



Connecticut Department of
**ENERGY &
ENVIRONMENTAL
PROTECTION**

OFFICE OF ADJUDICATIONS

IN THE MATTER OF : *APP. No.: 201604262*
COVANTA PROJECTS OF
WALLINGFORD, LLC : *August 20, 2018*

FINAL DECISION

On August 15, 2018, Covanta Projects of Wallingford, LLC (Applicant) and staff of the Department of Energy and Environmental Protection jointly filed the attached Agreed Draft Decision for my review and consideration ([Appendix 1](#)). Regs., Conn. State Agencies § 22a-3a-6(1)(3)(A). I have reviewed this submission, the record, and the relevant law in this matter. I find that the Application filed by the Applicant, requesting a permit to construct and operate a transfer station at a site previously used as a resource recovery facility in Wallingford, satisfies the relevant statutory and regulatory criteria related to the construction and operation of a transfer station. Furthermore, I find that the parties' Agreed Draft Decision satisfactorily conveys the factual findings and legal conclusions necessary to support my decision. I adopt this Agreed Draft Decision as the final decision in this matter.¹

¹ In the Agreed Draft Decision, the parties indicate that if the Agreed Draft Decision is adopted, the parties . . . "waive all rights to file exceptions with the Commissioner pursuant to § 22a-3a-6(y) of the Rules of Practice . . ." The Commissioner has delegated final decision-making authority to the agency's Office of Adjudications and its hearing officers in limited circumstances. Included in this delegation is the authority to issue final decisions in "matters where the hearing officer has issued a proposed final decision and the parties, including staff of the Department, by written stipulation waive compliance with the right to file exceptions to such decision, pursuant to [General Statutes] § 4-179(d)." Delegation of Authority, July 12, 2011, § VIII, F. 4. c. vii. I therefore, pursuant to authority delegated to me by the Commissioner, issue this decision as the Final Decision of the Department in this matter.

The DEEP has prepared a draft permit authorizing certain regulated activities at the Applicant's site. (Attached as [Appendix A](#) to the Agreed Draft Decision.) The record and this draft permit reflect staff's consideration of all the relevant criteria set forth in the applicable statutes and regulations governing the proposed activity.

Conclusion

If conducted as proposed and in accordance with the terms and conditions of the draft permit, the regulated activities will be consistent with all relevant statutes and regulations regarding transfer stations. The permit sought by the Applicant shall be issued, consistent with this final decision.



Brendan Schain, Hearing Officer