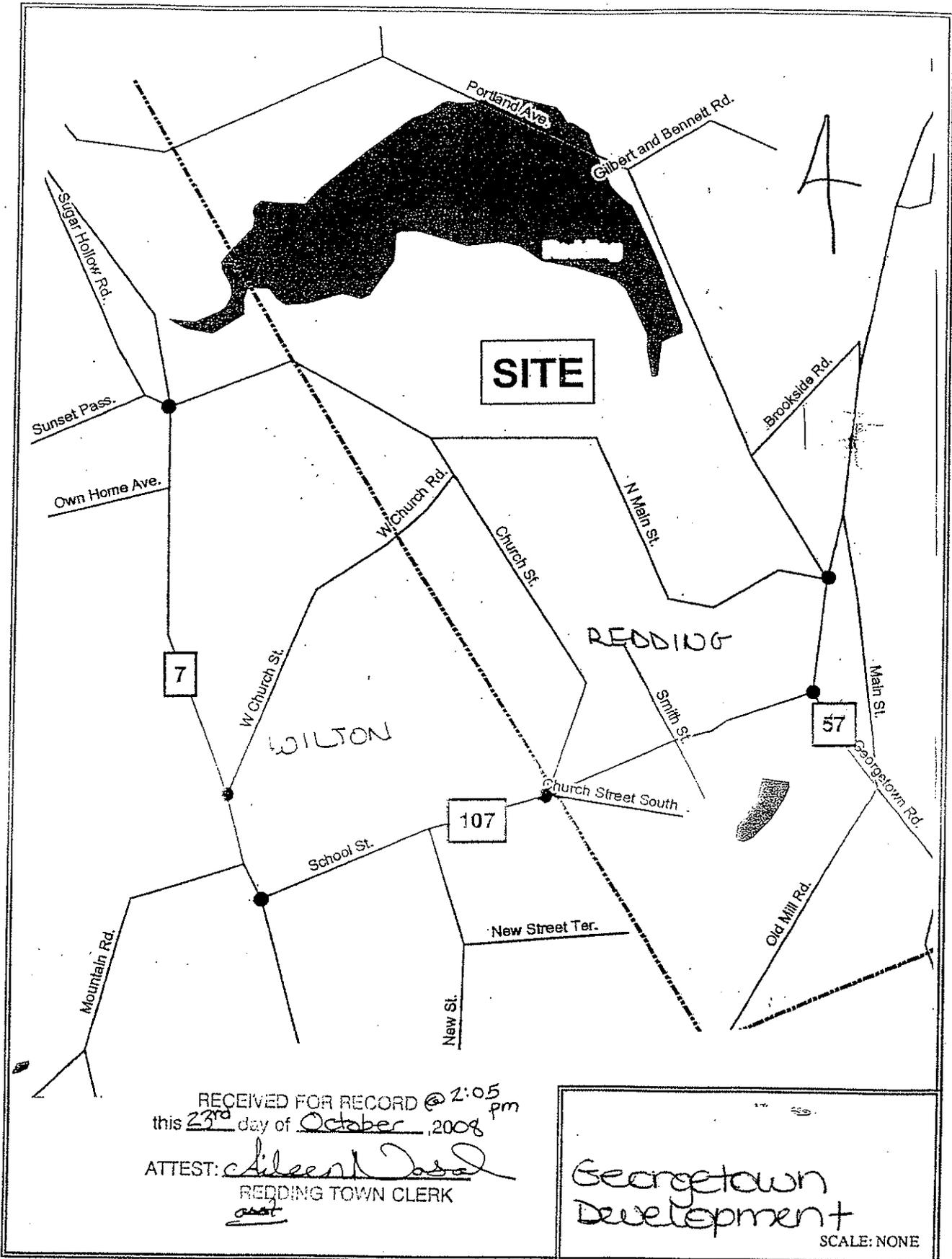
Traffic Investigation Report No. 116-0809-01  
Towns of Redding and Wilton  
Route 7 and Route 107  
Gilbert and Bennett Wire Mill Mixed Use Development  
Page 2

**Existing Conditions:**

On July 18, 2008 the State Traffic Commission granted a one year extension for the approval of the issuance of a certificate for the subject development. The new expiration date is August 14, 2009.

On July 30, 2008 James W. Ford sent a letter to the State Traffic Commission on behalf of the Georgetown Taxing District requesting to extend the deadline of August 1, 2008 for posting the bond associated with the conditions relating to the railroad station and platform (Condition No. 8 of TIR No. 116-0609-01). Mr. Ford has also requested that the District be released from the posting of the \$975,000 bond associated with the grade crossing on North Main Street (Condition No. 4 of TIR No. 116-0609-01).

The requested extension for the bonding of the railroad station and platform is based on the developer's ongoing discussion with the Department's Office of Rails regarding the design and construction of the station. Since no construction of the new development which is intended to support the rail station has taken place, a one-year time extension is recommended. The requested relief of the \$975,000 bonding condition for the North Main Street grade crossing is based on fulfillment of Condition No. 11 of TIR No. 116-0508-01 which required entering into a railroad force account agreement with Metro-North Commuter Railroad for all work necessary by that railroad. The District has consummated a Railroad Force Account Agreement with Metro-North and deposited \$1,146,000 with the railroad to accomplish the grade crossing work on North Main Street. In view of this deposit, bonding of this work will not be required.



RECEIVED FOR RECORD @ 2:05 pm  
 this 23<sup>rd</sup> day of October, 2008

ATTEST: *Chilene Dosa*  
 REDDING TOWN CLERK  
*ast*

Georgetown  
 Development

SCALE: NONE

Report By: GMG Date: 9/06	STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION TRAFFIC INVESTIGATION REPORT TO THE STATE TRAFFIC COMMISSION	STC No: 116-0609-01.
Checked By: MFM Date: 9/06		Loc. No:
See Previous Traffic Investigation Report No: 116-0508-01	Towns of Redding and Wilton	Approved by STC
Requested By: James W. Ford	Location: Gilbert and Bennett Wire Mill Mixed Use Development	Date: <b>SEP 19 2006</b>
How Requested: Letter	Routes 7, 57 and 107	<i>Robbin L. Cabelus</i>
Date: September 13, 2006		EXECUTIVE DIRECTOR

**Recommendation:**

In accordance with Section 14-311 of the Connecticut General Statutes, as revised, it is recommended that the conditions of State Traffic Commission (STC) Traffic Investigation Report (TIR) No. 116-0508-01 approved August 15, 2006 be revised as indicated below. **\*NOTE: Report revised by STC; See Page 3.**

1. That Condition No. 35 of Traffic Investigation Report No. 116-0508-01 (approved on August 15, 2006) be rescinded.
2. That prior to the issuance of a Certificate, a bond be posted and maintained in the amount of \$3,415,000 to cover the costs of satisfying the conditions of TIR No. 116-0508-01 related to roadway conditions. Upon submission of the final design plans, the dollar amount of this bond may be adjusted either upward or downward during the encroachment permit review process.
3. That prior to the opening of the North Main Street grade crossing and no later than August 1, 2008, a bond be posted and maintained in the amount of \$5,500,000 to cover the costs of satisfying the conditions of TIR No. 116-0508-01 related to the railroad station and platform. Upon submission of final design plans, the dollar amount of this bond may be adjusted either upward or downward subject to the review and approval of the Department of Transportation.
4. That prior to the commencement of the North Main Street at grade crossing work, a bond be posted and maintained in the amount of \$975,000 to cover the costs of satisfying the conditions of TIR No. 116-0508-01 related to the relocation of the grade crossing. Upon submission of final design plans, the dollar amount of this bond may be adjusted either upward or downward subject to the review and approval of the Department of Transportation.
5. These revisions shall not become effective until a copy of this report, together with Traffic Investigation Report No. 116-0508-01, is recorded on the municipal land records in accordance with the attached procedure.

I hereby Certify & Attest this  
is a True Copy.

*Robbin L. Cabelus*  
Robbin L. Cabelus  
Executive Director

Date: 9/21/06

By: *Bala B. Bala*

Division of Traffic Engineering  
Bureau of Engineering and Highway Operations

6. That the STC reserves the right to require additional improvements or changes, as deemed necessary, due to the development's traffic in the future. The cost of any additional improvements or changes shall be borne by the owner of the development.

Ms. Susan VanBenschoten, the applicant's authorized representative, was unable to reach her client to discuss concurrence with the above recommendations at the time this report was written.

Chief Douglas Fuchs, the Legal Traffic Authority for the Town Redding, concurred with the above recommendations on September 18, 2006.

Captain Michael Lombardo on behalf of Chief Edward Kulhawik, representative for the Legal Traffic Authority for the Town Wilton, concurred with the above recommendations on September 18, 2006.

#### **Existing Conditions:**

In a letter to the State Traffic Commission, the Georgetown Land Development Company (GLDC), requested that the bonding amount of Condition No. 35 associated with TIR No. 116-0508-01 be reduced and redistributed to three separate items: the roadway conditions; the at grade crossing relocation; and, the railroad station and platform. Typically, STC conditions deal with highway related requirements and are bonded prior to the issuance of a certificate to ensure compliance. The recommendations for the subject development, however, go well beyond the typical highway related requirements and stipulate the relocation of a rail/highway grade crossing and construction of a new a rail station/platform. The applicants' engineer states that there are no safety concerns associated with a delay in the bonding of these improvements. It is recognized however, that without the rail station, additional traffic could be anticipated on North Main Street. Therefore, the bond for the station should be in place prior to the opening of the North Main Street relocated crossing or no later than August 1, 2008 (The anticipated expiration date of the certificate that is to be issued).

In addition, based on the \$2.2 million estimate provided from the Office of Rails for a 200 linear foot platform, the Department is receptive to reducing the bonding amount for the proposed 510 linear foot station and platform from \$6 million to \$5.5 million.

The bond associated with the relocated at grade crossing has been separated from the roadway improvement costs as requested. This \$975,000 bond will need to be posted prior to the commencement of work associated with the relocated North Main Street rail crossing.

The cost associated with the roadway improvements is estimated at \$3,415,000. This bond amount will need to be posted prior to the issuance of a certificate.

Traffic Investigation Report No. 116-0609-01  
Towns of Redding and Wilton  
Route 7 and Route 107  
Gilbert and Bennett Wire Mill Mixed Use Development  
Page 3

\* At the September 19, 2006 meeting of the State Traffic Commission, it was voted to eliminate Condition No. 3 and further revise this report by adding the following conditions:

- 7. Rescind Condition No. 5 of Traffic Investigation Report No. 116-0508-01.
- 8. That prior to the opening of the North Main Street grade crossing and no later than August 1, 2008, a bond be posted to cover the costs of satisfying the conditions of Traffic Investigation Report No. 116-0508-01 related to the railroad station and platform. Upon submission of final design plans, the dollar amount of this bond will be established based upon the review and approval of the Department of Transportation.
- 9. That an easement be secured for the State, at no cost, to place and maintain traffic signal appurtenances on private property at the intersection of Route 7 at North Main Street prior to issuance of an encroachment permit. Right of Way File No. 161-000-112.

3:17 AM  
 RECEIVED FOR RECORD  
 this 5<sup>th</sup> day of OCTOBER, 2006  
 ATTEST: Kathleen Meserendus  
 TOWN CLERK

RECEIVED FOR RECORD 10/12/2006  
 AT 09:14:37AM  
 ATTEST: Bette Joan Rasognetti  
 TOWN CLERK



**Preliminary Opinion of Probable Construction Cost  
Miller Street Bridge  
62.5-foot Span  
26-foot Roadway Surface**

Description	Unit	Quantity	Unit Price	Cost
Precast Prestressed Concrete Deck Units	LF	580	\$350	\$203,000
Bridge Bearings	EA	18	\$55	\$990
Transverse Post Tensioning Rods	EA	4	\$3,300	\$13,200
Sidewalk Concrete	CY	18	\$600	\$10,800
Parapet	CY	26	\$600	\$15,600
Granite Stone Curb	LF	130	\$42	\$5,460
Traffic Rail	LF	130	\$350	\$45,500
Abutment Concrete	CY	155	\$840	\$130,200
Fill Concrete	CY	107	\$600	\$64,200
Ordinary Borrow	CY	250	\$25	\$6,250
Gravel Borrow	CY	90	\$43	\$3,870
Approach Slab Concrete	CY	50	\$710	\$35,500
Approach Guard Rail	LF	80	\$55	\$4,400
Deck Joints	LF	55	\$125	\$6,875
Bituminous Concrete Overlay on Bridge	Ton	42	\$150	\$6,300
Membrane Waterproofing	SY	185	\$25	\$4,625
Bituminous Concrete at Approaches	Ton	15	\$125	\$1,875
Control of Water	LS	1	\$12,500	\$12,500
Mobilization/Demobilization	LS	1		\$28,557

**Subtotal: \$ 599,702**

**20% Contingencies: \$ 119,940**

**Total Estimate of Probable Project Cost: \$ 720,000**

7/9/08