

Stewardship Permit

Pursuant to Chapters 439 and 446k of the Connecticut General Statutes, a permit is issued to:

Permittee:

UniMetal Surface Finishing, LLC
15 East Waterbury Road
Naugatuck, CT

Facility Identification:

EPA ID No. CTD00145006
Permit Number: **DRAFT**

To perform groundwater monitoring, maintenance of an engineered control, and site-wide environmental investigation and cleanup (corrective action measures) at the hazardous and solid waste disposal facility in accordance with Connecticut General Statutes (CGS) Sections 22a-6, 22a-449(c), and Section 22a-449(c)-110 of the Regulations of Connecticut State Agencies (RCSA) as specified in the conditions set forth in this permit.

This permit regulates and authorizes the Permittee to perform groundwater monitoring, maintenance of an engineered control and corrective action measures at the facility. The permit does not authorize operation of a hazardous and solid waste management facility in the sense of treating, storing, or disposing of hazardous and solid wastes generated off-site.

All terms in this permit are defined in the permit or if not defined in the permit are as defined in Section 22a-449(c)-100 of the RCSA or in Title 40 of the Code of Federal Regulations (CFR) Parts 260, 261, 262, 264, 268, 270, 273 or 279.

This permit is based on the information described in the Stewardship Permit application (Application No. 202005763) filed on April 17, 2020. The Permittee must keep records of all data used to complete the permit application and any supplemental information submitted for the effective term of this permit. The permit application is incorporated by reference as part of the permit. Any false statements or inaccuracies contained in the information submitted by the Permittee may result in the suspension, revocation or modification of this permit and civil or criminal enforcement action.

The Permittee shall comply with all terms and conditions contained in the Permit. Any violation of any provision of this permit may subject the Permittee to enforcement action pursuant to the CGS including but not limited to Sections 22a-6a and 22a-131.

This permit is transferrable upon the Commissioner's written authorization, provided the Permittee and potential transferee have complied with the requirements set forth in CGS Section 22a-6o.

This permit may be revoked, suspended, modified, transferred, or reissued, in order to comply with applicable law. The Commissioner may also modify this permit when it is deemed necessary to do so.

The Permittee shall submit a revised permit application to the Commissioner at least one hundred and eighty (180) calendar days before making any changes to any of the permitted areas or activities. Any application shall be approved in writing by the Commissioner prior to the Permittee implementing such change. The Permittee shall submit an application for a renewal of this permit to the Commissioner at least one hundred eighty (180) calendar days prior to its expiration date.

In the event of a conflict between any previously issued solid waste permit and the terms and conditions of this permit, the terms and conditions of this permit shall supersede.

This permit is hereby in effect and shall expire ten (10) years from this date.

Date

XXXXXXXXXXXXXXXXXX

Bureau Chief
Bureau of Water Protection & Land Reuse

STEWARDSHIP PERMIT RENEWAL
UNIMETAL SURFACE FINISHING, LLC

15 EAST WATERBURY ROAD
NAUGATUCK, CT

EPA ID No. CTD00145006
Permit No. DEP/HWM/CS-088-008

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EPA ID No. CTD00145006
DRAFT

SECTION I
STANDARD FACILITY CONDITIONS

UNIMETAL SURFACE FINISHING, LLC

EPA ID No. CTD00145006

Permit No. **DRAFT**

SECTION I
STANDARD FACILITY CONDITIONS

A. EFFECT OF PERMIT

Except as is provided in the Regulations of Connecticut State Agencies (RCSA) Section 22a-449(c)-110(a)(2) and except for any federally enforceable requirement(s), compliance with this permit (Permit) during its term constitutes compliance, for purposes of enforcement, with Connecticut General Statutes (CGS) Section 22a-449(c). This Permit may be modified, revoked and reissued, or terminated during its term as set forth in RCSA Section 22a-449(c)-110(a)(1), which incorporates by reference, with changes, Title 40 of the Code of Federal Regulations (40 CFR) Parts 270.41, 270.42 and 270.43.

The Permittee shall perform the activities required in Section II of this Permit in accordance with the application (Application No. 202005763) received by the Department of Energy and Environmental Protection (Department) on April 17, 2020 and the requirements of this Permit. In the event of a conflict between the Permittee's application and the requirements of this Permit, the requirements of this Permit shall take precedence and apply.

The issuance of this Permit does not authorize any injury to persons or property or invasion of other private rights, or any infringement of state or local law or regulations.

Term (Duration) - The effective date of this Permit is the date on which the Permit is signed by the Commissioner. This Permit is in effect for a term of ten (10) years and may be renewed at the end of the term, in accordance with the requirements described in the "Duty to Reapply" Section of this Permit.

In accordance with 40 CFR 270.73(a), upon issuance of this Permit the Permittee's Interim Status granted under the Resource Conservation and Recovery Act (RCRA) is hereby terminated. In addition, upon the Commissioner's determination that the Permittee has satisfied the requirements of this Permit, a Certificate of Completion shall be issued to the Permittee.

B. SEVERABILITY

The provisions of this Permit are severable, and if any provision of this Permit, or the application of any provision of this Permit to any circumstances is held invalid, the application of such provision to other circumstances and the remainder of this Permit shall not be affected thereby.

C. CONFIDENTIAL INFORMATION

The Permittee may claim that any information required to be submitted by this Permit contains or constitutes confidential information in accordance with CGS Section 1-210(b).

D. IMMINENT HAZARD ACTIONS

Notwithstanding any provision of this Permit, enforcement actions may be brought pursuant to Section 7003 of the RCRA, CGS Section 22a-6, or any other applicable law.

E. DUTIES AND REQUIREMENTS

1. Duty to Comply

The Permittee shall comply with all conditions of this Permit except that the Permittee need not comply with the conditions of this Permit to the extent and for the duration such noncompliance is authorized in an Emergency Permit that explicitly authorizes any such noncompliance. Noncompliance by the Permittee with the terms of this Permit, except under the terms of an Emergency Permit, shall constitute a violation of this Permit and any applicable laws or regulations and is grounds for enforcement action, for Permit termination, revocation and reissuance or for denial of a Permit renewal. Emergency Permit as used herein shall mean Emergency Permit as identified in RCSA Section 22a-449(c)-110(a)(1) incorporating 40 CFR 270.61.

Unless superseded by a more stringent provision in this Permit, the Permittee shall comply with all of the applicable requirements of RCSA Sections 22a-133k-1 et. seq. (Remediation Standard Regulations or RSRs), as amended, and 22a-449(c)-100 et. seq., including any portion of 40 CFR 260 through 279 incorporated by reference therein.

A violation of this Permit for purposes of state and federal law constitutes a violation of a RCRA Permit.

2. Duty to Reapply

This Permit shall expire ten (10) years after the effective date of this Permit. The Permittee shall renew this Permit if any activity required under this Permit is not completed prior to the expiration date of this Permit. The Permittee need not reapply if all remedial activities required by state and federal regulations have been completed and no engineering or applicable institutional controls are needed to ensure the remediation's effectiveness. The Permittee shall apply for renewal of this Permit one hundred and eighty (180) calendar days prior to the date of expiration of this Permit, in accordance with RCSA Sections 22a-449(c)-104(a) and 22a-449(c)-110 incorporating 40 CFR 264.101 and 270.10(h) and any other applicable law.

3. Obligation for Continuing Corrective Action, Post-Closure Care, Long-Term Stewardship Controls

The Permittee is required to renew and continue this Permit for any period necessary to comply with the requirements of this Permit.

4. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for a Permittee in an enforcement action that it would have been necessary to halt or reduce any activity authorized by this Permit in order to maintain compliance with the conditions of this Permit, unless otherwise required to do so by another state or federal authority.

5. Duty to Mitigate

In the event of noncompliance with this Permit, the Permittee shall take all reasonable steps to minimize releases to the environment, and shall carry out such measures as are reasonable to prevent its noncompliance from having significant adverse impacts on human health or the environment. No action taken by the Permittee pursuant to this section of this

Permit shall affect or limit the Commissioner's authority under any other statute or regulation.

6. Permit Actions

This Permit may be modified, revoked and reissued, or terminated as provided for in 40 CFR 270.41, 270.42 or 270.43, and in accordance with all applicable law, including but not limited to, CGS Sections 22a-6g and 6h and RCSA Sections 22a-3a-5 and 22a-449(c)-110. The filing of a request by the Permittee for a Permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any condition of this Permit.

7. Property Rights

This Permit does not convey any property rights of any sort, or any exclusive privilege to the Permittee.

8. Duty to Provide Information

The Permittee shall furnish to the Commissioner, within a reasonable time, any information which the Commissioner may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Permit or to determine compliance with this Permit. The Permittee shall also furnish to the Commissioner, upon request, copies of records required to be kept by this Permit.

9. Operation and Maintenance of Remedial Systems

The Permittee shall at all times properly operate and maintain all facilities and remedial systems of treatment and control (and related appurtenances) which are installed or used by the Permittee to achieve compliance with the conditions of this Permit and any Long-Term Stewardship Plans applicable to this Facility. Proper operation and maintenance, at a minimum, includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate laboratory quality assurance procedures. This provision requires the operation of backup, auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of this Permit.

10. Inspection and Entry

The Permittee shall allow the Commissioner, or an authorized representative, upon the presentation of credentials and other documents as may be required by law to:

- (a) Enter at reasonable times upon the Site where a regulated activity is located or conducted, or where records must be kept under the conditions of this Permit;
- (b) Have access to and copy, at reasonable times, any records that shall be kept under the conditions of this Permit;
- (c) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, operations regulated or required under this Permit; and

- (d) Sample or monitor at reasonable times, for the purposes of assuring Permit compliance or as otherwise authorized by RCRA, any substance or parameters at any location.

11. Security

Pursuant to RCSA Section 22a-449(c)-104 incorporating 40 CFR 264.14, the Permittee shall prevent the unknowing entry, and minimize the possibility for unauthorized entry, of persons or livestock onto the active portion of the Facility. The Permittee shall secure the Facility to the extent necessary to protect human health.

12. Monitoring and Records

The Permittee shall ensure that samples and measurements taken for the purpose of monitoring are representative of the monitored activity.

The Permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this Permit (e.g. records from groundwater monitoring including wells and surface elevations), the certification required by RCSA Section 22a-449(c)-104 incorporating 40 CFR 264.73(b)(9), and records of all data used to complete the application for this Permit, for a period of at least three (3) years from the date of the sample, measurement, certification, report or application. This period may be extended by request of the Commissioner at any time. For disposal facilities these records shall be maintained for the post-closure period.

Records for monitoring information shall include:

- (i) The date, exact place and time of sampling or measurements;
- (ii) The individual(s) or company who performed the sampling or measurements;
- (iii) The date(s) analyses were performed;
- (iv) The individual(s) or company who performed the analyses;
- (v) The analytical techniques or methods used; and
- (vi) The results of such analyses.

13. Operating Record

The Permittee shall maintain, in writing, the following information in the Facility's operating record until termination of this Permit:

- (a) Summary reports and details of all incidents that require implementing the Contingency Plan pursuant to 40 CFR 264 Subpart D;
- (b) Records and results of inspections as required by this Permit, except this data need only be kept for three (3) years from the date of any such inspection;

- (c) Monitoring, testing or analytical data, and corrective action where required by 40 CFR 264 Subpart F or any regulatory section noted in 40 CFR 264.73(b)(6);
- (d) All closure and corrective action cost estimates under RCSA Section 22a 449(c) 104 and 40 CFR 264.142 and 40 CFR 264 Subpart H; and
- (e) Any other information required by this Permit or by any applicable law to be maintained in the Facility Operating Record.

14. Signatory Requirements

The Permittee's application and all reports or information submitted to the Commissioner by the Permittee pursuant to this Permit shall be signed by the Permittee or the delegated licensed environmental professional or professional engineer for the Site and contain the certification prescribed in RCSA Section 22a-449(c)-110 incorporating 40 CFR 270.11.

15. Transfers

This Permit is not transferable to any person without the advanced written authorization of the Commissioner, who may request whatever information the Commissioner deems necessary regarding the potential transferee. Before any such transfer, the Permittee and any proposed transferee shall fully comply with the requirements of CGS Section 22a-60. The Commissioner may require modification or revocation and reissuance of this Permit to change the name of the Permittee and as an incident to any such transfer, incorporate such other requirements, as the Commissioner deems necessary.

In advance of transferring ownership or operation of its Facility prior to the termination of this Permit, the Permittee shall notify the prospective new owner or operator in writing of the requirements of this Permit, 40 CFR 264 through 270, and of the RCSA Section 22a-449(c)100 et al. The Permittee shall provide such prospective new owner or operator with a copy of this Permit.

The Permittee's failure to notify the new Permittee of the requirements of this Permit in no way relieves the new Permittee of his obligations to comply with all applicable requirements.

If the transfer of the property takes place and the Permittee retains this Permit, an access agreement between the Permittee and the prospective new owners of the Facility shall be approved by the Commissioner prior to the sale of the Facility/Site. The agreement shall include the anticipated times, locations and frequency of access needed in order for the Permittee to complete closure, post-closure care and corrective action activities and conduct inspection, operation and management activities for all remedial systems. A copy of any Operations and Management Plan, referenced in the "Operation and Maintenance of Remedial Systems" Section of this Permit, and any Long-Term Stewardship Plans applicable to this Facility shall be provided to the prospective new owner prior to transfer of the property.

16. Reporting Requirements

- (a) Anticipated Non-Compliance. The Permittee shall give as much advance written notice as possible to the Commissioner of any planned changes in the Facility or activity, which may result in non-compliance with any requirement of this Permit.
- (b) Compliance Schedules. Except where otherwise provided for in this Permit, reports of compliance and non-compliance with, or any progress reports on, interim and final requirements contained in any Compliance Schedule (Section III) of this Permit, shall be submitted no later than fourteen (14) calendar days following each schedule date, to the extent such reports are required herein.
- (c) 24-Hour Reporting.
 - (i) The Permittee or designee shall verbally report to the Commissioner any remediation or waste related activity at its Facility, irrespective of whether such activity is in compliance with the requirements of this Permit, which does or may pose an imminent and substantial endangerment to human health or the environment, immediately but not later than twenty-four (24) hours from the time the Permittee becomes aware or should be aware of the circumstances causing such endangerment.

The report to the Commissioner shall include:

- (A) Name, address, and telephone number of the Permittee;
- (B) Name, address, and telephone number of the Facility;
- (C) Date, time and type of incident;
- (D) Description of the occurrence and its cause;
- (E) Name and quantity of waste(s) or constituents thereof involved;
- (F) The extent of injuries, if any;
- (G) An assessment of actual or potential hazards to human health and the environment;
- (H) Estimated quantity and disposition of recovered waste that resulted from the incident;
- (I) All information concerning the release of any waste or constituents thereof that may cause an endangerment to public drinking water supplies; and
- (J) All information concerning a release or discharge of waste or constituents thereof or of a fire or explosion from the Facility, which could threaten human health or the environment

- (ii) A written submission shall also be provided within five (5) calendar days of the time the Permittee becomes aware of the circumstances described in subdivision (i) above. The written submission shall contain a description of the endangerment and its cause; the period of endangerment including exact dates and times, if the endangerment has been abated, and if not, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the endangerment. The Permittee shall maintain in the operating record of its Facility a copy of all such written reports. The Commissioner may waive the five (5) day written notice requirement in favor of a written report within fifteen (15) days of the incident requiring reporting.
- (iii) Nothing in this section shall affect or relieve the Permittee of its obligations under CGS Sections 22a-6u or 22a-450.
- (d) Other Noncompliance. The Permittee shall report all instances of noncompliance with this Permit not otherwise required to be reported by this Permit to the Commissioner as part of any other required monitoring report, no later than thirty (30) days of the date the Permittee is aware, or reasonably should have been aware of any such noncompliance. Any such report shall contain, at a minimum, the information listed in this Permit.
- (e) Other Information. When the Permittee becomes aware that it failed to submit any relevant facts or information in a Permit application, or submitted incorrect information in a Permit application, report or other document provided to the Commissioner regarding this Permit, it shall submit such relevant facts or correct information to the Commissioner within thirty (30) calendar days of becoming aware of such facts or information.

17. Computation of Time

- (a) Except as is expressly provided for in this Permit, the computation of time periods set forth in this Permit shall be as follows:
 - (i) Any time period scheduled to begin on the occurrence of an act or event shall begin on the day after the act or event.
 - (ii) Any time period scheduled to begin before the occurrence of an act or event shall be computed so that the period ends on the day before the act or event.
 - (iii) If the final day of any time period falls on a Saturday, Sunday or a federally or state recognized legal holiday, the time period shall be extended to the next working day.
- (b) Submission of Reports. Where this Permit requires the submission of a written report, a notification or other information or documentation to the Commissioner, the report or notification shall be deemed submitted on the date such report, notification or other information is received by the Department.

18. Availability, Retention and Disposition of Records

The Permittee shall ensure that all records required under RCSA Sections 22a-449(c) 100 to 119, the Remediation Standard Regulations or this Permit, including all plans, are furnished upon request, and made available at all reasonable times for inspection, by any officer, employee, or representative of the Department or the United States Environmental Protection Agency (EPA).

The retention period for all records required under RCSA Sections 22a-449(c)-100 to 119 and this Permit is extended automatically during the course of any unresolved enforcement action regarding the Facility or as requested by the Commissioner or the Regional Administrator of EPA.

19. Additional Requirements

Requirements not included in this Permit, which become effective by statute or regulation, and not made specifically inapplicable to facilities with a Permit, shall apply to the Permittee's Facility. In the event of any conflict between this Permit and any such requirement, the Permittee shall comply with the more stringent requirement. If the Permittee does not fully comply with the more stringent requirement, the Department may enforce either requirement.

20. Federal, State and Local Laws

Nothing in this Permit shall be construed to prohibit any federal, state or political subdivision thereof from imposing any requirements to the extent authorized by law which are more stringent than those imposed by this Permit.

In addition, nothing in the Permit shall relieve the Permittee of its obligation to comply with any other applicable federal, state, or local statute, regulation or ordinance.

21. Modification of the Compliance Schedule

The Permittee may request to modify the submittal due dates of the Compliance Schedule (Section III) of this Permit at any time. Such requests shall be submitted for the Commissioner's review and written approval and shall include sufficient justification for such request(s).

The Commissioner may grant extensions of submittal due dates based on the Permittee's demonstration that sufficient justification for the extension exists. Extensions to due dates, which this Permit explicitly defines as being due by a certain time or during a certain time interval, may be granted by the Commissioner if sufficient justification for the extension is demonstrated by the Permittee.

22. Delegation of a Licensed Environmental Professional

The Commissioner may delegate direction and oversight of the long-term stewardship obligations required to be completed for this facility to a licensed environmental professional (LEP), licensed pursuant to RCSA Section 22a-133v. In that case, once site-wide environmental investigation at the Facility has been performed in accordance with prevailing standards and guidelines, and remediation activities have addressed any and all requirements of the Commissioner and have achieved compliance with Connecticut's

Remediation Standard Regulations, such LEP shall submit a Verification of such investigation and remediation activities.

- (a) In the event the Commissioner revokes the LEP delegation, the Permittee shall ensure all reports and documents required by this Permit are submitted for the Commissioner's review and written approval within the timeframes specified.
- (b) The Permittee shall notify the Commissioner in writing of the identity of any LEP other than one previously identified by the Permittee, within ten (10) days after assigning or retaining any LEP for the purpose of addressing the actions required by this Permit. A summary of the identified LEP's education, experience, and training relevant to the work required by this Permit may be requested by the Commissioner. If such request is made then the LEP shall submit such information within ten (10) days after the request. Nothing in this paragraph shall preclude the Commissioner from finding a previously acceptable LEP unacceptable.

F. DEFINITIONS

Any term not otherwise defined herein shall be defined as that term is defined in RCSA 22a-449(c)-100 thru 119 incorporated 40 CFR 264 through 279. Notwithstanding Sections I.E.20 and I.E.21 of this Permit, in the event of any conflict between any of the following definitions and any definition provided in any other applicable legal requirement, the following definitions shall control

1. “Active Remediation” or “Active Remedial Activities” shall mean the period prior to completion of activity conducted pursuant to Section II of this Permit, with the exception of that period when the only remaining activity are activities such as post-remedial monitoring or monitored natural attenuation.
2. “Annual” with respect to monitoring shall mean that any associated required inspections, sampling, and analysis shall occur no later than December 31st of the calendar year. The results of such sampling and analysis shall be submitted to the Commissioner no later than March 1st of the subsequent year.
3. “Area of Concern” or “AOC” shall mean any area has had a probable release of a hazardous waste or hazardous constituents and that is determined by the Department to pose a current or potential threat to human health or the environment.
4. “Certificate of Completion” shall mean a document recognizing the Commissioner’s determination that all environmental investigation and remediation has been completed and no long-term stewardship obligations remain. This non-regulatory certificate is issued based on the Commissioner’s regulatory determination that a Permit is not needed for the Facility or portion of Facility.
5. “Certificate of Stewardship” shall mean a document recognizing the Commissioner’s issuance of a Long-Term Stewardship Permit for the Facility. This non-regulatory certificate is issued to communicate that the Permit’s purpose is not to authorize commercial waste management operations, and is limited to environmental investigations, remediation, and long-term stewardship obligations.
6. “Constituent of Concern” shall mean a component, breakdown product, or derivative of a substance that may be found in the environment as a result of a release at or from the Facility, or a reaction caused by such a release, and that is determined by the Department to pose a current or potential threat to human health or the environment.
7. “CFR” shall mean the Code of Federal Regulations.
8. “Commissioner” shall mean the Commissioner of Energy and Environmental Protection as defined in the CGS Section 22a-2 or the Commissioner’s duly authorized designee.
9. “Corrective Action” shall mean the process of identifying, investigating, and remediating releases of hazardous constituents to the environment. “Corrective action” and “remediation” may be used interchangeably in this Permit.
10. “Department” or “DEEP” shall mean the Connecticut Department of Energy and Environmental Protection.

11. “Discover,” “Discovery,” or “Discovered” refer to the date on which the Permittee either: (i) visually observes evidence of a new Solid Waste Management Unit (SWMU) or Area of Concern (AOC), (ii) visually observes evidence of a previously unidentified release of hazardous constituents to the environment, (iii) receives information which suggests the presence of a new release of hazardous waste or hazardous constituents to the environment, or (iv) receives information which indicates the presence of a previously undocumented release of hazardous waste or hazardous waste constituents to the environment.)
12. “Environmental Land Use Restriction” (ELUR) shall mean the easement granted to the Commissioner by the property owner that is recorded on the municipal land records in order to reduce the risk of human exposure to pollutants and hazards to the environment by preventing specific uses or activities at a property or a portion of a property, pursuant to Section 22a-133q-1 of the Regulations of Connecticut State Agencies, as revised on June 27, 2013, and as may be amended from time to time.
13. “Facility” shall mean, pursuant to 40 CFR 260.10 all contiguous land, and structures, other appurtenances, and improvements on the land, used for treating, storing or disposing of hazardous waste and all contiguous property under control of the owner or operator.

A specific, legally definable land parcel that is one of multiple parcels comprising the Facility may separately receive a Certificate of Completion from the Commissioner for only that parcel and portion of the facility. This Certificate of Completion indicates the Commissioner’s approval that all remediation is complete and no long-term stewardship obligations remain for that parcel (as indicated by the issuance of a letter determining that “remediation is complete without controls” and a “certificate of completion”). If such a finding is made then the terms “Site” and “Facility” shall subsequently refer only to the land that no longer includes such parcel.

For the purposes of the Permit, Facility shall mean the 19-acre parcel of land located at 15 East Waterbury Road in Naugatuck, CT as delineated on Figure 1 and subject to the requirements of this Permit. The Map, Block, Lot/Parcel is Map L, Block 20E, Lot 141, and Map L, Block 20E, Lot 11.

14. “Final Closure” shall mean the completion of the closure of all Hazardous Waste Management Units at the Permittee’s Facility in accordance with the requirements of this Permit.
15. “Hazardous Waste” or “Hazardous Wastes” shall mean hazardous waste as identified or listed as hazardous waste pursuant to 42 U.S.C. Section 6901 et. seq. and RSCA Section 22a-449(c)-101.
16. “Hazardous Waste Management Unit” or “HWMU” shall mean a contiguous area of land on or in which hazardous waste is placed, or the largest area in which there is a significant likelihood of mixing hazardous waste constituents in the same area and are subject to the closure and post-closure requirements of 40 CFR 264 Subpart G. Examples include: surface impoundment, waste pile, land treatment area, landfill cell, incinerator, a tank, and

- a greater than 90 day storage area. For the purposes of this permit, HWMU shall specifically mean the HWMU units listed in Table I.
17. “Land Disposal Unit, Land Disposal Facility” shall mean a Hazardous Waste Management Unit where contamination remains in the Regulated Unit.
 18. “Metal Hydroxide Sludge Cell Area” means the 0.5-acre area located along the Facility that was used for the disposal of hazardous wastes.
 19. “Permittee” shall mean the person responsible for the overall operation of the facility who has been issued a license by the Commissioner. As used herein “person” is defined in Section 22a-423, Chapter 446k, of the CGS and “license” is defined in Section 4-166, Chapter 54 of the CGS.
 20. “Post-Closure Period” shall mean a minimum of thirty (30) years from the date of certification of closure of land disposal units. This period shall be extended or shortened by the Commissioner in accordance with 40 CFR 264.117(a)(2). The Commissioner is extending the Post-Closure Period for a minimum of an additional ten (10) years from the date of this Permit’s issuance, and for as long as this Permit continues in effect, because waste or contamination remains in place. In the event all wastes and contaminated environmental media are removed, an alternate Post-Closure Period may be approved by the Commissioner.
 21. “Quarterly” with respect to inspections, sampling and analysis shall mean that the inspections, sampling and analysis shall occur approximately once every three (3) consecutive months in a calendar year (e.g. January, April, July and October). The results of such inspections, sampling and analysis shall be submitted to the Commissioner according to the schedules established in the Long-Term Stewardship Plan(s).
 22. “Regulated Unit” shall mean a surface impoundment, waste pile and land treatment unit or landfill that received hazardous waste after July 26, 1982 and is subject to the requirements of 40 CFR 264.91 through 264.100 for detecting, characterizing and responding to releases in the uppermost aquifer. RCRA Regulated Units are the HWMUs identified in Table I.
 23. “Remediation” shall mean the process of identifying, investigating, and remediating releases of hazardous constituents to the environment. “Corrective action” and “remediation” may be used interchangeably in this Permit.
 24. “Remediation Standard Regulations” (RSRs) means the Connecticut Remediation Standard Regulations as defined in the Regulations of Connecticut State Agencies (RCSA), Sections 22a-133k-1 through 22a-133k-3, adopted January 1, 1996 and February 16, 2021, and as otherwise amended.
 25. “Semi-annual” with respect to inspections, sampling and analysis shall mean that sampling and analysis shall occur approximately once every six (6) consecutive months in a calendar year (e.g. during January and July, or April and October). The results of such inspections, sampling and analysis shall be submitted to the Commissioner according to the schedules established in the Long-Term Stewardship Plan(s).

26. “Solid Waste Management Area” or “SWMU” shall mean any unit which has been used for the treatment, storage or disposal of solid or hazardous wastes at any time, or any area that has been contaminated by routine or systematic releases of hazardous waste or hazardous constituents and are subject to the corrective action requirements of 40 CFR 264 Subpart F.
27. “Site” shall mean the same or geographically contiguous property which may be divided by public and private right-of-way, provided the entrance and exit between the properties is at a cross-road intersection, and access is by crossing opposed to going along, the right-of-way. Non-contiguous properties owned by the same person but connected by a right-of-way that such person controls and to which the public does not have access, is also considered part of the site property. The terms “Facility” and “Site” may be used interchangeably in this Permit.
28. “Verification” shall mean the rendering of a written opinion by a licensed environmental professional on a form prescribed by the commissioner that an investigation of the parcel has been performed in accordance with prevailing standards and guidelines and that the Facility has been remediated in accordance with the remediation standards;

UniMetal Surface Finishing, LLC
15 East Waterbury Road
Naugatuck, CT

EPA ID No. CTD00145006
DRAFT

SECTION II
AUTHORIZED ACTIVITIES

UNIMETAL SURFACE FINISHING, LLC

EPA ID No. CTD00145006

Permit No. **DRAFT**

SECTION II
AUTHORIZED ACTIVITIES

A. RCRA CORRECTIVE ACTION REQUIREMENTS

1. Performance of Corrective Action

The RCRA regulated units were closed by removal of all sludge and underlying soil to the top of bedrock, and the former lagoon area was capped as a Regulated Unit under a DEEP-approved Closure Plan in December 1987 (revised September 1988). A Certification of Closure was signed in February 1989. Trace metals contamination at the bedrock surface required closure of the lagoon as a capped landfill. No evidence of a release of hazardous constituents to the groundwater system was detected through 30 years of post-closure care monitoring.

The Permittee shall perform corrective action in accordance with the requirements of this Permit, the Remedial Action Plan(s) submitted and approved pursuant to this Permit, and any other plan(s) submitted and approved pursuant to this Permit.

The Permittee shall ensure that any investigations for each Solid Waste Management Unit (SWMU) and Area of Concern (AOC) are completed within two (2) years from the date of initiation of such investigation; and that remediation is initiated within three (3) years from the date of initiation of investigation of any SWMU or AOC and completed within ten (10) years of issuance of this Permit or in accordance with an alternative schedule approved in writing by the Commissioner.

The conditions of this section apply to:

- (a) The SWMUs and AOCs as identified in Table I;
- (b) Any additional SWMUs and AOCs discovered during the course of corrective action, characterization, groundwater monitoring, field investigations, environmental audits, or other means; and
- (c) Contamination that has migrated or may migrate beyond the Facility boundary, whereas necessary to protect human health and the environment.

The Permittee shall implement corrective actions beyond the Facility boundary where necessary to protect human health and the environment consistent with RCSA Section 22a-449(c)-104 incorporating 40 CFR 264.101(c), unless the Permittee demonstrates, to the satisfaction of the Commissioner, that despite the Permittee's best efforts, as determined by the Commissioner, the Permittee was unable to obtain the necessary permission to undertake such actions. The Permittee is not relieved of all responsibility to clean up a release that has migrated beyond the Facility boundary where off-site access is denied. On-site measures to address such releases will be determined on a case-by-case basis. Assurances of financial responsibility for completion of such off-site corrective action will be required.

2. Schedule/Scope of Work

The Permittee shall submit schedule(s)/scope(s) of work for further investigation and remediation of releases of hazardous waste and hazardous substances at or from the Facility such that the remediation will achieve compliance with the Remediation Standard Regulations. Such schedule(s) and scope(s) of work shall include, at a minimum, a schedule for development and implementation of all outstanding investigation and remediation activities, and any specific activities identified by the Commissioner. Including at least the following plans and/or reports and activities:

(a) Remedial Action Plan (RAP)

A RAP was submitted to the Department on April 17, 2020 as part of the Stewardship Permit Renewal Application. In accordance with the accepted program outlined within the US EPA/CTDEEP Statement of Basis, the Remedial Action Plan for the Site will be the establishment of an ELUR on the entire 19-acre parcel prohibiting residential use of the property, and on the 36,000-sqaure foot main production building prohibiting the demolition of the building, the disturbance of the building's concrete floor slab and the disturbance of the underlying soils thereby effectively rendering the soils below the building floor slab as "inaccessible" and "environmentally isolated" as defined within the RSRs.

In addition to the recordation of an EUR on the property, UniMetal will also implement a release detection groundwater monitoring program wherein groundwater monitoring at wells hydraulically downgradient of the facility production building will be monitored on an annual basis for evidence of a release of constituents of concern from interior AOCs and ongoing operations within the building.

If additional Corrective Action is needed, then the Permittee shall submit for the Commissioner's review and written approval one or more RAP(s) and associated cost estimates, developed in accordance with Financial Assurance Responsibility Obligations of this Permit and RCSA Sections 22a-449(c)-104(a)(1), incorporating 40 CFR 264, and RCSA Sections 22a-133k-1 et. seq. which details the steps to be taken to perform corrective action. The RAP(s) shall address one or more environmental media at the entire Site or area affected by or any portion thereof and shall include:

- (i) Description of the areas at which the remediation will take place identifying the SWMUs and AOCs addressed and the environmental media being remediated;
- (ii) Description of the remedial alternatives considered for performing the specified remediation and the most expeditious schedule for performing each alternative;
- (iii) Proposed preferred alternative with supporting justification therefore;
- (iv) Proposed detailed implementation plan and schedule to perform the preferred remedial actions, including the generation and collection of any

supplemental site information needed to support completion of remedial design. Such schedule shall include a schedule for applying for and obtaining all Permits and approvals required for such remedial actions and describe the establishment of financial assurance for each proposed phase of remedial activity; and

- (v) Identify the data gaps and describe the rationale used for determining whether (1) no further investigation is required, or (2) additional investigation is necessary to fill any significant data gaps. If additional investigation is needed, the Permittee shall include a plan for the implementation of such investigations and a report summarizing the findings;
- (vi) Identify all areas exceeding any remedial criteria and a proposal for the additional characterization data needed to complete the remedial design in order to achieve compliance with RSRs for polluted soil, surface water and groundwater; and a proposed implementation plan and schedule addressing such areas of contamination.
- (vii) Ecologically based and human health-based criteria for sediment, an identification of all areas exceeding such criteria and a proposed implementation plan and schedule addressing such areas.

The RAP and associated schedule may propose activities be conducted in phases associated with a focus on a particular environmental medium, reasonably deferring filling the data gap to the remedial design stage where appropriate.

Any RAP containing monitored natural attenuation as the selected remedy for groundwater migrating off the Site shall include: 1) an evaluation of the need for source mitigation to achieve remedial criteria; 2) a monitoring and data evaluation plan designed to evaluate the remedy performance; and 3) a contingency remedy conceptual approach in the event that monitored natural attenuation does not perform as anticipated and a schedule for implementation

- (b) Quality Assurance Project Plan
An updated QAPP was submitted in April 2020.

3. Ecological Risk Assessment

The Permittee has submitted to the Department a Screening Level Ecological Risk Assessment in June 2011. It was approved on August 31, 2012. It was deemed that no further assessment is required at the time of the issuance of this Permit. The Permittee shall ensure that all ecological risks have been addressed appropriately including consideration of water bodies on the CT DEEP Impaired Waters List.

4. Notification and Assessment Requirements for Newly Identified SWMUs and AOCs

The Permittee shall notify the Commissioner in writing, within fifteen (15) calendar days of discovery, of any new suspected or confirmed AOCs or SMWUs as discovered under

Condition No. II.C.1. Such notification shall include, at a minimum, the following information:

- (a) Location of the unit(s) on a topographic map of appropriate scale (such as required under 40 CFR 270.14(b)(19));
- (b) Designation of the type and function of unit(s);
- (c) General dimensions, capacities and structural description of unit(s) (supply any available plans/drawings);
- (d) The date that the unit(s) was operated;
- (e) Specifications of all wastes that have been managed at/in the unit(s) to the extent available. Include any available data on hazardous constituents in the wastes; and
- (f) All available information (groundwater data, soil, soil gas, sediment, air, and/or surface water data) pertaining to any release of hazardous waste or hazardous constituents from such unit(s).

5. Notification Requirements for Newly Discovered Releases From SWMUs and AOCs

- (a) The Permittee shall notify the Commissioner in writing of any newly discovered release(s) of hazardous waste or hazardous constituents discovered during the course of characterization, groundwater monitoring, field investigations, environmental audits, or other means, within fifteen (15) calendar days of discovery.

Such newly discovered release(s) may be from SWMUs or AOCs identified in this Permit or SWMUs or AOCs previously identified for which it had been determined that further investigation was not required.

- (b) If the Commissioner determines that further investigation of the SWMUs or AOCs is needed, the Permittee shall be required to prepare a plan for such investigations within sixty (60) calendar days of notification by the Commissioner.

6. Interim Measures (IM)

(a) Work Plan

- (i) Interim Measures Identified by Commissioner: Upon notification by the Commissioner, the Permittee shall prepare and submit an Interim Measures (IM) Work Plan for any SWMU or AOC that the Commissioner determines is necessary in order to minimize or prevent the further migration of contaminants, thereby limiting current and future potential for human and environmental exposure to contaminants while long-term corrective action remedies are evaluated and, if necessary, implemented to meet the requirements of the RSRs.

The IM Work Plan shall be submitted within sixty (60) calendar days of such notification and shall include the elements listed in this Permit. Such interim measures may be conducted concurrently with investigations required by this Permit.

(ii) Interim Measures identified by Permittee: The Permittee may initiate IM at a SWMU or AOC by submitting the appropriate notification pursuant to this Permit. The Commissioner will process Permittee initiated IM by either conditionally approving the IM or imposing an IM Work Plan per the conditions of this Permit. Permittee initiated IM shall be considered conditionally approved unless the Commissioner specifically imposes an IM Work Plan within thirty (30) calendar days of receipt of notification of the Permittee initiated IM. The scope and success of Permittee initiated IM conditionally approved shall be subject to subsequent in-depth review; the Commissioner will either comment on or approve the Permittee initiated IM. Permittee initiated IM must follow the progress and final reporting requirements per the conditions of this Permit.

(iii) The IM Work Plan shall ensure that the interim measures are designed to mitigate any current or potential threat(s) to human health or the environment and is consistent with and integrated into any long-term solution at the Facility. The IM Work Plan shall include: the interim measure's objectives, procedures for implementation (including any designs, plans, or specifications), and schedules for implementation.

(b) IM Implementation

(i) The Permittee shall implement the IM under in accordance with the approved IM Work Plan.

(ii) The Permittee shall give notice to the Commissioner within seven (7) calendar days of any planned changes, reductions or additions to the IM Work Plan

(c) Interim Measures Reports

(i) Progress Reports: If the time required for completion of interim measures is greater than one year, the Permittee shall provide the Commissioner with progress reports at intervals specified in the approved Work Plan or annually for Permittee initiated interim measures. The Progress Reports shall contain the following information at a minimum:

(A) A description of the portion of the interim measures completed;

(B) Summaries of the findings;

(C) Summaries of any deviations from the IM Work Plan during the reporting period;

- (D) Summaries of any problems or potential problems encountered during the reporting period; and
 - (E) Projected work for the next reporting period.
- (ii) Completion Report: The Permittee shall prepare and submit to the Commissioner, within ninety (90) calendar days of completion of interim measures and receipt of validated analytical data. Such report shall contain, at a minimum, the following information:
- (A) A description of the interim measures implemented;
 - (B) Summaries of results;
 - (C) Summaries of all problems encountered;
 - (D) Summaries of accomplishments and/or effectiveness of interim measures; and
 - (E) Copies of all relevant laboratory/monitoring data etc. in accordance with this Permit.

7. Remedy Selection and Notification of Remedial Implementation

- (a) The Permittee shall propose a remedy or evaluate one or more remedial alternatives, if necessary, to meet the criteria in the Remediation Standard Regulations. The Commissioner may require that specific remedial alternatives be evaluated. All remedial alternatives must meet the threshold and balancing criteria specified below.

Threshold Criteria:

- (i) Protect human health and the environment;
- (ii) Achieve media cleanup objectives using criteria in the Remediation Standard Regulations; and
- (iii) Control sources of releases to reduce or eliminate further releases.

Balancing Criteria:

- (i) Long-term effectiveness;
- (ii) Toxicity, mobility and volume reduction;
- (iii) Short-term effectiveness;
- (iv) Implementability;
- (v) Cost;

(vi) Community acceptance; and

(vii) State acceptance.

The proposed remedy may include any IM implemented to date.

(b) The Commissioner will select and approve the remedy to be implemented at the Facility. The Commissioner is not confined to these alternatives evaluated by the Permittee when selecting and approving a remedy for the Site or area affected by the Site or any portion thereof.

8. Public Participation

The Permittee submitted a Public Participation Plan on December 30, 2020 and is included in Appendix B of this permit.

9. Public Notice Requirements

The Permittee shall provide public notice of any proposed remediation and the Commissioner's tentative determination that remediation and/or post-closure or surface and groundwater monitoring is complete. Each public notice must provide a forty-five (45) calendar day comment period and a public information meeting or hearing no earlier than thirty (30) calendar days from the date of the public notice and no later than forty five (45) calendar days after the public notice.

(a) Prior to the commencement of any proposed remedial action, the public notice shall summarize the investigations undertaken, the results of the investigations, clearly identify the proposed remedial activities, and include an address and telephone number for a contact person. The Permittee shall:

(i) Publish the notice in a newspaper having substantial circulation in the municipality in which the Site or the affected area is located;

(ii) Broadcast the notice on a radio station during the high volume listening times on the same day the notice is published;

(iii) Provide a copy of the notice to the Chief Elected Official and the Director of Health of the municipality where the Site or affected area is located;

(iv) Provide a copy of the notice to the owner or operator of the Site (if the Permittee is not the Site owner or operator) and to all persons on the Facility mailing list maintained pursuant to 40 CFR 124.10(c)(1)(ix); and

(v) Erect and maintain a sign at least six (6) feet by four (4) feet for at least thirty (30) calendar days in a legible condition at the Site, clearly visible from the public highway and including the words "ENVIRONMENTAL CLEAN-UP IN PROGRESS AT THIS SITE. FOR FURTHER INFORMATION CONTACT:", and a telephone number at which any

interested person may obtain additional information about the remediation.

- (b) Prior to the Commissioner's final determination that remediation and/or post-closure care or surface and groundwater monitoring is complete, the Permittee shall:
 - (i) Publish the notice in a newspaper having substantial circulation in the municipality in which the Site or the affected area is located;
 - (ii) Broadcast the notice on a radio station during the high volume listening times on the same day the notice is published;
 - (iii) Provide a copy of the notice to the owner or operator of the Site (if the Permittee is not the Site owner or operator) and to all persons on the Facility mailing list maintained pursuant to 40 CFR 124.10(c)(1)(ix); and
 - (iv) Include a summary of the basis for the Commissioner's determination.
- (c) Upon the completion of the public comment period the Commissioner shall make a final determination. If the final determination is that closure, post-closure care and/or remediation is complete then the Stewardship Permit will be terminated and a Certificate of Completion will be issued.

10. Implementation of Remedial Activities

The Permittee shall perform all remediation activities for soil, sediment, groundwater and surface water pollution in accordance with the approved RAP(s), any schedules contained therein, and in accordance with the Remediation Standard Regulations.

11. Completion of Active Remediation

- (a) The Permittee shall notify the Commissioner in writing at least ninety (90) calendar days prior to the date it expects to complete the active remedial activity(ies) at the Site or area affected by the Site or any portion thereof.
- (b) Within sixty (60) calendar days after the completion of the active remediation, the Permittee shall submit to the Commissioner via registered mail, a certification signed by the Permittee and by an independent, registered professional engineer stating that the active remediation phase(s) at the Site or areas affected by the Site or any portion thereof has been completed in accordance with the specifications of the approved RAP(s). Documentation supporting the certification shall be furnished upon the Commissioner's request.

B. RCRA CLOSURE REQUIREMENTS

1. Closure Plan

The RCRA regulated unit (aka HWMU) consists of two closed and capped former metal hydroxide surface impoundments. They are located east of the building within a fenced enclosure and occupy approximately 0.5 acres of land. A former sludge drying bed, which

was clean-closed, was located north of the former lagoons. The RCRA regulated unit was closed under a DEEP-approved Closure Plan in December 1987 (revised September 1988) and a Certification of Closure was signed in December 1989. Closure included removal of metal hydroxide sludges and underlying soil to the bedrock surface. Because limited volumes of impacted soil remained in fractures and fissures in the bedrock surface, at the Department's and EPA's direction, closure also included the design, agency approval, and construction of a low-permeable cap over the area, constituting a metal hydroxide hazardous waste landfill. The nearby drying bed was excavated to remove metal hydroxide sludges and confirmation samples from the excavation area demonstrated clean closure of this area. As required by DEEP/EPA, a Part B Post-Closure Permit was submitted to both agencies in December 1991.

C. LONG-TERM STEWARDSHIP RESPONSIBILITIES

1. Long-Term Stewardship Plans

Long-Term Stewardship Plans include planned groundwater monitoring and maintenance and inspection of the cap.

Unless such plan has previously been approved by the Commissioner the Permittee shall prepare and submit for the Commissioner's review and approval a Long-Term Stewardship Plan identifying how to maintain the effectiveness of the Facility's remediation into the future, including, but not limited to, engineered controls, institutional controls, air and water monitoring, ongoing active remediation, passive remediation, and monitored natural attenuation.

If applicable, the Permittee shall include in the Long-Term Stewardship Plan the Post-Closure and Ground Water/Surface Water Monitoring obligations for closed Hazardous Waste Management Unit(s), identified in RCSA Section 22a-449(c)-104(a)(1) incorporating 40 CFR 264 Subparts F, G, and K.

In the event that it is determined that the closure of any other Hazardous Waste Management Unit requires the designation as a Land Disposal Unit, the Permittee shall incorporate the post-closure care for such units in the revised Plans. Such plans shall include:

- (a) A description and frequency of the planned maintenance and inspection activities that will be performed to ensure: (A) the integrity of the cap/final cover and/or other containment systems; and (B) the function of the monitoring equipment;
- (b) A compliance monitoring program developed in accordance with the requirements of RCSA Section 22a-449(c)-104 incorporating 40 CFR 264.99, and an evaluation of the existing monitoring data to determine if compliance is achievable;
- (c) If it is determined that compliance cannot be achieved the Permittee shall include a description of how corrective action, required pursuant to 40 CFR 264.100, will be interrelated into site-wide corrective activities.

- (d) The name, address and phone number of the Facility contact person during the Post-Closure Care Period;
- (e) A schedule for the reporting requirements, including but not limited to, groundwater monitoring reports, scheduled and unscheduled inspection and maintenance reports, and corrective action reports resulting from inspection and maintenance activities; and
- (f) A detailed estimate of the cost of performing post-closure care of the land disposal units developed in accordance with the 40 CFR 265 Subpart H.

2. Revisions to Approved Plans

If at any time the Commissioner or the Permittee determines that a revision to an approved Plan is needed or required, the Permittee shall prepare and submit for the Commissioner's review and written approval a revised Long-Term Stewardship Obligations Plan (aka Post-Closure Plan). If the Commissioner determines that a deviation from an approved Plan has occurred that requires a Class 2 or 3 modification of the Permit, or if the Commissioner has identified problems or issues related to implementation of an approved Plan, then the Commissioner may require the Permittee to prepare and submit for the Commissioner's review and written approval a revised Long-Term Stewardship Obligations Plan or a Corrective Action Plan to correct any such deviations or actions necessary to ensure the Facility conditions are maintained to protect human health and the environment.

The Permittee shall submit a written notification or request for a Permit modification to authorize a change in the approved Post-Closure Plan in accordance with the applicable requirements of 40 CFR 124 and 40 CFR 270. The written notification or request must include a copy of the amended post-closure plan for the Commissioner's review and written approval.

3. Copy of Approved Plans

The Permittee shall ensure that a copy of any approved Plan is kept at the Facility or at an alternate location acceptable to the Commissioner, while Long-Term Stewardship is required to maintain the remediation, including until the Post-Closure Care Period has been completed and certified in accordance with the requirements of this Permit. When waste or contamination remains in place the Post-Closure Care Period shall be extended.

4. Implementation of Long-Term Stewardship Plan, including:

Upon written approval of a Long-Term Stewardship Plan from the Commissioner, The Permittee shall perform long-term stewardship obligations for remediation systems, engineered controls, institutional controls, and post-closure care of any Hazardous Waste Management Units inclusive of surface and groundwater monitoring in accordance with previously approved plans.

- (a) Ensure Maintenance of Institutional Controls. Every five (5) years certify to the Commissioner on a form or in a format acceptable to the commissioner that the institutional control remains in place and no changes in land use or other use has occurred in violation of the institutional control approved by the Commissioner.

- (b) Inspection Obligations. The Permittee shall inspect any remediation systems or engineered controls, such as vapor migration control systems, soil treatment systems, groundwater treatment and monitoring systems, landfill caps of waste in place and contaminated soil [including any Hazardous Waste Management Unit(s)].

Inspections shall look for malfunctions, deterioration, and discharges, which may lead to any release of a substance.

For caps, such inspections shall include, but not be limited to:

- (i) Erosion, settling, subsidence or other events that may affect the grading or integrity of an engineered control providing a cap on contaminated soil or waste in place;
- (ii) Integrity of the final cover materials, soils and vegetation;
- (iii) Drainage control; and
- (iv) Evidence of a release from the capped area, including leachate seeps.

The Permittee shall ensure inspections of remediation systems and engineered controls are performed on a quarterly basis or another schedule approved by the Commissioner by a registered professional engineer.

The Permittee shall record all inspections in an inspection log. The inspection logs shall include: the date and time of the inspection, the name of the inspector and company or affiliation, a notation of the observations made, and the date and nature of any repairs.

Such records shall be kept for at least three (3) years from the date of inspection or for longer if a more stringent condition applies, and maintained in either an electronic format with a copy available to the Commissioner upon request, or a written copy in the Facility's Operating Record.

- (c) Monitoring Obligations. The Permittee shall at all times properly operate and maintain all monitoring wells which are installed or used by the Permittee to achieve compliance with this Permit as described in the approved Long-Term Stewardship Plan. Proper maintenance, at a minimum, includes inspections to detect existing and potential problems and adequate funding to maintain proper conditions and repair any problems.

The Permittee shall perform surface and groundwater monitoring on a frequency specified in the approved Long-Term Stewardship Plan, and consistent with the constituents of concern. The monitoring frequency must be specified in the Long-Term Stewardship Plan and must be consistent with RCSA 22a-449(c)-104, incorporating 40 CFR 264. A summary of monitoring requirements must be included in the Long-Term Stewardship Plan.

5. Maintenance of Final Cover of Closed Hazardous Waste Management Unit

The Permittee shall ensure that the final cover for the Hazardous Waste Management Unit(s) is properly maintained and repaired when necessary, in accordance with the approved Post-Closure Plan/Long-Term Stewardship Plan.

(a) Notification Requirements for Newly Discovered Releases

- (i) The Permittee shall notify the Commissioner in writing of any newly discovered release(s) of solid or hazardous waste or hazardous waste constituents discovered during the course of post-closure care, groundwater monitoring, environmental audits, or other means, within fifteen (15) calendar days of the date of discovery.
- (ii) If the Commissioner determines that further investigation of the Site is needed, the Permittee shall be required to prepare a plan for further investigation within sixty (60) calendar days of notification by the Commissioner.

6. Future Corrective Action

If the Commissioner determines that environmental data indicates the remediation was not effective, the Permittee shall within one hundred eighty (180) days of the Commissioner's notice, submit for the Commissioner's review and written approval, a plan for the additional characterization and establishment of a corrective action program.

7. Completion of Post-Closure Period for a Closed Hazardous Waste Management Unit

Within sixty (60) calendar days after the completion of the Post-Closure Period, the Permittee shall submit to the Commissioner by registered mail, a certification signed by both the Permittee and by an independent registered professional engineer stating that the post-closure care inclusive of surface and groundwater monitoring for the Hazardous Waste Management Units, was performed in accordance with the specifications in the approved Post-Closure Plan. Documentation supporting the independent, registered professional engineer's certification shall be furnished to the Commissioner upon request. If contamination or waste remains in place the Post-Closure Period will be extended.

8. Modification of Post-Closure Period

If at any time the Commissioner or the Permittee determines that a modification to the Post-Closure Period for the Hazardous Waste Management Unit is needed or required, the Permittee shall prepare and submit for the commissioner's review and written approval a justification in accordance with the requirements of 40 CFR 264.117(a)(2)(i) to shorten the Post-Closure Period.

9. Miscellaneous

- (a) For any substances reported at or emanating from the Site, for which no remediation criteria has been adopted under the Remediation Standard Regulations, the Permittee shall, in accordance with the Remediation Standard Regulations, submit for the Commissioner's review and written approval a

proposal for additional remediation and establishment of criteria for additional polluting substances.

- (b) The Permittee shall not operate the Facility in any manner that stores, treats, or disposes of hazardous wastes or in any way manages hazardous wastes other than hazardous wastes that may be generated during Facility maintenance, authorized closure and/or corrective action activities. Such waste shall be managed in accordance with all applicable regulations. The Permittee shall comply with all applicable requirements of RCSA Section 22a-449(c)-102 incorporating 40 CFR Part 262 “Standards Applicable to Generators of Hazardous Waste”.

D. FINANCIAL RESPONSIBILITY

1. Cost Estimates

The Permittee shall submit for the Commissioner’s review and written approval written estimate(s) for the current cost of performing closure, post-closure care inclusive of surface and groundwater monitoring, investigation for the Hazardous Waste Management Units, and investigation and remediation of the Site or areas affected by the Site in accordance with the requirements of this Permit. The Permittee shall ensure that such written estimates are prepared in accordance with the methodology specified in RCSA 22a-449(c)-104 incorporating 40 CFR 264.142(a) and 40 CFR 264.144(a), as applicable.

Note a ten percent (10%) contingency shall be applied to the estimates for unforeseeable elements or events which may increase the cost of performing closure, post-closure care and corrective action.

2. Establishment of Financial Assurance

In accordance with the time frame specified in the Compliance Schedule of this Permit, the Permittee shall establish and continually maintain financial assurance for the Facility in accordance with one of the methods specified in 40 CFR 264.143(a)-(g), as modified by 22a-449(c)-104(a) (2). The Permittee shall ensure that the wording of the financial assurance mechanism(s) secured for the purpose of compliance with this section of the Permit is identical to the wording specified in 40 CFR 264.151, as modified by 22a-449(c)-104(a)(2). The Permittee shall maintain such financial assurance in effect until the Commissioner notifies the Permittee in writing that it is no longer required to maintain such financial assurance for closure of the Facility in accordance with 40 CFR 264.143(i).

Include the following language if financial assurance will be established incrementally: Such assurance may be established incrementally. The Permittee shall ensure that the initial value of financial assurance established includes the cost(s) associated with completing the closure of the Hazardous Waste Management Unit(s).

The Permittee shall submit a plan for the Commissioner’s review and written approval, for incrementally establishing financial assurance.

3. Inflationary Adjustments

The Permittee shall adjust amounts of financial assurance to reflect inflationary costs as required by RCSA Section 22a-449(c)-104 incorporating 40 CFR 264.142, and any factors that bear on the cost of performing the work that remains to be completed under this Permit.

Adjustments shall be made each year, on the anniversary of the establishment of the mechanism(s) for financial assurance until the Commissioner releases the Permittee from the financial assurance requirements of this Permit.

The latest adjusted cost estimate(s) shall be kept at the Facility and a signed original shall be submitted to the Commissioner within fourteen (14) calendar days of preparation.

4. Periodic Reductions

Upon request by the Permittee, the Commissioner may approve periodic reductions in the amount of financial assurance commensurate with the completion of corrective action activities. Such request shall include a revised cost estimate and demonstration of completed work activities which equates to at least a fifteen percent (15%) reduction in the estimate costs.

5. Maintenance of Financial Assurance

The Permittee shall maintain such financial assurances in effect until the Commissioner notifies the Permittee in writing that it is no longer required to maintain such a mechanism for financial assurances as provided for in this Permit.

6. Release of Financial Assurance

(a) Within sixty (60) calendar days after receiving the certification by the Permittee, submitted pursuant to this Permit, that Final Closure of the Hazardous Waste Management Units has been completed in accordance with the approved Closure Plan, the Commissioner will notify the Permittee in writing that it is no longer required to maintain financial assurance for closure of the Hazardous Waste Management Unit, unless the Commissioner has reason to believe that Final Closure has not been performed and/or completed in accordance with the approved Closure Plan. The Commissioner shall provide the Permittee with a detailed written statement of any such reason(s) to believe that closure has not been performed and/or completed in accordance with the approved Closure Plan.

(b) Within sixty (60) calendar days after receiving the certification, submitted pursuant to this Permit, that Post-Closure of the Hazardous Waste Management Units has been completed in accordance with the approved Post-Closure Plan, the Commissioner will notify the Permittee in writing that it is no longer required to maintain financial assurance for post-closure care of the Hazardous Waste Management Unit, unless the Commissioner has reason to believe that Post-Closure has not been performed and/or completed in accordance with the approved Post-Closure Plan. The Commissioner shall provide the Permittee with a detailed written statement of any such reason(s) to believe that closure has not been performed and/or completed in accordance with the approved Post-Closure Plan.

(c) Within sixty (60) calendar days after receiving certification, submitted pursuant to this Permit that Active Remediation has been completed in accordance with the approved RAP, the Commissioner will notify the Permittee in writing that it is no longer required to maintain financial assurance for remediation, unless the Commissioner has reason to believe that the remediation activities have not been performed and/or completed in accordance with the approved RAP. The

Commissioner shall provide the Permittee with a detailed written statement of any such reason(s) to believe that remediation activities have not been performed and/or completed in accordance with the approved RAP.

- (d) Within sixty (60) calendar days after receiving certification, submitted pursuant to this Permit that post-remediation groundwater monitoring has been completed in accordance with the approved Groundwater Monitoring Plan, the Commissioner will notify the Permittee in writing that it is no longer required to maintain financial assurance for post-remediation groundwater monitoring, unless the Commissioner has reason to believe that the groundwater monitoring has not been performed and/or completed in accordance with the approved Groundwater Monitoring Plan. The Commissioner shall provide the Permittee with a detailed written statement of any such reason(s) to believe that post-remediation groundwater monitoring has not been performed and/or completed in accordance with the approved plan.

7. Failure to Perform

If the Permittee fails to perform any of the terms or conditions of this Permit, the financial assurance shall be available to the Commissioner to perform such terms or conditions of this Permit provided that, prior to drawing upon any mechanism(s) for financial assurance, the Commissioner shall notify Permittee, in writing, of the alleged failure to perform and provide Permittee with a reasonable period of not less than fifteen (15) calendar days in which to remedy the alleged non-performance.

UniMetal Surface Finishing, LLC
15 East Waterbury Road
Naugatuck, CT

EPA ID No. CTD00145006
DRAFT

SECTION III
COMPLIANCE SCHEDULE

UNIMETAL SURFACE FINISHING, LLC

EPA ID No. CTD00145006

Permit No. **DRAFT**

SECTION III
COMPLIANCE SCHEDULE

A. RETENTION OF LICENSED ENVIRONMENTAL PROFESSIONAL

Regardless of whether the Commissioner has delegated the site to a LEP, within thirty (30) calendar days of the effective date of this Permit, the Permittee shall retain one or more LEP acceptable to the Commissioner to oversee the activities and prepare the documents required by this Permit and shall, by that date, notify the Commissioner in writing of the identity of such LEP. The Permittee shall assign and/or retain such qualified LEP acceptable to the Commissioner, until the Permittee has fully complied with this Permit.

B. SUBMITTAL OF EUR APPLICATION AND RECORDING OF EUR

The Permittee shall submit for the Commissioner's review and written approval of an EUR application as described in the RAP to the Department on or before July 15, 2023. Once approved by the Commissioner, the EUR will be recorded on the municipal land record.

C. ESTABLISH AND MAINTAIN FINANCIAL ASSURANCE

Within one hundred fifty (150) calendar days of the Commissioner's approval of the cost estimate submitted in accordance with this Permit, the Permittee shall establish and continually maintain financial assurance by one or more of the instrument formats prescribed by the Commissioner for Final Closure of the regulated units and corrective action of the Facility or areas affected by the Facility.

D. ANNUAL PROGRESS REPORTS

Until all actions required by this Permit have been completed to the Commissioner's satisfaction, the Permittee shall submit a progress report for the Commissioner's review. The report will be prepared on a calendar-year basis. Each such report shall be submitted to the Department no later than March 1st of each year.

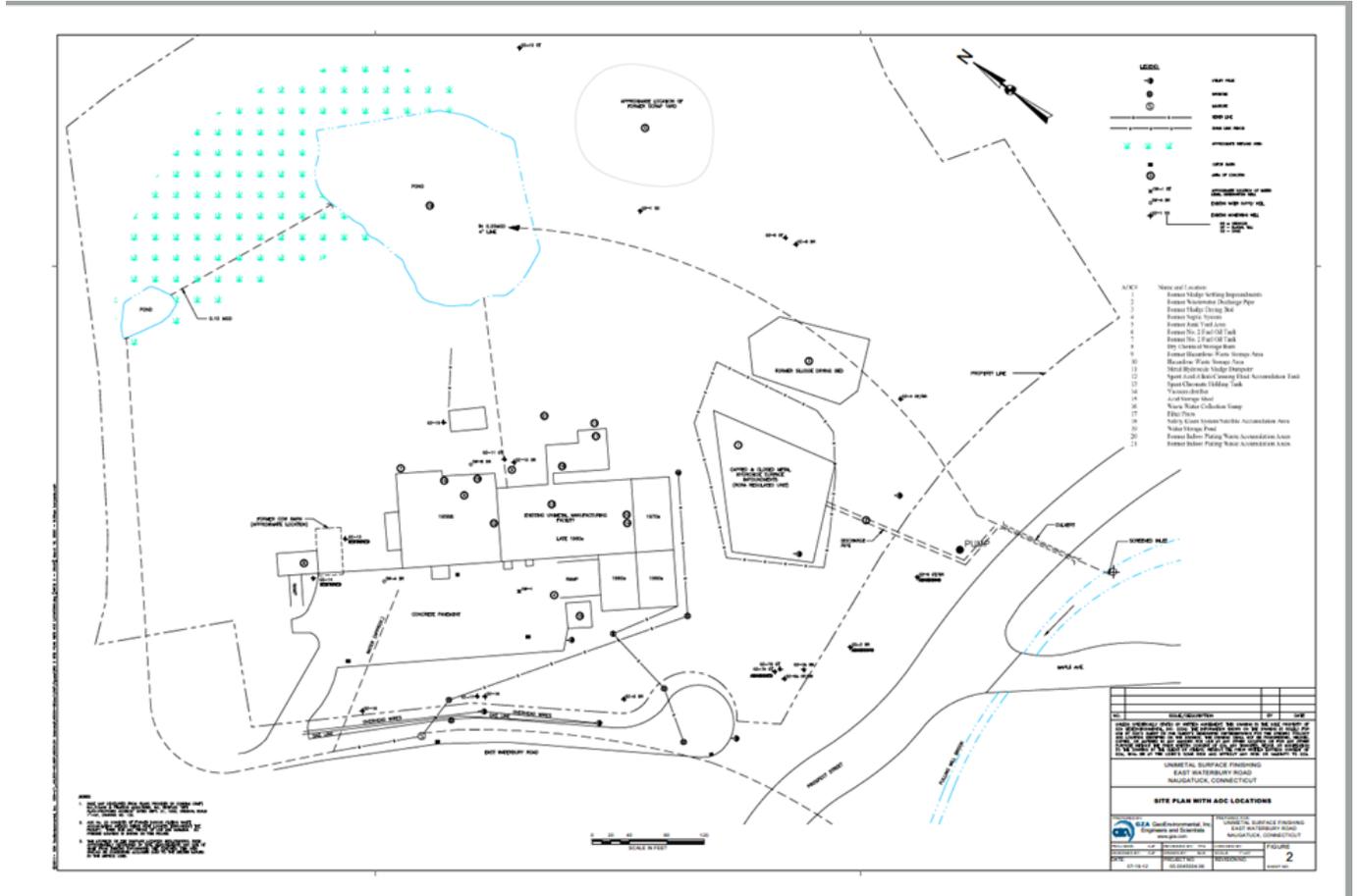
Such reports shall, at a minimum:

- Describe the actions which the Permittee has taken in the prior calendar year to comply with the terms and conditions of this Permit;
- Summarize with charts and graphs any exceedances of Remediation Standard Regulations criteria or drinking water exceedance levels detected during monitoring;
- Identify the measures taken to correct the cause of any such exceedances of Remediation Standard regulations or drinking water criteria;
- Summarize the results of any inspections of engineered controls and institutional controls;
- Summarize corrections taken to address deficiencies identified in inspections of remediation systems, engineered controls, and institutional controls;
- Recommend, as appropriate, modifications of groundwater monitoring plans and remedial systems; and

- Identify any planned work for the upcoming year.

The Commissioner may issue a notice of deficiency to require the modification and revision of the Annual Progress Report. The Commissioner may respond to requests for changes in any plans being implemented at the Facility that are included in the Annual Progress Report. The Annual Progress Report shall contain the certification prescribed in RCSA Section 22a-449(c)-110 incorporating 40 CFR 270.11, signed by the Permittee or Licensed Environmental Professional or Professional Engineer.

FIGURE 1: SITE MAP



APPENDIX A: REMEDIATION ACTION PLAN

Due to restrictions posed by ongoing processes, equipment, potential disruptions to Site operations, and the potential for re-contamination of AOCs from continuing production operations at the Site, UniMetal, under an agreement with the Department, has elected to defer investigations of interior AOCs until such time that operations within the building cease and/or the building is no longer used for plating operations. Instead, UniMetal has elected to adopt a “presumptive remedy” approach with regard to interior AOCs, wherein it is presumed that metals and petroleum oils are present at concentrations greater than the CT Remediation Standard Regulations (RSRs) GA Pollutant Mobility Criteria and Industrial/Commercial Direct Exposure Criteria and an EUR will be placed on the footprint of the building to render the soils below the building “environmentally isolated” and “inaccessible” as defined under the RSRs.

In August 6, 2014, US EPA and the Department issued a “Statement for Basis for a Corrective Action Completion Determination With Controls” (US EPA/CTDEEP Statement of Basis) for the Site which indicates both regulatory bodies have determined that investigations of the Site exterior to the production building, including groundwater monitoring downgradient of all Site operations, had been completed at the Site and no remedial actions were required other than the establishment of an Environmental Use Restriction (EUR) on the Site.

In accordance with the accepted program outlined within the US EPA/CTDEEP Statement of Basis, the Remedial Action Plan for the Site will be the establishment of an EUR on the entire 19-acre parcel prohibiting residential use of the property, and on the 36,000-square foot main production building prohibiting the demolition of the building, the disturbance of the building’s concrete floor slab and the disturbance of the underlying soils thereby effectively rendering the soils below the building floor slab as “inaccessible” and “environmentally isolated” as defined within the RSRs.

In addition to the establishment of an EUR on the property, as described above, UniMetal will also implement a release detection groundwater monitoring program wherein groundwater monitoring at wells hydraulically downgradient of the facility production building will be monitored on an annual basis for evidence of a release of constituents of concern from interior AOCs and ongoing operations within the building.

SCHEDULE

UniMetal is currently working with their legal counsel and GZA on the completion of an EUR application for the Site. The application is anticipated to be submitted to the Department for review and approval on or before July 15, 2023. Once approved by the Commissioner, the EUR will be recorded on the municipal land record.

APPENDIX B: PUBLIC PARTICIPATION PLAN

- A. Public Notice – A Public notice of intent shall be made prior to conducting any remedial actions at the UniMetal Site and prior to the Commissioner’s final determination that remediation of the Site is complete. The notice will be made via the following public media forums:
- A local newspaper of substantial circulation.
 - Radio broadcast from a local station having a substantial listening audience.
 - A visible accessible sign posted on the Site property facing East Waterbury Road.
- B. A public meeting will be held at a local publicly accessible venue (e.g., public library, town hall or other municipal building) to summarize and discuss UniMetal’s plans for remedial actions for their Site and to hear and respond to public comments prior to undertaking any such plans and again, prior to the Commissioner’s finding that remedial actions at the Site are complete.

Annual written updates on the progress of the Corrective Action items listed within the final Stewardship permit will be emailed or sent by regular mail to the following public officials:

Director of Health

Rosalie Averill, Chairman
Naugatuck Valley Health District
98 Bank Street
Seymour, CT 06483

Fire Chief

Chief Paul Russel
41 Maple St,
Naugatuck, CT 06770
prussell@naugatuck-ct.gov

Planning and Zoning Dept. for Naugatuck

Chairman Wayne M. Malicki
229 Church St # 2,
Naugatuck, CT 06770
waynemalicki1969@gmail.com

State Representative Naugatuck

Connecticut House District 70
Rosa Rebimbas
Rosa.Rebimbas@housegop.ct.gov

State Senator that represents Naugatuck

Joan Hartley
Hartley@senatedems.ct.gov

TABLE I: SOLID WASTE MANAGEMENT UNITS (“SWMUS”) AND AREAS OF CONCERN (“AOCS”)

AOC No.	Description	Type of Unit	Date Addressed
AOC 1	Former Sludge Settling Lagoons	HWMU	Certified Closed on December 7, 1989
AOC 2	Former Wastewater Discharge Pipe	HWMU	Phase II Investigation
AOC 3	Former Sludge Drying Bed	HWMU	Clean Closed on December 7, 1989
AOC 4	Former Septic System (Sanitary Wastes only)	SWMU	Phase II and Phase III
AOC 5	Former Junk Yard Area	SWMU	Phase II Investigation
AOC 6	Former No. 2 Fuel Oil Tank	AOC	Phase II Investigation
AOC 7	Former No. 2 Fuel Oil Tank	AOC	Phase II Investigation
AOC 8	Dry Storage Chemical Storage Barn	AOC	Phase II Investigation Area currently in use
AOC 9	Former Hazardous Waste Storage Area	SWMU	Closed in 1980 Area in use for plating
AOC 10	Hazardous Waste Storage Area	SWMU	Area currently in use
AOC 11	Metal Hydroxide Sludge Dumpster	SWMU	Area currently in use
AOC 12	Spent Acid/Alkali Cleaning Fluid Accumulation Tank	SWMU	Area currently in use
AOC 13	Spent Chromate Holding Tank	SWMU	Area currently in use
AOC 14	Vacuum Distiller	AOC	Area currently in use
AOC 15	Acid Storage Shed	AOC	Area currently in use
AOC 16	Wastewater Collection Sump	SWMU	Area currently in use
AOC 17	Filter Press	SWMU	Area currently in use
AOC 18	Safety Kleen System/Satellite Accumulation Area	AOC	Area currently in use
AOC 19	Water Storage Pond	AOC	Area currently in use
AOC 20	Former Indoor Plating Waste Accumulation Area	SWMU	Area currently in use
AOC 21	Former Indoor Plating Waste Accumulation Area	SWMU	Phase II Investigation