

STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION



July 27, 2009

Mr. Michael Pace, First Selectman
Town of Old Saybrook
302 Main Street
Old Saybrook, CT 06475

Dear Mr. Pace:

I am writing as a follow up to my letter of April 15, 2008 to you regarding the proposed decentralized wastewater management district. In that letter, a copy of which is attached, five tasks are outlined that the town of Old Saybrook was to complete by July 15, 2008. While the time deadline was not achieved, the Water Pollution Control Authority ("WPCA") has worked very diligently over the last 14 months to successfully complete those tasks. I commend the WPCA and its staff, the Board of Selectmen, other town commissions and the Connecticut River Area Health District on the detailed planning and execution that culminated in a vote by the Board of Selectmen to move the decentralized wastewater management ordinance and funding appropriation to a town meeting on July 29, 2009 followed by a referendum on August 11, 2009. The Department of Environmental Protection fully supports Old Saybrook's efforts to address the identified community pollution problem through a decentralized wastewater management district. There will be significant water quality benefits from evaluating and as appropriate, upgrading existing subsurface disposal systems on over 1,900 residential properties.

The issue now rests with voters and we are hopeful that they will pass the ordinance and the funding resolution. As we have stated repeatedly, both in public meetings and in writing, doing nothing to address the pollution problem is not an option. I would be remiss if I did not remind the town that failure to pass the ordinance and/or the appropriation of funds to implement the project, will leave us with no option but to refer this matter to the Office of Attorney General for enforcement through the court. We will take failure of the ordinance and/or appropriation of funds to pass at referendum as evidence that a decentralized wastewater management district is not a viable solution for Old Saybrook at this time. Therefore, we will ask the court to require the most expeditious structural solution through enforcement of the stipulated judgment. It is reasonable to assume that the most expeditious solution is construction of conventional sanitary sewers and a wastewater treatment plant with a discharge to the Connecticut River. As your counsel can confirm, such action will obviate the need to seek local approval for the project.

Please let me know if you have any questions or if my staff or I can be of any assistance.

Sincerely,

Betsey Wingfield
Bureau Chief
Bureau of Water Protection and Land Reuse