



MINOR AMENDMENT TO PERMIT TO CONSTRUCT AND OPERATE

PERMITTEE: Willimantic Waste Paper Co., Inc.
FACILITY ADDRESS: 185 Recycling Way, Willimantic, CT 06226
PERMIT No. Permit No. 16301194-MPCO

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 Willimantic Waste Paper Co., Inc. (“Permittee”) to operate the solid waste Intermediate Processing Center (“Facility”) located at 185 Recycling Way, Willimantic, Connecticut. Subsequently, the Permit to Construct and Operate No. 16301194-PCO issued on March 18, 2016 is no longer in effect and is replaced by this Permit.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 Applications numbered 200900019 (Renewal), 201303023 (Modification), and 201615749 (Minor Amendment), including:
 - i. Application No. 200900019 received on December 31, 2008 and amended by submissions dated November 19, 2013 and January 24, 2014;
 - ii. Application No. 201303023 received on June 5, 2013 and amended by submissions dated November 19, 2013, January 24, 2014 and March 28, 2014;
 - iii. Application No. 201615749 received on December 23, 2016;
 - iv. Operation and Management Plan (O&MP) dated March 28, 2014 and revised December 16, 2016; and
 - v. A Site Plan, entitled “Solid Waste Permit Plan”, prepared by AES, dated June 4, 2013 and revised December 20, 2016.
- 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. 200900019 and any document submitted in support of said application for the life of this Permit;
 - ii. All documents or copies of such documents submitted as Application No. 201303023 and any document submitted in support of that application for the life of this Permit;
 - iii. All documents or copies of such documents submitted as Application No. 201615749 and any document submitted in support of that application for the life of this Permit; and
 - iv. A copy of this Permit and the Facility’s Facility Plan which consists of the O&MP dated December 16, 2016 and the engineered drawings which describe the Facility and its operations.
- 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.

“Commingled” means a combination of source separated recyclable metal, glass, plastic, or a combination of source separated recyclable paper grades.

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

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

“Day” means calendar day.

“Department” or “DEEP” 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.

“Identifiable Container” means a container of paint or stain that contains only paint or stain that is legibly identified on its manufacturer’s label.

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

“P.E.” means Professional Engineer licensed in the state of Connecticut.

“Processing” 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.

“Residue” means all solid waste that remains after the Recovered Materials have been extracted from the solid waste authorized for Processing at the 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 Section 22a-208a(d) or Section 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/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/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 of the CGS.

B. FACILITY DESCRIPTION, AUTHORIZATION TO CONSTRUCT AND AUTHORIZATION TO MAINTAIN

1. Permit to Construct and Operate No. 16301194-PCO issued on March 18, 2016 authorized the maintenance of the existing Facility for the receipt, sorting, Processing, storage, consolidation and transfer of recyclable paper, cardboard, Commingled metal, glass and plastic bottles, scrap metal, car batteries, and wooden pallets from residential, commercial and industrial sources.
2. The Facility consists of: a paved access road; two buildings, one 19,200 sq. ft. and the other 45,000 sq. ft., housing Processing equipment including single stream recyclables and a high grade or specialty sort line as well as a glass Processing line, a metal baling line and a picking station; a truck scale; various sized roll-off containers; various outdoor areas for staging of empty/loaded containers; various retaining wall systems; and an area for the Processing and storage of mattresses.
3. Permit to Construct and Operate No. 16301194-PCO issued on March 18, 2016 authorized the construction of a second truck scale, an area for the storage of used paint and stain and an area for the storage and Processing of mattresses.
4.
 - a. The Permittee continues to be authorized to construct the Facility in accordance with all applicable law, including this Permit. The Permittee continues to be authorized to construct an area for the storage of paint and stain.
 - b. The Permittee is authorized to install the following: an Industrial Resources Model BDD 1007-12, 1/4 ton per hour (tph) Box Spring dismantler; an SSI Shredding Systems Model M85, 10 tph shredder; and two (2) Marathon RJ450 or RJ550, 3 tph stationary compactors.
5. The Permittee is authorized to maintain the Facility as described in Conditions numbered B.2., B.3. and B.4. of this Permit.
6. 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.
7. The Permittee shall, within thirty (30) Days from the completion of the construction, as described in Conditions numbered B.3. and B.4. of this Permit and/or any maintenance undertaken pursuant to Condition No. B.5. of this Permit, submit written notification(s) for the Commissioner's review and written approval. Such notification(s) 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 Condition No. C.5. and Table B of this Permit.

C. AUTHORIZATION TO OPERATE

1. The Permittee is authorized to operate the Facility as specified in Condition No. B.2. of this Permit. The Permittee is authorized to operate any or all of the components specified in Conditions numbered B.3. and B.4. and in accordance with Condition No. C.5. 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.7. 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 7:00 a.m. – midnight and Saturday 7:00 a.m. – 5:30 p.m. Upon full compliance with the requirements of Condition No. B.7. of this Permit, the Permittee is authorized to operate as follows: Monday – Friday 6:00 a.m. – midnight and Saturday 6:00 a.m. – 5:30 p.m. for receipt of incoming material, with round-the-clock Processing, maintenance and removal.
4. The Permittee is authorized to receive for Processing at the Facility, from commercial haulers only, no more than a total of 815 tons/Day (TPD) of solid waste, as follows: 554 TPD of paper, cardboard, Commingled containers, and mattresses; 260 TPD of scrap metal and 1 TPD of spent lead-acid batteries.
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. of this Permit and in accordance with the following table. The Permittee shall not exceed the Total storage volumes indicated below in Table A or, upon full compliance with Condition No. B.7. of this Permit, Table B of this Permit. Fully loaded containers of solid waste shall be transferred from the Facility within two (2) business days.

The Permittee is authorized to store and manage solid waste as follows:

Table A

Indoor storage (loose and processed Recyclable Items)			
Building	Item	Storage Capacity [cubic yards (cy) unless otherwise specified]	Comments
B	Commingled containers ⁽³⁾	1,590	Indoor- in piles or containers, Outdoor- in covered containers
C	Paper/cardboard ⁽³⁾	1,269	Indoor- in piles or containers, Outdoor- in covered containers
D	Baled paper/cardboard, baled cans ⁽³⁾ , mattresses	4,533	Stored in warehouses #1 and #2. Mattresses not to exceed 700 cy
	TOTAL	7,392	
Outdoor storage			
Area(s)	Item	Storage Capacity	Comments
3, 11, 15	Baled cans	7,050 ⁽¹⁾	In piles or containers ready for shipment
4	Residue	300	In containers
7, 9	Baled paper/ cardboard	2,550 ⁽¹⁾	In piles or containers ready for shipment
8	Batteries	600 units	In vented trailer
10 ⁽²⁾	Loose paper/ cardboard	900	Under canopy only
12, 13, 21	Baled paper/ cardboard, cans	5,040 ⁽¹⁾	In piles or containers ready for shipment
14 ⁽²⁾ , 16, 17, 18	Loose Commingled containers	5,940	In piles or containers
19	Crushed glass	1,500	In concrete enclosure
	TOTAL	23,280	
	TOTAL STORAGE	30,672	

⁽¹⁾Volume of processed (baled) Recyclable Items ready for off-site shipment (stored in dedicated loading areas, loading docks and/or already loaded in containers or trailers)

⁽²⁾Storage of unloaded Recyclable Items must be performed only under the canopy structures

⁽³⁾Recyclables may be received as single stream collection

Upon receiving the authorization specified in Condition No. B.7.c. of this Permit, Permittee will be authorized to store and manage solid waste as follows.

Table B

Indoor storage			
Area(s)	Item	Storage Capacity [cubic yards (cy) unless otherwise specified]	Comments
A	Recyclable Items, Processed/unprocessed	4,000	Paper, cardboard and Commingled containers in piles; includes Recyclable Items derived from processing mattresses
B	Scrap metal	250	Piles; includes scrap metal derived from processing mattresses
C	Baled Recyclable Items	1,500	Paper and cardboard in piles for storage
D	Single Stream Recyclable Items/Paper, cardboard	2,000	Bunkers
E	Recyclable Items, Processed/unprocessed	2,600	Piles for Processing and storage; includes Recyclable Items derived from processing mattresses
F	Baled Recyclable Items	2,400	Piles under canopy; includes Recyclable Items derived from processing mattresses
G	Recyclable Items, Processed	1,020	120' x 60' piles in Warehouse 1; includes Recyclable Items derived from processing mattresses
H	Recyclable Items, Processed	1,020	100' x 60' piles in Warehouse 2; includes Recyclable Items derived from processing mattresses
I	Mattresses	700	Piles or containers
J	Paint and Stain	1,500 gallons	Containers
	TOTAL	15,490	
Outdoor storage			
Area(s)	Item	Storage Capacity	Comments
6	Baled Recyclable Items	2,350	Paper and cardboard stacked in piles
9		1,600	Commingled containers in trailers for shipment
7	Residue	80	In containers
8	Batteries	600 units	In vented trailer
11	Crushed glass aggregate	1,150	Piles or containers (including under canopy)
12		2,300	Piles in bunkers (including under canopy)
13 – 16	Baled Recyclable Items	2,400	Piles or containers (overflow storage) in trailer; includes Recyclable Items derived from processing mattresses
	TOTAL	9,880	
	TOTAL STORAGE	25,370	

- a. **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 waste and placed in a dedicated container. Total capacity shall not exceed ten (10) cy. 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 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 Condition No. C.10. of this Permit. The Permittee shall also provide immediate

written notifications to the hauler, municipality in which the solid waste was generated and/or regional facility, for each load that exceeds this 2% volume threshold, in accordance with Condition No. C.6.k.v. of this Permit.

- b. **Storage of scrap metal** (including appliances which have had chlorofluorocarbon liquid removed and propane tanks without valves) shall, upon authorization in accordance with Condition No. B.7.c. of this Permit, not exceed two hundred and fifty (250) cy. Scrap metal stored outdoors shall be placed in containers at the end of each operational Day; and be removed from the Facility within two (2) business days once the containers are full. Any scrap metal that contains used oil shall be managed in accordance with the applicable used oil regulations as specified in Section 22a-449(c)-119 of the RCSA, until the used oil is drained or otherwise removed from the scrap metal. At a minimum, such removed used oil shall be managed in accordance with the above regulation.
- c. **Storage and Processing of cardboard and paper:** Processing of cardboard and paper shall be conducted only on the tipping floor within the Facility building, and processed on a first in/first out basis. Storage within the Facility building shall not exceed five thousand, eight hundred and two (5,802) cy [fourteen thousand, five hundred and forty (14,540) cy upon authorization in accordance with Condition No. B.7.c. of this Permit] and shall be confined to the tipping floor and containers. Outdoor storage of cardboard and paper shall not exceed eight thousand, four hundred and ninety (8,490) cy [four thousand, seven hundred and fifty (4,750) cy upon authorization in accordance with Condition No. B.7.c. of this Permit], which shall be stored in bales or containers. Storage containers shall be kept covered at all times except when material is being actively placed in or removed from the container.
- d. **Storage of spent lead acid batteries** shall be limited to no more than six hundred (600) units, at any one time. The batteries shall not be opened, managed or stored in a manner which may rupture the battery case, cause leakage, or produce a short circuit; and shall be removed from the Facility at a minimum of once every twelve (12) months. Storage shall: (i) not take place near incompatible solid waste or other materials unless the batteries are separated from such other materials by means of a dike, berm, wall or other device to prevent fires, explosions, gaseous emissions, leaching or other discharge of hazardous waste or hazardous waste constituents; and (ii) be done in an area provided with a roof, and an impervious base treated with a sealant that is chemically compatible with the batteries stored, bermed to prevent run-on, and provided with a spill containment system. With respect to the management of lead-acid batteries, the Facility shall comply with the requirements in Section 22a-449(c)-106(c) of the RCSA for lead-acid batteries, or in the alternative, with the requirements in Section 22a-449(c)-113 of the RCSA for Universal Waste batteries.
- e. **Storage of Commingled glass, plastic and metal containers.** The total indoor storage volume shall not exceed six thousand, one hundred and twenty-three (6,123) cy [thirteen thousand and forty (13,040) cy upon authorization in accordance with Condition No. B.7.c. of this Permit]. Outdoor storage shall be confined to storage containers and the storage volume shall not exceed nineteen thousand, five hundred and thirty (19,530) cy [seven thousand, four hundred and

fifty (7,450) cy upon authorization in accordance with Condition No. B.7.c. of this Permit].

- f. **Storage and Processing of mattresses** shall be limited to seven hundred (700) cy and shall be in a designated area of the Facility. Storage of mattresses shall be indoors. Mattresses shall be placed in the designated storage area by the end of each operating Day, and shall be managed so as to maintain their recyclability. Mattresses shall be processed on a first in/first out basis.

The Permittee shall ensure that a copy of the bed bug management plan, prepared in accordance with the document "Best Practices for Bed Bug Management of Mattresses, Bedding and Upholstered Furniture: Guidance Document for the Reuse/Resale and Recycling Industries in Connecticut", is available at the Facility at all times for review by the Commissioner and the Facility's Certified Operator.

- g. **Storage and Processing of Paint and Stain** shall not exceed 1500 gallons of Paint and Stain. Paint and stain shall be accepted only in non-leaking, identifiable, original containers with a capacity of no greater than 5-gallon each, from non-commercial sources. Containers of paint and stain shall not be stored for more than two hundred and forty (240) Days from the date of receipt.

The Permittee shall ensure: (i) upon receipt all containers are stored in (an) enclosed storage area(s) provided with an epoxy-coated impermeable base that is resistant to paint and stain and has a bermed spill containment system that is capable of containing 10% of the total volume of paint and stain stored in the enclosed storage area, and has no floor drains; (ii) containers of latex paint are kept separate from containers of oil-based paint and stain; (iii) the collection, exchange, puncture and storage of oil based paint and stain shall be at least fifty (50) feet from any surface water, catch basin, or any adjacent property; and (iv) no smoking shall be allowed in the collection/storage areas and "No Smoking" signs shall be posted.

The Permittee shall ensure that any containers of oil-based paint and stain not bulked or exchanged at the Facility are transported by a hauler permitted under Section 22a-454 of the CGS to a household hazardous waste Facility (HHWF) permitted under Section 22a-208a of the CGS.

The Permittee may accept and puncture aerosol cans provided that puncturing occurs within thirty (30) Days of receipt. The Permittee shall ensure that the puncturing of aerosol cans is performed in a well-ventilated area and with a device designed to minimize the release of propellants and allows the aerosol cans to drain directly into a storage drum.

The Permittee shall ensure that the storage drums of bulked paint and stain are: (i) inspected daily for cracks and leaks and a log is maintained of each inspection; (ii) elevated to prevent contact with any liquids in the containment area; (iii) consistent with the requirements of the United States Department of Transportation (DOT) pursuant to 49 CFR 173; (iv) labeled with the words, "Waste Latex Paint", "Waste Oil-Based Paint", or "Waste Stain", as appropriate, and in accordance with 49 CFR 172; (v) maintained to prevent corrosion or other

degradation; (vi) kept covered at all times except when being filled or emptied; and (vii) once full the date shall be documented and such drum shall be transported offsite within ninety (90) Days.

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 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;
 - d. Ensure that contingent storage of incidental mixed batteries, mercury-containing lamps, Used Electronics, and 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; (ii) verified 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 another current publicly published number for the Solid Waste Program, or by facsimile at (860) 424-4059; (iii) 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 (iv) be 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 maneuvering and/or 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 manufacturer's 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 of non-recyclable wastes ("threshold contaminant percentages"). For any loads identified that exceed the threshold criteria for load contamination specified in this condition the Permittee shall document them in the daily log and report 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 inspected that exceeds the threshold contaminant percentages specified in Condition No. C.6.i. 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, 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 16301194-M/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.
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 trucks 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 truck idling time within the Facility.
10. The Permittee shall maintain daily records as required by Section 22a-209-10(13) of the RCSA and Sections 22a-208e and 22a-220 of the CGS. Based on such records, the Permittee shall prepare monthly 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;
 - 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; and
 - d. 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.

The monthly 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 forms prescribed by the Commissioner (as may be amended from time to time) directly to the 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.

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, also known as Connecticut's 2016 *Comprehensive Materials Management Strategy*, pursuant to Sections 22a-228 and 229 of the CGS.

12. The Permittee shall maintain the current existing financial assurance instrument that is in place as of the date of issuance of this Permit, and shall update said financial assurance instrument annually within sixty (60) Days of the anniversary date of the issuance of this Permit, until written authorization of the Commissioner is issued pursuant to Condition No. B.7. of this Permit. The Permittee shall, no later than sixty (60) Days after the authorization pursuant to Condition No. B.7. of this Permit is issued, establish for the Commissioner's benefit an acceptable financial assurance instrument and post the financial assurance with the Department in the amount of **\$342,055**, as required by Section 22a-6(a)(7) of the CGS in conjunction with the general requirements of Section 22a-209-4(i) of the RCSA.

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.12. 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 Section 40 CFR 264.143(d)(4).
 - ii. A "Standby Trust Agreement" shall be submitted along with either an 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.
15. 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 pursuant to this condition, the Permittee shall notify the Commissioner in writing of the identity of such other P.E. or consultant by submitting the information and documentation specified in this condition. 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 compliance audits conducted at the Facility on the loads of source separated Recyclable Items 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 a 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 regarding the inspections conducted in accordance with this condition during the Day of the compliance audit;
 - viii. A description of the 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 inspection;
 - iii. The Permittee shall correct all violations immediately. Should the Permittee be unable to immediately correct the violation, the Permittee within seven (7) Days of the notification date under Condition No. C.15.e.ii. of this Permit, 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.15. of this Permit, is submitted to the Department. 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.15.e.iii. 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 a similar sanction for any other violation of this Permit.
- g. **Documentation Submittal Deadlines**
The documents required to be submitted pursuant to this Permit shall be submitted quarterly no later than January 31, April 30, July 31, October 31, directly to the Solid Waste Enforcement 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.
16. Unless otherwise specified in writing by the Commissioner, any documents 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
17. 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.
18. 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.

19. 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.
20. 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.
21. Nothing in this Permit shall relieve the Permittee of other obligations under applicable federal, state and local laws.
22. Permit to Construct and Operate No. 16301194-PCO, issued on March 18, 2016, is no longer in effect and is replaced by this Permit.
23. Temporary Authorization No. 201702064-TA, issued to the Permittee on February 14, 2017, is no longer in effect and is superseded by the terms of this Permit.
24. This Permit shall expire on March 18, 2021 and may be revoked, suspended, modified, renewed, or transferred in accordance with applicable laws.

Issued on this 7th day of June, 2017.

By Robert E. Kaliszewski
Robert E. Kaliszewski
Deputy Commissioner

Application No. 201615749
Permit to Construct and Operate No. 16301194-M/PCO
Permittee – Certified # or e-Certified

