



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

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Petition No. 380HW
Logano Transportation Company, Inc.
Portland Connecticut
September 10, 1997

On August 27, 1997, the Connecticut Siting Council, (Council) received a petition from Logano Transportation Company, Inc. (Logano) seeking a declaratory ruling that the transfer of hazardous and non-hazardous wastes, in approved Department of Transportation (DOT) containers, at its facility located at 203 Pickering Street, Portland, Connecticut, would constitute short-term storage of hazardous waste as described in General Statute § 22a-117(b)(3) and therefore would not require a Certificate of Public Safety and Necessity (Certificate).

Permitted hazardous waste transporters from various generators throughout New England, New York, and Pennsylvania bring waste to the Logano facility for conveyance to a treatment, storage and disposal facility (TSDF). At no time are the containers opened nor would waste be transferred from container to container. Logano proposes to move the containers in and out within 10 days. This activity would take place on a covered platform with three walls. Logano is prepared to implement a spill prevention and countermeasure plan in case of accidental spills as required by the Department of Environmental Protection (DEP) and in accordance with the DOT emergency response guidelines, as amended.

The DEP Waste Management Bureau has determined the Logano facility is not required to obtain a Resource Conservation and Recovery Act (RCRA) Hazardous Waste TSDF permit. However, Logano has submitted a permit application to the DEP for the transfer of RCRA hazardous and State Regulated wastes pursuant to Connecticut Regulations of State Agencies section 22a-454.

On April 25, 1995, the Council ruled that the recycling of lead contaminated debris wood is exempt from Council jurisdiction. On June 20, 1995, the Council ruled that the storage of fluorescent light ballasts and small electrical capacitors would be short-term and would not require a Certificate.

Logano contends no Certificate would be necessary for the transfer of hazardous and non-hazardous wastes because it would constitute short-term storage as defined in General Statute section 22a-117(b)(3).

General Statute

22a-115. Definitions.

“short-term storage” means the holding of individual containers of hazardous waste in such a manner as not to constitute disposal of such hazardous waste.

“long-term storage” means the holding of more than fifty-five gallons or five hundred pounds, whichever amount is greater, of hazardous waste at one site for longer than one year.

Section 22a-117(b)

Sections 22a-114 to 22a-130, inclusive, shall apply to the construction of any hazardous wastes facility except existing facilities and to the construction or modification of any hazardous waste facility except: (1) Any facility whose primary business is not disposal, treatment or recovery of hazardous waste but which treats or recovers hazardous waste on site as an integral part of an industrial process as determined by the commissioner; (2) any facility approved by the commissioner designed and operated by or for municipalities pursuant to their obligations under section 22a-220 to provide for solid waste disposal; (3) any facility used only for short-term storage of hazardous waste; and (4) any facility requiring a permit pursuant to section 22a-454 which the council determines, after consultation with the commissioner, does not pose a significant threat to public safety, human health or the environment.