

ATTACHMENT A
RESPONSE TO COMMENTS

United States Army, Stratford Army Engine Plant
Stewardship Permit No. DEP/HWM/CS-134-003

A. Comments from the Town of Stratford Waterfront and Harbor Management Commission (WHMC) Dated September 15, 2008, Followed by DEP Responses

1. The WHMC has long recognized the substantial opportunities for economic growth, community development, and other public benefits associated with the redevelopment of the SAEP property. We have described those opportunities numerous times, including in the duly approved and adopted Stratford Harbor Management Plan and our document "A waterfront Vision for the Town of Stratford" submitted to the Town Council in 1998 and updated in 2003 and 2007. The WHMC recognizes the achievement of the identified opportunities requires the remediation of hazardous waste associated with past industrial uses of the property.

Comment accepted.

2. The WHMC supports the most timely and effective remediation of hazardous waste at the SAEP, including hazardous waste determined to be present in the marine sediment of the Housatonic River adjoining the property, as needed to protect and enhance environmental quality and enable beneficial reuse and redevelopment of the property.

Comment accepted.

3. It is the responsibility of the WHMC, set forth in the Harbor Management Plan and Town Code, to review all proposals affecting the real property on, in, or contiguous to the Stratford Harbor Management Area (including the Town's area of jurisdiction on the Housatonic River) and to evaluate the consistency of those proposals with the Harbor Management Plan.

Comment accepted.

4. The WHMC will review, for consistency with the Harbor Management Plan, specific remediation plans for the SAEP, including but not limited to the plans for remediation of hazardous wastes in marine sediments, at such time as those plans are prepared by the stewardship permit and submitted to the DEP for approval. Following that review, the WHMC will provide appropriate recommendations to the DEP and any other agency with responsibility for approving the remediation plans.

Comment accepted.

5. Pursuant to Section 22a-113n of the Connecticut General Statutes, recommendations of the WHMC pursuant to the Harbor Management Plan shall be binding on any official of the state when making regulatory decisions affecting the areas within the WHMC's jurisdiction, unless such official shows cause why a different action should be taken.

Comment accepted.

B. Comments from United States Army (U.S. Army) Dated September 15, 2008, Followed by DEP Responses.

Permit Section I – Standard Operating Conditions

1. Condition No. I.F.8. Please correct typos from “treatment plan” to “treatment plant”.

Comment accepted and the correction has been made.

Permit Section II – Authorized Activities

2. Condition No. II.B.2.(c) The Army interprets this provision as an attempt by Connecticut to consolidate the closure requirements associated with the NPDES Wastewater Treatment Plant and the termination of the NPDES permit into the Stewardship Permit. The Army also interprets this provision to say that upon satisfactory fulfillment of the terms of this condition, the Army will have no further obligations regarding the closure of the NPDES Wastewater Treatment Plant or the termination of the NPDES permit. If this interpretation is incorrect, please clarify the intent of this provision.

It is the Department's intent to consolidate the closure requirements for the NPDES Wastewater Treatment Plant. However, it has been determined that the NPDES Permit for the facility is no longer valid or active. The NPDES Wastewater Treatment Plant will be closed under RCRA as a hazardous waste management unit. As a result, the following changes have been made to the permit:

Condition I.F.6. the NPDES Wastewater Treatment Plant was added as an area of concern in the definition of “Hazardous Waste Management Unit”.

Condition II.B.2.(c) has been deleted since the closure of the NPDES Wastewater Treatment Plant has been incorporated into Section II.A. of the permit as a Hazardous Waste Management Unit.

Condition III.C.6.(c) has been deleted.

Permit Section III – Compliance Schedule

3. Condition No. III.A. Please clarify the phrase “or upon transfer” refers to within 30 days within the transfer of the Stratford Army Engine Plant property.

The phrase “upon transfer” refers to the transfer of the permit and not the property. The condition was revised to state “All conditions set forth in Section III.A. of this permit, shall be conducted within thirty (30) calendar days of the effective date of this permit or upon transfer of the permit whichever is later.”

Table II-1 Area of Concern (AOC) Table

4. Table II-1, Magnesium-thorium scrap yard, Column 5 Remedial Actions – soil sampling at this AOC indicated no contaminants were detected above Connecticut Remediation Standard Regulations (RSRs). This information should be included in this column.

Comment accepted.

5. Table II-1, AOC 37 Building 10, Column 5 Remedial Actions – soil samples were collected beneath sumps, drains, and trenches inside Building 10. No contaminants were detected above RSRs, This information should be included in this column.

Comment accepted.