

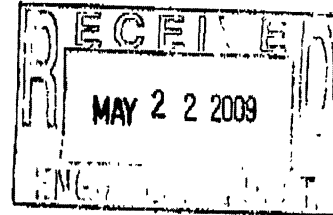


STATE OF CONNECTICUT DEPARTMENT OF ENVIRONMENTAL PROTECTION



NOTICE OF VIOLATION NOV #LIS-2008-159-V

To: City of Bridgeport, Sikorsky Memorial Airport
Attn. John Ricci
Main Terminal
1000 Great Meadow Road
Stratford, CT 06615



The purpose of this Notice is to inform you that personnel of the Department of Environmental Protection ("DEP") have made observations or otherwise obtained information indicating that a violation of law has occurred at your property located off Route 113 between Sniffens Lane and Dorne Drive, Stratford, CT. On October 29, 2008 and April 1, 2009, inspections were conducted by the DEP Office of Long Island Sound Programs. Based upon those inspection, it has been determined that there are unauthorized culvert and tide gate structures located on-site at the head of an unnamed tidal lagoon at the site. Such structures are in poor condition and as such have resulted in poor tidal exchange between the tidal lagoon and the upstream tidal creeks. The culvert and tide gate structures were installed within areas waterward of the high tide line ("HTL") at the site without authorizations required by Connecticut General Statutes ("CGS") Sections 22a-361 and 22a-32.

Within 90 calendar days of issuance of this notice, you must submit an environmental evaluation for the existing in-water structures found on airport property from the mouth of the unnamed lagoon to Route 113. Such site evaluation must contain at the minimum the following: 1) a site survey of the area clearly identifying with dimensions the locations of all in-water structures at the site; 2) an assessment of the functionality of all existing identified in-water structures including the mouth of the unnamed lagoon and the existing soil berm; and 3) recommendations for correcting any damaged or non-functioning structures at the site.

Within 30 calendar days of issuance of this notice, you must submit in writing the steps you have taken to prepare the environmental evaluation to comply with the requirements of this notice. The submittal should be made on the enclosed Compliance Statement and *sent to the contact person identified below in paragraph D*. Until the DEP has received such a statement, the DEP will presume you remain in violation.

A. Other violations may exist; legal obligations. This Notice does not necessarily specify all violations of Connecticut environmental law or violations of any other legal requirements which may exist at the aforementioned property. This Notice does not preclude the DEP or other state, local or federal agencies from commencing any enforcement action regarding any such violations. Your facility may be inspected again pursuant to law and without additional prior notice to determine compliance with state and any applicable federal law. It is your responsibility to comply with all legal requirements, whether or not the DEP notifies you of any violations or takes any enforcement action against you. Nothing in this Notice relieves you of other obligations under applicable federal, state and local law.

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B. Enforcement action. Civil penalties of up to \$1,000.00 may be assessed for each day of each violation under sections 22a-361 and 22a-32. Notwithstanding the issuance of this Notice, the DEP may seek such penalties and may issue an order, seek an injunction, or take other legal action under CGS Chapters 439 and 446.

C. No assurance by Commissioner. No provisions of this Notice and no action or inaction by the Commissioner shall be construed to constitute an assurance by the Commissioner that actions you may take to address the violation(s) alleged herein will result in compliance.

D. Staff contact. If you have any questions regarding this Notice, please contact Kevin Zawoy of the Office of Long Island Sound Programs at (860) 424-3626, 79 Elm St., Hartford, CT 06106-5127.



Peter B. Francis, Supervising Environmental Analyst
Office of Long Island Sound Programs
Bureau of Water Protection and Land Reuse

Date of Issuance May 19, 2009

cc: Mayor of Bridgeport
Bridgeport City Engineer
Town of Stratford Mayor
Stratford Town Engineer
Manuel Moutinho