

## Exhibit E – CT DEEP Landfill Post-Closure Use Permit Approval Letter



## **AUTHORIZATION FOR THE DISRUPTION AND CHANGE IN POST CLOSURE USE OF A CLOSED SOLID WASTE DISPOSAL AREA**

**Municipality:** Town of Groton  
**Site of Activity:** 685 Flanders Road, Groton, CT  
**Licensee:** VCP Groton LF, LLC  
**Application No.** 202504287

Pursuant to § 22a-209-7(u) of the Regulations of Connecticut State Agencies (RCSA), the Commissioner of Energy and Environmental Protection (Commissioner) hereby issues this Authorization to VCP Groton LF, LLC (Licensee) to disrupt the closed solid waste disposal area located at 685 Flanders Road, Groton, Connecticut (Site). The landfill was closed in accordance with the RCSA §§22a-209-7 and -13 and the closure plan “Town of Groton, Connecticut – Flanders Road Landfill Closure, April 1994”, and the approval of as-built plans and certification report on December 29, 1998. The post-closure period is regulated through the approved closure plan and the approval of the closure report and as-built engineering drawings as filed on the land records for the Town of Groton. No post-closure use was approved through the closure plan approval or the closure report approval.

Disruption activities include: (i) the mowing of overgrown vegetation as close to grade as possible within the project area, which is approximately 26.5 acres across the top of the landfill; (ii) the installation of temporary sedimentation and erosion controls; (iii) a permanent access road at the Site entrance; (iv) the installation of a non-woven geotextile fabric base underlying 6-inch thick gravel/crushed stone leveling pads and precast concrete block base pads to support the solar photovoltaic (PV) panels; (v) the installation of a seven (7) foot high chain link security fence (with appropriate signage) around the perimeter of the solar array; and (vi) the installation of a concrete utility pad, an above-grade, ballasted DC electrical cable, and associated electrical equipment. To avoid penetration into the landfill cap, ballasted supports will be used for the PV panels racking system, security fencing, and the above ground cable trays and conduits.

In accordance with RCSA § 22a-209-13(d), the Commissioner hereby approves the post-closure use of the Site for the installation of solar PV panels for the generation of renewable energy.

The work authorized herein shall conform to the terms and conditions of this Authorization. Solid waste disposal area disruption activities shall be conducted in adherence to the following:

1. (a) *Authorization Application for Disruption of a Solid Waste Disposal Area* prepared and submitted by Weston & Sampson Engineers, Inc. on behalf of the Town of Groton and VCP Groton LF, LLC, (solar developer) and received by the Department of Energy and Environmental Protection (Department) on May 19, 2025, and October 10, 2025, as amended. The application package includes: (i) a project report with a description of the disruption activities; (ii) a set of P.E. stamped/signed engineering drawings

- depicting: general notes, existing conditions, proposed site layout including configuration of solar PV panels, cross section of the solar panel racking system with pre-cast concrete base and gravel/stone leveling system, details on sedimentation and erosion controls, stormwater calculations and analysis; (iii) a geotechnical analysis of the solar array stresses on the landfill cap; (iv) landfill closure documents; and (v) a site lease agreement.
2. Proper sedimentation and erosion controls shall be implemented and maintained at all times by the Licensee and/or its contractor(s) during activities associated with the disruption of the Site. The Licensee shall ensure that the design, application and installation of erosion and sedimentation control structures are consistent with *Connecticut Guidelines for Soil Erosion & Sediment Control*, dated March 30, 2024, as amended.
  3. The Licensee shall continue to conduct post-closure care that includes annual inspections and the correction of any problems (e.g., maintenance of final cover materials, repair areas of erosion, etc.) that may occur at the Site. Post-closure inspections are an integral part of the post-closure maintenance program implemented in accordance with RCSA § 22a-209-13(h).
  4. The Licensee shall ensure that any solid waste inadvertently excavated during the installation of the solar PV panels and associated electrical wiring shall be appropriately characterized, removed from the Site, and properly disposed of at a facility or facilities authorized to receive such waste.
  5. The Licensee shall at all times take reasonable precautions to control fugitive dust emissions and odors in accordance with RCSA §§ 22a-174-18 and 22a-174-23, respectively.
  6. The Licensee shall ensure that the storage of any earthen materials in a temporary stockpile area shall be managed in accordance with the best management practices outlined in Section 5 of the Department's General Permit for Contaminated Soil and/or Sediment Management (Staging and Transfer), issued September 20, 2013, which expired on September 19, 2018.
  7. The Licensee shall control all traffic related to disruption activities authorized herein in such a way as to mitigate the queuing of vehicles off-site and excessive or unsafe traffic impact in the project area. The Licensee shall ensure that, except as allowed pursuant to RCSA § 22a-174-18(b)(3), trucks and diesel equipment coming to or used at the project area shall not be left idling for more than three (3) consecutive minutes. The Licensee shall post a minimum of two (2) signs, legible from a distance of twenty-five (25) feet, alerting drivers, and equipment operators of such idling time limits.
  8. Nothing herein authorizes any additional solid waste to be received or disposed of at the Site.

9. Throughout implementation of the disruption of the Site, the Licensee or its contractor(s) shall prepare and comply with a site health and safety plan that complies with all applicable requirements of the Occupational Safety and Health Administration's (OSHA) 29 CFR Part 1910.120. A copy of said plan shall be provided to the Commissioner upon request.
10. Department staff shall be notified in writing, in accordance with Condition no. 22, at least five (5) business days prior to the initiation of construction activities associated with the disruption of the Site.
11. The Licensee shall retain the services of a professional engineer (P.E.) licensed to practice in the State of Connecticut or a Connecticut licensed environmental professional (LEP) pursuant to § 22a-133v of the Connecticut General Statutes (CGS), to document in writing that the disruption activities, authorized herein, are conducted in accordance with approved plans and specifications. Said P.E. or LEP shall be independent from the Licensee and the contractor and shall have experience with the oversight of landfill disruption projects.
12. Within forty-five (45) days of completion of the disruption activities authorized herein, the Licensee shall submit to the Commissioner: (a) a complete set of as-built site plans certified by a P.E. depicting the solid waste disposal area and the location of the PV solar array and associated electrical wiring depicting all structures related to the PV solar array (b) a final construction certification report prepared by a P.E. or LEP verifying that the disruption activities were conducted in accordance with approved plans and specifications and this Authorization. As necessary, said report shall also include information on the types and volumes of waste materials taken off-site for disposal and the authorized solid waste facility that accepted said waste materials.
13. The Licensee shall submit for the Commissioner's review and written approval all necessary documentation supporting any proposed minor changes in the disruption activities authorized herein. The Commissioner may issue a written approval only if, in the Commissioner's judgment, the proposed minor changes: (a) are deemed necessary for a better and more efficient disruption of the Site; (b) do not significantly change the landform of the Site, or its impact on the environment; and (c) do not warrant the issuance of a permit or authorization pursuant to § 22a-208 et seq. of the CGS.
14. This Authorization is subject to and in no way derogates any present or future property rights or powers of the State of Connecticut and conveys no property rights in real estate or material nor any exclusive privileges and is further subject to any and all public and private rights and to any federal, state, or local laws or regulations pertinent to the property or activity affected hereby.
15. Nothing in this Authorization shall affect the Commissioner's authority to institute any proceeding or to take any actions to prevent violations of law, prevent or abate pollution, recover costs and natural resource damages, and to impose penalties for violations of law.

16. Nothing in this Authorization shall relieve the Licensee of other obligations under applicable federal, state, and local laws; including but not limited to the requirement that, prior to commencing disruption activities, the Licensee or its contractor(s) shall register for the General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities effective on December 31, 2020 and as modified on November 25, 2022, General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities, Issued December 21, 2020 and Modified November 25, 2022, and comply with all applicable terms and conditions. Additionally, the Licensee shall ensure that the solar PV installation is consistent with the current National Electrical Code (NEC), National Electrical Safety Code, Connecticut State Fire Prevention Code, and National Fire Protection Association codes and standards, as applicable.
17. This Authorization shall not be construed as the Department's approval of site wide investigation and remediation or compliance with the Remediation Standard Regulations.
18. The Licensee shall prepare and implement a contingency plan designed to minimize hazards to human health and the environment from unsuspected waste material(s) (e.g., buried drums, free product, etc.) that may be uncovered during construction activities associated with the disruption of the Site. If the contingency plan is implemented, the Licensee shall provide written notification to the Department describing the conditions leading to the execution of said plan. Written notification shall be submitted to Department staff, in accordance with Condition no. 22, within twenty-four (24) hours of implementation of the contingency plan. As necessary, the final construction certification report shall also provide details on the implementation of the contingency plan and the outcome(s).
19. The Licensee shall provide written notification to Department staff, in accordance with condition no. 22, at least sixty (60) days prior to the decommissioning and removal of the ground mounted solar photovoltaic (PV) panels and ancillary equipment. Such notification shall include a plan for the decommissioning of the PV solar array that will adhere to the solid waste hierarchy provided in § 22a-228 of the CGS, subsections (a) and (b), and for the end-of-life management of said PV panels/ancillary equipment. The decommissioning plan shall, at a minimum, provide details regarding: the characterization through information provided by the manufacturer or analysis of all component types that constitute the PV solar array and the methodology for such characterization (e.g., characterization of toxicity levels using Toxicity Characteristic Leaching Procedure or TCLP); the proposed disposition of the materials through reuse, recycling or disposal, as appropriate, whether non-hazardous waste or hazardous waste; and site restoration to a condition comparable to pre-disruption activities being conducted.
20. Within forty-five (45) days of the decommissioning and removal of said equipment, the Licensee shall ensure that the landfill final cover system is fully restored to the original grades and thickness in areas where the final cover system may have been disturbed due to

activities associated with the installation and/or decommissioning of the PV solar array and submit a report to the Commissioner detailing the work that was conducted for the decommissioning of the array, the restoration of the final cover system and the disposition of the components of the solar array.

21. This Authorization is non-transferable and may be revoked, suspended, or modified in accordance with law.
22. When this Authorization requires that any document be submitted to the Department of Energy and Environmental Protection, such document shall be delivered to: Solid Waste Program, Bureau of Materials Management and Compliance Assurance, Waste Engineering & Enforcement Division, 79 Elm Street, Hartford, CT 06016-5127.
23. Any document which is required to be submitted to the Department under this Authorization shall be signed by a duly authorized representative of the Licensee, as defined in RCSA § 22a-430-3(b)(2), and by the individual or individuals responsible for preparing such documents, each of whom shall certify in writing as follows:

“I have personally examined and am familiar with the information submitted in this document and all attachments thereto, and certify that based on reasonable investigation, including my inquiry of those individuals responsible for obtaining the information, the submitted information is true, accurate and complete to the best of my knowledge and belief, and I understand that any false statement in the submitted information may be punishable as a criminal offense.”

Any false statement in any document submitted pursuant to this Authorization may be punishable as a criminal offense in accordance with § 22a-6 of the CGS, pursuant to § 53a-157 of the CGS, and in accordance with any other applicable statute.

24. If the activities authorized herein are not initiated within one (1) year from the date of issuance, this Authorization shall terminate unless specifically extended by the Commissioner.

Issued: December 15, 2025



Gabrielle Frigon, Director  
Waste Engineering and Enforcement Division  
Bureau of Materials Management and  
Compliance Assurance