



STATE OF CONNECTICUT

COUNCIL ON ENVIRONMENTAL QUALITY

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Paul Aresta
Executive Director

VIA ELECTRONIC MAIL

September 25, 2024

Elizabeth Moore
Bureau of Materials Management and Compliance Assurance
Department of Energy and Environmental Protection (DEEP)
79 Elm Street, Hartford, CT 06106-5127
elizabeth.moore@ct.gov

Re: Draft General Permit to Perform One Day Collections of Certain Wastes and Household Hazardous Waste (General Permit)

The Council on Environmental Quality (Council) strongly supports one day collections of certain wastes and household hazardous waste from homeowners and conditionally exempt small quantity generators (CESQG). The availability of a convenient and low-cost method to properly dispose of wastes as described in the General Permit should protect environmental resources, such as groundwater and surface waters. The Council provides the following comments regarding DEEP’s proposed General Permit.

2. Definitions

“Aquifer Protection Area” means any area consisting of well fields, areas of contribution and recharge areas, identified on maps approved by the commissioner.

The Council suggests that the definition for Aquifer Protection Area reference Connecticut General Statutes Section 22a-354h.

3. Authorization Under This General Permit

(a) Eligible Activities

Provided the requirements of Section 3(b) of this general permit are satisfied, this general permit authorizes the Permittee to perform the one-day collection of the following solid wastes:

- (1) Greater than ten (10) cubic yards of household hazardous waste;
- (2) Greater than ten (10) cubic yards of covered electronic devices and/or used electronics;
- (3) Hazardous waste and universal wastes generated by a CESQG; and
- (4) Sharps and pharmaceuticals generated from households.

The Council has the following questions regarding the eligible activities of the General Permit:

- Would a one-day collection of less than 10 cubic yards of household hazardous waste and/or electronic devices and/or used electronics be exempt from the requirements of the General Permit?
- Is there a maximum amount of waste that is permitted to be collected during the one-day collection event?
- Is there a total maximum amount of eligible solid wastes that more than one CESQG¹ can bring to a one-day collection event?

(b) Requirements for Authorization

(4) Coastal Area Management and Permitting

Such activity is consistent with all-applicable goals and policies stated in section 22a-92 of the General Statutes and will not cause adverse impacts to coastal resources as they are defined in section 22a-93 of the General Statutes or if such activity is located, wholly or in part, waterward of the coastal jurisdiction line in tidal, coastal or navigable waters of the State or in tidal wetlands, the activity is authorized pursuant to sections 22a-359 through 22a-363f, inclusive, or 22a-28 through 22a-35, inclusive.

The Council questions why a one-day collection of certain wastes and household hazardous waste would be allowed “*wholly or in part, waterward of the coastal jurisdiction line in tidal, coastal or navigable waters of the State or in tidal wetlands*”. Locating a collection event in the foregoing areas would likely be inconsistent with some of the provisions of Section 5 (a) “General Operating Conditions for All Collections, including but not limited to the provision that “*there are no uncovered storm drains, watercourses or drainage areas located within one hundred (100) feet of the receiving, sorting and packaging areas.*” The Council suggests that the phrase following “*section 22a-93 of the General Statutes*” be revised or deleted.

(5). Endangered and Threatened Species

Such activity does not threaten the continued existence of any species listed pursuant to section 26-306 of the General Statutes as endangered or threatened and will not result in the destruction or adverse modification of habitat designated as essential to such species.

The Council supports the protection of endangered and threatened species and their habitat. The Council also supports the protection of all critical habitat for all species. The Council encourages DEEP to revise Section (5) to prohibit the adverse modification of any critical habitat essential to any species.

(6) Aquifer Protection

Such activity, if it is located within an aquifer protection area as mapped under section 22a-354b of the General Statutes, complies with aquifer protection regulations adopted pursuant to section 22a-354i of the General Statutes

The Council strongly supports the provisions of the General Permit that protect aquifers and suggests that the General Permit also include provisions to protect public drinking water supply watersheds and any municipal groundwater protection overlay areas. Specifically, the Council suggests that the provision of Section 5(1)(A) Emergency Preparedness and Prevention Plan (vi) also require immediate notification to the public water system and municipality for any emergencies that occur within a public drinking water supply watershed or municipal groundwater protection overlay area.

Section 5 Conditions of this General Permit

(a) General Operating Conditions for All Collections

(1) Required Plans

The Permittee shall prepare an Emergency Preparedness and Prevention Plan and an Operation and Management Plan as described in this Section. Such plans shall be available at the collection site and upon request of the commissioner.

In the event of an explosion or fire, for example, access to the Emergency Preparedness and Prevention Plan may not be possible. The Council suggests that at least one other alternative location be specified for easy and quick access to such plan and that an education component be added to the requirements so that all personnel on site know the chain of command in the event of an emergency and the location of the plan.

¹ Consistent with the provisions of Section 5(c)(2) of the General Permit, the *Permittee* must “ensure that not later than five (5) days prior to a one-day collection, that any CESQG wishing to participate in the collection submits the CESQG Approval Form (DEEP Form DEEP-Approval-001) to the Permittee for review and approval.”

(A) Emergency Preparedness and Prevention Plan

The Council suggests that General Permit require contact information for 1) the Permittee or the Permittee's agent, such as name, title, and mobile phone number, that would be present at the collection site in case of an emergency, and 2) the public water system and the chief elected official of the host municipality for any emergencies that occur within a public drinking water supply watershed or municipal groundwater protection overlay area.

The Council observes that "flood" is specified in subparagraph (a)(1)(A)(i) of this section along with the enumeration of "spill," "fire," "explosion," and "other emergency," but is left out of other lists in this subsection of possible emergency events at a site. The Council recommends that DEEP review the provisions of Section 5(a)(1)(A) and determine whether "flood" should be added to other subsections or subparagraphs.

(vi) The expeditious notification regarding any emergency incident (explosion, accident, fire, release, or other significant disruptive occurrence) which could reasonably create a source of pollution to the waters of the state or otherwise threatens public health.

Because an explosion, accident, fire, release or other significant disruptive occurrence could also jeopardize the air, the Council suggests that the last phrase of this subdivision be revised to include air (e.g. "...create a source of pollution to the waters of the state, air, or otherwise threatens public health").

(B) Operation and Management Plan

The Council suggests that the Permittee include a site map that identifies receiving, sorting, and packaging areas, as well as any fuel storage tanks or pumps, storm drains, watercourses, or drainage areas on the collection site. Such a site plan would help to ensure that provisions of Section 5(a)(6) are addressed, including but not limited to (iii) prohibiting fuel storage tanks or pumps within 50 feet, and (iv) uncovered storm drains, watercourses or drainage areas within 100 feet of the receiving, sorting and packaging areas.

(b) Additional Operating Conditions for the Collection of Household Hazardous Wastes, Covered Electronic Devices and Used Electronics

(6) Any broken cathode ray tube from a covered electronic device or used electronics shall be immediately cleaned up and placed in a container. Such container(s) shall be: kept closed; structurally sound; compatible with the cathode ray tube(s); capable of preventing leakage, spillage or releases of broken cathode ray tubes, glass particles or other hazardous constituents from such broken tubes to the environment; and labeled or clearly marked with the phrase "Broken CRTs".

The Council suggests that the permit specify where the broken cathode ray tube containers are ultimately to be disposed and to also specify what records, if any, DEEP would require regarding such broken cathode ray tube containers.

Thank you for your consideration of the Council's comments.

Sincerely,



Paul Aresta,
Executive Director