

**Representative Policy Board
South Central Connecticut Regional Water District**

Application for Approval of the Derby :
Wellfield Chemical Improvements Project : **July 27, 2023**
located in Derby, Connecticut :

**Final Decision, Findings of Fact and Conclusions of Law
of the Representative Policy Board**

A. The Applicant's Request

On April 28, 2023, the South Central Connecticut Regional Water Authority (“RWA” or the “Applicant”), through its five-member Authority, submitted an application for approval of the Derby Wellfield Chemical Improvements Project located in Derby, Connecticut (“Application” or “Project”). The Application also includes the replacement of all the chemical treatment systems along with electrical improvements and roof replacement. The project will include replacement of the flourosilicic acid (fluoride), sodium hydroxide (caustic), phosphate, and sodium hypochlorite chemical feed systems. Each chemical replacement system includes bulk tanks, day tanks, transfer pumps, metering pumps, piping valves and instrumentation. Other necessary building improvements have been rolled into this Application due to the ease of constructability during well and chemical feed system shutdowns. The building improvements include door replacements, fiberglass platforms, tempered water and eye washes for chemical feed systems, heating and ventilating improvements, chemical resistant coatings for chemical feed systems, masonry repointing, replacement of roofing, structural repairs, and miscellaneous electrical improvements. A full well shutdown of the facility will be allowed from November 1 to April 1 so that the contractor may complete the necessary work. If required, the RWA will provide temporary chemical feed systems outside of the allowable shutdown time for the facility. The goal of

including the multiple improvements into one project and allowing a full facility shutdown is to prevent the RWA from having to provide temporary chemical feed systems for a lengthy period and to consolidate the project schedule, reducing overall facility downtime.

The maximum anticipated project cost is \$3.3 million and includes a 20% contingency. The project costs are based on 90% complete design drawings, prepared in February 2023. In accordance with cost-estimating principles, the project costs have been adjusted for inflation.

The Application for approval of the project was filed pursuant to the statutory authority set forth in Section 19 of Special Act No. 77-98, as amended.

B. Participants

In addition to the Representative Policy Board (“RPB”) and the RWA, the district’s Office of Consumer Affairs (“OCA”) participated in this proceeding. The OCA is authorized by Section 15 of Special Act No. 77-98, as amended, to act as the advocate for consumer interests in all matters that may affect water customers in the district.

C. Statutory Standard

Pursuant to the legislation cited in paragraph A above, the RWA is required to obtain approval from the RPB prior to commencing any project costing more than two million dollars to repair, improve, construct, reconstruct, enlarge or extend any of its properties or systems.

D. Notice and Procedures

Effective July 1, 2021, Senate Bill 1202, Section 163, permitted the RPB to hold the public hearing on the Application using electronic equipment or technology that facilitates real-time public access to meetings, including, but not limited to, telephonic, video or other conferencing platforms. Other procedural requirements were also met. On May 25, 2023, the RPB voted unanimously to accept the Application as complete and called a public hearing on Thursday, June

22, 2023 at 7:00 p.m., at the office of the South Central Connecticut Regional Water Authority, 90 Sargent Drive, New Haven and via remote access. The RPB designated Brian Eitzer (Bethany) to serve as Presiding Member at the public hearing.

As required by Section 10 of Special Act. No. 77-98, as amended by Public Act No. 02-85, the RPB published in the *New Haven Register* and the *Connecticut Post* the date, time and place of the public hearing to be held by the RPB to consider the Application for approval. The date of publication was May 27, 2023. A copy of this notice was filed with the Office of the Clerk of each city and town within the District. The notice was posted on the RWA's website, including information about electronic participation for the meeting.

E. Public Hearing

At the public hearing on June 22, 2023, the Applicant provided sworn testimony from Rochelle Kowalski, the RWA's Vice President & Chief Financial Officer, Sunny Lakshminarayanan, the RWA's Vice President of Engineering & Environmental Services, Jim Hill, the RWA's Interim Director of Operations, Orville Kelly, the RWA's Manager of Design and Construction, , and Atty. Jeffrey Donofrio, Office of Consumer Affairs. Mr. Kelly provided a presentation for the project that described the background, scope, site conditions, need, alternatives analysis, budget, and schedule.

Members of the RPB asked questions of the Applicant with respect to alternatives, production, price increase related to system upgrades, negotiations, and distribution system supplementation during construction period.

The Application also contained confidential information subject to protection under C.G.S. Section 1-200(6)(E), for matters covered by Section 1-210(b)(19)(i)(ii), pertaining to safety risk. A portion of the public hearing was held in protected confidential discussion.

The OCA provided a summary of his analysis of the Application as noted in his memorandum to the RPB dated June 15, 2023. Attorney Donofrio concluded that the Application is necessary and appropriate and recommended approval of the Application for the reasons set forth in his memorandum to the RPB.

In addition to the applicants and OCA listed above, Mr. Bone from Tighe and Bond was present to answer any questions. No members of the public attended the public hearing.

F. Analysis

After considering all of the evidence presented, the RPB believes that the Application is necessary and advances the policies and goals of the South Central Connecticut Regional Water Authority, is included in the five-year plan of capital improvements, and is in the best interest of the RWA and its customers. The presentation at the public hearing reinforced the need for and importance of the project.

G. Conclusion

We therefore conclude that the Application for approval of the Derby Wellfield Chemical Improvements Project should be approved. Separately stated findings of fact and conclusions of law are attached hereto as Exhibit A.

Exhibit A
Representative Policy Board
South Central Connecticut Regional Water District

Application for Approval of the Derby :
Wellfield Chemical Improvements Project, : **July 27, 2023**
located in Derby, Connecticut :

Findings of Fact

1. The South Central Connecticut Regional Water Authority (“RWA”), through its five-member Authority, submitted an Application to the RPB for approval of the Derby Wellfield Chemical Improvements Project, located in Derby, Connecticut (“Application”) on April 28, 2023.
2. The Application improves reliability and safety by replacing aging chemical feed system and building equipment/components.
3. The Application improves consistency with other RWA wellfield facilities.
4. The Project maintains criticality of the Derby Wellfield being the primary source of sufficient potable water for the Aquarion Water Company (AWS) East Derby Interconnection and provides a reliability selling point from RWA to AWC for extending the current Agreement for another ten years that is set to expire at the end of 2025.
5. The project is included in the FY 2024 Capital Improvement Project budget. The Project located in Derby, Connecticut will commence in FY 2024, with completion planned in FY 2025, at a total project cost of \$3.3 million.
6. The proposed project is consistent with, advances the policies and goals of the RWA, and is in the public interest.
7. The OCA recommended approval of the Application.

Conclusions of Law

1. The South Central Connecticut Regional Water Authority's ("RWA") application for approval of the Derby Wellfield Chemical Improvements Project located in Derby, Connecticut ("Application") on April 28, 2023, was filed pursuant to the statutory authority set forth in Section 19 of Special Act No. 77-98, as amended.
2. Notice of the public hearing to consider the Application and to allow interested persons, including water users and property owners within the district, to be heard was properly made on May 27, 2023, pursuant to Section 10 of Special Act No. 77-98, as amended.
3. Pursuant to Sections 10 and 19 of Special Act 77-98, as amended, the public hearing was held on June 22, 2023.
4. Based upon the above Findings of Fact, the Representative Policy Board concludes that the RWA's Application meets all requirements for approval.