

Jewel Mullen, M.D., M.P.H., M.P.A.
Commissioner



Dannel P. Malloy
Governor
Nancy Wyman
Lt. Governor

December 18, 2013

Ms. Betsey Wingfield, Chief
Bureau of Water Protection and Land Reuse
CT Department of Energy and Environmental Protection
79 Elm Street; Hartford, CT 06106-5127

Re: DPH Comments - Public Process Classifications in Pawcatuck, Southeast Coast, and Thames Basins

Dear Ms. Wingfield:

The DPH has completed a review of stream classifications, technical data, and support materials provided for the Stream Flow Standards and Regulations public process in the Pawcatuck, Southeast Coast, and Thames basins. The regulation's 'Statement of Purpose' is to "*balance the needs of humans to use water for drinking and domestic purposes ... with the needs of fish, wildlife ...*" and "*provide a framework considering the best available science to balance human and ecological needs for water*". DPH has concerns regarding potential ramifications of stream flow implementation that could affect public health and safety in the specified basins. DPH's concerns relate to adequate margin of safety and future availability of high quality drinking water sources.

Despite accommodating the consideration of margin of safety in the regulations; the technical data used to determine the final stream classifications in the specified basins and provided for public comment indicates that margin of safety was not considered. In fact, even for systems that were identified with deficits in the DPH's May 17, 2013 agency consultation comments (copy attached). Margin of safety is a high level priority for public health and safety pursuant to statutory requirements and should be evaluated prior to adopting final stream classifications. The automatic Class 3 'significant investment' designation accommodated in the regulations to help assure the availability of future high quality source waters was not applied. The DEEP classification methodology appears to utilize methods not stated in regulation, to limit such designation to sources proposed in a five year period. The regulations state "*significant investment ..., including but not limited to capital expenditures, scientific or engineering studies or land acquisition cost, shall not be classified as Class 1 or 2*".

Final stream flow classifications reveal about 97% of stream segments were provided the most pristine Class 1 and Class 2 designations. There were no Class 4 designations and only about 3% of the stream segments were designated Class 3; most of these were existing public supply sources. There appears to be no potential future sources that were provided the automatic Class 3 'significant investment' designation. A failure to address margin of safety during the classification process will be compounded for public systems with current or projected future deficits by the marginalization of the 'significant investment' designation. Required current or future supply for such systems will be difficult to address if strategically located high quality source waters are not made available in the final stream classifications. Further designation of Class 3 'significant investment' sources accommodates future public supply needs and eliminates a need to petition DEEP's Commissioner for a classification change. As resources allow, the DPH's supply adequacy evaluations of large systems will continue to help identify systems eligible for the extended compliance time frames accommodated in regulation.



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STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH

Jewel Mullen, M.D., M.P.H., M.P.A.
Commissioner



Dannel P. Malloy
Governor
Nancy Wyman
Lt. Governor

May 17, 2013

Ms. Betsey Wingfield, Bureau Chief
CT DEEP, Water Protection and Land Reuse Bureau
79 Elm Street
Hartford, CT 06106-5127

Dear Ms. Wingfield:

The Department of Public Health (DPH) has completed a review of the materials provided for the proposed stream flow classification in the Pawcatuck, Southeast Coast, and Thames major basins as drafted by the Department of Energy and Environmental Protection (DEEP) on March 19, 2013. Attached are detailed comments on each area. The DPH's overall comments regarding the preliminary stream flow classifications are:

- Application of the Stream Flow Standards impacts both margin of safety (MOS) at community public water system (CPWS) and future available/usable drinking water sources. The preliminary classifications designate 97% of stream segments as Class 1 or Class 2 in these basins. The DEEP Draft Methodology for Defining Preliminary Stream Flow Classifications, in large part eliminated the DPH High Quality Source List (HQS) and failed to address adequate MOS.
- DPH does not concur with the definition of "significant investment" as used in regard to future sources. DPH recommends any CPWS that has a verified/suspected MOS deficiency and/or a potential "significant investment" be contacted for additional information during the classification process in accordance with the regulations. Lists of CPWS MOS deficiencies and potential source "significant investments" deserving further consideration within the agency "consultation" process are included in the attachments (list is preliminary).
- Agricultural uses and golf courses are exempt in the final regulations; however, water use data from pilot studies conducted for a Public Act 98-224 report indicate need to account for this data (89% of Scantic River basin diversion registrants are agriculture) to determine available waters.

It is critical to address margin of safety, high quality sources, and potential future source "significant investments" prior to moving to basins where water resource competition is more challenging. DPH is available to further work through these critical technical issues and provide ongoing consultation for this basin and subsequent basins to be classified.

Sincerely,

A handwritten signature in black ink that reads "Ellen J. Blaschinski".

Ellen Blaschinski, RS, MBA
Public Health Branch Chief

EB/sm
Attachments
c: Lori Mathieu



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December 18, 2013

A DPH circular letter was recently directed to community public water systems and water resource stakeholders that recommended a review of sources on the DPH High Quality Source (HQS) list that was developed in 2012 pursuant to Connecticut General Statute (CGS) 25-33q. The statutory requirement for annual HQS list updates in conjunction with external reviews stimulated by the circular letter will ensure the agencies have an up to date, accurate, comprehensive HQS list available at all times. The HQS list helps assure future public water supply adequacy and can be a powerful tool to assist in safe, successful stream flow releases.

Sincerely,

A handwritten signature in black ink that reads "Ellen J. Blaschinski". The signature is written in a cursive style with a large initial "E".

Ellen Blaschinski, RS, MBA
Public Health Branch Chief
Regulatory Services Branch

Attachment A - Large Community Public Water System (CPWS) Margin of Safety (MOS)

PWSID	SYSTEM NAME	SUB-SYSTEM	POPULATION	Adequate Margin of Safety			Towns Served in Major Basins
				Present	5 Years	20 Years	
CT1370011	AQUARION WATER COMPANY OF CONNECTICUT	Mystic	11520	YES	YES	YES	Groton, Stonington
CT0473011	CONNECTICUT WATER COMPANY	Western	75737	NO	NO	NO	Tolland, Willington
CT0690011	CONNECTICUT WATER COMPANY	Crystal Water Company	6378	NO	NO	NO	Brooklyn, Killingly, Putnam, Thompson
CT1090031	CONNECTICUT WATER COMPANY	Gallup	2538	YES	YES	YES	Plainfield
CT1090081	CONNECTICUT WATER COMPANY	Plainfield	1713	YES	YES	YES	
CT1050732	CONNECTICUT WATER COMPANY	Soundview	1588	NO	NO	NO	Old Lyme
CT1050752	CONNECTICUT WATER COMPANY	Point O Woods	1068	NO	NO	NO	Old Lyme
CT1040011	NORWICH PUBLIC UTILITIES		36067	YES	NO	NO	Franklin, Griswold, Norwich, Preston
CT0590011	GROTON UTILITIES		30200	YES	YES	YES	Groton, Ledyard, Montville
CT0950011	NEW LONDON DEPT. OF PUBLIC UTILITIES		26273	NO	NO	NO	New London, Waterford
CT0580011	JEWETT CITY WATER COMPANY		6840	NO	NO	NO	Griswold, Lisbon
CT1630011	WINDHAM WATER WORKS		20193	YES	YES	YES	Windham, Mansfield
CT1520071	WATERFORD WPCA		16578	NO	NO	NO	Waterford
CT0450011	EAST LYME WATER & SEWER COMMISSION		15245	NO	NO	NO	East Lyme
CT0780021	UNIVERSITY OF CONNECTICUT - MAIN CAMPUS		13027	NO	NO	NO	Mansfield

Attachment B: Potential Future Sources from DPH High Quality Source (HQS) List to address Margin of Safety and/or 'Significant Investment'

Utility/Designee(s)	Source Designation	Location (Town)	ID	Basin ID	Watershed	Type	SY (MGD)	Period
CTWC-Crystal Water Co. (3*)	5 Mile, Quinnebaug, Mooseup River Basins*		Thames			Ground	0.5	>50
Groton Utilities (SEWUCC)	Haleys Brook Diversion @ Quaker Farm Road	Groton	SE Coast	2105	Haleys Brook	Surface	1.40	
Groton Utilities (SEWUCC)	Haleys Brook Diversion @ Saffomilla Site	Groton	SE Coast	2105	Haleys Brook	SW & GW	3.40	
Groton Utilities	Shewville Brook Diversion*	Preston	Thames	3202	Shewville Brook	Surface	3.40	
Mashantucket Pequot TN	Pawcatuck River	North Stonington	Thames	1000	Pawcatuck R	Ground		20
Norwich Water Dept. (3*)	Quinnebaug River	Lisbon	Thames	3700	Quinnebaug R	Ground		20
Norwich Water Dept. (3*)	Shetucket River	Norwich, Lisbon	Thames	3800	Shetucket R	Ground	3.0-5.0	20
Southeastern CT Water Authority (New London/CTWC - Shoreline)	Miller Pond Diversion	Waterford	Thames	3006	Hunts Brk	Surface	0.5-1.4	20
Southeastern CT Water Authority	Oxoboxo Brook	Salem/Montville	Thames			Ground	2-3	20
SEWUCC (N.Stonington)	Anguilla Brook*	Stonington, North Stonington	SE Coast	2101		Ground	2.9	
SEWUCC (N. Stonington)	Billings Brook*	Griswold, North Stonington	Thames	3605		Ground	3.5	
SEWUCC	Great Meadow Brook*		Thames	3601		Ground	2.8	
SEWUCC (New London)	Latimer Brook	Waterford, East Lyme, Montville	SE Coast	2202		Surface	7.1	
SEWUCC (N. Stonington)	Myron Kinney Brook*		Thames	3604		Ground	1	
SEWUCC	Poquonock River (Great Brook)	(247 MGD reg.- Groton Utilities)	SE Coast	2107		Surface	6.26	
SEWUCC (Colchester- GW/SW)	Sherman Brook GW	Colchester, Lebanon	Thames	3903		Ground		
SEWUCC (Colchester)	Sherman Brook SW	Colchester, Lebanon	Thames	3903		Surface	9.22	
SEWUCC (SCWA, N. Stonington)	Shunock River Wells	North Stonington	Pawcatuck	1004		Ground		