



STATE OF CONNECTICUT

COUNCIL ON ENVIRONMENTAL QUALITY

VIA ELECTRONIC MAIL

February 25, 2026

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 Construct and Operate a Commercial Facility for the Management of Recyclable Materials and Certain Solid Wastes (General Permit)

Dear Elizabeth Moore,

Please find below the Council on Environmental Quality's comments regarding DEEP's proposed General Permit.

2. Definitions

"Non-RCRA Hazardous waste" means wastes that are not classified as Hazardous wastes under 40CFR 261.3 but that are still subject to certain management requirements under Section 22a-454 of the CGS."

The Council notes that the hyperlink for "*Hazardous Wastes*" is broken. Further, the Council finds that the phrase "*certain management requirements*" is vague and suggests that those management requirements under Section 22a-454 of the Connecticut General Statutes (CGS) be specifically identified in the appropriate appendices including, but not limited to, Appendix E "*Non RCRA Hazardous Wastes*".

Section 3: (b) Requirements for Authorization

(4) Endangered and Threatened Species

The management of Recyclables and other Solid wastes at a Commercial Facility does not threaten the continued existence of any species listed pursuant to Section 26-306 of the CGS 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 suggests that the General Permit emphasizes the need to protect habitat that is critical to any species. If the provisions of Section 3(b)(4) do not allow for the consideration of critical habitat and species not listed as "endangered and threatened", it is suggested that a new section be added to the General Permit to emphasize the need to protect habitat that is critical to any species.

5) Aquifer Protection

If the management of Recyclables and other Solid wastes at a Commercial Facility is proposed to be located within an aquifer protection area as mapped under Section 22a-354b of the CGS, such activity complies with regulations adopted pursuant to Section 22a-354i of the CGS.

Keith Ainsworth
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Cinzia Lettieri

Aimee Petras

Denise Rodosevich

William Warzecha

Paul Aresta
Executive Director

The Council strongly supports the provisions of the General Permit that protect aquifer protection areas and suggests that the General Permit include provisions to protect source drinking water including, but not limited to, public drinking water supply watersheds and municipal water protection overlay areas.

(9) Stormwater and Wastewater Discharges

The management of Recyclables and other Solid wastes at a Commercial Facility's Site complies with all applicable standards and requirements for stormwater and wastewater discharges established pursuant to Sections 22a-430 and 430b of the CGS. It is the Registrant's responsibility to register for the Department's "General Permit for the Discharge of Stormwater Associated with Industrial Activities" and "General Permit for Miscellaneous Discharges of Sewer Compatible (MISC) Wastewater," as appropriate, and/or obtain other, necessary permit(s) through the Water Permitting and Enforcement Division.

The Council strongly supports the proper management of stormwater and wastewater discharges. The Council recommends that this General Permit specify **when** the registrant for this General Permit is required to register for the "General Permit for the Discharge of Stormwater Associated with Industrial Activities" and/or the "General Permit for Miscellaneous Discharges of Sewer Compatible (MISC) Wastewater". If appropriate, the Council suggests that the prospective registrants for this General Permit include proof of coverage in **Section 4. Registration Requirements (d) Contents of a Registration** or that registrants provide proof of coverage within a reasonable timeframe (e.g. 60 days) of the "Approval of Registration".

(2) Registration Form

The Site Plan shall at a minimum include:

The Council suggests that the General Permit includes provisions requiring the identification of 1) Natural Diversity Database buffer areas, 2) aquifer protection areas, and/or 3) a public drinking water supply watersheds and/or municipal water protection overlay areas that intersect the proposed facility site and/or any abutting properties. The Council also suggests that, if specific separation distances are specified within any of the applicable appendices, those resources should also be identified on the site plan or associated location map. For example, Appendix C – Clean Wood (including Leaves and Grass Clippings) requires that "clean wood processing is conducted in area(s) as designated on the Site Plan and such area(s) are located at least 500 feet from any off-site residential building(s)."

(d) Duty to Provide Information

Within five (5) Days of submission of a Registration to the Department, the Registrant shall provide a copy of such Registration to the chief elected official ("CEO") of the municipality in which the Facility is proposed. The Registrant shall notify that municipality's CEO of his receipt of an Approval of Registration under this General Permit within five (5) Days of its issuance.

The Council strongly supports this provision of the General Permit that requires the registrant to provide a copy of such "Registration" within five days of submittal, and the receipt of "Approval of Registration" within five days of its issuance. The Council suggests that this provision also extend to the owner/operator of any public water systems that could be impacted by the proposed facility, especially if the proposed facility would be located within an aquifer protection area or public water supply watershed.

Appendices

The Council acknowledges that the appendices share common language. Unless noted otherwise, the following comments may apply to one or more appendices:

- **Documents Available at the Facility** – The Council suggests that the registrant ensure that a copy of the following documents is also available at the permitted facility at all times for review by facility operator(s) and DEEP: 1) "General Permit for the Discharge of Stormwater Associated

with Industrial Activities”; 2) “General Permit for Miscellaneous Discharges of Sewer Compatible (MISC) Wastewater”; 3) a spill prevention and response plan; and 4) the written plan for the management of propane tanks with valves, if appropriate.

- **Facility Personnel and Training** – (c) *All individuals under the supervision of the Certified Operator shall be given annual training by the Registrant. The training shall include at a minimum safety and emergency procedures, and proper management of all C&D wastes, Recyclables and other Solid wastes received and managed on-site, including inadvertently received unauthorized wastes.*

The Council suggests that spill prevention and response training be included in the annual training that must be provided by the Registrant to all individuals under the supervision of the Certified Operator.

- **Sanitation and Maintenance** – (a)(i) *The Facility is operated and maintained in a safe and nuisance-free manner to control and/or prevent: fire; dust emission levels; odor; noise; spills; accumulation of litter; ponding of water and the harboring, feeding or breeding of vectors; and in continuous compliance with all applicable requirements.*

The Council notes the provisions for the control of fugitive dust emissions and odors includes specific reference to the Regulations of Connecticut State Agencies (RCSA) Section 22a-174-18 for the “Control of Particulate Matter and Visible Emissions” and Section 22a-174-29 for the “Control of Odors”. The Council suggests that the General Permit also reference RCSA Sections 22a-69-1 through 22a-69-7 for the “Control of Noise”.

- **Record-Keeping and Reporting Requirements – (a) Records**
Daily records shall be maintained in a manner acceptable to the Commissioner and be made available to Department staff for inspection at any reasonable time. Such records shall be maintained at the Facility for the life of the General Permit.

The Council notes that the provisions of this section to maintain records at the facility for the life of the General Permit might conflict with the provision identified in “**Documents Available at the Facility**” that requires “All records for wastes received, Processed and transferred from the Facility shall be maintained at the Facility for at least three (3) years following the expiration of the General Permit”. The Council suggests that the General Permit clarify the timeframe for records retention.

- **Emergency Incident(s), Reporting Emergencies to the Department** – (a) *The Registrant shall notify staff of the Department’s Waste Engineering and Enforcement Division of any emergency incident at the Facility that disrupts Facility operations, such as explosion(s), accident(s) or fire(s), including but not limited to any incident(s) that... (iv) Can reasonably be expected to create a source of pollution to the waters of the state; or might otherwise threaten public health and the environment.*

The Council suggests that, if there is an incident that has potential to create a source of pollution to waters of the state or threaten public health, the registrant should also notify the chief elected official of the host municipality; the Department of Public Health Drinking Water Section; and the appropriate water utility, if the site is located within an aquifer protection area or public water supply watershed.

- **Management of Pest Infested Clean Wood** - The Council supports the provisions of this section of the General Permit that requires permittees to identify and control the spread of Asian longhorn beetle. The Council suggests that the General Permit includes provisions to add any other pest(s)

that is identified by the Connecticut Agricultural Experiment Station and subject to quarantine requirements.

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

Sincerely,

A handwritten signature in black ink that reads "Paul Aresta". The signature is written in a cursive style with a long horizontal flourish at the end.

Paul Aresta
Executive Director