Docusign Envelope ID: 8CF73CF2-CB3D-839F-814F-AEBE4C14F9B9

STATE OF CONNECTICUT	)	Order No. 20389
	)	
VS.	)	
	)	
THE MATTABASSETT DISTRICT	)	

CONSENT ORDER

A. With the agreement of the Mattabassett District ("Respondent"), the Commissioner of Energy and Environmental Protection ("Commissioner") finds the following:

1. The Respondent owns, leases, operates, or controls a water pollution control facility located at 245 Main Street in Cromwell, Connecticut ("the facility").

2. The facility is subject to Permit No. 043-0030 ("NSR permit") and Permit No. 043-0032-TV ("Title V permit"); 40 CFR Part 60 Subpart O – Standards of Performance for Sewage Treatment Plants; and 40 CFR Part 60 Subpart LLLL – Standards of Performance for New Sewage Sludge Incineration Units.

3. The facility is located in a "severe non-attainment area for ozone," as defined in Regs., Conn. State Agencies § 22a-174-1.

4. Pursuant to the Title V Permit, the Standards of Performance for Sewage Treatment Plants ("40 CFR Part 60 Subpart O"), and the Standards of Performance for New Sewage Sludge Incineration Units ("40 CFR Part 60 Subpart LLLL"), the Respondent is required to timely submit periodic regulatory reports to the Connecticut Department of Energy and Environmental Protection ("Department").

5. The Respondent failed to timely submit regulatory reports to the Department for numerous years and was issued notices of violation ("NOVs"), including Title V annual compliance certifications ("NOV No. 18270"); annual compliance reports under 40 CFR Part 60 Subpart LLLL ("NOV No. 18310"); and semiannual deviation reports under 40 CFR Part 60 Subpart O ("NOV No. 20353"). All required reports have since been submitted and approved by the Department.

6. Pursuant to Regs., Conn. State Agencies § 22a-174-2a(i)(2), the Respondent shall apply for the renewal of its Title V permit no later than 12 months prior to the expiration date of such permit.

7. On February 28, 2024, a file review conducted by Department staff revealed that the Title V permit would expire on January 30, 2025, and that the Respondent had not applied for the renewal of its Title V permit. Whereas the Respondent failed to apply for the renewal of the

79 Elm Street
Hartford, CT 06106-5127
860.424.3000

An Affirmative Action/Equal Opportunity Employer

Docusign Envelope ID: 8CF73CF2-CB3D-839F-814F-AEBE4C14F9B9

Title V permit before January 30, 2024, the Respondent violated Regs., Conn. State Agencies § 22a-174-2a(i)(2), and consequently, the Department issued NOV No. 18528 on March 27, 2024.

8. Pursuant to 40 CFR Part 60 Subpart LLLL, Part V of the NSR permit, and Part III.C.5.b.iv of the Title V permit, the Permittee shall conduct periodic emission testing of the sewage sludge incinerator for several pollutants, including mercury, to demonstrate compliance with the emission limits specified in such regulations and permits.

9. Pursuant to 40 CFR § 60.4845, Table 1 and Part III.C.5.a.ii of the Title V permit, mercury emissions are limited to 0.0010 mg/dscm at 7 percent O_2.

10. On May 23, 2024, the Respondent conducted required emission testing of the sewage sludge incinerator, and the results indicated that mercury emissions were 0.0011 mg/dscm at 7 percent O_2. Mercury emissions hence exceeded the applicable emission limit of 0.0010 mg/dscm at 7 percent O_2. Whereas the Respondent failed to comply with the applicable emission limit for mercury, the Respondent violated 40 CFR § 60.4845 and the Title V permit, and consequently, the Department issued NOV No. 20343 on September 20, 2024.

11. Pursuant to Part V.B of the NSR permit and 40 CFR § 60.4885(a), the Respondent shall conduct annual emission testing of the sewage sludge incinerator to demonstrate compliance with the emission limits and standards specified in Part III of the NSR permit and 40 CFR § 60.4885. 40 CFR § 60.4885(a) states that testing must be conducted on an annual basis – between 11 and 13 calendar months following the previous performance test.

12. The last approved emission testing of the sewage sludge incinerator was completed on May 23, 2024, and the next emission testing was due by June 23, 2025. As of June 23, 2025, the Respondent failed to conduct the required annual emission testing. Consequently, the Department determined that the Respondent is in violation of Part V.B of the NSR permit and 40 CFR § 60.4885(a).

13. A file review conducted on June 4, 2025, revealed that the alternative monitoring plan for the granulated activated carbon ("GAC") control system, approved by the United States Environmental Protection Agency ("EPA") on May 27, 2015, is not currently included in the Title V permit.

14. Inspections and record reviews conducted by Department staff in August and September 2025 revealed that the Respondent used the incorrect emission factors to determine the NO_X and CO emissions for the sewage sludge incinerator. The Respondent failed to use the measured NO_X emission rate from the most recent emission test and the CO emission rate from the continuous emission monitoring system to calculate mass emission of such pollutants, violations of Part III.F of the Title V permit. Consequently, the Respondent underreported NO_X emissions in the annual Title V emission report for calendar year 2024 and CO emissions in the annual Title V emission report for calendar year 2023. Approximately 1.85 tons of NO_X and 0.40 tons of CO emissions were underreported by the Respondent.

Docusign Envelope ID: 8CF73CF2-CB3D-839F-814F-AEBE4C14F9B9

15. By virtue of the above, the Respondent is in violation of the NSR permit, the Title V permit, Regs., Conn. State Agencies §§ 22a-174-2a, 22a-174-3a; and 40 CFR Part 60 Subparts O and LLLL.

16. In response to NOV No. 18270, the Respondent submitted annual compliance certifications for calendar years 2021 and 2022 on April 11, 2023, and April 12, 2023, respectively.

17. In response to NOV No. 18310, the Respondent forwarded annual 40 CFR Part 60 Subpart LLLL compliance reports for calendar years 2021 through 2024 on August 25, 2025.

18. In response to NOV No. 18528, the Respondent submitted a Title V permit renewal application in April 2024. The Title V permit was renewed on December 5, 2024.

19. In response to NOV No. 20343 and the violation cited in paragraph A.12 of this consent order, the Respondent replaced the carbon in the GAC control system in April 2025 and completed emission testing of the sewage sludge incinerator for all required pollutants on August 21, 2025. The Respondent submitted the test report on October 13, 2025.

20. In response to NOV No. 20353, the Respondent submitted a semi-annual report that includes scrubber pressure drop excursions from July 1 through December 31, 2024 on May 7, 2025. The Respondent submitted semi-annual reports that include scrubber pressure drop excursions from 2023 and 2024 on October 20, 2025. The Respondent submitted semi-annual reports that include scrubber pressure drop excursions from 2021 and 2022 on November 24, 2025.

21. The Respondent represents that it took additional actions and provided further information as described in its letter dated May 5, 2026, which is included in the record of this consent order.

22. The Respondent exercised good faith and diligence in furnishing the information requested by the Department during settlement negotiations.

23. By agreeing to the issuance of this consent order, the Respondent makes no admission of fact or law with respect to the matters addressed herein.

B. With the agreement of the Respondent, the Commissioner, acting under Conn. Gen. Stat. §§ 22a-6, 22a-171, 22a-174, 22a-177, and 22a-178, orders the Respondent as follows:

1. The Respondent shall comply with the NSR permit; the Title V permit; Regs., Conn. State Agencies §§ 22a-174-2a, 22a-174-3a, 22a-174-26, and 22a-174-33; and 40 CFR Part 60 Subparts O and LLLL.

2. The Respondent shall retain an environmental consultant to address the violations and findings referenced in paragraphs A.13 and A.14 of this consent order. Within 90 days after

Docusign Envelope ID: 8CF73CF2-CB3D-839F-814F-AEBE4C14F9B9

issuance of this consent order, the Respondent shall submit for the Commissioner's review the following documentation:

a. A permit modification application for the Title V permit to incorporate the alternative monitoring plan for the GAC control system (approved by EPA on May 27, 2015).

3. Civil penalty. The Respondent shall pay a penalty of $65,400 as the total civil penalty to be sought by the Commissioner for those, and only those, violations described in paragraphs A.4 through A.15 of this consent order. The penalty is payable as follows: On or before forty-five (45) days after issuance of this consent order, the Respondent shall pay $32,700 in accordance with paragraph B.4 of this consent order and the Respondent shall pay $32,700 in accordance with paragraph B.5 of this consent order.

4. Payment of penalties. On or before forty-five (45) days after the issuance of this consent order, the Respondent shall pay $32,700 by mail or personally delivered to the Department of Energy and Environmental Protection, Bureau of Financial and Support Services--Accounts Receivable Office, 79 Elm Street, Hartford, CT 06106-5127, and shall be by certified or bank check payable to the "Connecticut Department of Energy and Environmental Protection." The check shall state on its face, "Bureau of Air Management Civil Penalty, Consent Order No. 20389."

5. Statewide Supplemental Environmental Project ("SEP") Account Payment.

i. In addition to the penalty referenced in paragraph B.4, the Respondent has agreed to fund a supplemental environmental project ("SEP") or projects as selected by the Department according to its February 15, 1996 "Policy on Supplemental Environmental Projects." On or before forty-five (45) days after issuance of this consent order, the Respondent shall pay $32,700 to the Statewide SEP Account toward community air monitoring or transportation emission mitigation projects or both. The payment shall be mailed or personally delivered to the Department of Energy and Environmental Protection, Bureau of Financial and Support Services--Accounts Receivable Office, 79 Elm Street, Hartford, CT 06106-5127, and shall be by certified or bank check payable to the "Connecticut Department of Energy and Environmental Protection," with notation thereon, "Statewide SEP Account, Consent Order No. 20389".

ii. If the Respondent fails to fund the SEP in accordance with paragraph B.5.i. above, Respondent shall immediately pay a civil penalty of $32,700. The Respondent shall pay such civil penalty in accordance with the provisions of paragraph B.4. of this consent order, and in addition to the civil penalty already identified in paragraph B.4. of this consent order.

iii. The Respondent shall not claim or represent any SEP payment made pursuant to this consent order constitutes an ordinary business expense or charitable contribution or any other type of tax-deductible expense. The Respondent shall not seek or obtain any other tax benefit, such as a tax credit, as a result of the payment under this paragraph.

Docusign Envelope ID: 8CF73CF2-CB3D-839F-814F-AEBE4C14F9B9

iv. If the Respondent disseminates any publicity, including but not limited to any press releases regarding funding a SEP, the Respondent shall include a statement that such funding was made in settlement of an enforcement action brought by the Commissioner.

6. Full compliance. The Respondent shall not be considered in full compliance with this consent order until all actions required by this consent order have been completed as approved and to the Commissioner's satisfaction.

7. Approvals. The Respondent shall use best efforts to submit to the Commissioner all documents required by this order in a complete and approvable form. If the Commissioner notifies the Respondent that any document or other action is deficient, and does not approve it with conditions or modifications, it is deemed disapproved, and the Respondent shall correct the deficiencies and resubmit it within the time specified by the Commissioner or, if no time is specified by the Commissioner, within 30 days of the Commissioner's notice of deficiencies. In approving any document or other action under this consent order, the Commissioner may approve the document or other action as submitted or performed or with such conditions or modifications as the Commissioner deems necessary to carry out the purposes of this consent order. Nothing in this paragraph shall excuse noncompliance or delay.

8. Definitions. As used in this consent order, "Commissioner" means the Commissioner or a representative of the Commissioner.

9. Dates. The date of "issuance" of this consent order is the date the consent order is deposited in the U.S. mail or personally delivered, whichever is earlier. The date of submission to the Commissioner of any document required by this consent order shall be the date such document is received by the Commissioner. The date of any notice by the Commissioner under this consent order, including but not limited to notice of approval or disapproval of any document or other action, shall be the date such notice is deposited in the U.S. mail or is personally delivered, whichever is earlier. Except as otherwise specified in this consent order, the word "day" as used in this consent order means calendar day. Any document or action which is required by this consent order to be submitted or performed by a date which falls on a Saturday, Sunday or a Connecticut or federal holiday shall be submitted or performed by the next day which is not a Saturday, Sunday or Connecticut or federal holiday.

10. Certification of documents. Any document, including but not limited to any notice, which is required to be submitted to the Commissioner under this consent order shall be signed by the Respondent or, if the Respondent is not an individual, by the Respondent's chief executive officer or a duly authorized representative of such officer, as those terms are defined in Regs., Conn. State Agencies § 22a-174-2a(a), and by the individual(s) responsible for actually preparing such document, and the Respondent or the Respondent's chief executive officer and each such individual 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 I certify, based on reasonable investigation, including my inquiry of those individuals responsible for obtaining the information, that the submitted information

Docusign Envelope ID: 8CF73CF2-CB3D-839F-814F-AEBE4C14F9B9

is true, accurate and complete to the best of my knowledge and belief. I understand that any false statement made in the submitted information may be punishable as a criminal offense under Conn. Gen. Stat. § 53a-157b and any other applicable law."

11. Noncompliance. This consent order is a final order of the Commissioner with respect to the matters addressed herein, and is nonappealable and immediately enforceable. Failure to comply with this consent order may subject the Respondent to an injunction and penalties.

12. False statements. Any false statement in any information submitted pursuant to this consent order may be punishable as a criminal offense under Conn. Gen. Stat. § 53a-157b and any other applicable law.

13. Notice of transfer; liability of Respondent. Until the Respondent has fully complied with this consent order, Respondent shall notify the Commissioner in writing no later than 15 days after transferring all or any portion of the facility, the operations, the site or the business which is the subject of this consent order or after obtaining a new mailing or location address. The Respondent's obligations under this consent order shall not be affected by the passage of title to any property to any other person or municipality.

14. Commissioner's powers. Except as provided hereinabove with respect to payment of civil penalties, nothing in this consent order shall affect the Commissioner's authority to institute any proceeding or take any other action to prevent or abate violations of law, prevent or abate pollution, recover costs and natural resource damages, and to impose penalties for past, present, or future violations of law. If at any time the Commissioner determines that the actions taken by Respondent pursuant to this consent order have not successfully corrected all violations, fully characterized the extent or degree of any pollution, or successfully abated or prevented pollution, the Commissioner may institute any proceeding to require the Respondent to undertake further investigation or further action to prevent or abate violations or pollution.

15. Respondent's obligations under law. Nothing in this consent order shall relieve the Respondent of other obligations under applicable federal, state and local law.

16. No assurance by Commissioner. No provision of this consent order and no action or inaction by the Commissioner shall be construed to constitute an assurance by the Commissioner that the actions taken by the Respondent pursuant to this consent order will result in compliance.

17. Access to facility. Any representative of the Department of Energy and Environmental Protection may enter the facility without prior notice for the purposes of monitoring and enforcing the actions required or allowed by this consent order.

18. No effect on rights of other persons. This consent order neither creates nor affects any rights of persons or municipalities that are not parties to this consent order.

19. Notice to Commissioner of changes. Within 15 days of the date the Respondent become aware of a change in any information submitted to the Commissioner under this consent

Docusign Envelope ID: 8CF73CF2-CB3D-839F-814F-AEBE4C14F9B9

order, or that any such information was inaccurate or misleading or that any relevant information was omitted, the Respondent shall submit the correct or omitted information to the Commissioner.

20. Notification of noncompliance. In the event that the Respondent becomes aware that it did not or may not comply, or did not or may not comply on time, with any requirement of this consent order or of any document required hereunder, the Respondent shall immediately notify by telephone the individual identified in the next paragraph and shall take all reasonable steps to ensure that any noncompliance or delay is avoided or, if unavoidable, is minimized to the greatest extent possible. Within five (5) days of the initial notice, the Respondent shall submit in writing the date, time and duration of the noncompliance and the reasons for the noncompliance or delay and propose, for the review and written approval of the Commissioner, dates by which compliance will be achieved, and the Respondent shall comply with any dates which may be approved in writing by the Commissioner. Notification by the Respondent shall not excuse noncompliance or delay, and the Commissioner's approval of any compliance dates proposed shall not excuse noncompliance or delay unless specifically so stated by the Commissioner in writing.

21. Submission of documents. Any document required to be submitted to the Commissioner under this consent order, unless otherwise specified in this consent order or in writing by the Commissioner, shall be directed to:

Deanna Rackie
Department of Energy and Environmental Protection
Bureau of Air Management
Air Enforcement Division
79 Elm Street
Hartford, Connecticut 06106-5127
(860) 424-3438

Docusign Envelope ID: 8CF73CF2-CB3D-839F-814F-AEBE4C14F9B9

Respondent consents to the issuance of this consent order without further notice. The undersigned certifies that he/she is fully authorized to enter into this consent order and to legally bind Respondent to the terms and conditions of the consent order.

The Mattabassett District

Signature: Signed by: 591E765732BA452...

Type Name: Arthur Simonian

Type Title: Executive Director

Date: 5/21/2026

Issued as a final order of the Commissioner of Energy and Environmental Protection.

Signed by: 1D46FF81817649B...

5/22/2026

Emma Cimino, Deputy Commissioner
Department of Energy and Environmental Protection

Date

TOWN OF CROMWELL
LAND RECORDS