

STATE OF CONNECTICUT

V.

NLR, INC.

CONSENT ORDER # WSWDH 13011

Date Issued: January 25, 2013

- A. With the agreement of NLR, Inc. ("Respondent"), the Commissioner of Energy and Environmental Protection ("the Commissioner") finds:
1. Respondent is a Connecticut corporation, which is or has been engaged in the business of receiving, storing and/or processing: universal waste mercury-containing equipment, universal waste batteries, universal waste lamps, crushed lamps, used electronics, and waste ballasts (PCB and non-PCB).
 2. Respondent has two business locations in Connecticut where waste management activities occur: a) 250 Main Street, East Windsor, Connecticut ("Main Street facility"); and b) 4 Revay Road, East Windsor, Connecticut ("Revay Road facility").
 3. Respondent was issued Permit To Operate No. 0470673-PO on January 27, 2005 ("the permit") to operate a solid waste volume reduction plant at the Main Street facility.
 4. Respondent was issued an approval by the Department on August 10, 2009 to conduct a demonstration project to evaluate the use of recycled fluorescent lamp glass in the construction of asphalt structures ("the demonstration project approval").
 5. The Department issued Hazardous Waste Transporter Permit No. CT-HW-669 to the Respondent on April 29, 2009 with an expiration date of June 30, 2011("the transporter permit"). The Department reissued the transporter permit on May 13, 2011 with an expiration date of June 30, 2013.

Main Street Facility Findings

6. Respondent is or has been a generator of hazardous waste at the Main Street facility.
7. Inspections of the Main Street facility were conducted by the Bureau of Materials Management and Compliance Assurance, Waste Engineering and Enforcement Division ("WEED") on January 10, 24, and 27, February 17, and 23, and March 1, 2011. Based upon these inspections, Respondent failed to comply with the following requirements:

Violations of Permit To Operate No. 0470673-PO

- a. Respondent failed to operate the facility in accordance with all the approved documents and specifications previously submitted as part of applications numbered 200100876 and 200100877, in violation of condition 2. of the permit. Specifically, WEED staff found the following activities to be inconsistent with the information contained in the applications cited above: i) universal waste lamp storage in Warehouse A; ii) universal waste lamp storage in Warehouse C; iii) the construction of Warehouse D; iv) universal waste lamps and hazardous waste (crushed lamps) receipt at Warehouse D's loading dock; v) spent calcium phosphate powder (marked "hazardous waste") storage in a trailer parked outside of Warehouse D; vi) universal waste lamp processing in Warehouse D; and vii) metal end cap (generated from lamp processing) storage in Warehouse D. Respondent was not authorized to engage in the above activities since such activities were not part of the permit applications noted above.
- b. Respondent failed to mark each container of recovered materials stored at the facility with: i) the date waste begins accumulating in such container; and ii) the words "Universal Waste", "Hazardous Waste" or "Non-Hazardous Waste", as applicable, in violation of condition 11.f) of the permit. Specifically, WEED staff found that two containers of metal end caps stored in Warehouse D were not marked as required.
- c. Respondent failed to conduct waste determinations to obtain statistically valid data for recovered material generated at the facility, in violation of condition 12.c) of the permit. Specifically, WEED staff found that the procedures used to collect representative samples of spent calcium phosphate powder, for the purposes of conducting waste determinations pursuant to condition 12.b) of the permit, had not been performed in accordance with the methods prescribed in condition of 12.c) of the permit. There were approximately 400 drums of spent calcium phosphate powder in storage at the Main Street facility.
- d. Respondent failed to immediately collect universal waste lamps broken during handling at the facility using the vacuum collection system, in violation of condition 14.a)3) of the permit. Specifically, WEED staff found broken universal waste lamps on the floor in Warehouse A during its inspection of the facility on January 10, 2011. WEED staff found the same condition existing at the facility on January 24, 2011.
- e. Respondent failed to conduct and record required inspections of the facility, in violation of condition 14.b) of the permit. Specifically, WEED staff found that the "Weekly Facility Inspection Form" (Appendix F of the Facility Management Plan), had not been completed by facility personnel since sometime in mid 2010. *Note:* It is unclear when the "Daily Facility Clean-up Inspection Form" and the "Daily DYNEX Lamp Processor Inspection Form" were last completed.
- f. Respondent failed to ensure that all recovered materials generated at the facility are transported to a market and/or waste processing, or reclamation facility authorized to accept such materials, in violation of condition 15.b) of the permit. Specifically, WEED staff found that containers of metal end caps and spent calcium phosphate powder generated at the facility ("recovered materials") had been transported to the Revay Road facility. The Revay Road facility is not currently authorized to accept such materials.

- g. Respondent failed to employ operators for the facility whose qualifications have been certified pursuant to the Regulations of Connecticut State Agencies ("RCSA") Section 22a-209-6 ("certified operators") and to provide facility personnel with the required training, in violation of condition 18. of the permit. Specifically, WEED staff found that the facility is not currently employing certified operators and, except for those persons hired as drivers, has not provided facility personnel with the required training.
- h. Respondent failed to maintain an operating record that includes properly completed waste shipment documentation (i.e., manifests, bill of ladings, etc.), in violation of condition 20.a)1) of the permit. Specifically, WEED staff found that numerous shipping documents included in the operating record (i.e., bill of ladings and hazardous waste manifests) reflected that certain shipments of waste were received at the Main Street facility when in fact the shipments were received at the Revay Road facility. In addition, WEED staff found that numerous shipments of universal waste and spent calcium phosphate powder had been transported to the facility without a bill of lading and/or manifest accompanying each shipment.
- i. Respondent failed to identify the location of each processing and storage area within the facility and quantity of waste managed at each location in the facility operating record (i.e., the inventory log), in violation of condition 20.a)3) of the permit. Specifically, WEED staff found that the following areas and/or wastes were not identified in the facility operating record: a) lamps observed during the inspection which were stored in Warehouse A, B, and C; b) universal waste batteries, used electronics, and ballasts (PCB and non-PCB) observed during the inspection which were stored in Warehouse C; c) three, 55-gallon drums marked "hazardous waste crushed lamps" and 170, 55-gallon drums of spent calcium phosphate powder observed during the inspection which were stored in Warehouse B; d) three drums of crushed lamps observed during the inspection which were stored in Warehouse D; and e) a 53-foot trailer containing approximately 140, 55-gallon drums of spent calcium phosphate powder and a 50-foot trailer containing 84, 55-gallon drum of spent calcium phosphate powder observed during the inspection. Both trailers were parked outside of Warehouse D. The wastes managed in these areas were not identified and/or quantified in the facility operating record.
- j. Respondent failed to record in the operating record the actual date and time material was transferred into processing equipment, in violation of condition 20.a)6) of the permit. Specifically, WEED staff found that the facility operating record reflected that certain containers of waste had been processed when in fact the wastes had not been processed and were in storage at the facility. *Note:* "Certificates" issued to the customers of the unprocessed wastes referenced above indicate that such wastes had been processed.
- k. Respondent failed to submit required reports to the Department, in violation of the permit, as well as condition 7) of the demonstration project approval. Specifically, WEED staff found that quarterly submittals of the monthly summaries had not been submitted since the first quarter of 2004 as required by condition 20.b) of the permit. In addition, Respondent failed to submit the semi-annual progress reports required pursuant to condition 7) of the demonstration project approval.

- l. Respondent failed to obtain written approval from the Commissioner prior to making any physical/operational upgrades, improvements, and/or other changes in the facility design, practices or equipment, in violation of condition 24. of the permit. Specifically, WEED staff found that a BALCAN MP8000 lamp processor has been in use at the facility since June 2010. The Commissioner had not issued a written approval allowing the use of the BALCAN MP8000 lamp processor inside a newly constructed building (Warehouse D). The DYNEX Lamp Processor (Series 3600), which the Respondent has replaced with the BALCAN MP8000, is the only lamp processor currently authorized by the permit.
- m. Respondent failed to adjust the facility's closure cost estimate, in violation of condition 27. of the permit. Specifically, WEED staff found that at the time of the inspection, the facility's closure cost estimate had not been updated since 2006.

RCRA Violations

- n. Respondent failed to perform a hazardous waste determination on each solid waste generated at the facility, in violation of RCRA Section 22a-449(c)-102(a)(2)(A), which incorporates (with specified changes) Title 40 of the Code of Federal Regulations ("CFR") 262.11. Specifically, WEED staff found that a hazardous waste determination had not been performed on three 55-gallon containers of crushed lamps stored in Warehouse D.
- o. Respondent operated a hazardous waste storage facility without a permit, in violation of RCRA Section 22a-449(c)-104/105, which incorporates (with specified changes) 40 CFR 264/265, the permit requirements of RCRA Section 22a-449(c)-110, incorporating (with specified changes) 40 CFR 270 and the specified sections of 40 CFR 124 (as revised). Specifically, WEED staff found: i) three drums of hazardous waste stored in Warehouse B (marked "hazardous waste crushed lamps"). These drums were shipped to the facility from Northland Environmental and were dated as received by the facility 6/5/10, 4/15/10, and 3/11/10; and ii) 84, 55-gallon drums of hazardous waste (spent calcium phosphate powder containing mercury) stored in trailer #TT123. These drums were dated 2009.
- p. Respondent failed to record hazardous waste inspections in an inspection log or summary, in violation of RCRA Section 22a-449(c)-102(b)(2), which incorporates (with specified changes) 40 CFR 265.15. Specifically, WEED staff found that the facility failed to keep records demonstrating that inspection of hazardous waste storage areas, loading and unloading area(s), and safety and emergency response equipment had been performed (since at least July 12, 2010).
- q. Respondent failed to maintain personnel training records, in violation of RCRA Section 22a-449(c)-102(a)(2)(K), which incorporates 40 CFR 265.16. Specifically, WEED staff found that training records, documenting that the required training has been given to and completed by facility personnel, had not been maintained at the facility as required by 40 CFR 265.16(d)(4).
- r. Respondent failed to maintain adequate aisle space at the facility, in violation of RCRA Section 22a-449(c)-102(a)(2)(K), incorporating 40 CFR 265.35. Specifically, WEED staff found that adequate aisle space was not provided in Warehouse B where three drums of hazardous waste were being stored.

- s. Respondent failed to comply with the accumulation time limits applicable to large quantity handlers of universal waste, in violation of RCSA Section 22a-449(c)-113(a)(2), which incorporates (with specified changes) 40 CFR 273.35. Specifically, WEED staff found large volumes of waste lamps stored in Warehouse A, B, and C which had been stored at the facility well in excess of one year.
- t. Respondent failed to immediately contain a release of universal waste and other residues from universal waste, in violation of RCSA Section 22a-449(c)-113(a)(2), which incorporates (with specified changes) 40 CFR 273.37. Specifically, WEED staff found broken universal waste lamps located on the floor in Warehouse A and B during its inspection of the site. Based on a subsequent inspection of the facility WEED staff found that the broken lamps had not been contained as required.

Hazardous Waste Transportation Violations

- u. Respondent failed to utilize a manifest for each hazardous waste transported, in violation of RCSA Section 22a-449(c)-103(a)(1) which incorporates 40 CFR 263.20(a)(1). Specifically, WEED staff found that numerous shipments of hazardous waste (crushed lamps - D009) had been transported to the Main Street facility from the Revay Road facility without the use of a manifest.
- v. Respondent failed to deliver hazardous waste to the designated facility listed on the manifest, in violation of RCSA Section 22a-449(c)-103(a)(1) which incorporates 40 CFR 263.21(a)(1). Specifically, WEED staff found that numerous manifests maintained in the facility operating record identified the Main Street facility as the receiving facility when the hazardous wastes were actually received at the Revay Road facility.
- w. Respondent failed to ensure hazardous material is properly packaged prior to transporting such material by a motor vehicle, in violation of permit condition C.3. of Hazardous Waste Transporter Permit (Permit No. CT-HW-669) which requires compliance with 49 CFR 177.801. Specifically, WEED staff found that at least one 30-gallon container of hazardous waste had been transported to the Main Street facility from the Revay Road facility in a container that was not "closed" as required pursuant to 49 CFR 173.24(b).
- x. Respondent failed to transport waste to a facility authorized to accept such waste, in violation of permit condition C.4. of Hazardous Waste Transporter Permit No. CT-HW-669. Specifically, WEED staff found that spent calcium phosphate powder and scrap metal (metal end cap waste) had been shipped from the Main Street facility to the Revay Road facility. The Revay Road facility does not currently have written approval from the Commissioner to accept such waste.

Revay Road Facility Findings

- 8. Respondent is or has been a large quantity handler of universal waste at the Revay Road facility.
- 9. Inspections of the Revay Road facility were conducted by WEED staff on February 7, March 1, and 10, 2011. Based upon these inspections, Respondent failed to comply with the following requirements:

Unpermitted Solid Waste Transfer Station Violation

- a. Respondent built or established a solid waste transfer station where more than ten cubic yards of solid waste including, but not necessarily limited to: a) spent calcium phosphate powder; b) waste crushed lamps; and c) capacitors and ballasts (PCB and non-PCB), generated elsewhere, was collected and transferred to another location after July 1, 1971, without a plan, design and method of operation of such solid waste facility having been approved by the Commissioner by the issuance of a permit to construct and operate a solid waste facility as required by Section 22a-209-4, and Section 22a-209-9 of the RCSA, and Section 22a-208-a(b) and Section 22a-208c of the CGS.

RCRA Violations

- b. Respondent failed to maintain adequate aisle space, in violation of RCSA Section 22a-449(c)-102(a)(2)(K), incorporating 40 CFR 265.35. Specifically, WEED staff found that due to haphazard container management practices employed at the Revay Road facility, adequate aisle space had not been maintained.
 - c. Respondent failed to comply with the accumulation time limits applicable to large quantity handlers of universal waste, in violation of RCSA Section 22a-449(c)-113(a)(2), which incorporates (with specified changes) 40 CFR 273.35. Specifically, WEED staff found that universal waste lamps in storage at the time of inspection had been stored at the facility well in excess of the one year accumulation period allowed pursuant to 40 CFR 273.35(a).
 - d. Respondent failed to comply with the hazardous waste storage facility requirements, in violation of RCSA Section 22a-449(c)-104/105, which incorporates (with specified changes) 40 CFR 264/265, the permit requirements of RCSA Section 22a-449(c)-110, incorporating (with specified changes) 40 CFR 270 and the specified sections of 40 CFR 124 (as revised). Specifically, WEED staff found that over 200, 55-gallon drums marked "hazardous waste" had been received from off-site sources and were stored on-site at the time of inspection.
 - e. Respondent failed to keep containers of hazardous waste in storage closed, in violation of RCSA Section 22a-449(c)-102(a)(2)(K), incorporating 40 CFR 265.173(a). Specifically, WEED staff found that at least three containers of hazardous waste stored in the East Warehouse were not closed at the time of inspection.
 - f. Respondent failed to immediately contain a release of universal waste and other residues from universal waste, in violation of RCSA Section 22a-449(c)-113(a)(2), which incorporates (with specified changes) 40 CFR 273.37. Specifically, WEED staff found broken universal waste lamps in several areas during its inspection of the facility.
10. On April 1, 2011, WEED issued Notice of Violation No. WSWDH11017 to the Respondent to correct violations corresponding to those cited in subparagraph A.7.a. through A.7.x. of this consent order.

11. On April 1, 2011, WEED issued Notice of Violation No. WSWDH11016 to the Respondent to correct violations corresponding to those cited in subparagraph A.9.a. through A.9.f. of this consent order.
 12. Based on correspondence submitted to WEED on May 2, and July 1, 2011 Respondent represented that the violations corresponding to those listed in subparagraphs A.7.b., A.7.d., A.7.h., A.7.m., A.7.n., A.7.t., A.7.u., A.7.v., A.7.w., A.9.b., A.9.e., and A.9.f. of this consent order have been corrected.
 13. By virtue of the above, the Respondent has violated RCSA Sections 22a-209-4, 22a-209-6, 22a-209-10, 22a-449(c)-100, et seq., and Sections 22a-208a(b) and 22a-208a(c) of the Connecticut General Statutes ("CGS").
 14. By agreeing to the issuance of this consent order, Respondent makes no admission of fact or law with respect to the matters addressed herein, other than the facts asserted in paragraphs A.1. through A.5. above.
- B. With the agreement of Respondent, the Commissioner, acting under Sections 22a-6, 22a-131, 22a-208, 22a-225, 22a-226, and 22a-449 of the CGS, orders Respondent as follows:
1. Compliance Assurance. Respondent shall bring all violations identified in paragraphs A.7. and A.9. into compliance and maintain its compliance with all applicable provisions of RCSA Sections 22a-209-4, 22a-209-6, 22a-209-10, and 22a-449(c)-100, et. seq.; and Permit To Operate No. 0470673-PO, including but not limited to those requirements identified in paragraph A.7. and A.9. above. In particular:
 - a. On or before thirty (30) days after issuance of this consent order, Respondent shall employ a "Compliance Specialist" approved by the Commissioner to be directly responsible for environmental compliance at the Main Street and Revay Road facilities. The Respondent shall employ an approved Compliance Specialist for as long as the Main Street and/or Revay Road facilities continue to operate. Each Compliance Specialist employed shall be familiar with the day-to-day operations and maintenance of each facility and, at a minimum, shall be knowledgeable in Connecticut's hazardous and solid waste management requirements, specifically with respect to the requirements of Permit To Operate No.0470673-PO, and this consent order. The Respondent shall ensure each Compliance Specialist employed is authorized to implement all necessary actions to remediate incidents of environmental non-compliance. The Compliance Specialist shall consult with the Respondent, as necessary, on matters of environmental compliance and report matters of environmental non-compliance to the Respondent as they occur. Prior to employing a Compliance Specialist other than the one originally approved under this paragraph, Respondent shall notify the Commissioner in writing of the identity of such other person and shall submit to the Commissioner a description of the person's education, experience and training relevant to the work required by this consent order. Respondent shall obtain the Commissioner's written approval prior to replacing an approved Compliance Specialist. Nothing in this paragraph shall preclude the Commissioner from finding a previously acceptable Compliance Specialist unacceptable.
 - b. Respondent has identified that Thomas Stark of GZA GeoEnvironmental, Inc. has been retained to prepare, implement, or oversee all actions necessary relating to the submission of application (App. No. 201104821) and required documents for the modification of Solid Waste Permit To Operate No. 0470673-PO ("permit modification request"). Respondent shall continue to retain Thomas Stark, or another consultant acceptable to the

Commissioner for such work, until the permit modification request is approved by the Commissioner, withdrawn by Respondent or otherwise reaches a final disposition by the Department. Prior to retaining any consultant other than Thomas Stark, Respondent shall notify the Commissioner in writing of the identity of such other person and shall submit to the Commissioner a description of the person's education, experience and training relevant to the work required by this consent order. Respondent shall obtain the Commissioner's written approval prior to replacing Thomas Stark or any consultant subsequently approved under this paragraph. Nothing in this paragraph shall preclude the Commissioner from finding a previously acceptable consultant unacceptable.

- c. On or before one hundred twenty (120) days after issuance of this consent order, Respondent shall submit for the Commissioner's review and written approval, a plan detailing actions and/or operational changes it has undertaken or will undertake to ensure compliance with Connecticut's solid and hazardous waste management regulations and Permit To Operate No. 0470673-PO including, but not limited to, those requirements violated as set forth in paragraphs A.7. and A.9. of the consent order.
- d. On or before one hundred twenty (120) days after issuance of this consent order, Respondent shall conduct a comprehensive recycling review of the Main Street facility and the Revay Road facility to evaluate compliance with Connecticut's recycling laws set forth in CGS Section 22a-241b(d), and shall submit for the Commissioner's review and written approval a business recycling profile documenting the management of recyclable materials at each facility. Refer to the enclosed recycling profile (**Attachment A**).
- e. On or before ninety (90) days after issuance of this consent order, Respondent shall submit for the Commissioner's review and written approval a report which:
 - 1) Identifies quantity and location at each facility (Main Street facility and Revay Road facility) and if no longer at these facilities, the current location, of all wastes including calcium phosphate powders, which have been at each facility: (i) on March 10, 2011; and (ii) since March 11, 2011;
 - 2) Details the results, with supporting documentation, of a hazardous waste determination performed on all wastes, including calcium phosphate powders; and
 - 3) Provides a proposed plan and schedule for the expeditious removal and proper disposal of all waste identified pursuant to paragraph B.1.e.1) above. The removal schedule shall ensure calcium phosphate powders identified to be in storage at either facility on March 10, 2011 are removed within one hundred twenty (120) days of issuance of this consent order.

Respondent shall remove from each facility and properly dispose of waste in accordance with the plan and schedule approved by the Commissioner pursuant to this paragraph. Hazardous waste shall be removed in accordance with all applicable laws by a transporter holding a valid permit from the Department of Energy and Environmental Protection to transport such hazardous waste.

- f. On or before ten (10) days after waste is removed pursuant to the plan and schedule approved pursuant to paragraph B.1.e. above, Respondent shall submit to the Commissioner certification that such waste has been removed as required, and documentation demonstrating such removal.

2. Status of Notice of Violation (NOV) No. WSWDH11016 and WSWDH11017. This consent order supersedes NOV No's. WSWDH11016 and WSWDH11017.
3. Full compliance. 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.
4. Compliance Audits. Respondent agrees to conduct compliance audits as described below at both the Main Street facility and the Revay Road facility.
 - (a) On or before thirty (30) days after the date of issuance of this consent order, Respondent shall submit for the Commissioner's review and written approval the name of the consultant(s) to be retained to perform the compliance audits required pursuant to this paragraph, and a description of such consultant's education, experience and training which is relevant to the work required by this paragraph. The consultant(s) retained to perform the compliance audits shall be a qualified professional engineer licensed to practice in Connecticut. In addition, Respondent shall certify to the Commissioner that such consultant: (i) is not a subsidiary or affiliated corporation; (ii) does not own stock in Respondent or any parent, subsidiary, or affiliated corporation; (iii) is not otherwise engaged by the Respondent to prepare documents or implement or oversee any other actions required by this consent order; (iv) has no history of participation in any previous contractual agreement, and no anticipated future contractual relationships, with Respondent or any parent, subsidiary, or affiliated corporation, which, in the Commissioner's judgment and after full disclosure of such participation, would affect the consultant's ability to exercise the independent judgment and discipline required to conduct the compliance audit(s); and (v) has no other direct financial stake in the outcome of the compliance audit(s) outlined in this consent order. Respondent shall retain such consultant(s) acceptable to the Commissioner until paragraph B.4. of this consent order is fully complied with. Nothing in this paragraph shall preclude the Commissioner from finding a previously acceptable consultant unacceptable.
 - (b) Respondent shall cause the consultant approved pursuant to paragraph B.4.a. above to perform one (1) environmental compliance audit at both the Main Street facility and the Revay Road facility every six months for two consecutive years. The consultant, approved pursuant to paragraph B.4.a., shall conduct a comprehensive environmental audit of each facility to evaluate compliance with Connecticut's waste management requirements.
 - (c) On or before sixty (60) days after the date of issuance of this consent order, Respondent shall submit for the Commissioner's review and written approval a detailed written work plan that shall be followed by the consultant, approved pursuant to paragraph B.4.a., in performing the environmental compliance audits. Such work plan shall include a detailed description of the procedures that shall be followed in evaluating Respondent's compliance with: 1) Connecticut's Hazardous Waste Management Regulations; 2) Connecticut's Solid Waste Management Regulations; 3) Permit To Operate No. 0470673-PO; and 4) the requirements of this order. The work plan shall also include a schedule for performing the audits required pursuant to paragraph B.4.b.
 - (d) As soon as possible, but not later than thirty (30) days after completion of each audit, Respondent shall remedy any violations discovered therein and shall submit for the Commissioner's review and written approval a detailed written report of the results of the compliance audit conducted pursuant to paragraph B.4.b. which describes all

observations and conclusions made by the consultant with respect to the Respondent's compliance or noncompliance with the items listed in paragraph B.4.c. The written audit reports shall be prepared in accordance with the work plan approved pursuant to paragraph B.4.c. Each audit report shall include, but not be limited to, a summary of compliance with statutes, regulations, permits and this consent order; copies of all completed forms used to record all observations; a description of all remedial actions taken to address each violation discovered; a description of the audit process, including the areas of each facility inspected, the records reviewed and persons interviewed to determine compliance. Respondent shall take prompt remedial action to correct each and every violation discovered during each environmental audit. The audit report shall include a certification of compliance by the Respondent that each facility has been brought back into compliance as to any violations discovered during the audit and documentation demonstrating such compliance. If the Respondent determines that the correction of any violation requires more than thirty (30) days to complete, the audit report shall include a detailed written plan for correcting the violation, including but not limited to, a schedule to complete said remedial measures.

- (e) The Commissioner reserves the right to pursue enforcement action against the Respondent for violations discovered during the audit process. The Commissioner shall not be limited in any way in conducting independent inspections for enforcement purposes.
- 5. Civil penalty. Respondent shall pay a penalty of forty thousand dollars (**\$40,000**) as the total civil penalty to be sought by the Commissioner for those, and only those, violations described in paragraph A.7. and A.9. of this consent order. The penalty shall be paid in eight separate installments as follows: Respondent shall make a payment of five thousand dollars (**\$5,000**) each on or before: 1) thirty (30) days after issuance of this consent order; 2) one hundred twenty (120) days after issuance of this consent order; 3) two hundred ten (210) days after issuance of this consent order; 4) three hundred (300) days after issuance of this consent order; 5) three hundred ninety (390) days after issuance of this consent order; 6) four hundred eighty (480) days after issuance of this consent order; 7) five hundred seventy (570) days after issuance of this consent order; and 8) six hundred sixty (660) days after issuance of this consent order. Penalty payments shall be made in accordance with the instructions detailed in paragraph B.7.
- 6. Supplemental Environmental Project. In addition to the civil penalty referenced in paragraph B.5., Respondent has agreed to undertake the following supplemental environmental project ("SEP") requiring an expenditure of at least fifty-five thousand dollars (**\$55,000**), which is the total estimated cost as determined by the Commissioner for the SEP required under this paragraph, or make payment(s) as follows:
 - a. Respondent shall perform the SEP identified and described in **Attachment B** to this consent order. Respondent shall perform such SEP in accordance with the schedule approved by the Commissioner, and shall obtain any federal, state or local permit or approval necessary to carry out such SEP.
 - b. If Respondent fails to fully perform any SEP in accordance with subparagraph B.6.a., Respondent shall immediately notify the Commissioner in writing of such noncompliance and shall, upon written request by the Commissioner, remit a payment equal to the total estimated cost, as determined by the Commissioner of all such SEP(s), plus **\$5,500** (for a total of **\$60,500**). Within fourteen (14) days after the date of the Commissioner's written

request, Respondent shall make such payment in accordance with the remittance procedures for unexpended SEP funds in subparagraph B.7. of this consent order.

- c. On or before thirty (30) days after completion of the SEP, Respondent shall submit for the Commissioner's review and written approval a comprehensive final report that certifies completion of such SEP. Such final report shall include, at a minimum, a narrative history of the project, detailed explanation of its design and implementation, summary of any data collected, complete final accounting of actual project costs including receipts for out-of-pocket costs, and a discussion of environmental benefits resulting from the SEP.
 - d. Should the Commissioner determine that the actual cost to the Respondent of any fully completed SEP is less than the estimated cost, as determined by the Commissioner, of such SEP, Respondent shall pay the difference between such actual cost and the estimated cost to the Commissioner as unexpended SEP funds. The Commissioner shall notify the Respondent in writing of the amount of any such unexpended SEP funds that are due. Respondent shall, within fourteen (14) days after the date of such written notice, remit the full amount of the unexpended SEP funds. Payment of unexpended SEP funds shall be made in accordance with the instructions detailed in paragraph B.7. ("Payment of penalties.") below.
 - e. If and when Respondent disseminates any publicity, including but not limited to any press releases regarding funding a SEP, Respondent shall include a statement that such funding is in partial settlement of an enforcement action brought by the Commissioner.
 - f. 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, and Respondent shall not seek or obtain any other tax benefit such as a tax credit as a result of the payment under this paragraph.
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 "Connecticut Department of Energy and Environmental Protection". The check shall state on its face, "Bureau of Materials Management and Compliance Assurance, Waste Engineering and Enforcement Division civil penalty" and the consent order number identified on the first page of the consent order. A copy of the check and any transmittal letter shall also be sent to Ms. Julie Dutton in the Bureau of Materials Management and Compliance Assurance at the same address.
 8. Sampling and sample analyses. All sampling and sample analyses which, are required by this consent order and all reporting of such sample analyses shall be conducted by a laboratory certified by the Connecticut Department of Public Health Services to conduct such sampling and analyses. All sampling and sample analyses performed under this order shall be performed in accordance with procedures specified or approved in writing by the Commissioner, or, if no such procedures have been specified or approved, in accordance with EPA document SW-846. Unless otherwise specified by the Commissioner in writing, the value of each parameter shall be reported to the maximum level of precision and accuracy specified in the applicable protocol, and if no such level is specified, to the maximum level of precision and accuracy possible.

9. 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 it within the time specified by the Commissioner or, if no time is specified by the Commissioner, within thirty (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.
10. 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 §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 may be punishable as a criminal offense under §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.

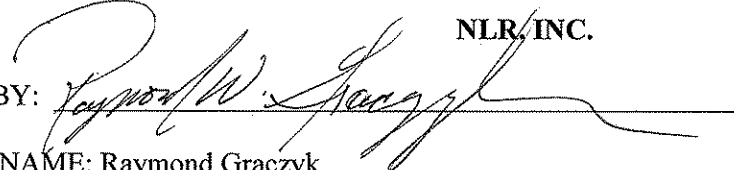
14. False statements. Any false statement in any information submitted pursuant to this consent order may be punishable as a criminal offense under §53a-157b of the Connecticut General Statutes and any other applicable law.
15. Notice of transfer; liability of Respondent. Until Respondent has fully complied with this consent order, Respondent shall notify the Commissioner in writing no later than fifteen (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. 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 pursuant to this consent order, 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 not otherwise addressed by this consent order. 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 fifteen (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.

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:

Mr. Paul Franson, Environmental Analyst 3
Bureau of Materials Management and Compliance Assurance
Waste Engineering and Enforcement Division
Department of Energy and Environmental Protection
79 Elm Street
Hartford, Connecticut 06106-5127

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.


BY:  _____
NLR, INC.

NAME: Raymond Graczyk

TITLE: President

DATE: 1/14/2013

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

 _____
Macky McCleary
Deputy Commissioner
Department of Energy and Environmental Protection

1/24/13
Date

Consent Order No. : WSWDH13011

ATTACHMENT B

Approved SEP

Fluorescent Lamp and Alkaline Battery Collection Project

NLR, Inc: Supplemental Environmental Project



Contents

I. SEP Need & Purpose.....	3
II. Waste Stream Details & Ramifications.....	3
CFLs	3
Batteries	4
III. SEP Components & Areas of Use	5
CFL Display:.....	5
Battery Display:	5
Public Area Use:.....	5
Municipal Use:.....	6
Education & SOP Guidelines:	7
Resident Waste Guide.....	7
Informational Flyers	7
Municipal Universal Waste Site Posters.....	7
Municipal SOP Guidelines	7
Public Site SOP Guidelines	7
IV. Deployment & Monitoring	8
Deployment:.....	8
Monitoring:.....	8
Program End Notification & Logistics:.....	8
V. Site Selection Criteria & Proposed Target Sites	9
Location	9
Municipal/Residential Awareness.....	9
Site Access	9
Identifying Agreement	9
VI. Recycling Goal Estimates	11
VII. Downstream Recycling Vendors.....	11
VIII. Benefits	12
IX. Estimated Budget.....	13
Schedule A.....	14

NLR, Inc SEP

Supplemental Environmental Project

I. SEP Need & Purpose

CFL and alkaline battery waste has been on the rise for residents due to many factors including greater awareness of energy efficiency, availability of lower cost products, and increases in electronic devices that require batteries. With these increases comes the need to properly recycle these items in a way that will have the smallest environmental impact. This section outlines some of the reasons for the SEP in terms of the usage and ramifications from improper recycling.

The purpose of the SEP is to address the growing need for Connecticut residents to have access to environmentally safe means of non-regulated residential recycling of mercury containing compact fluorescents (CFLs) and alkaline batteries. The SEP outlines the specific reasons that there is a need, how they will be addressed and what are the benefits.

II. Waste Stream Details & Ramifications

CFLs

According to a 2010 report presented to the Connecticut Energy Conservation Management Board, CL & P and United Illuminating by NMR Group, Inc., CFLs were only installed in 23% of Connecticut resident's sockets (estimated at 43 million CFLs) and 70% contained incandescent or halogen bulbs. Taking into account a moderate rate of increase due to awareness and availability, the number of CFLs has easily increased to 30-35% in 2012. In addition new Federal Lighting Standard will be going into effect to phase out incandescent bulbs that will increase awareness and sales of CFLs. This increase directly results in an ever-growing need for recycling of millions of mercury containing lamps as well as the incandescent bulbs that they replace.

In the 2010 report it is also noted that "Less than one out of three (29%) CFL users have disposed of a CFL in the past 12 months and slightly less than one-half (45%) reported ever having removed a CFL. This is supported by the fact nearly three out of four (70%) CFL users first used a CFL in the past three years. It is likely that there will be an increase in CFL disposal in the next two to four years with a similar increase in the need for CFL recycling and education.

Three-fifths of those CFL users who have disposed of a CFL in the past 12 months said that they threw them away in the trash and only slightly over one-fourth gave them for recycling or proper disposal."

Improper Recycling Ramifications: If residents do not have an easy means of recycling mercury containing lamps they are often put in the trash as sited in the NMR research report. After the lamps are broken and crushed in the garbage, mercury vapors escape into the atmosphere only to fall back to

earth when it rains, contaminating the water supply, fish and anyone that consumes them. Since one teaspoon of mercury can cause severe damage to a 100-acre body of water, fish in more than 50,000 bodies of water in 40 states contain such high levels of mercury that health agencies have warned people against eating them.

Human exposure to mercury occurs primarily through consumption of contaminated saltwater or freshwater fish. In the U.S. approximately 7 Million woman and children are routinely eating mercury contaminated fish at levels higher than the EPA would consider safe. Mercury is a nerve toxin and over exposure can result in impaired sight, hearing, mobility and speech.

Batteries

Alkaline batteries power everything from small household electronics to tools and toothbrushes. As technology expands and cheaper products become available more residents purchase products and thereby consume higher amounts of batteries to power these devices. Environmental Health and Safety Online estimates that in the United States an individual will consume approximately 10 batteries over a 12-month period. This would result in a conservative estimate of 30.5 million used batteries being generated by Connecticut residents. Most of these are disposed of in residential trash.

Improper Recycling Ramifications: Most batteries contain hazardous chemicals and are regulated as Universal Waste. These chemicals can contaminate the environment if discarded with ordinary trash. Nickel Cadmium (Ni-Cd), Nickel Metal Hydride (Ni-MH), Lithium Ion (Li-ion), and other alkaline and lead acid batteries are a few that contain hazardous chemicals. All of these batteries that enter the landfill can breakdown and release toxic elements into the environment. When trash that contains discarded batteries is incinerated certain metals might be released into the air, soil or can concentrate in the ash produced by the combustion process.

Toxins from batteries may easily enter the environment through leachate (the liquid that comes in contact with solid waste) that finds its way to the soil. Through the soil, the toxins may find their way to the ground water and in turn pollute the entire ecosystem. Toxins may also enter the environment through the gases that leachate produces, which mix with and contaminate the atmosphere. Since the toxic chemicals may easily enter the ecosystem through any of these ways, dumping batteries into landfills does present a hazard to the ecosystem. Discarding batteries in the household waste stream increases the toxicity levels of these landfills.

Toxic substances found in batteries such as Cadmium, Chromate, Nickel, Mercury, Lead and Magnesium are all directly harmful to humans. Common problems with exposure include cancer, emphysema, bone changes, anemia, digestive related issues, neurasthenic syndrome, autonomic dysfunction, and many more.

III. SEP Components & Areas of Use

Point of Recycling Displays: These point of recycling displays (POR) are ideal for their size and ease of use to be deployed in public spaces and stores where residents frequent. By having the displays in these locations residents will have access to a convenient means for recycling the items as well as opportunities to get educational materials that they can then bring home or share with others.

CFL Display:

Display measure 15" wide x 15" deep x 35" high with a 15" x 15" lid. The small footprint allows it to be placed in virtually any location while not taking up a large amount of floor real estate. The front panel will incorporate images of CFLs along with the designation of "Used Compact Fluorescent Drop-Off". The top lid will have additional images as well as brief information on why to recycle. The left and right side panels will accommodate the required SEP verbiage as cited in section 6 of the SEP policy. There is a holder on the right panel that will hold resealable plastic bags.

Battery Display:

The program will only be accepting **alkaline batteries below 9 volts**. A plastic non-reactive 15 gallon locking lid drum with inner liner will be utilized. The display will only accept AAA, AA, C & D batteries. As per DOT regulations they do not need their ends taped or to be individually bagged. They may be comingled in the non-reactive container.

The front will incorporate images of the accepted batteries along with the designation of "Used Alkaline Battery Drop-Off". The top lid will have additional images as well as brief information on why to recycle, what batteries are not accepted and where to bring them for proper recycling. The left and right side will accommodate the required SEP verbiage as cited in section 6 of the SEP policy.

Capacities:

CFL Display		
No. of Containers	Container Capacity	Total Recycling Capacity
2	Up to 90 CFLs	180 CFLs*
<i>*depending on size</i>		
Battery Display		
No. of Drums	Container Capacity	Total Recycling Capacity
1	Up to 150 lbs.	150 lbs.

Public Area Use:

CFL POR Display: This display comes with (2) inner containers that each can hold up to 90 CFLs depending on size. Each container is equipped with a vapor-lock lid as well as a 3 mil inner liner. One container is stored on the bottom of the display inside a corrugated insert that allows the second contain to sit on top. This method allows the top container to be filled and returned for

recycling and the other is put in its place on top of the insert. This maintains the proper height for the containers so that items are not dropped in and possibly cause unintentional breakage.

Resealable bags are provided at each display so that users can place their waste in it for additional security from breakage. Additionally, each site contact will be given a SOP document that will address any unintentional breakage and procedures for clean-up.

Battery POR Display: This display is (1) 15 gallon drum that can hold up to 150 lbs. of alkaline batteries depending on size. Each drum is equipped with a locking lid as well as a 3 mil inner liner. The top lid will have a cut-out the size of the largest acceptable battery (D-size). This will ensure that only size D or lower are placed in the drum. It will specify the specific battery types accepted and not accepted.

Non-reactive resealable bags do not need to be provided as the under 9V requirement along with the non-reactive drum sufficiently satisfy DOT storage and transportation requirements.

Municipal Use:

Bulk Containers: Some residents may have a large number of alkaline batteries, linear lamps, HID's or U-bends that cannot be placed in the displays or may bring these items to a hazwaste drop-off day. Bulk containers will offer municipal workers an easy way to accept these items during these events and throughout the year from residents that find this a convenient option.

Capacities:

Polyethylene Drum	
Waste Type	Total Recycling Capacity
Alkaline ONLY	Up to 600 lbs
Rocon Container	
Waste Type	Total Recycling Capacity
HID, U-style & Circular, CFL, PL	30 - U's or Circular 75 - 400 W HID's 100+ -CFLs / PL lamps
4' Fiber Drum	
Waste Type	Total Recycling Capacity
Linear Lamps	4' 170-T8 • 85-T12
8' Contractor Box	
Waste Type	Total Recycling Capacity
Linear Lamps	8' 60-T8 • 30-T12

Education & SOP Guidelines:

Resident Waste Guide

NLR will provide a free Residential Universal Waste Guide at every deployment location. This guide will identify several of the most common household wastes and give details on how to properly, store, recycle and clean-up breakage. Items to include: fluorescent/CFL lamps, automotive/household batteries, mercury devices/liquid mercury, and electronics. This guide will parallel and include information from the residential DEEP Reduce-Recycle-Reuse web page. Included in the information will be specifics of who to contact for proper recycling (i.e. hazwaste days, town hall, DPW). The required SEP verbiage as cited in section 6 of the SEP policy will also be included.

Informational Flyers

Flyers will be provided to staff at all designated municipal and public drop-off locations for handout that will have brief information on 1) Why these items should be recycled 2) The environmental impacts of not recycling 3) List and locations of all point of recycling (POR) displays in their town as well as times to drop off larger bulk items (linear lamps) to their designated municipal locations. The required SEP verbiage as cited in section 6 of the SEP policy will also be included.

Municipal Universal Waste Site Posters

The UW posters will be used at bulk pick-up sites. These posters can be used by municipal employees to quickly identify the proper way to identify, handle and store bulk universal waste. These posters will include information on lamps, batteries, ballasts, mercury devices and electronics. The required SEP verbiage as cited in section 6 of the SEP policy will also be included.

Municipal SOP Guidelines

Municipal sites already have approved SOP guidelines for the safe handling, storage and clean-up of universal waste CFLs and alkaline batteries in their General Permit to Operate. They would follow these policies for any issues that may arise.

Public Site SOP Guidelines

Much like the municipal guidelines, this document will be created for the public site point of contact that will manage the location. The document will contain information taken from the General Permit to Operate that outlines specifics of proper handling and storing of universal waste lamps and batteries. Additionally it will have information on clean-up of incidental breakage.

IV. Deployment & Monitoring

Deployment:

Each designated public location will receive:

- (1) CFL Display with (2) Recycling Containers
- (1) Battery Display
- (500) Self Seal Poly Bags
- (250) Informational Flyers
- (250) Residential Universal Waste Guides
- (1) NLR Contact Sheet (Names and numbers for pick-up/replacement and questions)
- (1) Public Site SOP Guideline
- (1) 1 gal pail with vapor lock lid for clean-up of any unintentional CFL breakage

Each municipal bulk location will receive:

- (2) Poly-drums for alkaline batteries
- (1) Rocon for mixed bulbs (CFL,HID etc.)
- (1) Fiber Drum FD85 (linear lamps)
- (1) 8' Contractor box for linear lamps
- (250) Informational Flyers
- (250) Residential Universal Waste Guides
- (1) Set of Universal Waste Compliance Posters (Lamps, Batteries, eWaste, Ballasts, Mercury Devices)
- (1) NLR Contact Sheet (Names and numbers for pick-up/replacement and questions)
- (1) 5 gal pail with vapor lock lid for clean-up of any unintentional CFL breakage

Monitoring:

NLR will monitor the levels of the recycling containers in two ways: 1) At designated time intervals NLR staff will stop by each location to pick-up and replace any full containers as well as restock the resealable bags and literature 2) Each location will have a contact sheet that will have the number of the NLR dispatch office. This will allow the location contact person to call in and schedule a pick-up or order more items.

Each site will be tracked via a spread sheet as to how many containers have been used, how many pick-ups made and the amounts of waste received. These numbers can then be aggregated with the other sites for a running total on the amounts of waste received.

Program End Notification & Logistics:

As the recycling and program costs near the total of the required dollar amount for the SEP all location contacts (municipal and public) will be notified in writing of the end date of the program. In-turn posters identifying the end date of the program will be posted in the public areas. At the designated end date

NLR will pick-up all containers regardless of what quantities of waste they contain. All residential waste guides will remain to help residents find alternative means for recycling their residential waste items.

V. Site Selection Criteria & Proposed Target Sites

The scope of the SEP encompasses 8 towns with a total of 24 locations for displays and 8 bulk locations. This gives an estimated total potential of 24 CFL displays and 24 battery displays. This small number of sites will enable NLR to easily monitor and assess the effectiveness of the SEP. This in turn will allow for the determination of adding additional sites or making any necessary changes to the SEP approach.

Location

Towns were identified that can be serviced easily from NLR's location in East Windsor. This allows for ease of drop-off, set-up, pick-up and monitoring of the program. Additionally the selected towns will be within NLR's frequent truck dispatch routes. Towns were also targeted that currently are underserved or do not have access to recycling options for these materials. If a town/location is found to already service residents for a specific waste stream then they will only be provided with the recycling services for the items not currently collected.

Municipal/Residential Awareness

Awareness of recycling and other environmental efforts is key to the success of this SEP in that the more aware a resident is then the more likely they are to participate and recycle. Brief research was done to identify the level of recycling awareness and involvement in each town. This included looking at past recycling events and environmental awareness activities as well as the willingness of municipalities to promote a SEP project to their residents.

Site Access

Towns were looked at for available central public sites that would receive high foot traffic and be easily accessible to residents. This program will target general public sites such as grocery and hardware stores. These locations would see the highest foot traffic as well as location awareness. In addition municipal bulk sites (library, town hall, transfer station) will be targeted.

Identifying Agreement

Each potential town location (public and municipal) will be notified first by NLR about the specifics of the SEP program and if they would like to participate. This would entail the logistics and level of direct involvement and oversight by each contact. NLR will provide a SEP Identifying Agreement that will outline all specific of the program. This will encompass everything from the setting-up to the monitoring and the process for the close of the program. Once this document is signed and received the DEEP will be notified of their inclusion as one of the participants.

General Site Selection

All sites are proposed and may be subject to change	
Hartford	
Public Sites	Municipal Sites
(1) Public Site (Battery/CFL)	City Hall (Battery/CFL)
	Library (Battery/CFL)
	HFTD Transfer Station (bulk)

West Hartford	
Public Sites	Municipal Sites
(1) Public Site (Battery/CFL)	Town Hall (Battery/CFL)
	Library (Battery/CFL)
	WHFTD Transfer Station (bulk)

Newington	
Public Sites	Municipal Sites
(1) Public Site (Battery/CFL)	Town Hall Library (Battery/CFL)
	Library (Battery/CFL)
	Newington Transfer Station (bulk)

Glastonbury	
Public Sites	Municipal Sites
(1) Public Site (Battery/CFL)	Town Hall (Battery/CFL)
	Library (Battery/CFL)
	Glastonbury Transfer Station (bulk)

East Windsor	
Public Sites	Municipal Sites
(1) Public Site (Battery/CFL)	Town Hall (Battery/CFL)
	Library (Battery/CFL)
	EW Transfer Station (bulk)

Middletown	
Public Sites	Municipal Sites
(1) Public Site (Battery/CFL)	Town Hall (Battery/CFL)
	Library (Battery/CFL)
	Middletown Transfer Station (bulk)

New London	
Public Sites	Municipal Sites
(1) Public Site (Battery/CFL)	Municipal sites to be selected by SCRRA and may include other SCRAA member towns not listed

Groton	
Public Sites	Bulk Municipal Sites
(1) Public Site (Battery/CFL)	Municipal sites to be selected by SCRRA and may include other SCRAA member towns not listed

VI. Recycling Goal Estimates

Waste Stream	Goal Amount	Timeframe
Batteries (Alkaline)	40,000lbs.	18-24 months
Lamps (CFLs, Linear, HID, etc.)	55,000lbs.	

VII. Downstream Recycling Vendors

Alkaline Batteries:

Metal Conversion Technologies LLC

1 E Porter Street
 Cartersville, GA 30120

Lamp glass:

ADS South Hadley Landfill

12 Industrial Drive
 South Hadley, MA 01075

Hillcrest Industries

40 Favor Street
 Attica, NY 14011

Phosphor Powder:

Lighting Resources LLC498

498 Park 800 Drive
Greenwood, IN 46143

Bethlehem Apparatus Co., Inc.

935 Bethlehem Drive
Bethlehem, PA 18017

CFL Bases:

eCovanta (Currently in process of getting approval)

1670 South 19th Street
Harrisburg, PA 17104

Southeast Recycling Technologies

900 Chase Ave
Johnson City, TN 37604

VIII. Benefits

The benefits of this SEP can easily be seen in the direct impact that collecting these items for proper recycling will have on the community and the environment. The results of this SEP will be quantifiable in terms of actual pounds collected and mercury/heavy metals kept out of the landfills.

Additionally the SEP allows for easier access for residents for recycling while also increased education on the importance of residential universal waste recycling. The ultimate goal is to raise awareness for residents so that they become more conscious of their household waste and in turn know the proper way to recycle them.

IX. Estimated Budget

Below is based on 8 proposed Towns	Proposed Budget
Materials	
Recycling Displays	
24 - CFL Displays (inclusive of unit, containers, labels, bags)	\$2,500.00
24 - 15 gal. Plastic Drums	\$1,860.00
Bulk Containers	
15 Poly Drums	\$680.00
15 Rocons	\$360.00
15 Contractor Boxes	\$150.00
Informational Materials	
Material Design	\$1,000.00
Printed Material (inclusive of Tri-Fold Universal Waste Guide, Informational Flyer, Universal Waste Posters)	\$5,000.00
Services	
Logistics Fees	
Per Stop/Pick-up Charge (inclusive of set-up, monitoring, man hours, mileage, gas, insurance, final pick-up)	\$1,314.00
Clerical & Logistical	\$886.00
Recycling Fees	
Lamps \$0.23/lbs.	\$12,650.00
Batteries \$0.59/lbs.	\$23,600.00
Total	\$50,000.00

Schedule A

	<i>Business Days From Date of Signed Consent Order</i>
General	20 Days
Approval for DEEP Required SEP Verbiage (for Displays/Printed Material)	
Creation/Approval Public Site SOP Document	
Municipal & Public Site Selection/Approval Process	30 Days
Creation/Approval Identifying Agreement	
Selection & Notification of SEP to Targeted Municipalities & Public Sites	
Delivery & Return Receipt of Approval of Identifying Agreement	
POR Displays	45-60 Days
Design/Approval for Battery Display	
Approval of SEP Verbiage Placement on CFL Display	
Purchase & Label Printing of Battery Display Components	
Educational Printed Material	45-60 Days
Design/Approval of Residential Waste Guide	
Design/Approval of Universal Waste Site Posters	
Design/Approval of Informational Flyers	
Printed Material Production Time	
SEP Program Start Date	60 Days