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**CITY OF NORWALK  
WATER POLLUTION CONTROL AUTHORITY VIA ZOOM VIRTUAL  
VIDEOCONFERENCE AND TELECONFERENCE  
REGULAR MEETING  
September 19, 2022**

Attendance: Darren Oustafine, Chairman  
Barbara Smyth  
John Bove  
Chris Mannella  
Neil Konstantin

Staff: Vanessa Valadares, Interim Chief of Operations and Public Works  
Ralph Kolb, WPCA Senior Environmental Engineer  
Neyla Bauer, Wastewater Systems Manager

Others: John Marcin, Project Manager, Veolia  
Attorney Mathew Todaro, Verrill Dana, LLP  
Kelsey McCutcheon, Verrill Dana, LLP  
Eric Muir, Brown & Caldwell

**1. CALL TO ORDER**

Chairman Oustafine called the meeting to order at 5:31PM.

**2. INTRODUCTION OF NELYA BAUER, WASTEWATER SYSTEMS MANAGER**

Mr. Kolb introduced Ms. Bauer and said she is the new Wastewater Systems Manager. The WPCA board welcomed Ms. Bauer.

**3. APPROVE THE MINUTES FROM WPCA SPECIAL MEETING HELD ON SEPTEMBER 1, 2022. (COPY INCLUDED)**

**\*\* MS. SMYTH MOVED TO APPROVE THE MINUTES AS SUBMITTED.**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

**4. AUTHORIZE THE INTERIM CHIEF OF OPERATIONS AND PUBLIC WORKS TO SUBMIT THE COLLECTION SYSTEM MASTER PLAN UPDATE TO CTDEEP (PRESENTATION)**

Ms. Valadares introduced the team and said this item is in regard to the Collection System Master Plan update that will be submitted to the DEEP by the deadline of September 30, 2022 and is also in response to the Consent Order.

Attorney Todaro presented the Collection System Master Plan update and said the Clean Water Act prohibits discharges into waters of the United States unless a National Pollutant Discharge Elimination System (NPDES) permit has been issued, and that permit has been issued to the Norwalk WPCA. He said the NPDES permits are issued on a 5-year rolling basis and the permittee must apply for the permit prior to the expiration of their current permit and that is the process that started the process that led to the Consent Order. In Connecticut, the authority to issue and oversee the NPDES program is delegated by the US EPA to the CT DEEP and they have a 7-step process for the renewal and reissuance of the NPDES permit. The first step in that process is that the permittee submits the application for the renewal of their permit 180 days before the expiration date. The second step in the process is DEEP reviews the application for sufficiency and provides notice to the permittee and then DEEP provides a technical review of the application and drafts a permit and provides a 30-day public comment period on the draft permit. During that 30-day public comment period, DEEP with review any comments that they have received and decides if a public hearing is necessary or requested and if it is necessary or requested the DEEP will hold a public hearing. The final step in the process is that the DEEP provides a final decision on the NPDES permit renewal.

Attorney Todaro said Norwalk went through that process beginning in September 2018, where the WPCA submitted the NPDES renewal application and DEEP issued a notice of sufficiency about one month later and it took two years for DEEP to review the draft permit but in early September 2020 issued a notice of tentative determination to approve the renewal application and a draft NPDES permit with terms substantially similar to prior version of the permit. DEEP then notified the public about the NPDES

permit renewal process and solicited public comments for 30 days and an environmental organization that was involved in the process requested an extension of that 30-day period based on COVID parameters and were granted that extension and shortly thereafter, the environmental organization requested a public hearing on the permit and during that public comment period five comments were submitted to the DEEP, one from the US EPA, one from the WPCA, one from the Mayor's Waters Control Committee and two from Save the Sound. Save the Sound had requested a public hearing in which the DEEP proceeded to hold on January 14, 2021, and due to COVID was held virtually and Ralph Kolb and Anthony Carr presented on behalf of the City and the WPCA and Ann Strout presented on behalf of DEEP. The public was able to provide comments and were also able to submit comments on the public hearing and thirteen comments were received and a few months later after considering the comments that had been received from the public and others, DEEP renewed the NPDES permit which went into effect with the terms that were substantially similar to the prior permit that started this process back in the fall of 2020.

Attorney Todaro noted that initially some of the public comments that were going to be included within the NPDES permit were later transitioned into the Consent Order and the parties involved with the reissuance of the permit all agreed that a compliance agreement or a Consent Order rather than the permit itself would be the best way to encapsulate and include the conditions going forward. Through 2021 and the early part of 2022, the WPCA and the DEEP negotiated the terms of the Consent Order addressing key collection system and facility upgrades and in April of 2022, the WPCA unanimously approved the Consent Order, and the mayor signed the order on May 5, 2022. The Consent Order has two primary components, one is a Collections System Master Plan update and noted that the WPCA had previously formed a Collection System Master Plan back in 2009 and had already intended on moving forward with a Collections System Master Plan regardless of the Consent Order. The master plan is designed to evaluate two items that are seen in the consent order, and one is to remove excess flow to the collection system and the second item is to eliminate the Ann Street siphon emergency overflow and per the Consent Order the WPCA had to retain a consultant and the WPCA had retained Brown and Caldwell and the master plan is due to the state at the end of this month. Per the Consent Order recommendations from the master plan update addressing excess flow removal and the elimination of the Ann Street siphon must be completed within five years of the approval.

Attorney Todaro said there is a second component to the Consent Order the first being the master plan and the second facilities plan update which is a process that starts later in the Consent Order cycle and is due to the DEEP on June 30, 2023. Finally, in addition the master plan and the facilities plan update, the Consent Order requires the WPCA to submit annual progress reports to the DEEP on an annual basis describing actions taken to comply with the order, and the first progress report was submitted to the DEEP at the end of June 2022 and they have not commented on that report.

Mr. Muir presented the master plan development and said the master plan development started 1 ½ years ago with data collection and 40 flow meters were installed in the collection system and they built a hydraulic model which becomes a tool for different alternatives to meet the Consent Orders requirements. He said what they had found during the flow meter campaign, model development and alternatives analysis is that the collection system performs exceptionally well with nominal systemwide sanitary sewer overflows during one- and two-year storm events. The model approximates that 30 manholes flood during a 25-year storm event and the majority are located in three areas and found that the Ann Street emergency overflow does not activate until the 100-year, 24-hour storm event which is exceptional compared to other Connecticut municipalities. The Wall Street outfall activates at the two-year, six-hour storm event, and outfall 002 activates at the one year, six-hour storm event and is for flows exceeding 30 MGD at the wastewater treatment plant that are diverted to Outfall 002, where is historically received primary treatment before being discharged.

Mr. Muir presented a heat map of the infiltration/inflow (I/I) metered basins that are significant contributors of I/I to the collection system and found the meter closer to the interceptors generally show higher I/I rates, particularly in the areas north of the Moody's Lane siphon which matches up with the age of the system.

Mr. Muir presented the master plan recommendations and said the Consent Order recommendations need to be completed in the next five years and in order to meet the Consent Order and developed measures that include:

- Operations and Maintenance- Incorporates aspects of EPA control standards and is generally a good practice.
- Hubbell's Lane-Relieves hydraulic stress and mitigates SSO's along Wall Street and Smith Street.
- Disconnection of catch basins identified as significant inflow reduction.
- Ann Street emergency overflow elimination- provides a physical barrier to eliminate overflows at the structure.

Mr. Muir said the master plan will continue after the Consent Order measures and the long-term recommendations for 20 years are:

- Long term measures to continue to improve collection system performance.
- Excess flow reductions reduce stress on collection system and improve its performance.
- Inflow and Infiltration reductions- Targets cost effective from areas of significance excess flow.
- Disconnection of remaining catch basins- Continued separation of the collection system

Mr. Muir said the engineering estimate for the measures to meet the consent order that were laid out total \$16,550,000 and the long-term master plan recommendations total \$ 36,400,000 for a total cost of \$52,950,000.

Mr. Muir said the next steps are to submit a master plan update to the DEEP by September 30<sup>th</sup>, the WPCA will update its financial model to include report recommendations, The WPCA will continue to update the board about the status of the master plan and discussions with the DEEP, begin implementing Consent Order and long-term recommendations, and the Consent Order requires a progress report that is due annually to the DEEP on June 30<sup>th</sup>.

Mr. Konstantin asked if these expenditures are in line with cities of our size. Mr. Muir said that are in line with normal asset renewals that are needed for a collection system of this size and age.

Ms. Smyth asked how the \$53,000,000 over five years breaks down annually. Mr. Kolb said it would be \$16.5 million dollars over five years, and over a 20-year period would be \$53 million dollars and will be front loaded for the first five years so as they go to design and construction the money will be available.

Mr. Manella asked if in the Consent Order has a required reduction or amount that will need to be met for I/I. Attorney Todaro said there is not, and the language is to remove excess flow into the collection system.

Mr. Oustafine said he expects the DEEP wants to eliminate all overflow points and if we were to eliminate I/I to the point where to say a 500-year storm the DEEP would still find the Ann Street siphon objectionable. Mr. Kolb said it comes down to level of service and Norwalk is one of six communities

that has a combined system and when compared to other communities Norwalk is doing very well during the large storm events. The goal is to target the catch basins and continue to invest in the infrastructure to reduce long term SSO's in the system. Mr. Oustafine said the Ann Street siphon will not be closed unless it will not cause an issue somewhere else in the system. Mr. Muir said that is correct and that they don't want to close something that will cause ill effects somewhere else, and the objective is to remove extraneous flows and meet the Consent Order and have measures around the elimination of the Ann Street siphon and not to make an impact worse.

**\*\* MR. KONSTANTIN MOVED TO APPROVE THE ITEM.**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

## **5. CONTRACT OPERATIONS REPORT:**

- a. Veolia Monthly Operating Report – July and August 2022 (copies included)

Mr. Marcin reported and said the wastewater treatment plant ran very well over the summer but did have two incidences that they had a daily bacteria exceedance and were both isolated instances and they did a lot of investigation on the two instances. He went on to say that the sample regiment is very prescriptive, and they have zero flexibility on when and what time the samples can be taken per the permit.

Mr. Marcin reported on the collection system and said the team did a lot of work and in July and did 3 ½ miles of TV inspections and 2 ½ miles of sewer jetting and in August did 5.8 miles of TV inspections and almost 8 miles of sewer cleaning.

- b. Smart Covers – 14 online

Mr. Marcin said the installation of all of the smart covers is complete and now have 14 smart covers located throughout the collection system and have been very helpful in evaluating the collection system.

- c. Annual Meeting and Leadership Updates

Mr. Marcin provided an overview of the merger between Veolia and SUEZ and said there will be a northeast project managers conference and Norwalk has been selected as the host city and will be held the third week of October and will be held at Lakota Oaks facility and he will provide more information as they move closer.

- d. Orchard Street Sanitary Sewer Improvements Update

Mr. Marcin said they are continuing to put the final plans and is scheduled for November implementation of that project.

- e. Major Repair or Replacement / Out of Scope Items: None

## **6. REPORTS:**

- a. FY21/22 Revenues/Expenditures MUNIS Report (copy included)
- b. Discussion on EPA AOC (copy included)

Mr. Kolb said that the EPA had sent a letter stating that effective immediately that they do not have to submit a monthly report or annual CMOM report, so Norwalk is doing a good job. Attorney Todaro said he represents a number of entities that are involved with the US EPA and it is not often that a letter like this is received, so the fact that Norwalk is receiving a letter like this is a nice indication that the team over the span of the Administrative Order on Consent Order has done a fantastic job and gave a kudos to the team for putting themselves in a position where the US EPA would issue a letter like this.

Ms. Smyth said she would like to commend the whole team for the great work they have been doing and from everything she has learned Norwalk is way ahead of the game in terms of maintenance and moving forward and the Consent Order may have raised a few eyebrows and understands through the presentation that this is good for the city and good for Long Island Sound

- c. Discussion on WPCF Facility Plan Update

Mr. Kolb said next month the ARCADIS team will be invited to attend the WPCA meeting and there is a kickoff meeting scheduled for this Wednesday for the project and will be asking the board members if anyone is interested to part of a sub-committee for the Facility Plan.

- d. Open House – 10/1/2022 (copy included)

Mr. Kolb said that the DPW/Fire Department/ Police Department open house is scheduled for October 1, 2022, at the Public Works Center between the hours of 9:00AM and 12:00PM, and the Veolia team will be giving tours of the Wastewater Treatment Plant.

- e. Sewer Use Bill Appeals/Adjustments Update

1) Appeal status

Mr. Kolb said the appeals to date are \$39,341.00

- f. Information Copies: None

## **7. ADJOURNMENT**

**\*\* MR. BOVE MOVED TO ADJOURN.**

**\*\* THE MOTION PASSED UNANIMOUSLY**

The meeting adjourned at 6:17PM.

Respectfully submitted,  
Dilene Byrd