Water Filtration Plant Update

Winsted Voice

September 1, 1994

By Charlene LaVoie, Community Lawyer

On June 29, 1993 the Board of Selectmen voted (3-2) to enter into a consent order with the state Department of Health Services for the construction of a water filtration plant. A consent order is a legal agreement which requires the Town to follow a schedule to meet state and federal laws regarding drinking water.

Time for citizens to take a look at the consent order, what it requires the Town to do and when.

The order requires the following:

5(c) On or before MARCH 1, 1994, the Town shall submit a report to the state which includes the result of a pilot study with conclusions and recommendations for treatment.

5(d) On or before JANUARY 1, 1995, the Town shall verify in writing to the state that the design of the project has begun.

5(e) On or before JANUARY 1, 1996, the Town shall submit to the state for review and approval final design plans and specifications.

5(f) On or before APRIL 1, 1996, the Town shall enter into a construction contract for construction of the project.

5(g) On or before JULY 1, 1996, the town shall begin construction of the project.

5(h) On or before JUNE 29, 1998, the Town shall verify to the state in writing that the project has been completed and is in service.

The Town has already complied with section 5(e). The pilot studies were conducted in August and December of 1993, well before the required deadline of March 1994.

The Town has complied with section 5(d). The design of the project has begun. In fact, we have more than one completed design.

The Town has until January 1996 to submit the project plans for review by the state.

The consent order also spells out when the state can assess the Town fines and penalties. Section 8 of the order states that the Town shall pay a monetary penalty if it does not have the plant in operation by June 29, 1998. There is no provision for fines prior to June 29, 1998.

In addition, section 4 of the order states that the state shall not pursue penalties as long as the Town is in compliance with the order and as long as the Town complies with paragraph 5(h). Section 5(h) requires the Town to complete the project by June 29, 1998.

Consent orders clarify what is expected of each party. In this case the order is a tool which establishes the relationship between the town and the state. This order is not meant to create confusion or intimidate the citizenry and officials and others must not use it to do so. This is a major project which requires thoughtful analysis, not a panic response.