

STATE OF CONNECTICUT

V.

Stericycle, Inc.

CONSENT ORDER No. WSWDS18003

Date Issued: April 26, 2018

- A. With the agreement of Stericycle, Inc., (“Respondent”), the Commissioner of Energy and Environmental Protection (“the Commissioner”) finds:
1. Stericycle, Inc. is a corporation registered with Connecticut’s Office of Secretary of the State, which is engaged in a solid waste business located at 80 Industrial Park Road, Middletown, Connecticut, (“the Site”) shown in map 06, lot 0019 in the Middletown Tax Assessor’s Office.
 2. On November 23, 2011, Permit to Operate No. 08301048-PO was issued to Respondent to operate a solid waste transfer station (“the Facility”), specifically for storage and processing of biomedical wastes, photographic wastes, lead foil, and non-hazardous pharmaceutical waste.
 3. On May 31, 2017, the Department of Energy and Environmental Protection, (“the Department”) Waste Engineering and Enforcement Division inspected the Site and found the following violations:
 - a. Failure to conduct annual compliance audit inspections from January 2012 to January 2016, as required by Permit to Operate No. 08301048-PO, paragraphs A.3. and A.19.a., and Regulations of Connecticut State Agencies (“RCSA”) § 22a-209-4(e), and
 - b. Failure to submit written notification for a third party consultant for review and written approval by the Department as required by Permit to Operate No. 08301048-PO, paragraphs A.3., and A.19.b. and RCSA § 22a-209-4(e).
 4. On August 10, 2017, the Department issued Notice of Violation No. WSWDS17045 to Respondent requiring correction of the violations cited in paragraph A.3. of this Consent Order.
 5. On August 28, 2017 the Department received a submittal in response to Notice of Violation No. WSWDS17045 reporting that all violations were addressed.
 6. By virtue of the above, Respondent has violated Permit to Operate No. 08301048-PO, paragraphs A.3. and A.19., and RCSA § 22a-209-4(e).

B. With the agreement of Respondent, the Commissioner, acting under § 22a-6, 22a-208 and 22a-225 of the Connecticut General Statutes, orders Respondent as follows:

1. Respondent shall bring all violations identified in paragraph A.3., above into compliance and maintain its compliance with all applicable provisions of CGS § 22a-208a and RCSA § 22a-209-1 to 22a-209-17, as well as the PO.
2. Future Compliance. On or before sixty (60) days after the date of issuance of this Consent Order, Respondent shall submit to the Commissioner, for his review and written approval, a plan which details the actions and/or operational changes to ensure future compliance with the Solid Waste Management Regulations, RCSA § 22a-209, et. seq., including but not limited to those set forth in paragraph A.3., of this Consent Order. Within five (5) days after the Commissioner approves such plan, Respondent shall carry out the plan and maintain it in full effect thereafter.
3. Business Recycling Profile. On or before ninety (90) days after the date of issuance of this Consent Order, Respondent shall conduct a comprehensive recycling review of Stericycle's office location to evaluate compliance with Connecticut's recycling laws set forth in CGS § 22a-241b(d). Respondent shall submit for the Commissioner's review and written approval a business recycling profile documenting the management of recyclable materials. An example profile is included as Attachment A to this Consent Order.
4. 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 satisfaction of the Commissioner.
5. Civil penalty. Respondent shall pay a penalty of fifteen thousand five hundred forty two dollars (\$15,542.00) as the total civil penalty to be sought by the Commissioner for those, and only those violations described in paragraph A.3. of this Consent Order. The penalty shall be paid in accordance with the provisions of paragraph B.6.
6. Payment of penalties. Payment of the penalties under this Consent Order shall be mailed or personally delivered to Department of Energy and Environmental Protection, Bureau of Financial and Support Services, Accounts Receivable Office, 79 Elm Street, Hartford, Connecticut 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 number identified on the first page of this 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.
7. 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 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 purpose to this Consent Order. Nothing in this paragraph shall excuse noncompliance or delay.

8. Definitions. As used in this Consent Order, "Commissioner" means the Commissioner or a representative of the Commissioner.
9. Dates. The date of "issuance" of this Consent Order is the date the Consent Order is deposited in the U.S. mail or personally delivered, whichever is earlier. The date of submission to the Commissioner of any document required by this Consent Order shall be the date such document is received by the Commissioner. The date of any notice by the Commissioner under this Consent Order, including but not limited to notice of approval or disapproval of any document or other action, shall be the date such notice is deposited in the U.S. mail or is personally delivered, whichever is earlier. Except as otherwise specified in this Consent Order, the word "day" as used in this Consent Order means calendar day. Any document or action which is required by this Consent Order to be submitted or performed by a date which falls on a Saturday, Sunday or a Connecticut or federal holiday shall be submitted or performed by the next day which is not a Saturday, Sunday or Connecticut or federal holiday.
10. Certification of documents. Any document, including but not limited to any notice, which is required to be submitted to the Commissioner under this Consent Order shall be signed by 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 Section 53a-157b of the Connecticut General Statutes and any other applicable law."
11. Noncompliance. This Consent Order is a final order of the Commissioner with respect to the matters addressed herein, and is non-appealable and immediately enforceable. Failure to comply with this Consent Order may subject Respondent to an injunction and penalties.
12. False statements. Any false statement in any information submitted pursuant to this Consent Order may be punishable as a criminal offense under § 53a-157b of the Connecticut General Statutes and any other applicable law.
13. Notice of transfer; liability of Respondent and others. 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 operations which are the subject of this Consent Order, the site or the business, or 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.
14. Commissioner's powers. 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 violations of law, including but not limited to violations of any permit issued by the Commissioner. If at any time the Commissioner determines that the actions taken by Respondent pursuant to this Consent Order have not fully characterized the extent and degree of

pollution or have not 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 pollution.

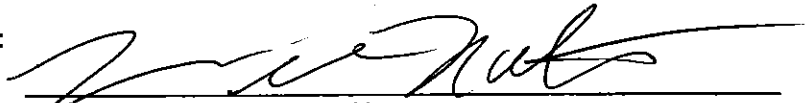
15. Respondent's obligations under law. Nothing in this Consent Order shall relieve Respondent of other obligations under applicable federal, state and local law.
16. No assurance by Commissioner. No provision of this Consent Order and no action or inaction by the Commissioner shall be construed to constitute an assurance by the Commissioner that the actions taken by Respondent pursuant to this Consent Order will result in compliance or prevent or abate pollution.
17. 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.
18. No effect on rights of other persons. This Consent Order shall neither create nor affect any rights of persons who or municipalities which are not parties to this Consent Order.
19. 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.
20. 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.
21. Submission of documents. Any document required to be submitted to the Commissioner under this Consent Order shall, unless otherwise specified in writing by the Commissioner, be directed to:

Darlene Sage, Environmental Analyst II
Department of Energy and Environmental Protection
Bureau of Materials Management and Compliance Assurance
Waste Engineering and Enforcement Division
79 Elm Street
Hartford, Connecticut 06106-5127

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

Stericycle, Inc.

BY:




Signature

William W. Norton
Type/ Print Name and Title

4-6-18
Date

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



Robert E. Kaliszewski
Deputy Commissioner

4/26/18
Date

CONSENT ORDER No. COWSWDS18003 _____

Sent Via Electronic Certified Mail

Attachment A: Business Recycling Profile



Connecticut Department of
Energy & Environmental Protection

Business Recycling Profile

In Connecticut, recycling is mandatory. Connecticut General Statutes and the Regulations of Connecticut State Agencies require designated items to be recycled by **everyone**. Every resident, business, government facility, school, college, hospital, institution, etc. is required by law to recycle glass & metal food and beverage containers, plastic containers #1 and #2, boxboard, corrugated cardboard, magazines, newspaper, white office paper, colored office paper, scrap metal, Ni-Cd rechargeable batteries, used crankcase oil, lead acid batteries, leaves and grass clippings.

Recycling these items is a critical action we can all take to move the State towards achieving our recycling rate of 60% by 2024 as stated in the 2016 Comprehensive Materials Management Strategy. Complying with the state recycling laws has tremendous environmental benefits such as conserving natural resources, reducing pollutants emitted to our air and water, conserving energy, reducing greenhouse gas emissions, and eliminating the need for new solid waste disposal facilities.

This form is a guidance document to help businesses better manage their recycling program and increase recovery efforts. This form does not need to be submitted to the Connecticut Department of Energy and Environmental Protection (DEEP) unless it is requested, in response to an inspection and/or an enforcement action. For more recycling resources please visit our Business Recycling Resources webpage.

Part I: Company Information

1. Company Name:		City/Town:		State:		Zip Code:	
Mailing Address:		Title:		Phone(s):		Email:	
2. Recycling Contact:		Title:		Phone(s):		Email:	
3. Additional Contact:		Title:		Phone(s):		Email:	

Part II: Facility/Operations

1. Type of business:		4. Acreage of lawn area::	
2. Number of buildings:		5. Number of employees:	
3. Total square footage of building(s)			

Part III: Company's Current Recycling & Recovery Efforts

Please use the table below to describe your company's current recycling program. Attachments of photos or other documents are also accepted if you are requested to submit this form.

RECYCLABLE MATERIAL	AVG WEIGHT (indicate tons or pounds) COLLECTED FOR RECYCLING EACH MONTH (If you do not have weight data enter the number and size of containers and collection frequency)	HOW & WHERE MATERIAL IS COLLECTED	WHO PICKS UP MATERIAL AND WHERE IS THE MATERIAL TAKEN FOR RECYCLING
<p>EXAMPLE: OFFICE PAPER (White and other paper combined)</p>	<p>One 40-gallon wheeled cart/week</p>	<p>Everyone collects at their desk; brought to central location (large wheeled cart near elevators). Janitor brings to loading dock when it is full (about once a week)</p>	<p>Our current trash hauler, (NAME) empties our paper recycling wheeled cart 2x/month (we call them as-needed) and material is taken to a permitted recycling facility (PERMITTEE NAME) in (TOWN).</p>
<p>Office paper (white paper)**</p>			
<p>Office paper (colored paper)**</p>			
<p>Newspaper**</p>			
<p>Other paper or mixed paper (please list types here)</p>			

** Mandatory item that everyone is required to recycle in Connecticut.

Part III: Company's Current Recycling & Recovery Efforts (continued)

RECYCLABLE MATERIAL	AVG WEIGHT (Indicate tons or pounds) COLLECTED FOR RECYCLING EACH MONTH (if you don't have weight data enter the number and size of containers and collection frequency)	HOW & WHERE MATERIAL IS COLLECTED	WHO PICKS-UP MATERIAL AND WHERE IS THE MATERIAL TAKEN FOR RECYCLING
EXAMPLE: Primer Toner cartridges Lead Acid Storage Batteries (car, truck, boat)**	<i>We have 8 printers in our offices and generally replace/replace 1/month</i>	<i>Office manager returns all toner cartridges to Office Supply Store for a credit towards future office supplies</i>	<i>Use mailer envelopes that come with new toner. We mail them back to Office supply store (or they pick up with new deliveries).</i>
Rechargeable Batteries**			
Used Crankcase Oil**			
Scrap Metal**			

** Mandatory item that everyone is required to recycle in Connecticut

Part IV: Company's Current Waste Reduction, Reuse And Other Recovery Programs

WASTE REDUCTION, REUSE AND OTHER RECOVERY PROGRAMS	PROJECT DESCRIPTION
EXAMPLE: Waste Reduction	<p><i>Our cafeteria recently began using reusable trays and washing them instead of using Styrofoam trays which we were throwing away. We have also instituted a reusable mug program (providing a free mug to employees) to try and reduce the amount of coffee cup waste.</i></p>
Waste Reduction	
Waste Reduction	
Other	
EXAMPLE: ReUse	<p><i>Our company generates approximately 10 used Gaylor d containers /week that we donate to Foodshare for their produce distribution program. We also donate over-stock and discontinued building supplies to the ReCONstruction Center in New Britain.</i></p>
ReUse	
ReUse	
Other	
Other	