



STATE OF CONNECTICUT

V.

TRADEBE TREATMENT AND RECYCLING OF BRIDGEPORT, LLC

CONSENT ORDER

Date of Issuance 8/27/2024

Order No. COWRIN24002

- A. With the agreement of Tradebe Treatment and Recycling of Bridgeport, LLC (“Respondent”), the Commissioner of Energy and Environmental Protection (“Commissioner”) finds:
1. Respondent is a limited liability company registered to do business in Connecticut with the Connecticut Secretary of the State.
 2. Respondent’s registered business address listed with the Connecticut Secretary of the State is 234 Hobart Street, Meriden, CT 06450.
 3. Respondent is or has been engaged in receiving and treating hazardous and non-hazardous waste at 50 Cross Street, Bridgeport, CT 06610 which location is identified as Map/Block/Lot number 44-1828A-10A on the City of Bridgeport assessor’s records (“the facility” or “the site”).
 4. On March 15, 2011, the Commissioner issued Pretreatment Permit No. SP0000101 (“the pretreatment permit”) to Respondent pursuant to section 22a-430 of the Connecticut General Statutes, and the Regulations of Connecticut State Agencies (“RCSA”) adopted thereunder, for discharges associated with combined waste treatment to the sanitary sewer. On September 16, 2015, Respondent submitted a timely and sufficient application for the renewal of Permit No. SP0000101, in accordance with section 22a-430-4(b) of the RCSA. Pursuant to Section 4-182(b) of the Connecticut General Statutes, Permit No. SP0000101 is continued in effect.
 5. Section 4 of the pretreatment permit specifies the effluent limitations and monitoring requirements. Section 4, Table A details the parameters to be monitored, the effluent limits, the sampling and reporting frequency and the sample type for discharge serial number (“DSN”) 001-1. DSN 001-1 is the discharge location of the pretreated combined waste treatment discharge to the sanitary sewer.
 6. On February 14, 2018, the Department of Energy and Environmental Protection (“DEEP”) Bureau of Materials Management and Compliance Assurance, Water Permitting and Enforcement Division (“WPED”) collected grab samples for the analysis of parameters listed in Section 4, Table A of the pretreatment permit as part of a compliance inspection evaluation. The analytical results for antimony and vanadium exceeded the effluent limits in violation of Section 4, Table A of the

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pretreatment permit. On March 16, 2018, Notice of Violation No. WRIN18007 was issued to Respondent citing the numerical effluent violations of antimony and vanadium effluent limits.

7. On April 25, 2018, WPED received a response to Notice of Violation No. WRIN18007 from Respondent. Respondent's response indicated there may have been elevated levels of antimony in the discharge during periods of startup and shut down of their centrifuge unit. Respondent also indicated they planned to install an additional discharge holding tank and referenced that this change was part of a Facility and Wastewater Treatment System Modification Request for Determination ("3(i) Request"), Application No. 201615456, approved on August 9, 2017. The additional discharge holding tank would enable them to sample and retreat high metal bearing wastewater before discharge, as necessary.
8. On July 1, 2019, WPED issued Notice of Violation No. WRIN19026 to Respondent based on a review of discharge monitoring reports ("DMRs") for failure to comply with effluent limits for biological oxygen demand ("BOD"), total suspended solids ("TSS"), total zinc, total antimony, 2,4,6-trichlorophenol, and total lead in violation of Section 4, Table A of the pretreatment permit. The cited numeric effluent violations for total zinc put Respondent in the status of significant noncompliance in quarter 2 and quarter 3 of fiscal year 2018.
9. On July 31, 2019, Respondent submitted a response to Notice of Violation No. WRIN19026 indicating that some exceedances were caused by equipment malfunctions and non-optimal functioning of the biological treatment system. Respondent stated that they had updated internal practices, including monitoring, training, and preventative maintenance and were in the process of assessing a new effluent filter system and installation of another wastewater discharge tank as corrective actions.
10. On December 10, 2019, WPED conducted an inspection at the site. Based on information acquired during the inspection, WPED found Respondent violated the effluent limits for total lead and TSS in February, March, and September 2019, in violation of Section 4, Table A of the pretreatment permit.
11. On June 23, 2022, WPED issued Notice of Violation No. WRIN22016 to Respondent based on a review of DMRs for failure to comply with effluent limits for TSS, total antimony, total zinc, total arsenic, phenols, minimum pH, and total titanium in violation of Section 4, Table A of the pretreatment permit.
12. On July 22, 2022, Respondent submitted a response to Notice of Violation No. WRIN22016. Respondent attributed operator error to the COVID pandemic, which caused higher than normal turnover of its wastewater treatment system operators. Respondent indicated that they were enhancing their on-the-job training program and proposed additional wastewater treatment system modifications.
13. On August 22, 2023, WPED issued Notice of Violation No. WRIN23024 to Respondent based on a review of DMRs for failure to comply with effluent limits for minimum pH, total copper, total antimony, total nickel, and total zinc in violation of Section 4, Table A of the pretreatment permit. Notice of Violation No. WRIN22016 was superseded by Notice of Violation No. WRIN23024, which remains active.

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14. On September 21, 2023, Respondent submitted a response to Notice of Violation No. WRIN23024. The response indicated that Respondent was investigating additional reasonable engineering control options for better treatment of their wastewater, including installing a real-time chemical oxygen demand (“COD”) monitoring probe to allow them to better assess the health of the Moving Bed Biofilm Reactors (“MBBRs”), from which the microbes, as they die off, release accumulated metals back into the treated water.
 15. On February 16, 2024, Respondent notified DEEP of a violation of the effluent limit for total recoverable oil petroleum (“O&G”) from a sample collected on February 8, 2024.
 16. By virtue of the above, Respondent has violated the terms and conditions of Permit No. SP0000101, issued under section 22a-430 of the Connecticut General Statutes and the regulations adopted thereunder.
- B. With the agreement of Respondent, the Commissioner, acting under sections 22a-6, 22a-424, 22a-427, 22a-430, 22a-432, and 22a-438 of the Connecticut General Statutes, orders Respondent as follows:
1. Hire a Consultant. On or before thirty (30) days after the issuance of this consent order, the Respondent shall retain one or more qualified consultants acceptable to the Commissioner to prepare the documents and implement or oversee the actions required by this consent order. Within ten (10) days after retaining such consultant(s), Respondent shall notify the Commissioner in writing of the identity of each consultant. The Respondent shall continue to utilize one or more qualified consultants acceptable to the Commissioner until this consent order is fully complied with. The consultant(s) retained to perform the work required by Section B of this consent order shall be a professional engineer licensed to practice in Connecticut acceptable to the Commissioner. Respondent shall submit to the Commissioner a description of a consultant's education, experience, and training which is relevant to the work required by this consent order within ten (10) days after a request for such a description. Within ten (10) days after retaining any consultant other than one originally identified under this paragraph, Respondent shall notify the Commissioner in writing of the identity of such other consultant. Nothing in this paragraph shall preclude the Commissioner from finding a previously acceptable consultant unacceptable.
 2. Submittal of Compliance Plan: On or before ninety (90) days after the issuance of this consent order, Respondent shall submit for the Commissioner's review and written approval a comprehensive and thorough compliance plan which describes and evaluates alternative actions which may be taken by Respondent to achieve compliance with the limitations in Section 4 of the pretreatment permit. Such report shall:
 - a. evaluate alternative actions to achieve compliance with the pretreatment permit limits including but not limited to, pollutant source reduction, process changes/innovations, chemical substitutions, recycle and zero discharge systems, water conservation measures, and other internal and/or end-of-pipe treatment technologies;
 - b. state in detail the most expeditious schedule for performing each alternative;

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- c. list all permits and approvals required for each alternative, including but not limited to any permits required under Sections 22a-32, 22a-42a, 22a-342, 22a-361, 22a-368, 22a-430, or 22a-430b of the Connecticut General Statutes;
 - d. propose a preferred alternative or combination of alternatives with supporting justification; and
 - e. propose a detailed program and schedule to perform all actions required by the preferred alternative including but not limited to a schedule for submission of; engineering plans and specifications on any internal and/or end of pipe treatment facilities, start and completion of any construction activities related to any treatment facilities, applying for and obtaining all permits and approvals required for such actions.
3. Progress Reports: Respondent shall submit to the Commissioner monthly progress reports beginning thirty (30) days after the date of issuance of this consent order. Progress reports shall be submitted until all actions required by this consent order have been completed as approved and to the Commissioner's satisfaction. Progress reports shall include a summary of all actions that have been performed by Respondent over the previous month in order to comply with this consent order.
4. Full Compliance. Respondent shall perform the approved actions in accordance with the approved schedule, but in no event shall the approved actions be completed later than three hundred and sixty-five (365) days after the Commissioner's written approval of the compliance plan required by paragraph B.2. of this consent order. Within fifteen (15) days after completing full compliance with the schedule, the Respondent shall certify to the Commissioner in writing that the actions have been completed as approved. 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.
5. Civil penalty. Respondent agrees to the assessment of a penalty of **forty-six thousand dollars (\$46,000)** as the total civil penalty to be sought by the Commissioner for those, and only those, violations described in paragraphs A.6, A.8, A.10, A.11, A.13 and A.15 of this consent order. On or before thirty (30) days after issuance of this consent order, Respondent shall pay the associated civil penalty.
6. W-9 Requirement: The Respondent shall provide a completed IRS Form W-9 to the Commissioner.
7. Payment of penalties. Payment of penalties under this consent order 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 "Treasurer, State of Connecticut." The check shall state on its face, "***Bureau of Materials Management and Compliance Assurance, Water Permitting and Enforcement Division*** civil penalty, consent order COWRIN24002."
8. Approvals. Respondent shall use best efforts to submit to the Commissioner all documents required by this consent order in a complete and approvable form. If the Commissioner notifies Respondent that any document or other action is deficient, and does not approve it with conditions or modifications, it is deemed disapproved, and Respondent shall correct the deficiencies and resubmit

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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.

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

11. 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.

12. 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 Respondent or, if Respondent is not an individual, by Respondent's chief executive officer or a duly authorized representative of such officer, as those terms are defined in Section 22a-430-3(b)(2) of the Regulations of Connecticut State Agencies, and by the individual(s) responsible for actually preparing such document, and Respondent or 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 is punishable as a criminal offense under Section 53a-157b of the Connecticut General Statutes and any other applicable law."

13. 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 Respondent to an injunction and penalties.

14. False statements. Any false statement in any information submitted pursuant to this consent order is punishable as a criminal offense under Section 53a-157b of the Connecticut General Statutes and any other applicable law.

15. Notice of transfer; liability of Respondent. Until Respondent has fully complied with this consent order, Respondent shall notify the Commissioner in writing no later than 15 days after transferring

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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. 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.

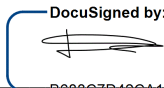
16. Commissioner's powers. Except as provided hereinabove with respect to payment of civil penalties, nothing in this consent order shall affect the Commissioner's authority to institute any proceeding or take any other action to prevent or abate violations of law, prevent or abate pollution, recover 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 Respondent to undertake further investigation or further action to prevent or abate violations or pollution.
17. Respondent's obligations under law. Nothing in this consent order shall relieve Respondent of other obligations under applicable federal, state and local law.
18. 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 Respondent pursuant to this consent order will result in compliance or prevent or abate pollution.
19. Access to site. Any representative of the Department of Energy and Environmental Protection may enter the site without prior notice for the purposes of monitoring and enforcing the actions required or allowed by this consent order.
20. 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.
21. Notice to Commissioner of changes. Within 15 days of the date 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, Respondent shall submit the correct or omitted information to the Commissioner.
22. Notification of noncompliance. In the event that 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, 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, 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 Respondent shall comply with any dates which may be approved in writing by the Commissioner. Notification by 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.

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23. Submission of documents. Any document required to be submitted to the Commissioner under this consent order shall, unless otherwise specified in this consent order or in writing by the Commissioner, be directed to Christopher Gerke at chris.gerke@ct.gov with a copy sent to DEEP.WaterPermittingEnforcement@ct.gov using the subject line "COWRIN24002".

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 the Respondent to the terms and conditions of the consent order.

Tradebe Treatment and Recycling of Bridgeport, LLC

BY: 
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Oriol Mateau
CFO acting as US CEO
8/15/2024
Date

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


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Emma Cimino
Deputy Commissioner
Department of Energy and Environmental Protection
8/27/2024
Date