

## PERMIT TO CONSTRUCT AND OPERATE

PERMITTEE: Connecticut Department of Administrative Services (successor agency to the MIRA Dissolution Authority)

FACILITY ADDRESS: 211 Murphy Road, Hartford, CT 06114

PERMIT No. 0640xxxx-PCO

Pursuant to Section 22a-208a of the Connecticut General Statutes (“CGS”) and Section 22a-209-4 of the Regulations of Connecticut State Agencies (“RCSA”), a PERMIT TO CONSTRUCT AND OPERATE (“Permit”) IS HEREBY ISSUED by the Commissioner of Energy and Environmental Protection (“Commissioner”) to the Connecticut Department of Administrative Services as the successor agency of the MIRA Dissolution Authority (“Permittee”) to construct and operate a Solid Waste intermediate processing center (“Facility”) located at 211 Murphy Road, Hartford, Connecticut. Subsequently, the Permit to Construct and Operate No. 06401153-PCO issued on December 1, 2014 and letter approval dated September 3, 2020 are no longer in effect and are replaced by this Permit.

### A. GENERAL TERMS AND CONDITIONS

1. a. This Permit is based on and incorporates by reference pertinent and appropriate sections of documents and specifications submitted as part of Application No. 202408089, to renew the Permit to Construct and Operate, including:
  - i. Application form received on August 1, 2024;
  - ii. Operation and Management Plan (O&MP) revised September 10, 2021 and incorporating Area Plan Drawing C1 dated October 14, 2006; Railroad Car Holding Area and Bale Storage Plan Drawing ST-1r dated February 23, 2014; Building Floor Plan Drawing A-1 (as built May 2007); Elevation Plans A3 and A4 (as-built May 2007), ten (10) Fiber and Container Sort System Drawings [five (5) as-built February 27, 2006 and five (5) as-built April 7, 2008]; and
  - iii. A Site Plan, Drawing C2 prepared by DMJM Harris/AECOM, P.E., dated April 5, 2007 and revised February 3, 2014.
- b. The Permittee shall maintain at the Facility and have available for reference by Facility staff and inspection by the Commissioner:
  - i. All documents or copies of such documents submitted as Application No. 202408089 and any document submitted in support of said application for the life of this Permit; and
  - ii. A copy of this Permit and the Facility’s Facility Plan which consists of the Operation and Management Plan and the engineered drawings which describe the Facility and its operations; and
- c. The Permittee shall for the life of this Permit, provide to the Department notification within thirty (30) Days of any changes in the information provided as part or in support of the application on which this Permit was based. Any inaccuracies found in the information submitted by the Permittee may result in revocation, reissuance, or modification of this Permit and civil or criminal enforcement actions.

2. As used in this Permit, the following definitions apply:

“Certified Operator” means the Solid Waste facility operator or an employee of such operator who is present at the facility and oversees or carries out the daily operations authorized through this Permit, and whose qualifications are currently certified in accordance with Section 22a-209-6 of the RCSA.

“CFR” means the Code of Federal Regulations in effect the date this Permit is issued.

“Commissioner” means the Commissioner of Energy and Environmental Protection.

“Day” means calendar Day.

“Department” means the Department of Energy and Environmental Protection.

“Designated Recyclable Item” means an item designated for recycling by the Commissioner in regulations adopted pursuant to subsection (a) of Section 22a-241b or designated for recycling pursuant to Section 22a-256 or 22a-208v of the CGS.

“Mercury-Containing Lamps” means the bulb or tube portion of an electric lighting device that contains mercury in any amount. A lamp is specifically designed to produce radiant energy, most often in the ultraviolet, visible, and infra-red regions of the electromagnetic spectrum. Examples of Mercury-Containing Lamps include, but are not limited to, fluorescent, high intensity discharge, neon, high-pressure sodium, mercury vapor and metal halide lamps. The term “Mercury-Containing Lamp” does not include lamps that are subject to regulation under Section 22a-449(c)-113 of the RCSA.

“Mercury-Containing Equipment” means a device or part of a device (including thermostats, but excluding lamps and batteries) that contains elemental mercury integral to its function.

“Mixed Paper” means recyclable Solid Waste which is a combination of differing grades of source-separated recyclable paper including corrugated cardboard.

“Municipal Solid Waste” or “MSW” means Municipal Solid Waste as defined in Section 22a-207 of the CGS.

“Professional Engineer” or “P.E.” means an engineer licensed to practice in the state of Connecticut.

“Processed Wood” means Recycled Wood or Treated Wood or any combination thereof, which has been Processed at a facility, authorized to Process or generate such materials.

“Processing” or “Process(ed)” means the practice by which either the physical characteristics or the volume of Solid Waste accepted at the Facility is being altered through separating, sorting, baling, shredding, crushing, grinding, chipping, compacting, consolidation, transfer or reworking as part of recycling and/or volume reduction operations.

“Recovered Materials” means Processed Solid Wastes that are ultimately delivered to a market or other permitted recycling or reclamation facility.

“Recyclable Items” are materials which are designated for recycling pursuant to Section 22a-241b of the CGS or Sections 22a-241b-1 to 22a-241b-4 of the RCSA or which may be recovered from the Solid Waste stream and for which there is a demonstrated market for reuse or that may be beneficially used in the production of other products.

“Recycled Wood” means any wood or wood fuel which is derived from such products or processes as pallets, skids, spools, packaging materials, bulky wood waste or scraps from newly built wood products, provided such wood is not Treated Wood.

“Residue” means all Solid Waste that remains after the Recovered Materials have been extracted from the Solid Waste authorized for Processing at the Facility.

“Solid Waste” as defined in Section 22a-207 of the CGS, means unwanted or discarded solid, liquid, semisolid or contained gaseous material, including, but not limited to, demolition debris, material burned or otherwise processed at a resources recovery facility or incinerator, material processed at a recycling facility and sludges or other residue from a water pollution abatement facility, water supply treatment plant or air pollution control facility.

“Spent Mixed Batteries” means alkaline, magnesium and zinc-carbon cylindrical batteries, silver oxide, alkaline, and zinc-air button cell batteries and nickel-cadmium, small sealed lead-acid and nickel-metal hydride batteries.

“Universal Waste” as defined in Section 22a-449(c)-113 of the RCSA incorporating 40 CFR 273 means the following hazardous wastes:

- a. Spent Mixed Batteries, including but not limited to, nickel-cadmium and small sealed lead-acid batteries;
- b. Mercury-Containing Equipment;
- c. Mercury-Containing Lamps that contain mercury in any amount; and
- d. Used Electronics.

“Used Electronics” incorporates the definition of used electronics as defined in Section 22a-449(c)-100(c)(34) of the RCSA, means a device or component thereof that contains one or more circuit boards or cathode ray tubes that is used primarily for data transfer or storage, communication, or entertainment purposes, including but not limited to, desk top and lap top computers, computer peripherals, monitors, copying machines, scanners, printers, radios, televisions, camcorders, video cassette recorders (“VCRs”), compact disk players, MP3 players, telephones, including cellular and portable phones and stereos. This includes any electronic device that is not included in the definition of a covered electronic device.

3. The Permittee shall comply with all terms and conditions of this Permit. This Permit consists of the conditions contained herein and the specifications contained in the application documents, except where such specifications are superseded by the more stringent conditions contained herein. Violation of any provision of this Permit may be subject to enforcement action pursuant, but not limited, to Sections 22a-6, 22a-208, 22a-225 and 22a-226 of the CGS.
4. The Permittee shall make no changes to the specifications and requirements of this Permit, except in accordance with law.

5. To the extent that any term or condition of this Permit is deemed to be inconsistent or in conflict, with any term or condition of any Permit previously issued for this Facility, including any modifications thereto, or with any data or information contained in the application, or any other documents incorporated by reference in this Permit, the term or condition of this Permit shall control and remain enforceable against the Permittee.
6. Provided a permit modification is not required pursuant to Sections 22a-208a(d)(1) or 22a-208a(e) of the CGS, the Permittee shall submit for the Commissioner's review and written approval all necessary documentation supporting any proposed physical and/or operational upgrades, improvements and/or minor changes in the Facility design, practices or equipment. The Commissioner may issue a written approval only if, in the Commissioner's judgment, the proposed physical and/or operational upgrades, improvements and/or minor changes: (a) are deemed necessary for a better and more efficient operation of the Facility; (b) do not significantly change the nature of the Facility, or its impact on the environment; and (c) do not warrant the issuance of a permit or authorization pursuant to Section 22a-208 et seq. of the CGS.

## **B. AUTHORIZATION TO CONSTRUCT AND MAINTAIN**

1. The existing Facility consists of: a scale house with two electronic truck weight scales; an approximately 64,000 square-foot (sq. ft.) enclosed processing building containing: a tipping floor area, single stream processing operations, dual stream collection, storage area, and administrative offices; a 16,000 sq. ft. enclosed building housing offices and a visitor center; and other ancillary equipment.
2. The Permittee shall maintain the Facility as described in Condition No. B.1. of this Permit.
3. The Permittee shall control dust, odors, water discharges and noise resulting from the construction and maintenance of the Facility at all times to assure compliance with applicable requirements of the RCSA, and any other applicable laws, including OSHA.
4. The Permittee shall, within thirty (30) Days from the completion of any maintenance undertaken pursuant to Condition No. B.2. of this Permit, submit a written notification for the Commissioner's review and written approval. Such notification shall include at a minimum:
  - a. P.E. certified statement that the construction of the Facility improvements has been completed as approved;
  - b. P.E. certified as-built drawings; and
  - c. A request for written authorization from the Commissioner to operate in accordance with Section C of this Permit.

## **C. AUTHORIZATION TO OPERATE**

1. The Permittee shall not exceed the Processing and storage limits established by this Permit. Solid Waste, other than those listed herein, shall not be accepted, Processed, treated, stored, transported or disposed on-site, or otherwise managed at the Facility without prior written approval of the Commissioner.

2. The Permittee is authorized to operate the Facility in accordance with all applicable law, including this Permit. Unless otherwise approved in writing by the Commissioner or limited by local authorities, the Permittee is authorized to operate as follows: Monday – Sunday 5:00 a.m. – 12:00 a.m.
3. The Permittee is authorized to receive for Processing at the Facility no more than a total of 560 tons/day (TPD) of the following Designated Recyclable Items: commingled containers (glass, plastic, metal cans, and cartons) and paper (magazines, newspapers, corrugated cardboard, mixed paper, and boxboard) from Connecticut municipalities' single stream or dual stream collection systems.
4. The Permittee shall store and manage Solid Waste at the Facility only in the designated areas as identified in the drawings referenced in Condition Nos. A.1.a.ii. and iii. of this Permit and in accordance with the table below. Unless otherwise specified herein, fully loaded containers of Solid Waste shall be transferred from the Facility within two (2) business days.

Storage Table

Material	Maximum Storage, cubic yards (cy, unless otherwise noted)	Location and/or comments
unprocessed Designated Recyclable Items	3,545	In piles or containers on the tipping floor
Processed Designated Recyclable Items	3,821	In bales in the interior storage designated areas
Processed Designated Recyclable Items	504	In bales in rail cars
Processed Designated Recyclable Items	700	In bales in trucks
crushed glass	40-80	In two bunkers
Residue (from glass screening)	80-120	In compactor boxes or roll off containers or one bunker
<b>T O T A L</b>	<b>8,730</b>	

- a. **Storage and Processing of Designated Recyclable Items:** Processing shall be conducted only in the designated process operations area within the Facility building, and Processed on a first in/first out basis. The area shall be equipped with adequate ventilation, fire protection systems and an impervious floor. Any large Residue items shall be removed to a hopper and emptied into the onsite MSW compactor.
  - i. Storage of unprocessed Designated Recyclable Items shall not exceed 3,545 cy and shall take place either in piles or containers on the tipping floor.
  - ii. Storage of Processed Designated Recyclable Items shall not exceed 5,025 cy and shall take place in bales either in the interior or exterior bale storage areas.
  - iii. Storage of crushed glass shall not exceed 80 cy and shall take place in two (2) bunkers.
  - iv. Storage of residue from screening glass shall not exceed 120 cy and shall take place in either compactor boxes, roll off containers or a storage bunker.
  - v. Storage of crushed glass and Residue (from glass screening) shall not exceed 160 cy at any one time.

**The following conditions are provided for unauthorized Solid Wastes inadvertently received at the Facility to ensure proper management of such wastes.**

- b. **Storage and Management of MSW residue.** MSW residue means any unauthorized putrescible MSW that is inadvertently delivered to the Facility as part of a load. As soon as it is discovered, MSW residue shall immediately be segregated from other Solid Waste and placed in a dedicated container with a maximum capacity of ten (10) cubic yards. The dedicated container shall be located in an area of the Facility that will not interfere with other permitted activities, shall be kept covered at all times except when it is being filled, and shall be removed from the Facility within forty-eight (48) hours of receipt. Such MSW residue shall be consolidated, stored, and transferred from the Facility to a facility authorized to receive and manage such waste. Details pertaining to each truck which contains MSW residue in excess of two percent (2%) by volume shall be recorded in the daily log, and reported to the Department in the quarterly reports required by this Permit.
- c. **Storage of inadvertently received propane tanks with valves** shall not exceed ten (10) units. The tanks shall be: stored upright on a surface sufficiently impervious to prevent or minimize infiltration; segregated from public access; provided with a non-combustible peripheral fence and a secured gate; and have open ventilation and proper signage in accordance with National Fire Protection Association (“NFPA”) 58-1995 “Standard for the Storage and Handling of Liquefied Petroleum Gases”. The Permittee shall hire a licensed contractor to extract the existing propane liquid, dismantle the valves and/or transport intact propane tanks off-site. Any leaking propane tank shall immediately be removed for safe and proper handling. Empty propane tanks without valves shall be consolidated with the scrap metal.

6. The Permittee shall:

- a. Store Solid Waste on-site in conformance with proper fire control measures. Routine maintenance and inspections of all fire control equipment shall be conducted in accordance with manufacturer’s specifications;
- b. Ensure that all Solid Waste accepted at the Facility is properly managed on-site, Processed, stored and transported to markets or other Solid Waste Processing or disposal facilities authorized to accept such Solid Waste;
- c. Ensure that any unauthorized Solid Waste inadvertently received, or Solid Waste which is unsuitable for Processing at the Facility is: (i) immediately sorted, separated, isolated and temporarily stored in a safe manner prior to off-site transport; (ii) recorded and reported in the quarterly report required by Condition No. C.10. of this Permit; and (iii) disposed at a facility authorized to accept such Solid Waste. No more than eighty (80) cy of unacceptable Solid Waste shall be stored on-site unless authorized in writing by the Commissioner. A spare container may be made available for any storage emergency at the Facility;
- d. Ensure that contingent storage of incidental mixed batteries, Mercury-Containing Lamps, Used Electronics, Mercury-Containing Equipment classified as Universal Wastes that is inadvertently delivered to the Facility as part of a load is conducted in accordance with the requirements of the Universal Waste Management Regulations (Sections 22a-449(c)-113 and 22a-209-17 of the

RCSA). The storage container(s) shall be located in an area of the Facility that will not interfere with other permitted activities;

- e. Provide expeditious notification regarding any emergency incident (explosion, accident, fire, release, or other significant disruptive occurrence) which: (i) significantly damaged equipment or structures; (ii) interrupts the operation of the Facility for greater than twenty-four (24) hours; (iii) results in an unscheduled Facility shutdown or forced diversion of Solid Waste to other Solid Waste facilities; (iv) could reasonably create a source of pollution to the waters of the state; or (v) otherwise threatens public health.

Such notification shall be: (i) immediately provided to the Commissioner using the 24-hour emergency response number (860) 424-3338 or the alternate number (860) 424-3333 and, in no event later than twenty-four (24) hours after the emergency incident, provided to the Solid Waste Program in the Waste Engineering and Enforcement Division of the Bureau of Materials Management and Compliance Assurance by phone at (860) 424-3366, or at [DEEP.WEEDNotification@ct.gov](mailto:DEEP.WEEDNotification@ct.gov); (ii) followed by a written report no later than the fifth business day after the emergency incident detailing the cause and effect of the incident, remedial steps taken and emergency backup used or proposed to be implemented; and (iii) recorded in a log of emergency incidents. In addition to the notification requirements above, the Permittee shall comply with all other applicable reporting or notification requirements regarding the emergency incident including but not limited to, reporting required by Section 22a-450 of the CGS;

- f. Prevent the spillage of Solid Waste from transfer containers during on-site management, storage and off-site transfer. Each loaded container shall be covered before transfer off-site and the haulers shall be instructed to keep the containers covered during off-site transportation;
- g. Operate the Facility in a safe manner so as to control fire, odor, noise, spills, vectors, litter and dust emission levels in continuous compliance with all applicable requirements, including OSHA. The Facility's premises shall be maintained and any litter shall be removed on a daily basis;
- h. Ensure that the manufacturers' operation and maintenance manuals for each major piece of fixed or mobile Processing equipment, (which may include, but not be limited to, balers; conveyors; compactors; and storage tanks) installed or used at the Facility are available for review by the Commissioner;
- i. Determine through observation that incoming loads of source separated Recyclable Items do not contain greater than two percent (2%) by volume ("threshold contaminant percentages") of non-recyclable wastes. For any loads identified that exceed the threshold criteria for load contamination specified in this condition the Permittee shall document each load in the daily log and report those to the Department in the quarterly reports required by this Permit. The Permittee shall also provide notice to the hauler in accordance with Condition No. C.6.k.v. of this Permit;
- j. Manage Solid Wastes in such a manner that all Recyclable Items are segregated so that no other Solid Waste may cause contamination or degradation of the recyclable product, or result in any negative impact on the recyclability of such material;
- k. Conduct periodic unannounced inspections of truck loads delivered to the Facility, pursuant to Section 22a-220c(b) of the CGS. The inspections shall be performed for a minimum of five

percent (5%) of the monthly truck loads received that are representative of the waste types authorized for receipt at the Facility. Records of such inspections shall be maintained at the Facility for the life of the Permit or such other timeframe specified in writing by the Commissioner. The inspections and supporting documentation shall consist of at a minimum:

- i. Photographs of each load other than loads of source separated Recyclable Items, inspected that exceeds the threshold contaminant percentages as specified in Condition No. C.6.i. of this Permit and each load of source separated Recyclable Items that exceeds five percent (5%) by volume of non-recyclable wastes;
- ii. Origin of each load (municipality; regional facility and whether commercial or residential);
- iii. Waste transporter company name;
- iv. Estimated percentage of contaminant(s) present in each load and identification of each type; and
- v. Immediate written notifications to the hauler, municipality in which the Solid Waste was generated and/or regional facility for each load that exceeds the threshold contaminant percentages specified in Condition No. C.6.i. of this Permit.

7. The Permittee shall have an operator, certified pursuant to Section 22a-209-6 of the RCSA, present at all times during Facility operation. All individuals under the supervision of such Certified Operator shall have sufficient training to identify Solid Waste received at the Facility which is not permitted to be received, or is unsuitable for Processing, and shall take proper action in managing such Solid Waste.

8. The Permittee shall prominently post and maintain a sign at the Facility entrance pursuant to Section 22a-209-10(3) of the RCSA that includes the Facility's name and the Department Permit number (Permit to Construct and Operate No. 0640xxxx-PCO) issuance date and expiration date. Such sign shall also include a phone number that provides the general public the ability to register questions or complaints twenty-four (24) hours per day. The Permittee shall maintain a log of all calls received and how such calls were addressed or resolved. In the event that the Permittee is not a covered electronics recycler or partnered with one, the Permittee shall also post a sign in accordance with Section 22a-636 of the CGS.

9. The Permittee shall: (a) control all traffic related to the operation of the Facility in such a way as to mitigate queuing of vehicles off-site and any excessive or unsafe traffic impact in the area where the Facility is located; (b) unless otherwise exempted, ensure that vehicles are not left idling for more than three (3) consecutive minutes pursuant to Section 22a-174-18(b)(3) of the RCSA; (c) prominently post and maintain signs limiting such vehicle idling time within the Facility.

10. The Permittee shall maintain daily records as required by Section 22a-209-10(13) of the RCSA. The Permittee shall also comply with all applicable recordkeeping requirements of Sections 22a-208e and 22a-220 of the CGS. All daily logs (including documentation related to the unannounced inspections of truck loads) shall be maintained for the life of this Permit or such other timeframe specified in writing by the Commissioner. Based on such records, the Permittee shall prepare quarterly summaries including, but not limited to, the following information as it pertains to Solid Waste:

- a. Type and quantity of Solid Waste received, including all Recyclable Items, unauthorized Solid Waste and/or Universal Waste;
- b. Origin of waste load (municipality name; regional facility name) and waste hauler name; and
- c. Destination to which Solid Wastes, including all Recyclable Items, unauthorized Solid Waste

and/or Universal Waste from the Facility were delivered for disposal or recycling, including quantities delivered to each destination.

The summaries required pursuant to this condition shall be submitted quarterly no later than January 31, April 30, July 31, October 31, of each year on up-to-date forms prescribed by the Commissioner directly to the Solid Waste Program in accordance with Condition No. C.15. of this Permit.

11. Nothing herein authorizes any person, municipality or authority to hinder municipal or regional Solid Waste recycling efforts. All activities conducted by the Permittee at the Facility shall be in accordance with this Permit and consistent with the state-wide Solid Waste Management Plan, a.k.a. Connecticut's 2016 *Comprehensive Materials Management Strategy* pursuant to Sections 22a-228 and 229 of the CGS.
12. The Permittee shall, no later than sixty (60) Days after the issuance date of this Permit establish for the Commissioner's benefit an acceptable financial assurance instrument and post the financial assurance with the Department in the amount of **\$133,607**, as required by Section 22a-6(a)(7) of the CGS.
13. The Permittee acknowledges and shall ensure that it complies with the following:
  - a. The purpose of the financial assurance is to cover the third party costs for handling, removing, transporting and disposing the maximum permitted amount of unprocessed and Processed solid waste at the Facility, and any additional cost(s) to ensure the proper closure of storage areas including, but not limited to, equipment rental, site clean-up, the decontamination and disposal of all equipment and Processing and storage areas, and a fifteen percent (15%) contingency to cover unforeseen events or activities that may increase the overall cost to close the Facility.
  - b. The financial assurance instrument used by the Permittee to comply with Condition No. C.13. of this Permit shall comply with the requirements of Section 22a-209-4(i) of the RCSA, and 40 CFR 264.141 to 264.143 inclusive and 40 CFR 264.151, as referenced therein. The Permittee shall ensure that the financial assurance instrument is established in a format specified by the Commissioner for closure or post-closure maintenance and care, as appropriate.
  - c. The Department accepts five (5) types of financial assurance instruments, they are: (a) Trust Fund; (b) Irrevocable Standby Letter of Credit; (c) Financial Guarantee "Payment" Bond; (d) Performance Bond; and (e) Certificate of Insurance. The following documents are also required to be submitted:
    - i. A cover letter signed by the Permittee shall be submitted along with the Irrevocable Standby Letter of Credit, in accordance with 40 CFR 264.143(d)(4);
    - ii. A "Standby Trust Agreement" shall be submitted along with either a Irrevocable Standby Letter of Credit; Financial Guarantee "Payment" Bond; or Performance Bond; and
    - iii. A "Certification of Acknowledgement" shall be submitted along with the Trust Fund instrument.
  - d. The financial assurance shall:
    - i. Be valid for and appropriately maintained during the term of this Permit;

- ii. Specify the Permittee's name, the Facility's address, the number and issuance date of this Permit; and
- iii. Be established in one or more of, the instrument formats found on the Department's website ([www.ct.gov/DEEP/financialassurance](http://www.ct.gov/DEEP/financialassurance)).

- e. The financial assurance instrument shall be adjusted annually for inflation within the sixty (60) Days prior to the anniversary date of the establishment of the financial assurance instrument, and whenever there is a change in operations that affects the cost of closing the Facility in accordance with 40 CFR 264.142(b) as incorporated in Section 22a-449(c)-104 of the RCSA.

14. The Permittee shall, no later than ninety (90) Days from the issuance date of this Permit perform quarterly compliance audits for the life of this Permit.

- a. The compliance audits required by this condition shall consist of a thorough and complete assessment of the Permittee's compliance with Sections 22a-209-1 through 22a-209-17 of the RCSA and with the terms and conditions of this Permit.
- b. Compliance Auditor  
The compliance audits required by this condition shall be performed by an engineer licensed to practice in Connecticut ("P.E.") or consultant. Such P.E. or consultant shall be approved in writing by the Commissioner and will be required to prepare and submit to the Commissioner quarterly compliance audit reports.

The Permittee shall, prior to the Commissioner's approval of the P.E. or consultant: (a) submit for the Commissioner's evaluation a detailed description of the P.E. or consultant's credentials (education; experience; training) which are relevant to the work required under this condition; and (b) certify to the Commissioner that such P.E. or consultant:

- i. Is not a subsidiary of or affiliated corporation to the Permittee or Permitted Facility;
- ii. Does not own stock in the Permittee or any parent, subsidiary, or affiliated corporation;
- iii. Has no other direct financial stake in the outcome of the compliance audit(s) outlined in this Permit; and
- iv. Has expertise and competence in environmental auditing and the regulatory programs being addressed through this Permit, including evaluation of compliance with requirements specified in Sections 22a-209-1 through 22a-209-17 of the RCSA and with the terms and conditions of this Permit.

Within ten (10) Days after retaining any P.E. or consultant other than the one approved by the Commissioner ("compliance auditor") pursuant to this condition, the Permittee shall submit to the Commissioner for his review and written approval, the information and documentation specified in this condition regarding such other P.E. or consultant. Nothing in this condition shall preclude the Commissioner from finding a previously acceptable P.E. or consultant unacceptable.

c. Scope of Compliance Audits

Compliance audits shall:

- i. Detail the Permittee's compliance with the requirements of this Permit and all applicable provisions of Sections 22a-209-1 through 22a-209-17 of the RCSA.
- ii. Describe the Compliance Auditor's participation in and the results of inspections conducted at the Facility on the loads of Solid Waste received at the Facility during the compliance audit. The purpose of such inspections is to determine whether such loads are being received that contain greater than two percent (2%) by volume of non-recyclable wastes; and to detect patterns associated with such loads. Unless otherwise approved by the Commissioner, the compliance auditor shall inspect Solid Wastes unloaded from a minimum of ten (10) trucks received during the day of the compliance audit. The Compliance Auditor shall document the actual number of truck loads inspected and the findings of such inspections.

d. Compliance Audit Report

The results of each compliance audit shall be summarized in a Compliance Audit report. At a minimum such report shall include:

- i. The names of those individuals who conducted the compliance audit;
- ii. The areas of the Facility inspected;
- iii. The records reviewed to determine compliance;
- iv. An evaluation and detailed description of the Permittee's compliance with this Permit and applicable regulations;
- v. The identification of all violations of this Permit and applicable regulations;
- vi. A description of the actions taken by the Permittee to correct patterns of loads received that exceed the threshold contaminant percentages specified in Condition No. C.6.i. of this Permit for loads that are representative of the waste types authorized for receipt at the Facility;
- vii. The findings of the compliance auditor regarding the audits conducted in accordance with Condition No. C.14. of this Permit during the day of the compliance audit;
- viii. A detailed description of all actions taken by the Permittee to correct the violation(s) identified in each compliance audit; and
- ix. The Permittee's certification of compliance with the regulations and documentation demonstrating such compliance pursuant to this Permit. In cases where multiple counts of the same violation are discovered, the report shall include a listing of each count.

e. Permittee's Responses to Compliance Audit

The Permittee shall comply with the following:

- i. The auditing frequency shall quarterly for the remaining life of the Permit;
- ii. All violations shall immediately be brought to the attention of the Permittee by the compliance auditor. The Permittee shall notify the Department within five (5) Days of the compliance audit of all violations noted during the compliance audit;
- iii. The Permittee shall correct all violations immediately. Should the Permittee be unable to immediately correct the violation, within seven (7) Days of the date the Permittee became aware of the violation(s), the Permittee shall submit for the review and written approval of the Commissioner, a detailed plan to correct all violations noted. Such plan shall also include a schedule for implementation of the corrective actions required or recommended; and

- iv. The Permittee shall ensure that no later than fifteen (15) Days after a compliance audit, a compliance audit report that meets the requirements of Condition No. C.14. of this Permit, is submitted to the Commissioner. A copy of the compliance audit report shall be maintained at the Facility for the life of the Permit or for such other timeframe specified by the Commissioner.
- f. In addition to any other sanction authorized by law, the Permittee shall cease accepting Solid Waste at the Facility in the event that the Permittee fails to submit in a timely manner the plan and schedule required by Condition No. C.14.e. of this Permit or fails to correct the violations noted by the compliance audit(s) in accordance with the approved plan and schedule. The Commissioner may seek similar sanction for any violation of this Permit.
- g. **Documentation Submittal Deadlines**  
The documents required to be submitted pursuant to this condition shall be submitted quarterly no later than January 31, April 30, July 31, and October 31, directly to the Solid Waste Enforcement Program, in accordance with Condition No. C.15. of this Permit.

15. Unless otherwise specified in writing by the Commissioner, any reports required to be submitted under this Permit shall be directed to:

Solid Waste Program  
Waste Engineering and Enforcement Division  
Bureau of Materials Management and Compliance Assurance  
Department of Energy and Environmental Protection  
79 Elm Street, Hartford, CT 06106-5127  
Or via email to [DEEP.Solid&HazWasteReports@ct.gov](mailto:DEEP.Solid&HazWasteReports@ct.gov)

16. Any document, including, but not limited to any notice, which is required to be submitted to the Commissioner under this Permit shall be signed by a duly authorized representative of the Permittee, as defined in Section 22a-430-3(b)(2) of the RCSA, and by the individual or individuals responsible for actually preparing such documents, each of whom 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 certify that based on reasonable investigation, including my inquiry of those individuals responsible for obtaining the information, the submitted information is true, accurate and complete to the best of my knowledge and belief, and I understand that any false statement in the submitted information may be punishable as a criminal offense.”

Any false statement in any document submitted pursuant to this Permit may be punishable as a criminal offense in accordance with Section 22a-6 of the CGS, pursuant to Section 53a-157b of the CGS, and in accordance with any other applicable statute.

17. The date of submission to the Commissioner of any document required by this Permit shall be the date such document is received by the Commissioner. The date of any notice by the Commissioner under this Permit, including but not limited to, notice of approval or disapproval of any document or other action shall be the date such notice is personally delivered or the date three (3) Days after it is mailed by the Commissioner, whichever is earlier. Any document which is due or required on a weekend or a legal state or federal holiday shall be submitted by the next business day thereafter.
18. This Permit is subject to and in no way derogates from any present or future property rights or other rights or powers of the State of Connecticut and conveys no property rights in real estate or material nor any exclusive privileges, and is further subject to, any and all public and private rights and to any federal, state or local laws or regulations pertinent to the Facility or activity affected thereby.
19. Nothing in this Permit shall affect the Commissioner's authority to institute any proceeding or to take any actions to prevent violations of law, prevent or abate pollution, recover costs and natural resource damages, and to impose penalties for violations of law.
20. Nothing in this Permit shall relieve the Permittee of other obligations under applicable federal, state and local laws.
21. Permit to Construct and Operate No. 06401153-PCO, issued on December 1, 2014, and the letter approval dated September 3, 2020 are no longer in effect and are replaced by this Permit.
22. This Permit shall expire five (5) years from the date of issuance and may be revoked, suspended, modified, renewed, or transferred in accordance with applicable laws.

Issued on this \_\_\_\_\_ day of **insert month, year**.

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Jennifer L. Perry, P.E.  
Bureau Chief  
Bureau of Materials Management and  
Compliance Assurance

Application No. 202408089  
Permit to Construct and Operate No. 0640xxxx-PCO  
Permittee – e-Certified