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Testimony of
Town of Vernon and Vernon W.P.C.A.
before the
Planning & Development Committee
March 4, 2016

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HB-5481 - AN ACT CONCERNING PHOSPHORUS REDUCTION REIMBURSEMENTS TO MUNICIPALITIES

Good morning, Representatives and Senators:

My name is John Ward, and I am the Town Administrator for the Town of Vernon. With me is Mr. Robert Grasis, the Director of the Vernon Water Pollution Control Authority.

Thank you for taking the time to hear us.

We are here to speak with you today regarding two urgent matters that pertain to Vernon's Regional Water Pollution Control facility.

Firstly, we speak in support of **Proposed HB-5481 - AN ACT CONCERNING PHOSPHORUS REDUCTION REIMBURSEMENTS TO MUNICIPALITIES**, submitted by Representative Aman. The Vernon Water Pollution Control Facility (WPCF) is a regional facility that services in whole, or in part, the municipalities of Vernon, Ellington, Tolland, Manchester, and South Windsor.

The Authority recently received its updated National Pollutant Discharge Elimination System (NPDES) permit from the Connecticut Department of Energy and Environmental Protection (DEEP). This permit includes new requirements for the Authority to limit the level of phosphorous that is discharged from its facility. The Vernon plant is not designed to remove phosphorous and will be required to perform a significant and costly upgrade in order to meet new discharge requirements. The overall project is estimated to cost the Towns in excess of thirty million (\$30,000,000) dollars. Therefore, we are interested in obtaining maximum eligibility for reimbursement from the Clean Water fund to help up meet this state and federal goal.

To that end, we urge support of Representative Aman's proposal to modify the construction start deadline from July 1, 2018 to July 1, 2020. As we are in the initial design state, the 2018 date is a challenge.

Secondly, we also urge this Committee to adopt the clarifying language proposed by COST in regard to how the phosphorous levels are interpreted for purposes of determining reimbursement levels. In order to receive the higher grant funding, the NPDES discharge level for phosphorous needs to be at or below 0.20 mg/l in the permit as stated in PA 14-13. Vernon's effective phosphorus level is 0.22 mg/ l of effluent discharge, , seemingly too high to make Vernon eligible for the higher reimbursement rate. However,

Vernon is also required to limit the amount of pounds of phosphorous that may be discharged into the Hocaknum. If this pound limitation were applied to the average daily flow rate, the **effective** phosphorus level drops to 0.14 mg/L or below.

The effect of using the “*Average Monthly Phosphorus Limit*” of 0.22 mg/L ignores the reality that Vernon is in fact required to reduce phosphorous levels to 0.14 mg/L or less. This may be corrected by either adding clarifying language that actual phosphorus limits are the criteria used or, as COST’s suggests, if the AMPL is used, raise the criteria to 0.25 mg/l.

Sample clarifying language may be found in the Appendix to this testimony for your consideration

In summation, Vernon is required to reduce phosphorus levels to some of the lowest levels in the state, and would respectfully request it receive the benefit that coincides with the obligation of a low phosphorous limit, and equitable treatment as accorded to other Authorities.

It is for these reasons that Mr. Grasis and myself, on behalf of Mayor Champagne of Vernon, Vernon and its contributing municipalities, am asking your consideration of these proposals.

Thank you for your time today

APPENDIX

Delete the words, “Any contract entered into by a municipality on or before July 1, 2018, that is eligible for financing as a project undertaken for phosphorus removal to at or below two-tenths milligrams per liter effluent discharge....” and replace with the words, “Any contract entered into that is eligible for financing as a project undertaken for phosphorous removal to at or below two-tenths milligram per liter effluent discharge, as calculated by dividing the proposed permit load, measured in per pounds per day, by the current average flow, as contained in the Department of Energy and Environmental Protection's Interim Phosphorous Reduction Strategy for Connecticut Freshwater Non-Tidal Waste-Receiving Rivers and Streams Technical Support Document, and dividing such resultant by 8.34 for purposes of converting from pounds per day to milligrams per liter shall each receive (A) a project grant of fifty per cent of the cost of the project associated with such phosphorous removal.