



**CONNECTICUT DEPARTMENT OF
ENERGY & ENVIRONMENTAL PROTECTION
OFFICE OF ENVIRONMENTAL REVIEW
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To: Mark W. Alexander – Transportation Assistant Planning Director
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Date: September 18, 2015 **E-Mail:** david.fox@ct.gov

Subject: I-91 & Route 15 Project, Hartford and East Hartford

The Department of Energy & Environmental Protection (DEEP) is responding to the Notice of Scoping for the project to widen I-91 and Route 15 in Hartford and East Hartford. The following comments are submitted for your consideration.

The Natural Resources Conservation Service's Soil Survey depicts the area between the Connecticut River and Interchange 90 in East Hartford as Fluvaquents-Udifluvents complex, frequently flooded soils. Any work or construction activity within the inland wetland areas or watercourses on-site will require a permit from the Inland Water Resources Division (IWRD) pursuant to section 22a-39(h) of the Connecticut General Statutes (CGS). Existing wetlands and watercourses at the site should be delineated by a certified soil scientist and their functional values should be evaluated. Unavoidable impacts should be mitigated and buffer areas established to further protect wetlands and watercourses. The degree of impact should be quantified by acreage and a discussion of the functional values that would be lost or impaired should be included in any CEPA document.

The only area within the 100-year flood zone on the Flood Insurance Rate Map for Hartford is riverward of the dike at the base of the Charter Oak Bridge. In East Hartford, the 100-year flood zone extends to the northbound Interchange 90 off-ramp. If any construction will occur within the 100-year flood zone, the project must be certified as being in compliance with flood and stormwater management standards specified in section 25-68d of the CGS and section 25-68h-1 through 25-68h-3 of the Regulations of Connecticut State Agencies (RCSA) and receive approval from the Department.

Any work or construction activity within tidal, coastal or navigable waters requires authorization from the Office of Long Island Sound Programs (OLISP) pursuant to the Structures, Dredging and Fill Act, section 22a-359 through 22a-363f of the CGS. The regulatory jurisdiction limit is the area up to and including the elevation of the coastal jurisdiction line (CJL) as determined for the State's major tidal waterbodies. The CJL for the Connecticut River in Hartford and East Hartford is 3.8' NAVD88. Certificates of Permission can be issued for certain minor activities in accordance with sections 22a-361 through 22a-363c of the CGS. The specific activities eligible under this program are listed in CGS section 22a-363b and include substantial maintenance and minor alterations of authorized or pre-jurisdiction structures or fill and other enumerated minor activities. Certain activities, such as restriping the bridge to provide

an extra lane, are considered routine maintenance activities and do not require prior authorization. The practice of notifying OLISP of routine maintenance should be continued.

The opportunity to introduce treatment measures to the stormwater collection system as part of the project should be explored. Constraints involved in this urban location, including soil suitability, space limitations, conflicts with existing utilities, and maintenance requirements, are recognized. However, emerging technologies may provide workable solutions.

The Natural Diversity Data Base (NDDB) had made a preliminary assessment of the project. There are several records of extant species listed by the State, pursuant to section 26-306 of the CGS, as endangered, threatened or special concern that occur within the project corridor. These are species associated with the Connecticut and Hockanum River. As planning for this project proceeds, ConnDOT should submit a Request for NDDB Review that includes additional information detailing the areas that will be impacted by construction.

The Natural Diversity Data Base response includes all information regarding critical biological resources available at the time of the request. This information is a compilation of data collected over the years by the Department of Energy and Environmental Protection's Natural History Survey and cooperating units of DEEP, private conservation groups and the scientific community. This information is not necessarily the result of comprehensive or site-specific field investigations. Consultations with the Data Base should not be substitutes for on-site surveys required for environmental assessments. Current research projects and new contributors continue to identify additional populations of species and locations of habitats of concern, as well as, enhance existing data. Such new information is incorporated into the Data Base as it becomes available.

In order to mitigate potential air quality impacts from construction activities, the Department typically recommends the following measures.

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

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

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

As construction commences, the discovery of hazardous materials, hazardous waste and/or contaminated soils would be a potential throughout the project corridor. A site-specific hazardous materials management plan should be developed prior to commencement of construction and a health and safety plan for construction workers should also be prepared. The Department's standard comments concerning construction projects in urban areas are submitted for your information:

Development plans in urban areas that entail soil excavation should include a protocol for sampling and analysis of potentially contaminated soil. Soil with contaminant levels that exceed the applicable criteria of the Remediation Standard Regulations, that is not hazardous waste, is considered to be special waste. The disposal of special wastes, as defined in section 22a-209-1 of the Regulations of Connecticut State Agencies (RCSA), requires written authorization from the Waste Engineering and Enforcement Division prior to delivery to any solid waste disposal facility in Connecticut. If clean fill is to be segregated from waste material, there must be strict adherence to the definition of clean fill, as provided in Section 22a-209-1 of the RCSA. In addition, the regulations prohibit the disposal of more than 10 cubic yards of stumps, brush or woodchips on the site, either buried or on the surface. A fact sheet regarding disposal of special wastes and the authorization application form may be obtained at: [Special Waste Fact Sheet](#).

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

sheet describing the general permit, a copy of the general permit and registration forms are available on-line at: [Soil Management GP](#).

Thank you for the opportunity to review this proposal. If you have any questions concerning these comments, please contact me.

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