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Manager – Environmental Programs & Projects

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Christopher Stone, P.E.
Water Permitting and Enforcement Division
Bureau of Materials Management and Compliance Assurance
Department of Energy and Environmental Protection
79 Elm Street, Hartford, CT 06106-5127

Also submitted via electronic mail to: chris.stone@ct.gov.

Re: Comments of The United Illuminating Company in Regard to the Proposed Modifications to the General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities ("Construction Stormwater General Permit")

Greetings Chris,

Generally, The United Illuminating Company (UI) is supportive of the permit modifications as proposed. It has been our experience that the use of Qualified Inspectors is a great mechanism to support the compliance objectives we all share. UI will continue to be a frequent user of the permit, particularly the new draft as we have several applications on the horizon.

That said, UI does have one profound concern, which we are prepared to work with your team to determine a prompt, efficient resolution to.

Specifically, our concern relates to the modified definition of "*Effective Impervious Cover*".

UI respectfully requests the Connecticut Department of Energy and Environmental Protection (CTDEEP) consider or retain an applicant's ability to make a demonstration that given the appropriate compaction and gravel size of a "gravel surface" that some infiltration and retention benefits from that surface could still be realized. UI's concern relates to the gravel yard design and operation of some of the new substation projects we are planning. UI believes more flexibility is needed in the definition language, or as an alternative, some other structural change to allow for designers using gravel surfaces to retain demonstrable and appropriate runoff coefficients in their design plans and execution.

There are two reasons this is critical to UI:

1. It improves UI's ability to serve the communities in its franchise area. Many of UI's existing substations are located in urban areas with already challenged municipal CSOs. In these cases, we feel that UI is better able to partner with the municipality to manage storm flow through infiltration as effectively possible. A similar scenario has UI planning a modest increase in the size of the footprint at one of our substations within a watershed identified with important flood control functions at the municipal level. In discussions with the municipality, UI has agreed to a shared objective of using infiltration, retention and detention, to the degree possible, in support of these appropriate municipal objectives.
2. Over the next few years, UI will be constructing flood mitigation systems (flood walls) around at least two of its existing substations located within the urban harbor interface. For these measures to work correctly, it is crucial that groundwater behavior and the interaction with real time infiltration performance are properly accounted for in the design of the flood control pumping systems for these critical infrastructure assets. UI is prepared to provide any additional details as needed to supplement CTDEEP's consideration of this highly unique engineering and climate adaptation challenge.

UI has no objection to the proposed definition of "*Effective Impervious Cover*" in the context of eligibility for coverage, rather UI is concerned in how this definition as drafted, could frustrate UI's ability to interface design, plan review and obtain permitting with certain municipalities. To the degree the definition of "*Effective Impervious Cover*" drives design parameters in ways that are inconsistent with intended performance and/or community stakeholder concerns, that result would be inefficient for UI, its municipal partners, and customers.

If you have any questions please feel free to contact me and we would be happy to meet with you at CTDEEP's offices to discuss your questions or concerns.

Thank you for your consideration.

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