

Schmidt, Jim

From: Firsick, Michael [Michael.Firsick@ct.gov]
Sent: Friday, June 19, 2009 11:57 AM
To: Schmidt, Jim
Cc: Joustra, Judith; Nicholson, John; Powell, Gerry
Subject: RE: CT Review of the CE Windsor EA/FONSI
Attachments: NRC-Windsor.doc

Jim and All,

Here is a copy of a memo I received this morning from the DEP's Office of Environmental Review.

Radiologically, I have no issues with the EA.

Mike Firsick
Supervising Radiation Control Physicist
Connecticut Department of Environmental Protection

From: Schmidt, Jim [mailto:Jim.Schmidt@nrc.gov]
Sent: Friday, June 12, 2009 2:15 PM
To: Firsick, Michael
Cc: Joustra, Judith; Nicholson, John; Powell, Gerry
Subject: CT Review of the CE Windsor EA/FONSI

Mike,

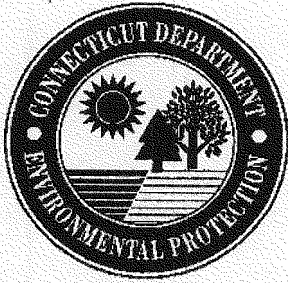
As I discussed, I will not be in the office next week. If you get the CE Windsor EA/FONSI review complete next week, please send to me as well as the following below listed staff members:

john.nicholson@nrc.gov
judith.joustra@nrc.gov
gerry.powell@nrc.gov

Our plan to work on it as soon as it arrives.

Thanks,

Jim Schmidt
USNRC
Region I Health Physicist
610-337-5276
jim.schmidt@nrc.gov



STATE OF CONNECTICUT

DEPARTMENT OF ENVIRONMENTAL PROTECTION

OFFICE OF ENVIRONMENTAL REVIEW

79 ELM STREET, HARTFORD, CT 06106-5127

To: Michael Firsick - Supervising Radiation Control Physicist
DEP - Radiation Division

From: David J. Fox - Senior Environmental Analyst **Telephone:** (860) 424-4111

Date: June 19, 2009 **E-Mail:** david.fox@ct.gov

Subject: ABB Inc. Site, Windsor

I have reviewed the Environmental Assessment (EA) prepared by the Nuclear Regulatory Commission (NRC) for a license amendment to allow remediation of Formerly Utilized Sites Remedial Action Program areas of the CE Windsor site at 2000 Day Hill Road in Windsor. Unfortunately, due to the timing of the comment deadline, I did not have the opportunity to include the project on my list of projects being reviewed that is distributed throughout the Department. I did consult with the state's Natural Diversity Data Base (NDDB). Our comments below should be forwarded to the NRC for their consideration.

NDDB records indicate that two state species of special concern; Eastern box turtle (*Terrapene carolina*) and Eastern hognose snake (*Heterodon platirhinos*), occur in the project vicinity. In 2007, an information request for this site was submitted by MACTEC and the DEP Wildlife Division requested that surveys be conducted. The Wildlife Division never received any results.

Eastern box turtles require old field and deciduous forest habitats, which can include power line corridors and logged woodlands. They are often found near small streams and ponds; the adults are completely terrestrial, but the young may be semiaquatic, and they hibernate on land by digging down in the soil from October to April. They have an extremely small home range and can usually be found in the same area year after year. Given the extent of proposed excavation, the Wildlife Division recommends that work be done during the turtles' active season, April 1 - November 1, so they are not killed during hibernation. The Wildlife Division also recommends the following mitigation measure if old field or deciduous forest habitats are to be disturbed:

- Install silt fencing around the work area prior to construction.
- Conduct a search each day prior to construction of the work area looking for turtles.
- Apprise workers of the possible presence of box turtles and a description of the species.
- Any box turtle that is discovered should be moved, unharmed, to an area immediately outside of the fenced or construction area in the same direction that it was walking.
- Vehicles or heavy machinery should not be parked in any Eastern box turtle habitat without a search being conducted first and turtles moved unharmed.

- Work conducted during early morning and evening hours should occur with special care not to harm basking or foraging individuals.

Eastern hognose snakes favor dry sandy areas with well drained gravelly soils. This species has recently been negatively impacted by the loss of suitable habitat and is dormant from November 1 to April 1. Again, given the extent of proposed excavation, the Wildlife Division recommends that work be done during the snakes' active season, April 1 - November 1, so they are not killed during hibernation. The Wildlife Division also recommends that:

- No vehicles or heavy machinery should be parked overnight in any sandy areas which Eastern hognose snakes may favor.
- Excavated or stockpiled materials must not be located in any sandy areas which Eastern hognose snakes may favor.
- Construction workers should be apprised of the species description and possible presence and that any snakes encountered, while vehicles are traveling to and from the area or by workers in the area, should not be killed.

Standard protocols for protection of wetlands should be followed and maintained during the course of the project, as noted below. Additionally, all silt fencing should be removed after soils are stable, so that reptile and amphibian movement between uplands and wetlands is not restricted.

Please be advised that the Wildlife Division has not made a field inspection of the project site and detailed descriptions or timetables for work to be done were not included in the EA. Consultation with the Wildlife Division should not be substituted for site-specific surveys that may be required for environmental assessments. The time of year when this work will take place will affect these species, if they are present on the site when the work is scheduled. Please be advised that should state permits be required or should state involvement occur in some other fashion, specific restrictions or conditions relating to the species discussed above may apply. In this situation, additional evaluation of the proposal by the DEP Wildlife Division should be requested. If the proposed project has not been initiated within 6 months of this review, contact the NDDB for an updated review. If you have any additional questions, please feel free to contact Julie Victoria at Julie.Victoria@ct.gov. In any correspondence, please reference: NDDB # 16976 (15601), M. Firsick.

In order to protect wetlands and watercourses on and adjacent to the site, strict erosion and sediment controls should be employed during construction. The *Connecticut Guidelines for Soil Erosion and Sediment Control* prepared by the Connecticut Council on Soil and Water Conservation in cooperation with DEP is a recommended source of technical assistance in the selection and design of appropriate control measures. The 2002 revised edition of the Guidelines, published as DEP Bulletin 34 may be obtained at the DEP bookstore, either by telephone (860) 424-3555 or online at:

http://www.ct.gov/dep/cwp/view.asp?a=2688&q=322396&depNav_GID=1511.

Stormwater discharges from construction sites where one or more acres are to be disturbed require a permit pursuant to 40 CFR 122.26. The Permitting & Enforcement Division has issued a *General Permit for the Discharge of Stormwater and Dewatering Wastewaters Associated with*

Construction Activities (DEP-PERD-GP-015) that will cover these discharges. For projects disturbing five or more acres, registration describing the site and the construction activity must be submitted to the Department prior to the initiation of construction. A stormwater pollution control plan, including measures such as erosion and sediment controls and post construction stormwater management, must be prepared. For sites where more than 10 acres will be disturbed, the plan must be submitted to the Department. A goal of 80 percent removal of total suspended solids from the stormwater discharge shall be used in designing and installing stormwater management measures. For construction projects with a total disturbed area between one and five acres, no registration is required as long as the project is reviewed by the town and receives written approval of its erosion and sediment control measures and it adheres to the *Connecticut Guidelines for Soil Erosion and Sediment Control*. If no review is conducted by the town or written approval is not provided, the permittee must register with the Department. For further information, contact the division at (860) 424-3018. A copy of the general permit as well as registration forms may be downloaded at:

http://www.ct.gov/dep/cwp/view.asp?a=2709&q=324212&depNav_GID=1643#StormwaterConstructionGP.

Thank you for the opportunity to review this project. If there are any questions concerning these comments, please contact me.

cc: Robert Hannon, DEP/OPPD
Julie Victoria, DEP/WD