



STATE OF CONNECTICUT

VS.

SMART FEED TECH, INC.
(d.b.a. Bright Feeds)

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Order No. 20392

CONSENT ORDER

A. With the agreement of Smart Feed Tech, Inc. (d.b.a. Bright Feeds) (“Respondent”), the Commissioner of Energy and Environmental Protection (“Commissioner”) finds the following:

1. The Respondent owns, leases, operates, or controls a manufacturing facility that produces an animal feed supplement from discarded food products located at 76 Fuller Way in Berlin, Connecticut (“Facility”).
2. The Respondent represents that it took certain actions described in its letter to the record dated February 13, 2026.
3. By October of 2022, the Respondent had constructed and commenced operation of the manufacturing process (“Process”) at the Facility. The Process involves the production of a granular animal feed supplement from discarded food products, primarily bakery and pasta products, via dehydration and milling. The Process consists, sequentially and in relevant part, of (i) a tipping floor, where raw material is received by truck; (ii) a hopper, served by a front loader, through which raw material is fed to the downline dryer; (iii) a utility-quality natural gas-fired dryer; (iv) milling equipment; (v) a series of cyclones; (vi) a baghouse; (vii) a series of silos; and (viii) a truck load-out. Product is conveyed pneumatically from the dryer, through the milling equipment, cyclones, and baghouse to the silos.

Nuisance

4. Pursuant to Regs., Conn. State Agencies § 22a-174-23(a)(1), “no person shall cause or permit the emission of any substance or combination of substances which creates or contributes to an odor, in the ambient air, that constitutes a nuisance.”
5. On May 15 and 16, 2024, inspections were conducted by Connecticut Department of Energy and Environmental Protection (“Department”) staff that revealed that the Facility emitted nuisance odors, as defined at Regs., Conn. State Agencies § 22a-174-23(a)(2).

Issued Date: 2/18/2026

6. Whereas the Respondent failed to control the emission of any substance or combination of substances that created or contributed to an odor, in the ambient air, constituting a nuisance, the Respondent violated Regs., Conn. State Agencies § 22a-174-23(a)(1). Consequently, the Department issued Notice of Violation No. 20331 on June 7, 2024.
7. On or about October 21, 2024, the Respondent purchased a regenerative thermal oxidizer (“RTO”) that controlled the emission of any substance or combination of substances that may have created or contributed to an odor in the ambient air.

New Source Review

8. On November 4, 2024, the Department issued a letter to the Respondent requiring that the Respondent perform emissions testing of the dryer, as referenced in paragraph A.3 of this consent order, for total and speciated volatile organic compounds (“VOC”) and various particulate matter (“PM”) fractions pursuant to Regs., Conn. State Agencies § 22a-174-5(e)(2).
9. On January 10, 2025, the Respondent conducted emissions testing of the dryer.
10. On March 11, 2025, the Respondent submitted the results of such emissions testing, which revealed that uncontrolled potential emissions of VOC from the dryer were in excess of 50 tons per year, where “potential emissions” has the meaning designated at Regs., Conn. State Agencies § 22a-174-1(93).
11. For the purposes of this consent order, “emission unit” is as defined at Regs., Conn. State Agencies § 22a-174-1(41).
12. Pursuant to Regs., Conn. State Agencies § 22a-174-3a(a), the owner or operator of a new emission unit with potential emissions of 15 tons or more per year of any individual air pollutant shall apply for and obtain a permit to construct and operate such emission unit.
13. Pursuant to Regs., Conn. State Agencies § 22a-174-3a(b)(2), the owner or operator of a new emission unit who must obtain a permit under Regs., Conn. State Agencies § 22a-174-3a(a) shall not begin actual construction of such emission unit before issuance of such permit.
14. Whereas the Respondent constructed and operated an emission unit that has potential VOC emissions greater than or equal to 15 tons per year of VOC without first obtaining a permit to construct and operate, the Respondent violated Regs., Conn. State Agencies §§ 22a-174-3a(a) and 22a-174-3a(b)(2).
15. In constructing and operating a new emission unit subject to Regs., Conn. State Agencies § 22a-174-3a without a permit issued pursuant to such section, the Respondent failed to comply with the applicable substantive and procedural elements of the permitting process as set forth in such section.

SMART FEED TECH, INC.

3

Order No. 20392

Major Stationary Source Title V Operating Permit and Emission Fees

16. The Facility is located in a “serious non-attainment area for ozone,” as defined at Regs., Conn. State Agencies § 22a-174-1(105).
17. As the Facility is a premises “at, in, or on which ... any one or more stationary sources, which are located on one or more contiguous or adjacent properties under the control of the same person or persons and which belong to the same two-digit Standard Industrial Classification code, as published by the United States Office of Management and Budget in the Standard Industrial Classification Manual of 1987, and which in the aggregate emit, or have the potential to emit any air pollutant, including fugitive emissions ... of fifty (50) tons or more per year of volatile organic compounds or nitrogen oxides in a serious ozone non-attainment area,” the facility is a “Title V source,” as defined at Regs., Conn. State Agencies § 22a-174-33(a)(10)(F).
18. Pursuant to Regs., Conn. State Agencies § 22a-174-33(f)(2), “the owner or operator of a Title V source shall apply for a Title V permit within ninety (90) days of receipt of notice from the Commissioner that such application is required or twelve (12) months after becoming subject to this section, whichever is earlier.”
19. Whereas the Respondent has been operating the Facility, which has potential VOC emissions of greater than or equal to 50 tons per year, since October 2022 without applying for a Title V permit, the Respondent violated Regs., Conn. State Agencies § 22a-174-33(f)(2).
20. Pursuant to Regs., Conn. State Agencies § 22a-174-26(d)(2), “the owner or operator of a Title V source shall pay an emission fee each year to the Department. ... Commencing July 1, 1995, payment to the Department shall be due by July 1 each year, based on the emissions during the previous calendar year.”
21. Whereas the Respondent has been operating the Facility as a Title V source since October 2022 and failed to pay Title V emission fees for calendar years 2022, 2023, and 2024, the Respondent violated Regs., Conn. State Agencies § 22a-174-26(d)(2).

Emission Controls

22. Upon commencement of operation and until the installation of the RTO referenced in paragraph A.7 of this consent order, VOC emissions from the dryer’s exhaust were uncontrolled.
23. Pursuant to Regs., Conn. State Agencies § 22a-174-32(e)(1), the owner or operator of a premises with potential VOC emissions greater than or equal to 50 tons per year in a serious non-attainment area for ozone shall perform at least one Reasonably Available Control Technology (“RACT”) method within one year after becoming subject to such section.

SMART FEED TECH, INC.

4

Order No. 20392

24. Whereas the Respondent operated the Facility with potential VOC emissions of greater than or equal to 50 tons per year without implementing RACT, the Respondent violated Regs., Conn. State Agencies § 22a-174-32(e)(1).
25. As the Facility is located in a serious non-attainment area for ozone and has potential VOC emissions greater than or equal to 50 tons per year, the Facility is a “major stationary source,” as defined at Regs., Conn. State Agencies § 22a-174-1(65).
26. For the purposes of this consent order, “stationary source” is as defined at Regs., Conn. State Agencies § 22a-174-1(113).
27. Pursuant to Regs., Conn. State Agencies § 22a-174-3a(j)(1)(A) and 22a-174-3a(j)(1)(C), the owner or operator of a stationary source or emission unit, respectively, with (i) “potential VOC emissions of each air pollutant above the significant emission rate thresholds in Table 3a(k)-1 of subsection (k) of this section, from each new major stationary source” and (ii) “potential emissions of fifteen (15) tons or more per year of any air pollutant, from each new emission unit” shall implement Best Available Control Technology (“BACT”).
28. Whereas the Respondent operated (i) the stationary source in excess of the significant emission rate threshold for VOC in Table 3a(k)-1 of Regs., Conn. State Agencies § 22a-174-3a and (ii) an emission unit with potential VOC emission greater than or equal to 15 tons per year without implementing BACT, the Respondent violated Regs., Conn. State Agencies § 22a-174-3a(j)(1)(A) and 22a-174-3a(j)(1)(C).
29. Pursuant to Regs., Conn. State Agencies § 22a-174-3a(l), the owner or operator of “any new major stationary source that is or will be constructed in a designated nonattainment area and is or will be a major stationary source of the pollutant for which the area is designated as nonattainment or of the precursors to such pollutant” shall implement the Lowest Achievable Emission Rate (“LAER”).
30. Whereas the Respondent operated the Facility as a major stationary source of a nonattainment precursor pollutant (VOC) in a designated nonattainment area without implementing LAER, the Respondent violated Regs., Conn. State Agencies § 22a-174-3a(l).
31. By virtue of the above, the Respondent was in violation of Regs., Conn. State Agencies § 22a-174-23 and is in violation of Regs., Conn. State Agencies §§ 22a-174-3a, 22a-174-26, 22a-174-32, and 22a-174-33.

Actions Taken by Respondent; No Admission of Law or Fact by Respondent

32. In response to Notice of Violation No. 20331, in August 2024, the Respondent installed an additive-based odor mitigation system.
33. Beginning on or about January 12, 2025, and until the installation of the RTO referenced in paragraph A.7 of this consent order, the Respondent voluntarily implemented interim mitigation measures to reduce VOC emissions from the dryer, including the rejection of

SMART FEED TECH, INC.

5

Order No. 20392

certain Feedstocks believed to give rise to VOC emissions, the limiting of the hourly process rate of the dryer, and the cessation of night-shift operations.

34. On April 4, 2025, the Respondent installed an RTO referenced in paragraph A.7 of this consent order to reduce odors and to control VOC emissions from the dryer.
 35. On May 13, 2025, the Respondent submitted, for the Department's review and approval, a New Source Review ("NSR") permit application for the Process. Presently, the permit application is under technical review.
 36. By agreeing to the issuance of this consent order, Respondent makes no admission of fact or law with respect to the matters addressed herein. In addition, the issuance of this consent order constitutes the full and complete settlement by the Commissioner of all claims for civil liability for the alleged violations, provided the Respondent fully and timely complies with the terms of this consent order. Upon such compliance, the Commissioner will not pursue further civil enforcement actions or civil penalties against the Respondent for the violations alleged herein. Nothing in this paragraph limits the Commissioner's authority to take action for future, ongoing, or newly discovered violations.
- 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 Regs., Conn. State Agencies §§ 22a-174-3a, 22a-174-23, 22a-174-26, 22a-174-32, and 22a-174-33.
 2. RTO. The Respondent shall operate the RTO referenced in paragraph A.7 of this consent order in accordance with manufacturer's specifications to reduce VOC emissions at all times that the dryer is in operation and food products are fed into the dryer.
 3. Recordkeeping. The Respondent shall make and maintain records relative to the RTO. Such records shall include the hours of operation of the RTO, the monthly amount (volume) of natural gas consumed by the rotary dryer and RTO, the weekly amount (mass) of food products that are fed into the dryer, and the monthly VOC exhaust emissions (mass) from the RTO.
 4. Title V emission fees. The Respondent shall remit emission fees for emissions that occurred in calendar years 2022, 2023, and 2024 as referenced in paragraph A.21 of this consent order in accordance with the Emissions Fees Payment Schedule attached to and made part of this consent order.
 5. Settlement. The Respondent shall pay \$100,000 in accordance with paragraph B.6 of this consent order, and the Respondent shall fund a Supplemental Environmental Project in the amount of \$120,000 in accordance with paragraph B.7 of this consent order.
 6. Payment of penalties. The Respondent shall pay \$100,000 following the payment schedule prescribed in this paragraph. Payment shall be by mail or personally delivered to the

SMART FEED TECH, INC.

6

Order No. 20392

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. 20392."

- a. First payment of \$50,000 is due by June 1, 2031.
 - b. Second payment of \$50,000 is due by June 1, 2032.
7. Statewide Supplemental Environmental Project ("SEP") Account Payment. The Respondent shall pay \$120,000 to the Statewide SEP account, following the schedule prescribed in this paragraph, to be applied in funding efforts and activities that the Commissioner deems to be environmentally beneficial to the Town of Berlin. 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. The payment 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 Statewide SEP Account, Consent Order No. 20392."

- a. First payment of \$70,000 is due by June 1, 2027.
- b. Second payment of \$50,000 is due by June 1, 2028.

The Respondent shall not claim or represent that 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.

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.

8. W-9 requirement. The Respondent shall provide a completed [IRS Form W-9](#) to Department staff within thirty (30) days of issuance of this consent order.
9. 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.
10. 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.

11. Definitions. As used in this consent order, “Commissioner” means the Commissioner or a representative of the Commissioner.
12. 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.
13. 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 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 Section § 53a-157b of the Connecticut General Statutes and any other applicable law.”
14. 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.
15. 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.
16. 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.

17. 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.
18. Respondent's obligations under law. Nothing in this consent order shall relieve the Respondent of other obligations under applicable federal, state and local law.
19. 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.
20. Access to site. 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.
21. 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.
22. Notice to Commissioner of changes. Within 15 days of the date the Respondent becomes aware of a change in any information submitted to the Commissioner under this consent 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.
23. 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

SMART FEED TECH, INC.

9

Order No. 20392

approval of any compliance dates proposed shall not excuse noncompliance or delay unless specifically so stated by the Commissioner in writing.

24. 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

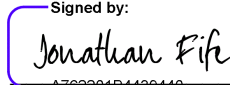
SMART FEED TECH, INC.

10

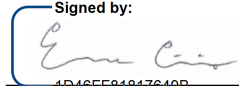
Order No. 20392

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.

**Smart Feed Tech, Inc.
(d.b.a. Bright Feeds)**

Signed by: 
Signature: A702201B4439440...
Type Name: Jonathan Fife
Type Title: CEO
Date: 2/17/2026

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

Signed by: 
1D40FF81017649B...
Emma Cimino, Deputy Commissioner
Department of Energy and Environmental Protection

2/18/2026

Date

TOWN OF BERLIN
LAND RECORDS

SMART FEED TECH, INC.

11

Order No. 20392

EMISSIONS FEES PAYMENT SCHEDULE

Payment of Title V emission fees. The Respondent Smart Feed Tech, Inc. (d.b.a. Bright Feeds) shall pay \$180,000 following the payment schedule prescribed in this schedule. Payment shall be 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 Treasurer, State of Connecticut. The check shall state on its face, "Bureau of Air Management, Title V Emission Fees, Consent Order No. 20392, Smart Feed Tech, Inc."

- a. First payment of \$20,000 is due by June 1, 2028.
- b. Second payment of \$70,000 is due by June 1, 2029.
- c. Third payment of \$70,000 is due by June 1, 2030.
- d. Fourth payment of \$20,000 is due by June 1, 2031.

Initial:

Initial
JP

Initial
ERC

Date:

2/17/2026

2/18/2026