



NOTICE OF VIOLATION  
**NOVWSERU 26-015**

To: Mayor Paul Pernerewski Jr.  
City of Waterbury  
235 Grand St.  
Waterbury, CT 06702

The purpose of this Notice is to inform you that personnel of the Connecticut Department of Energy and Environmental Protection (DEEP) have made observations or otherwise obtained information indicating that a violation of law has occurred at the adjoining properties located at 359 Mill Street and 777 South Main Street in Waterbury, CT (“the Site”). On May 15, 2026, according to DEEP’s Incident Report 202601420 it came to the attention of DEEP that an unregistered 10,000-gallon underground storage tank containing PCB-contaminated oily water and sludge was discovered at the Site. Sampling conducted at the Site determined the presence of PCB-contaminated soil surrounding the tank and along the tank edges at concentrations of approximately 2,200 ppm. This notice alleges the following violation of Connecticut law:

1. Failure to provide an initial report to DEEP within 1 hour after discovery of a release, constituting a violation of section 22a-450-4 of the Regulations of Connecticut State Agencies (RCSA), also known as the [Release Reporting Regulations \(RRRs\)](#).
2. Failure to comply with section 22a-427 of the Connecticut General Statutes (CGS), which prohibits the pollution or discharge of wastes.
3. Failure to comply with CGS section 22a-430, which prohibits the discharge of pollution to the waters of the state;
4. Failure to comply with CGS section 22a-467, which constitutes a disposal of PCBs in other than a manner authorized by the State.
5. Failure to comply with RCSA section 449(d)-107, which requires closure of an underground storage tank (UST) system.
6. Failure to comply with RCSA section 449(d)-106, which requires corrective actions to be taken after discovering a confirmed release.
7. Failure to comply with RCSA section 449(d)-114, which requires notification of UST systems to DEEP.

When you have corrected the violation(s) alleged in this Notice, you should submit in writing the details of the corrective action(s). The submittal should be made within thirty (30) days on the enclosed compliance statement, and *sent to the contact person identified below in paragraph D*. Until DEEP has received such a statement, DEEP will presume you remain in violation. If the violation(s) cannot be corrected within thirty (30) days, provide a schedule of compliance (that includes a timetable) on the enclosed Compliance Statement within thirty (30) days describing the actions you will take to correct the

violation(s). Your actions in response to this Notice, including submission of the attached Compliance Statement, may affect the DEEP's decision on whether or not to take formal enforcement action.

**The compliance statement should include, but not necessarily be limited to: (1) documentation of the development and implementation of a Best Management Plan (BMP) for preventing and reporting releases; (2) a description of a training program implemented to ensure that all employees understand and implement the BMP; (3) an explanation of measures taken to prevent future such violations at this site and other sites; (4) initial analytical results for samples taken from the Site; (5) investigation reports detailing all investigation work; (6) analytical results evaluating the migration or lack thereof of PCB and other contamination at the Site; (7) A Closure Report detailing all analytical results for samples showing that PCB and other contamination at the Site has been corrected; (8) documentation confirming that wastes generated in addressing the alleged violations have been properly disposed; (9) Close UST in accordance with RCSA 22a-449(d)-107; (10) Begin corrective action(s) as required by RCSA 22a-449(d)-106, including timely submittal of forms required by this section; (11) Registration/notification of the UST system to DEEP via the ezFile portal; or (12) a schedule for providing (1) through (11) above.**

- A. Other violations may exist; legal obligations. This Notice does not necessarily specify all violations of Connecticut environmental law or violations of any other legal requirements, which may exist at the aforementioned property. This Notice does not preclude the DEEP or other state, local or federal agencies from commencing any enforcement action regarding any such violations. Your facility may be inspected again pursuant to law and without additional prior notice to determine compliance with state and any applicable federal law. It is your responsibility to comply with all legal requirements, whether or not the DEEP notifies you of any violations or takes any enforcement action against you. Nothing in this notice relieves you of other obligations under applicable federal, state, and local law.
- B. Enforcement Action. Civil Penalties of up to \$25,000 may be assessed for each day of each violation under CGS section 22a-438. Notwithstanding the issuance of this Notice, the DEEP may seek such penalties and may issue an order, seek an injunction, or take other legal action under CGS Chapters 439, 445 and 446.
- C. No assurance by the Commissioner. No provision of this Notice and no action or inaction by the Commissioner shall be constructed to constitute an assurance by the Commissioner that actions you may take to address the violation alleged herein will result in compliance.
- D. Staff contact. If you question any of the information contained in this Notice, you may contact of the Bureau of Materials Management and Compliance Assurance, Licensing and Enforcement Unit by email to [Daniel.Marone@ct.gov](mailto:Daniel.Marone@ct.gov), by telephone to (860) 424-3995 or by U.S. mail to CT DEEP, 79 Elm Street, Hartford, CT 06106-5127.

05/15/2026

Date

Gary Trombly

Gary Trombly  
Assistant Division Director  
Emergency Response and Spill Prevention Division

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Mailed Electronic Certified Mail