

RESOLUTION IMPLEMENTING CERTAIN WATER USE RESTRICTIONS

WHEREAS the State of Connecticut Department of Health declared a Public Water Supply Emergency on September 29, 2016; and

WHEREAS the water supply emergency continues; and

WHEREAS it continues to be the desire of the Board of Selectmen to encourage residents and businesses to conserve water during this period of dry weather; and

WHEREAS the Section 34-24 of the Town of Darien Code of Ordinances gives the Board of Selectmen the power to enact water use restrictions; and

NOW, THEREFORE, BE IT RESOLVED that the Resolution Implementing Certain Water Use Restrictions authorized on November 7, 2016 is hereby amended to reflect the updated provisions in the “Second Order” of the Commissioner of Public Health dated March 1, 2017.

STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH



Raul Pino, M.D., M.P.H.
Commissioner

Dannel P. Malloy
Governor
Nancy Wyman
Lt. Governor

SECOND ORDER

On September 29, 2016, pursuant to § 25-32b of the General Statutes (*Conn. Gen. Stat.*), the Commissioner of Public Health ("Commissioner"), in consultation with the Commissioner of Energy and Environmental Protection and the Public Utilities Regulatory Authority ("PURA"), upon receipt of information that a public water supply emergency existed, was imminent or was reasonably expected to occur without the immediate implementation of conservation practices, declared a public drinking water supply emergency in Darien, Greenwich, New Canaan, and Stamford ("September 29, 2016 Declaration") and issued an order to Aquarion Water Company of Connecticut ("Aquarion") ("September 29, 2016 Order"). On October 18, 2016, pursuant to *Conn. Gen. Stat* § 25-32b, the Commissioner issued a First Amended Order to Aquarion ("First Amended Order"). On November 3, 2016, the Commissioner extended the effective date of the September 29, 2016 Order and the First Amended Order to November 30, 2016.

On November 7, 2016, pursuant to *Conn. Gen. Stat* § 25-32b, the Commissioner issued a Second Amended Order to Aquarion ("Second Amended Order"). On December 2, 2016, the Commissioner ordered the reinstatement, continuation and extension of the September 29, 2016 Order, the First Amended Order and the Second Amended Order to December 30, 2016. On December 14, 2016, the Commissioner issued Modification of Orders to Aquarion in which the Commissioner modified the September 29, 2016 Order and the Second Amended Order. On December 22, 2016, the Commissioner extended the effective date of the September 29, 2016 Order, the First Amended Order and the Second Amended Order to January 29, 2017. On January 27, 2017, the Commissioner extended the effective date of the September 29, 2016 Order, the First Amended Order and the Second Amended Order to February 28, 2017. The September 29, 2016 Order, the First Amended Order and the Second Amended Order expire on February 28, 2017, which is 150 days after the issuance of the September 29, 2016 Order, and cannot be extended further pursuant to *Conn. Gen. Stat* § 25-32b.

On February 17, 2017, Aquarion submitted to the Commissioner a request for a new order "to increase the likelihood of refilling the [reservoir system in Stamford]" ("February 17, 2017 Request"). In the February 17, 2017 Request, Aquarion stated that the capacity of its reservoir systems in Greenwich and Stamford are currently at approximately 68 percent and 61 percent full, respectively. According to Aquarion, these reservoir systems are typically at 88 percent full at this time of year. Aquarion also provided in the February 17, 2017 Request information regarding the consistency of the request with the contingency procedures for a public drinking water supply emergency in Aquarion's water supply plan approved pursuant to *Conn. Gen. Stat.* § 25-32d.



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Pursuant to *Conn. Gen. Stat.* § 25-32b, and based on the September 29, 2016 Declaration of an emergency which still continues, the Commissioner hereby orders the following new order:

1. Aquarion shall continue to institute and enforce the mandatory ban on outdoor water use in Darien, Greenwich, New Canaan, and Stamford that Aquarion put in place for its customers on September 16, 2016. Such mandatory ban shall no longer apply to the following outdoor water uses: use of drip irrigation, soaker hoses, or hand-watering; filling or adding of water to pools used for private or public recreational purposes; use of water to wash boats or motor vehicles; use of water for ornamental or display fountains where the water used is being recycled; use of water for industrial and commercial air conditioning; use of water for dust control at construction sites; use of water by a municipality for street sweeping; use of water for the watering of golf course greens and tees, but not for fairways; use of water for power washing residences or commercial buildings; use of water from fire hydrants for fire protection, fire training and flushing of sewers, or where a threat to public health or safety may exist; use of water for irrigation during the repair or testing of a new or existing automatic irrigation system; or use of water for irrigating nursery stock at a commercial plant nursery.
2. Aquarion shall continue to work with Suez Water Westchester Inc. (hereinafter "Suez") to ensure that the communities in New York that are served by Suez with water purchased from Aquarion are implanting mandatory bans on outdoor water use.
3. Aquarion shall not add any new customers to any of its public water systems in Darien, Greenwich, New Canaan, and Stamford without the Department's review and approval.
4. Aquarion shall implement its program for reducing unaccounted for water by calibrating supply and main line meters, calibrating consumers' meters, taking pipeline flow measurements, conducting leakage surveys, and inspecting bleeders. In addition, Aquarion shall reduce unaccounted for water in Darien, Greenwich, New Canaan, and Stamford to less than 15 percent.
5. Aquarion shall work with its top twenty largest water users in its Southwest Fairfield County region, including Darien, Greenwich, New Canaan, and Stamford, in an effort to achieve the savings identified in the water audit findings submitted to the Department on January 27, 2017.
6. Aquarion shall maximize the use and production of all its registered and permitted groundwater sources of supply and interconnections in its Main System in Bridgeport and in Darien, Greenwich, New Canaan, and Stamford that are registered and permitted by DEEP pursuant to *Conn. Gen. Stat.* §§ 22a-365 through 22a-378, inclusive.
7. Aquarion shall provide to the Department and PURA monthly updates regarding Aquarion's implementation of its plan of action to maximize and enhance the delivery of water from its Main System in Bridgeport to its Stamford System and then into its Greenwich System.
8. Aquarion shall publish on Aquarion's Internet webpage not less than weekly the status of its sources of supply in Darien, Greenwich, New Canaan, and Stamford.
9. Aquarion is hereby authorized to increase the capacity of the Southwest Regional Pipeline ("SWRP") from 7.26 million gallons per day ("mgd"), which is the amount Aquarion's diversion permit from Department of Energy and Environmental Protection ("DEEP") (Diversion Number DIV-1997-13r) authorizes, to up to 11 mgd, to transfer water from its Main System in Bridgeport to its Darien, Greenwich, New Canaan, and Stamford, systems.

10. Aquarion is authorized to continue to operate the following temporary infrastructure ("Temporary Infrastructure"):
 - a. Pump station at Aquarion's Belden Hill Tanks in Wilton to increase the flow of water through the SWRP.
 - b. Approximately 13,400 feet of 18-inch diameter temporary above-ground pipeline ("Temporary Pipeline") to transfer water from Aquarion's SWRP to its Stamford system. No more than 5.5 mgd of the 11 mgd authorized hereunder for the SWRP shall be transferred through the Temporary Pipeline in any twenty-four hour period.
 - c. Approximately 8,000 feet of 12-inch diameter temporary above-ground pipeline ("Additional Temporary Pipeline") to transfer more water from Aquarion's SWRP to its Stamford system. No more than 1.5 mgd of the 11 mgd authorized hereunder for the SWRP shall be transferred through the Additional Temporary Pipeline in any twenty-four hour period.
 - d. With respect to such Temporary Pipeline and Additional Temporary Pipeline, Aquarion shall provide to the Department on or before March 14, 2017:
 - i. Its plan for ensuring the security of such Temporary Pipeline and Additional Temporary Pipeline; and
 - ii. Evidence of liability insurance coverage for such Temporary Pipeline and Additional Temporary Pipeline satisfactory to the Commissioner.
11. Aquarion shall test weekly at the terminus of the Temporary Pipeline and at the Iliff pump station in Stamford the effluent water from the Temporary Pipeline and Additional Temporary Pipeline, respectively, for coliform bacteria, physical parameters, water quality parameters, chlorine residual, chloride, sulfate, and Heterotrophic Plate Count ("HPC").
12. Aquarion shall cease utilizing the Temporary Infrastructure authorized in Paragraph 10 as soon as this Second Order is lifted and shall not maintain such Temporary Infrastructure in place more than 120 days after the lifting of this Second Order.
13. Aquarion shall ensure that water quality in the water service areas of Darien, Greenwich, New Canaan, and Stamford continue to meet all state and federal drinking water standards, including § 19-13-B102 of the Regulations of Connecticut State Agencies and the federal Safe Drinking Water Act. In addition, Aquarion shall log and share weekly with the Department and the local health departments of Darien, Greenwich, New Canaan and Stamford all consumer complaints it receives. Finally, Aquarion shall, according to its plan submitted to the Department and dated October 24, 2016, test weekly for corrosion throughout Aquarion's water service areas in Darien, Greenwich, New Canaan, and Stamford.
14. In accordance with its communications plan for all of the towns served by its Main System in Bridgeport, including Bridgeport, Darien, Greenwich, New Canaan, and Stamford, Aquarion shall continue to inform local officials and customers regarding the drought and request that all customers reduce water usage by not less than 20 percent.
15. Aquarion shall weekly report to the Department, DEEP, and the local health directors in Darien, Greenwich, New Canaan and Stamford, and shall weekly publish the following on Aquarion's Internet webpage:

- a. Information regarding Aquarion's supply and demand in its Darien, Greenwich, New Canaan, and Stamford Systems. The information for the surface water supplies shall be submitted to the Department on the Department's Surface Water Capacity Reporting form and shall include at a minimum the weekly measurements of water elevation, instantaneous usable storage capacity, reservoir withdrawals, amount of precipitation, and supply days left in such reservoirs. In addition, the information for Aquarion's groundwater sources shall include at a minimum the weekly reading of instantaneous flow rate, total quantity of water delivered over the previous week and groundwater elevations.
- b. Information regarding Aquarion's conservation practices and the effect of such practices on Aquarion's supply and demand, including Aquarion's efforts to reduce its unaccounted for water to less than 15 percent and to reduce the consumption of its top twenty largest water users as required by Paragraphs 4 and 5, respectively, of this Second Order.
- c. Information regarding Aquarion's communications with Suez. The effectiveness of the demand reduction efforts in the towns served by Suez shall be measured by taking weekly readings of the water sold to Suez by Aquarion at all active interconnections and such weekly readings shall be reported to the Department, DEEP, PURA, and the local health officials in Darien, Greenwich, New Canaan, and Stamford.
- d. Information regarding Aquarion's communications with town and local health officials in Darien, Greenwich, New Canaan, and Stamford, as well as information regarding any tickets or fines issued by such town or local health officials.
- e. The results of the water quality monitoring required in paragraph 11 of this Second Order.
- f. Information regarding the daily diversion of water authorized in Paragraph 9 of this Second Order. Aquarion shall report the total withdrawal, diversion or transfer of water in each twenty-four hour period in gallons per day.
- g. Documentation regarding stream flow conditions downstream of the diversion of water authorized in Paragraph 9 of this Second Order and any adverse environmental outcomes resulting from such increased utilization of the diversion registration.

This Second Order shall remain in effect for not more than thirty days, i.e. to no longer than March 31, 2017. The Commissioner of Public Health may extend such second order for additional periods of thirty days up to one hundred fifty days, consistent with the contingency procedures for a public drinking water supply emergency in Aquarion's water supply plan approved pursuant to *Conn. Gen. Stat.* § 25-32d, to the extent the Commissioner deems appropriate.



Raul Pino, MD, MPH
Commissioner

March 1, 2017

Date

cc: Commissioner Rob Klee, Department of Energy and Environmental Protection
Commissioner John W. Betkoski, Public Utilities Regulatory Authority