



PERMIT TO CONSTRUCT AND OPERATE

PERMITTEE: Earth Care Farm, LLC
FACILITY ADDRESS: 220 Newport Road, Sterling, CT 06377
PERMIT No. 1360xxxx-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 Earth Care Farm, LLC (“Permittee”) to construct and operate a solid waste volume reduction plant (“Facility”) located at 220 Newport Road, Sterling, Connecticut.

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. 202503677, to establish the Permit to Construct and Operate, including:
 - i. Application form received on April 22, 2025, revised June 24, 2025 and July 8, 2025;
 - ii. Operation and Management Plan (O&MP) dated April 2025;
 - iii. A package containing the following prepared by DiPrete Engineering and certified by Eric M. Prive, P.E. dated November 15, 2024 and revised April 16, 2025:
 - a. A Site Plan [two (2) drawings], revised June 18, 2025 to include maximum storage quantities (“Site Plan”);
 - b. Cover Sheet incorporating Location Map;
 - c. Areal Half-Mile Radius Map;
 - d. Soil Erosion and Sediment Control Plan;
 - e. Pond Details; and
 - f. three (3) drawings prepared by Martinez Crouch & Associates, LLC and certified by Jason P. Berasi, LLS dated October 2, 2024: Partial Boundary/Topographic Survey: Existing Conditions Plan.
- 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. 202503677 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.

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

“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.

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

“Source Separated Organic Material” or “SSOM” means organic material, including, but not limited to, food scraps, food processing residue and soiled or unrecyclable paper that has been separated at the point or source of generation from nonorganic material.

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. After consultation with the Department and the Department has determined 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 minor physical or minor operational changes at the Facility. Such changes may include replacement of existing equipment, reallocation of storage volumes for authorized waste or relocation of storage areas at the Facility. Written approval, pursuant to this condition, will be issued if in the Commissioner's judgment, the proposed minor physical or minor operational changes: (a) are deemed necessary to allow the Facility to continue authorized operations; (b) do not increase the size of the facility building; (c) do not introduce new waste streams or increase Facility receipt, processing or storage capacities; and (d) do not result in additional equipment and processes not currently authorized at the Facility.

B. AUTHORIZATION TO CONSTRUCT AND MAINTAIN

1. The Facility will be a windrow composting facility. The Permittee is authorized to construct the Facility in accordance with all applicable law, including this Permit. The Facility shall consist of:
 - a. a scale and scale house;
 - b. a staging area for the receipt and accumulation of carbonaceous material consisting of yard waste including leaves and wood chips, and a smaller quantity of one or more of the following materials: sawdust, animal bedding, spent coffee grounds and tea leaves, coffee bean chaff, and mushrooms in their growing medium;
 - c. a mixing area for the mixing of carbonaceous material with "as-received" nitrogenous material consisting of food scraps and one or more of the following: shellfish/fish gurry, seaweed and manures, prior to incorporating the mixture into windrows;
 - d. a composting area featuring six (6) sets of two (2) conjoined windrows; the conjoined windrows measure 220 – 270 feet long by 80 feet wide and twelve (12) to fifteen (15) feet high, oriented parallel to the general water flow in each area;
 - e. a screening area; and
 - f. an area for maturing compost.
2. The Permittee is authorized to construct the Facility for the purposes of Processing no more than a total of 310 tons per day (TPD) [not to exceed 81,000 tons per year (TPY)] of waste types specified in Section C. of this Permit.
3. The Permittee shall maintain the Facility as described in Condition No. B.1. of this Permit.
4. 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.
5. The Permittee shall, within thirty (30) Days from the completion of the construction, as described in Condition No. B.1. of this Permit or any maintenance undertaken pursuant to Condition No. B.3. 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 is authorized to operate the Facility as specified in Condition Nos. B.1 and B.2. of this Permit. The Permittee is authorized to operate any or all of the components specified in Conditions No. B.3. and Section C. of this Permit upon written approval granted by the Commissioner. Such written approval shall be issued after the Permittee is deemed in full compliance with, but not limited to, the requirements of Condition No. B.5. of this Permit.
2. 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.
3. 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 – Friday 8:00 a.m. – 4:00 p.m.; Saturday 8 a.m. – 12:00 noon early Spring or late Summer as needed.
4. The Permittee is authorized to receive for Processing at the Facility no more than a total of 81,000 TPY at a rate of no more than 310 TPD of the following types of solid waste including SSOM limited to: (a) yard waste including leaves and wood chips; (b) sawdust; (c) animal bedding; (d) spent coffee grounds and tea leaves; (e) coffee bean chaff; (f) mushrooms in their growing medium; (g) food scraps; (h) shellfish/fish gurry; (i) seaweed; and (j) manures.
5. The Permittee shall store and manage solid waste at the Facility only in the designated areas as identified in the drawings referenced in Condition No. A.1.a.iii. of this Permit and in accordance with the tables 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
processed wood chips ¹	20,000	staging area upon receipt; relocated into windrows
yard waste	20,000	staging area upon receipt; relocated into windrows
food scraps, animal manures and/or seaweed	1,000	outdoor stockpiles for immediate incorporation into wood chips and other yard waste; relocated into windrows

¹Processed Clean Wood woodchips are not counted towards facility storage.

Within the windrow storage area, storage is as follows:

Material	Maximum Storage Cubic yards (cy, unless otherwise noted)	Location and/or comments
processed wood chips and yard waste	18,533	staging area
SSOM/Woodchips actively being composted	3,989	compost pile 1A
SSOM/Woodchips actively being composted	3,989	compost pile 2A
SSOM/Woodchips actively being composted	3,989	compost pile 3B
SSOM/Woodchips actively being composted	3,989	compost pile 4B
SSOM/Woodchips actively being composted	3,989	compost pile 5C
SSOM/Woodchips actively being composted	3,989	compost pile 6C
SSOM/Woodchips actively being composted	3,989	compost pile 7D
SSOM/Woodchips actively being composted	3,989	compost pile 8D
SSOM/Woodchips actively being composted	3,989	compost pile 9E
SSOM/Woodchips actively being composted	3,989	compost pile 10E
SSOM/Woodchips actively being composted	3,989	compost pile 11F
SSOM/Woodchips actively being composted	3,989	compost pile 12F
Finished Compost ²	7,676	mature compost area 1
Finished Compost ²	7,676	mature compost area 2

² Finished Compost Stockpiles are products are not counted towards facility storage.

- a. Prior to being unloaded at the Facility, the Permittee shall inspect loads of SSOM to determine the appropriate unloading methodology and ensure that only authorized SSOM is received;
- b. Upon receipt, SSOM is immediately directed to and unloaded at the appropriate designated storage area or Processing area;

- c. SSOM shall be checked for physical contaminants, which shall be removed and weighed, prior to SSOM being incorporated into windrows. The Permittee shall ensure that, for any quarter, the amount of Residue generated from SSOM does not average more than 5% by weight of the materials received, and that Residue is disposed in an appropriate manner. All Residue shall be managed in accordance with Condition No. C.6.d. of this Permit;
 - d. All SSOM is managed so as to mitigate the potential for fire, noxious odor, accumulation of litter, ponding of liquids and the harboring, feeding or breeding of vectors or wildlife;
 - e. All SSOM delivered to the Facility is managed in accordance with the O&M Plan referenced in Condition No. A.1.a.ii. of this Permit. Food scraps, animal manures, seafood/fish gurry and/or seaweed is/are incorporated with yard waste and processed wood chips into windrows to such an extent that they become unrecognizable as a separate material as soon as possible but no later than the close of business each day that such material is accepted at the Facility; and
 - f. Food scraps, animal manures, seafood/fish gurry and/or seaweed shall be introduced into the yard waste and processed wood chips to achieve the desired approximate carbon-to nitrogen ratio of no less than 20:1 and no more than 30:1.
 - g. Piles of Processed Clean Wood chips shall: not exceed 2,500 cy; have a maximum height of fifteen (15) feet; be stored on base pads constructed of compacted and well drained material that can support heavy equipment during all seasons; minimize dust and prevent ponding of water; be shaped to allow adequate stormwater run-off; be oriented (for elongated piles) perpendicular to the contours of the ground surface; be located in a clearly marked area equipped with stormwater run-on/run-off controls which comply with all existing permits and/or any applicable stormwater management requirements of Section 22a-430b of the CGS. The permittee shall store no more than 20,000 cubic yards of processed Clean Wood chips at any one time.
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 SSOM accepted at the Facility is properly managed on-site, Processed, stored and that finished compost is beneficially used and/or transported to markets or other solid waste Processing or disposal facilities authorized to accept such solid waste;
 - c. Inspect the Facility at a minimum of twice weekly to ensure operations are conducted in compliance with this Permit. Such inspections shall be recorded in the log required by Condition No. C.12. of this Permit and include, but may not be limited to, the designated storage areas, and containers of SSOM;
 - d. 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.12. of this Permit; and (iii) disposed at a facility authorized to accept

such solid waste. No more than ten (10) 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;

- 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 ; (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. Process, store or otherwise handle at the Facility all solid waste received in such a manner as to avoid any spillage, nuisance and protect the public health and the environment;
- i. 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, bucket loaders; star screens; and water truck) installed or used at the Facility are available for review by the Commissioner;
- j. Determine through observation that incoming loads of SSOM do not contain greater than two percent (2%) by volume ("threshold contaminant percentages") of non-compostable 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.l.v. of this Permit.

- k. 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;
 - l. Conduct periodic unannounced inspections of truck loads delivered to the Facility, pursuant to Section 22a-220c(b) of the CGS. 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 that exceeds the threshold contaminant percentages as specified in Condition No. C.6.j. of this Permit;
 - 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, generator (if from a single generator), municipality in which the solid waste was generated and/or regional facility, as appropriate, for each load that exceeds the threshold contaminant percentages specified in Condition No. C.6.j of this Permit;
 - m. Determine through observation the percent Residue or contamination rate in finished compost. Such Residue shall be transferred from the Facility to recycling markets or facilities authorized to receive and Process such solid waste. The Permittee shall determine and report to the Commissioner, for each quarter of operations, the percent contaminant rate in finished compost. Such reporting shall be a part of the quarterly reports required to be submitted by Condition No. C.12. of this Permit. The Permittee shall calculate the average contaminant rate ("baseline contaminant rate") which shall be based on the first four consecutive quarters of operations at the Facility. Within ninety (90) Days after the fourth complete quarter of operations, the Permittee shall implement steps to reduce the baseline contaminant rate of Residue in incoming loads of SSOM. If the baseline contaminant rate is greater than 2%, on or before the eighth complete quarter of operations, the Permittee shall have achieved a decrease by thirty percent (30%) of the baseline contaminant rate.
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 22a-209-10(3) of the RCSA that includes the Facility's name and the Department Permit number (Permit to Construct and Operate No. 1360xxxx-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 ensure compliance with the O&M Plan submitted as part of Application No. 202503677 and evaluate system performance while incorporating best management practices including, but not limited to:
 - a. Producing stabilized organic products;
 - b. Conducting regular monitoring to maintain proper thermal regulation to destroy pathogens and to prevent spontaneous combustion, undesirable pile moisture, potential freezing conditions and oxygen levels;
 - c. Maintaining access to an adequate water supply with adequate pressure for fire control;
 - d. Managing stormwater and leachate to prevent ponding and contamination of surface and ground water;
 - e. Employing an appropriate number of properly trained personnel (at least one or more), as needed who are trained by a recognized institution or organization for composting;
 - f. Using equipment that is appropriate for the size and type of the operation;
 - g. Maintaining and implementing the emergency response protocols within the O&M Plan that describes corrective measures to be taken in the event of delivery of unacceptable materials, fires, extreme weather or other events, including but not limited to the failure of vector controls;
 - h. Ensuring consistency with Section 22a-208i(a)-1 of the RCSA, *Composting of Leaves*, for additional best management practices;
 - i. Ensuring that at least 25 feet of aisle space is maintained between piles clean wood and windrows to allow for access of emergency equipment; and
 - j. All windrows shall be inspected daily for temperature, moisture content, presence of odors as well as for the condition of the pad. Such inspections shall be recorded in a daily log and be maintained by the Permittee for the life of the Permit and provided to the Commissioner upon request.
10. All sampling and analyses which are proposed in the O&M Plan submitted as part of Application No. 202503677 and all reporting of such sample analyses shall be conducted by a laboratory certified by the Connecticut Department of Public Health, or other similar out-of-state certified laboratory, to conduct such sampling and analyses. All sampling and sample analyses performed under this Permit shall be performed in accordance with the "Test Methods for the Examination of Composting and Compost". Unless otherwise specified by the Commissioner in writing, the value of each parameter shall be reported to the maximum level of precision and accuracy specified in applicable protocol, and if no such level is specified, to the maximum level of precision and accuracy possible. If standardized testing methods are developed, the Permittee shall test finished compost for per- and polyfluoroalkyl substances (PFAS) using such standardized methods.
11. 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.

12. 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 and/or Processed at the Facility, including all SSOM, Residue, and unauthorized solid waste;
 - b. Origin of waste load and waste hauler name; and
 - c. Destination to which solid wastes, including all Recyclable Items and unauthorized solid 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.17. of this Permit.

13. 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.
14. 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 **\$917,250** as required by Section 22a-6(a)(7) of the CGS.
15. 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.15. 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).
 - 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.
16. The Permittee shall, no later than sixty (60) 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 ten percent (10%) by volume Designated Recyclable Items 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.j. 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.16. 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 be 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.17. 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.16.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, October 31, directly to the Solid Waste Enforcement Program, in accordance with Condition No. C.17. of this Permit.
17. 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
18. 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.

19. 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.
20. 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.
21. 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.
22. Nothing in this Permit shall relieve the Permittee of other obligations under applicable federal, state and local laws.
23. 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 _____

By _____
Emma Cimino
Deputy Commissioner

Application No. 202503677
Permit to Construct and Operate No. 1360xxxx-PO
Permittee – e-Certified
City/Town Clerk – e-Certified