Stewardship Permit

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

Permittee:
Town of Watertown
61 Echo Lake Road
Watertown, CT 06795

Facility Identification:
EPA ID No. CTD991289398
Permit Number: DEEP/REM/SP/2024-5981

To perform long-term stewardship, including groundwater monitoring and maintenance of the landfill cap and site-wide environmental investigation and cleanup (corrective action measures) at the hazardous and solid waste disposal facility in accordance with Connecticut General Statutes (CGS) Sections 22a-6, 22a-208a, 22a-449(c), and Section 22a-449(c)-110 of the Regulations of Connecticut State Agencies (RCSA) as specified in the conditions set forth in this permit.

This permit regulates and authorizes the Permittee to perform groundwater monitoring, post-closure care and maintenance of the landfill, any engineered controls and corrective action measures at the facility. The permit does not authorize operation of a hazardous and solid waste management facility in the sense of treating, storing, or disposing of hazardous and solid wastes generated off-site. This permit represents a renewal of a previously issued Stewardship Permit for this Facility.

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

This permit is based on the information described in the Stewardship Permit application (Application No. 202005149) filed on March 27, 2020, subsequent emails, and the previously issued Stewardship Permit for this Facility. The Permittee must keep records of all data used to complete the permit application and any supplemental information submitted for the effective term of this permit. The permit application is incorporated by reference as part of the permit. Any false statements or inaccuracies contained in the information submitted by the Permittee may result in the suspension, revocation or modification of this permit and civil or criminal enforcement action.

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

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

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

The Permittee shall submit notifications and request for revisions to this permit in accordance with RCSA 22a-449c-110, incorporating with changes 40 CFR 270. Any application shall be approved in writing by the Commissioner prior to the Permittee implementing such change. The Permittee shall submit an application for a renewal of this permit to the Commissioner at least one hundred eighty (180) calendar days prior to its expiration date.

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

September 27, 2024
Date

Graham Stevens
Bureau Chief
Bureau of Water Protection & Land Reuse

STEWARDSHIP PERMIT

Town of Watertown

Watertown Landfill
0 Old Baird Road
Watertown, CT

EPA ID No. CTD991289398
Permit No. DEEP/REM/SP/2024-5981

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SECTION I
STANDARD FACILITY CONDITIONS

Town of Watertown

EPA ID No. CTD991289398

Permit No. DEEP/REM/SP/2024-5981

SECTION I
STANDARD FACILITY CONDITIONS

A. EFFECT OF PERMIT

Except as is provided in the Regulations of Connecticut State Agencies (RCSA) Section 22a-449(c)-110(a)(2) and except for any federally enforceable requirement(s), compliance with this permit (Permit) during its term constitutes compliance, for purposes of enforcement, with Connecticut General Statutes (CGS) Sections 22a-208a and 22a-449(c). This Permit may be modified, revoked and reissued, or terminated during its term as set forth in RCSA Section 22a-449(c)-110(a)(1), which incorporates by reference, with changes, Title 40 of the Code of Federal Regulations (40 CFR) Parts 270.41, 270.42 and 270.43.

To fulfill requirements of both the Connecticut Solid Waste Management Regulations and the Connecticut Hazardous Waste Management Regulations, the Permittee shall perform the activities required in Section II and Section III of this Permit. In the event of a conflict between the Permittee's application and the requirements of this Permit, the requirements of this Permit shall take precedence and apply.

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

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

B. SEVERABILITY

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

C. CONFIDENTIAL INFORMATION

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

D. IMMINENT HAZARD ACTIONS

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

E. DUTIES AND REQUIREMENTS

1. Duty to Comply

   The Permittee shall comply with all conditions of this Permit except that the Permittee need not comply with the conditions of this Permit to the extent and for the duration such noncompliance is authorized in an Emergency Permit that explicitly authorizes any such noncompliance. Noncompliance by the Permittee with the terms of this Permit, except under the terms of an Emergency Permit, shall

constitute a violation of this Permit and any applicable laws or regulations and is grounds for enforcement action, for Permit termination, revocation and reissuance or for denial of a Permit renewal. Emergency Permit as used herein shall mean Emergency Permit as identified in RCSA Section 22a-449(c)-110(a)(1) incorporating 40 CFR 270.61.

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

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

2. Duty to Reapply

This Permit shall expire ten (10) years after the effective date of this Permit. The Permittee shall renew this Permit if any activity required under this Permit is not completed prior to the expiration date of this Permit. The Permittee shall apply for renewal of this Permit one hundred and eighty (180) calendar days prior to the date of expiration of this Permit, in accordance with RCSA Sections 22a-449(c)-104(a) and 22a-449(c)-110 incorporating 40 CFR 264.101 and 270.10(h) and any other applicable law.

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

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

4. Need to Halt or Reduce Activity Not a Defense

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

5. Duty to Mitigate

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

6. Permit Actions

This Permit may be modified, revoked and reissued, or terminated as provided for in 40 CFR 270.41, 270.42 or 270.43, and in accordance with all applicable law, including but not limited to, CGS Sections 22a-6g and 6h and RCSA Sections 22a-3a-5 and 22a-449(c)-110. The filing of a request by the Permittee for a Permit

modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any condition of this Permit.

7. Property Rights

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

8. Duty to Provide Information

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

9. Operation and Maintenance of Remedial Systems

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

10. Inspection and Entry

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

(a) Enter at reasonable times upon the Site where a regulated activity is located or conducted, or where records must be kept under the conditions of this Permit;

(b) Have access to and copy, at reasonable times, any records that shall be kept under the conditions of this Permit;

(c) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, operations regulated or required under this Permit; and

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

11. Security

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

The Permittee shall secure the Facility to the extent necessary to protect human health.

12. Preparedness, Prevention, Contingency Plan and Emergency Procedures

(a) The Permittee shall comply with the requirements of RCSA Section 22a-449(c)-104(a)(1) incorporating 40 CFR 264 Subpart C "Preparedness and Prevention" and 40 CFR 264 Subpart D "Contingency Plan and Emergency Procedures" until active remediation is complete.

(b) The Permittee shall ensure that each entity under contract to provide emergency response services at the Facility has a Permit, issued by the Commissioner pursuant to CGS Section 22a-454, authorizing such entity to provide emergency response services. The Permittee shall maintain a copy of such Permit in the operating record for its Facility. The Permittee shall ensure that any action(s) taken by an entity (including such entity's officers, employees, agents and subcontractors) providing emergency response services at its Facility conforms to the requirements of this Permit.

(c) The Permittee shall ensure that each entity under contract with the Permittee to provide emergency response services visits the Site annually so that such entity is familiar with the Permittee's Site and can respond to an emergency. The Permittee shall maintain in the operating record for its Facility a certification, in accordance with the requirements of RCSA Section 22a-449(c)-110 incorporating 40 CFR 270.11, attested to by each emergency response entity under contract with the Permittee to provide emergency response services, stating that such entity has complied with the requirements specified in this paragraph.

13. Monitoring and Records

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

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

Records for monitoring information shall include:

(i) The date, exact place and time of sampling or measurements;

(ii) The individual(s) or company who performed the sampling or measurements;

(iii) The date(s) analyses were performed;

(iv) The individual(s) or company who performed the analyses;

(v) The analytical techniques or methods used; and

(vi) The results of such analyses.

14. Operating Record

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

(a) Summary reports and details of all incidents that require implementing the Contingency Plan pursuant to 40 CFR 264 Subpart D;

(b) Records and results of inspections as required by this Permit, except this data need only be kept for three (3) years from the date of any such inspection;

(c) Monitoring, testing or analytical data, and corrective action where required by 40 CFR 264 Subpart F or any regulatory section noted in 40 CFR 264.73(b)(6);

(d) All closure and corrective action cost estimates under RCSA Section 22a 449(c) 104 and 40 CFR 264.142 and 40 CFR 264 Subpart H; and

(e) Any other information required by this Permit or by any applicable law to be maintained in the Facility Operating Record.

15. Signatory Requirements

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

16. Transfers

This Permit is not transferable to any person without the advanced written authorization of the Commissioner, who may request whatever information the Commissioner deems necessary regarding the potential transferee. Before any such transfer, the Permittee and any proposed transferee shall fully comply with the requirements of CGS Section 22a-6o. The Commissioner may require modification or revocation and reissuance of this Permit to change the name of the Permittee and as an incident to any such transfer, incorporate such other requirements, as the Commissioner deems necessary.

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

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

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

17. Reporting Requirements

(a) Anticipated Non-Compliance. The Permittee shall give as much advance written notice as possible to the Commissioner of any planned changes in the Facility or activity, which may result in non-compliance with any requirement of this Permit.

(b) Compliance Schedules. Except where otherwise provided for in this Permit, reports of compliance and non-compliance with, or any progress reports on, interim and final requirements contained in any Compliance Schedule (Section III) of this Permit, shall be submitted no later than fourteen (14) calendar days following each schedule date, to the extent such reports are required herein.

(c) 24-Hour Reporting.

(i) The Permittee or designee shall verbally report to the Commissioner any remediation or waste related activity at its Facility, irrespective of whether such activity is in compliance with the requirements of this Permit, which does or may pose an imminent and substantial endangerment to human health or the environment, immediately but not later than twenty-four (24) hours from the time the Permittee becomes aware or should be aware of the circumstances causing such endangerment.

The report to the Commissioner shall include:

(A) Name, address, and telephone number of the Permittee;

(B) Name, address, and telephone number of the Facility;

(C) Date, time and type of incident;

(D) Description of the occurrence and its cause;

(E) Name and quantity of waste(s) or constituents thereof involved;

(F) The extent of injuries, if any;

(G) An assessment of actual or potential hazards to human health and the environment;

(H) Estimated quantity and disposition of recovered waste that resulted from the incident;

(I) All information concerning the release of any waste or constituents thereof that may cause an endangerment to public drinking water supplies; and

(J) All information concerning a release or discharge of waste or constituents thereof or of a fire or explosion from the Facility, which could threaten human health or the environment

(ii) A written submission shall also be provided within five (5) calendar days of the time the Permittee becomes aware of the circumstances described in subdivision (i) above. The written submission shall contain a description of the endangerment and its cause; the period of endangerment including exact dates and times, if the endangerment has been abated, and if not, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the endangerment. The Permittee shall maintain in the operating record of its Facility a copy of all such written reports. The Commissioner may waive the five (5) day written notice requirement in favor of a written report within fifteen (15) days of the incident requiring reporting.

(iii) Nothing in this section shall affect or relieve the Permittee of its obligations under CGS Sections 22a-6u or 22a-450.

(d) Other Noncompliance. The Permittee shall report all instances of noncompliance with this Permit not otherwise required to be reported by this Permit to the Commissioner as part of any other required monitoring report, no later than thirty (30) days of the date the Permittee is aware, or reasonably should have been aware of any such noncompliance. Any such report shall contain, at a minimum, the information listed in the 24-Hour Reporting requirements section of this Permit.

(e) Other Information. When the Permittee becomes aware that it failed to submit any relevant facts or information in a Permit application, or submitted incorrect information in a Permit application, report or other document provided to the Commissioner regarding this Permit, it shall submit such relevant facts or correct information to the Commissioner within thirty (30) calendar days of becoming aware of such facts or information.

18. Computation of Time

(a) Except as is expressly provided for in this Permit, the computation of time periods set forth in this Permit shall be as follows:

(i) Any time period scheduled to begin on the occurrence of an act or event shall begin on the day after the act or event.

(ii) Any time period scheduled to begin before the occurrence of an act or event shall be computed so that the period ends on the day before the act or event.

(iii) If the final day of any time period falls on a Saturday, Sunday or a federally or state recognized legal holiday, the time period shall be extended to the next working day.

(b) Submission of Reports. Where this Permit requires the submission of a written report, a notification or other information or documentation to the Commissioner, the report or notification shall be deemed submitted on the date such report, notification or other information is received by the Department.

19. Availability, Retention and Disposition of Records

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

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

20. Additional Requirements

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

21. Federal, State and Local Laws

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

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

22. Modification of the Compliance Schedule

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

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

23. Delegation of a Licensed Environmental Professional

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

(a) Notwithstanding a delegation to a LEP, all required documents pursuant to this Permit shall be submitted to the Commissioner.

(b) In the event the Commissioner revokes the LEP delegation then the Permittee shall ensure all reports and documents required by this Permit are submitted for the Commissioner's review and written approval within the timeframes specified.

(c) The Permittee shall notify the Commissioner in writing of the identity of any LEP other than one previously identified by the Permittee, within ten (10) days after assigning or retaining any LEP for the purpose of addressing the actions required by this Permit. The Permittee shall submit to the Commissioner a description of the assigned LEP's education, experience and training which is relevant to the work required by this Permit within ten (10) days after a request for such a description has been made. Nothing in this paragraph shall preclude the Commissioner from finding a previously acceptable LEP unacceptable.

F. DEFINITIONS

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

1. "Active Remediation" or "Active Remedial Activities" shall mean the period prior to completion of activity conducted pursuant to Section II of this Permit, with the exception of that period when the only remaining activity are activities such as post-remedial monitoring or monitored natural attenuation.

2. "Annual" with respect to monitoring shall mean that any associated required inspections, sampling, and analysis shall occur no later than December 31st of the calendar year. The results of such sampling and analysis shall be submitted to the Commissioner no later than March 1st of the subsequent year.

3. "Area of Concern" or "AOC" shall mean any area has had a probable release of a hazardous waste or hazardous constituents and that is determined by the Department to pose a current or potential threat to human health or the environment.

4. "Certificate of Completion" shall mean a document recognizing the Commissioner's determination that all environmental investigation and remediation has been completed and no long-term stewardship obligations remain. This non-regulatory certificate is issued based on the Commissioner's regulatory determination that a Permit is not needed for the Facility or portion of Facility.

5. "Certificate of Stewardship" shall mean a document recognizing the Commissioner's issuance of a Long-Term Stewardship Permit for the Facility. This non-regulatory certificate is issued to communicate that the Permit's purpose is not to authorize commercial waste management operations, and is limited to environmental investigations, remediation, and long-term stewardship obligations.

6. "CFR" shall mean the Code of Federal Regulations.

7. "Commissioner" shall mean the Commissioner of Energy and Environmental Protection as defined in the CGS Section 22a-2 or the Commissioner's duly authorized designee.

8. "Constituent of Concern" shall mean a component, breakdown product, or derivative of a substance that may be found in the environment as a result of a release at or from the Facility, or a reaction caused by such a release, and that is determined by the Department to pose a current or potential threat to human health or the environment.

9. "Corrective Action" shall mean the process of identifying, investigating, and remediating releases of hazardous constituents to the environment. "Corrective action" and "remediation" may be used interchangeably in this Permit.

10. "Department" or "DEEP" shall mean the Connecticut Department of Energy and Environmental Protection.

11. "Discover," "Discovery," or "Discovered" refer to the date on which the Permittee either: (i) visually observes evidence of a new Solid Waste Management Unit (SWMU) or Area of Concern (AOC), (ii) visually observes evidence of a previously unidentified release of hazardous constituents to the environment, (iii) receives information which suggests the presence of a new release of hazardous waste or hazardous constituents to the environment, or (iv) receives information which indicates the presence of a previously undocumented release of hazardous waste or hazardous waste constituents to the environment.

12. "Environmental Land Use Restriction (ELUR)" or "Environmental Use Restriction (EUR)" shall have the same meaning as those terms are defined in Section 22a-133q-1 of the Regulations of Connecticut State Agencies.

13. "Facility" shall mean, pursuant to 40 CFR 260.10 all contiguous land, and structures, other appurtenances, and improvements on the land, used for treating, storing or disposing of hazardous waste and all contiguous property under control of the owner or operator.

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

    For the purposes of the Permit, Facility shall mean the 23.5-acre parcel of land located on Old Baird Road in Watertown, CT, recorded as Map 107, Block 14, Lot 8 in the Town of Watertown land records, as shown on the Site Map in Appendix A and subject to the requirements of this Permit.

14. "Final Closure" shall mean the completion of the closure of all Hazardous Waste Management Units at the Permittee's Facility in accordance with the requirements of this Permit.

15. "Hazardous Waste" or "Hazardous Wastes" shall mean hazardous waste as identified or listed as hazardous waste pursuant to 42 U.S.C. Section 6901 et. seq. and RSCA Section 22a-449(c)-101.

16. "Hazardous Waste Management Unit" or "HWMU" shall mean a contiguous area of land on or in which hazardous waste is placed, or the largest area in which there is a significant likelihood of mixing hazardous waste constituents in the same area and are subject to the closure and post-closure requirements of 40 CFR 264 Subpart G. Examples include: surface impoundment, waste pile, land treatment area, landfill cell, incinerator, a tank, and a greater than 90 day storage area.

17. "Land Disposal Unit, Land Disposal Facility" shall mean for the purpose of this Permit, the "Metal Hydroxide Sludge Cell Area" and the "Municipal Solid Waste Area".

18. “Metal Hydroxide Sludge Cell Area” means the <1-acre area located along the western border of the Municipal Solid Waste Area that was used for the disposal of hazardous wastes (EPA hazardous waste codes K063 and F006) from local industries.

19. “Municipal Solid Waste Area” means the approximately 13-acre area located in central portion of the Facility and west of Old Baird Road that was used by the Town of Watertown for the disposal of municipal solid wastes.

20. “Permittee” shall mean the person responsible for the overall operation of the facility who has been issued a license by the Commissioner. As used herein “person” is defined in Section 22a-423, Chapter 446k, of the CGS and “license” is defined in Section 4-166, Chapter 54 of the CGS.

21. “Post-Closure Period” shall mean the period during which waste remains in place in a land disposal unit and maintenance and monitoring is required. The Commissioner is extending the Post-Closure Period for a minimum of ten (10) years from the date of this Permit’s issuance, and for as long as this Permit is renewed or continues in effect, because waste or contamination remains in place. In the event all wastes and contaminated environmental media are removed, an alternate Post-Closure Period may be approved by the Commissioner.

22. “Quarterly” with respect to inspections, sampling and analysis shall mean that the inspections, sampling and analysis shall occur approximately once every three (3) consecutive months in a calendar year (e.g. January, April, July and October). The results of such inspections, sampling and analysis shall be submitted to the Commissioner according to the schedules established in the Long-Term Stewardship Plan(s).

23. “Regulated Unit” shall mean a surface impoundment, waste pile and land treatment unit or landfill that received hazardous waste after July 26, 1982, and is subject to the requirements of 40 CFR 264.91 through 264.100 for detecting, characterizing and responding to releases in the uppermost aquifer.

24. “Remediation” shall mean the process of identifying, investigating, and remediating releases of hazardous constituents to the environment. “Corrective action” and “remediation” may be used interchangeably in this Permit.

25. “Remediation Standard Regulations” (RSRs) means the Connecticut Remediation Standard Regulations as defined in the Regulations of Connecticut State Agencies (RCSA), Sections 22a-133k-1 through 22a-133k-3, adopted January 1, 1996, and amended June 27, 2013, and as otherwise amended.

26. “Semi-annual” with respect to inspections, sampling and analysis shall mean that sampling and analysis shall occur approximately once every six (6) consecutive months in a calendar year (e.g. during January and July, or April and October). The results of such inspections, sampling and analysis shall be submitted to the Commissioner according to the schedules established in the Long-Term Stewardship Plan(s).

27. “Site” shall mean the same or geographically contiguous property which may be divided by public and private right-of-way, provided the entrance and exit between the properties

is at a cross-road intersection, and access is by crossing opposed to going along, the right-of-way. Non-contiguous properties owned by the same person but connected by a right-of-way that such person controls and to which the public does not have access, is also considered part of the site property. The terms “Facility” and “Site” may be used interchangeably in this Permit.

28. “Solid Waste Management Area” or “SWMU” shall mean any unit which has been used for the treatment, storage or disposal of solid or hazardous wastes at any time, or any area that has been contaminated by routine or systematic releases of hazardous waste or hazardous constituents and are subject to the corrective action requirements of 40 CFR 264 Subpart F.

29. “Verification” shall mean the rendering of a written opinion by a licensed environmental professional on a form prescribed by the commissioner that an investigation of the parcel has been performed in accordance with prevailing standards and guidelines and that the Facility has been remediated in accordance with the remediation standards.

SECTION II
AUTHORIZED ACTIVITIES

Town of Watertown

EPA ID No. CTD991289398

Permit No. DEEP/REM/SP/2024-5981

SECTION II
AUTHORIZED ACTIVITIES

A. LONG-TERM STEWARDSHIP RESPONSIBILITIES

1. Long-Term Stewardship Plans

The Permittee has submitted the following plans with the Stewardship Permit Application and in subsequent emails:

a. Revised Post Closure Plan dated 2011, which summarizes the landfill closure and post-closure plans and operations, maintenance, and monitoring obligation for all land disposal units on site, including the monitoring plan for landfill gas systems operations and gas migration monitoring.

b. Revised Water Quality Monitoring Plan dated June 2021 which summarizes post-closure groundwater and surface water monitoring frequency and obligations, drinking water well monitoring, and maintenance of treatment systems for drinking water wells.

c. Public Participation Plan dated March 2011.

The above plans will be collectively referred to in this Permit as "Plans" or the "Long Term Stewardship Plan" and were previously approved by the Commissioner pursuant to the previously issued Stewardship permit or are hereby approved by the Commissioner upon the date of issuance of this Permit.

2. Revisions to Approved Plans

If at any time the Commissioner or the Permittee determines that a revision to any of the approved Plans is needed or required, the Permittee shall determine the Class of the revision in accordance with 40 CFR 270, Appendix I.

a. For Class 1 revisions, as described in 40 CFR 270, the Permittee shall submit a written notification or request for the Permit modification to authorize a change in the approved Plan in accordance with the applicable requirements of 40 CFR 124 and 40 CFR 270. The written notification or request must include a copy of the amended Long-Term Stewardship Plan for the Commissioner's records.

b. For Class 2 or 3 modifications of the Permit, the Permittee shall submit a new application for a modification to the Stewardship Permit and complete subsequent actions pursuant to 40 CFR 270.42. The Commissioner may require the Permittee to prepare and submit for the Commissioner's review and written approval a revised Long-Term Stewardship Plan.

3. Copy of Approved Plans

The Permittee shall ensure that a copy of any approved Plan is kept at the Facility or at an alternate location acceptable to the Commissioner.

4. Implementation of Long-Term Stewardship Plan:

Upon written approval of a Long-Term Stewardship Plan from the Commissioner, the Permittee shall perform long-term stewardship obligations for remediation systems, engineered controls, institutional controls, and post-closure care of any

Hazardous Waste Management Units inclusive of surface and groundwater monitoring in accordance with approved plans.

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

(b) Operate and Maintain Remediation Systems, Monitoring Systems and Engineered Controls. The Permittee shall operate and maintain applicable remediation systems and engineered controls as warranted in accordance with any previously approved Operations and Maintenance Plan for any existing approved engineered control(s) in use at the Facility.

(c) Inspection Obligations. The Permittee shall inspect the Land Disposal Units for malfunctions, deterioration, and discharges, which may lead to any release of a substance. The Permittee shall remedy any deterioration which an inspection reveals, to ensure that the problem does not lead to an environmental hazard. Where a hazard is imminent or has already occurred, remedial action shall be taken immediately.

The Permittee shall ensure inspections are performed on a quarterly basis either by, or under the direction of, a registered professional engineer or a licensed environmental professional. Such inspections shall include, but not be limited to:

(i) Odors and dust control;

(ii) Conditions of the access road:

(iii) Erosion, settling, subsidence or other events that may affect the grading;

(iv) Integrity of the final cover materials, soils and vegetation;

(v) Drainage controls;

(vi) Leachate seeps; and

(vii) Groundwater monitoring systems.

The Permittee shall record all inspections in an inspection log. The inspection logs shall include: the date and time of the inspection, the name of the inspector and company or affiliation, a notation of the observations made, and the date and nature of any repairs. Such records shall be kept for at least three (3) years from the date of inspection or for longer if a more stringent condition applies and maintained in either an electronic format with a copy available to the Commissioner upon request, or a written copy in the Facility’s Operating Record.

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

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

5. Maintenance of Final Cover

The Permittee shall ensure that the final cover for the Land Disposal Unit is properly maintained and repaired, when necessary, in accordance with the approved Long-Term Stewardship Plan. Examples of proper maintenance shall include, but not be limited to, ensuring that:

(a) Established vegetation is cut to the proper length to ensure that the root depth is less than six (6) inches;

(b) For areas in which erosion has occurred, the lost material shall be replaced and the area re-seeded;

(c) Obstructions to the drainage structures are removed and properly disposed; and

(d) The Permittee shall maintain systems and remedy any deterioration which an inspection reveals a release has or is likely to occur to ensure that the problem does not lead to an environmental hazard. Where a hazard is imminent or has already occurred, remedial action shall be taken immediately.

6. Notification Requirements for Newly Discovered Releases

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

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

7. Future Corrective Action

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

8. Public Notice Requirements

The Permittee shall provide public notice of any proposed remediation. Each public notice must provide a forty-five (45) calendar day comment period and a public information meeting no earlier than thirty (30) calendar days from the date of the public notice and no later than forty-five (45) calendar days after the public notice.

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

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

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

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

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

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

9. Miscellaneous

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

B. FINANCIAL RESPONSIBILITY

1. Cost Estimates

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

Note a fifteen percent (15%) contingency shall be applied to the estimates for unforeseeable elements or events which may increase the cost of performing closure, post-closure care and corrective action.

2. Establishment of Financial Assurance

In accordance with the time frame specified in the Compliance Schedule of this Permit, the Permittee shall establish and continually maintain financial assurance using one or more of the instrument formats prescribed by the Commissioner for closure, post-closure care, investigation and remediation of the Site or areas affected by the Site. Municipalities may use a municipal financial test as prescribed by the Commissioner.

3. Inflationary Adjustments

The Permittee shall adjust amounts of financial assurance to reflect inflationary costs as required by RCSA Section 22a-449(c)-104 incorporating 40 CFR 264.142, and any factors that bear on the cost of performing the work that remains to be completed under this Permit. Adjustments shall be made each year, on the anniversary of the establishment of the mechanism(s) for financial assurance until the Commissioner releases the Permittee from the financial assurance requirements of this Permit.

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

4. Periodic Reductions

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

5. Maintain Financial Assurance

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

SECTION III
COMPLIANCE SCHEDULE

TOWN OF WATERTOWN

EPA ID No. CTD991289398

Permit No. DEEP/REM/SP/2024-5981

SECTION III
COMPLIANCE SCHEDULE

A. RETENTION OF LICENSED ENVIRONMENTAL PROFESSIONAL

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

B. SCHEDULE OF WORK

Within 60 days of the effective date of this Permit, the Permittee shall submit for the Commissioner's review and written approval a proposed schedule for the submission and implementation of the items below.

Item	Description	Submittal Due Date
PFAS Baseline Monitoring Plan	Submit a water quality sampling plan for an initial assessment of per- and polyfluorinated alkyl substances (PFAS) in groundwater and surface water. Such plan shall be consistent with Connecticut RCSA 22a-449(c)-104 which incorporates 40 CFR 264 Subpart F. Subsequent rounds of testing, including drinking water, may be required depending on reported concentrations.	Plan submitted within 90 days of the effective date of this Permit. Initial sampling shall be completed within 365 days of the effective date of this Permit.
Updated Cost Estimates	The Permittee shall submit for the Commissioner's review and written approval the cost estimate for completing corrective action and for implementing long-term stewardship obligations in accordance with the requirements of Section II of this Permit.	Within 90 days of the effective date of the Permit.
Revised Quality Assurance Project Plan	Submit a revised QAPP including any updated procedures or laboratory methods such as for PFAS	Within 270 days of the effective date of this Permit.

C. MAINTAIN FINANCIAL ASSURANCE

Within one hundred fifty (150) calendar days of the Commissioner's approval of the cost estimate submitted in accordance with this Permit, the Permittee shall continually maintain

financial assurance using one or more financial assurance mechanisms prescribed by the Commissioner for post-closure care inclusive of groundwater monitoring of the Site or areas affected by the Site.

D. ANNUAL PROGRESS REPORTS

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

Such reports shall, at a minimum:

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

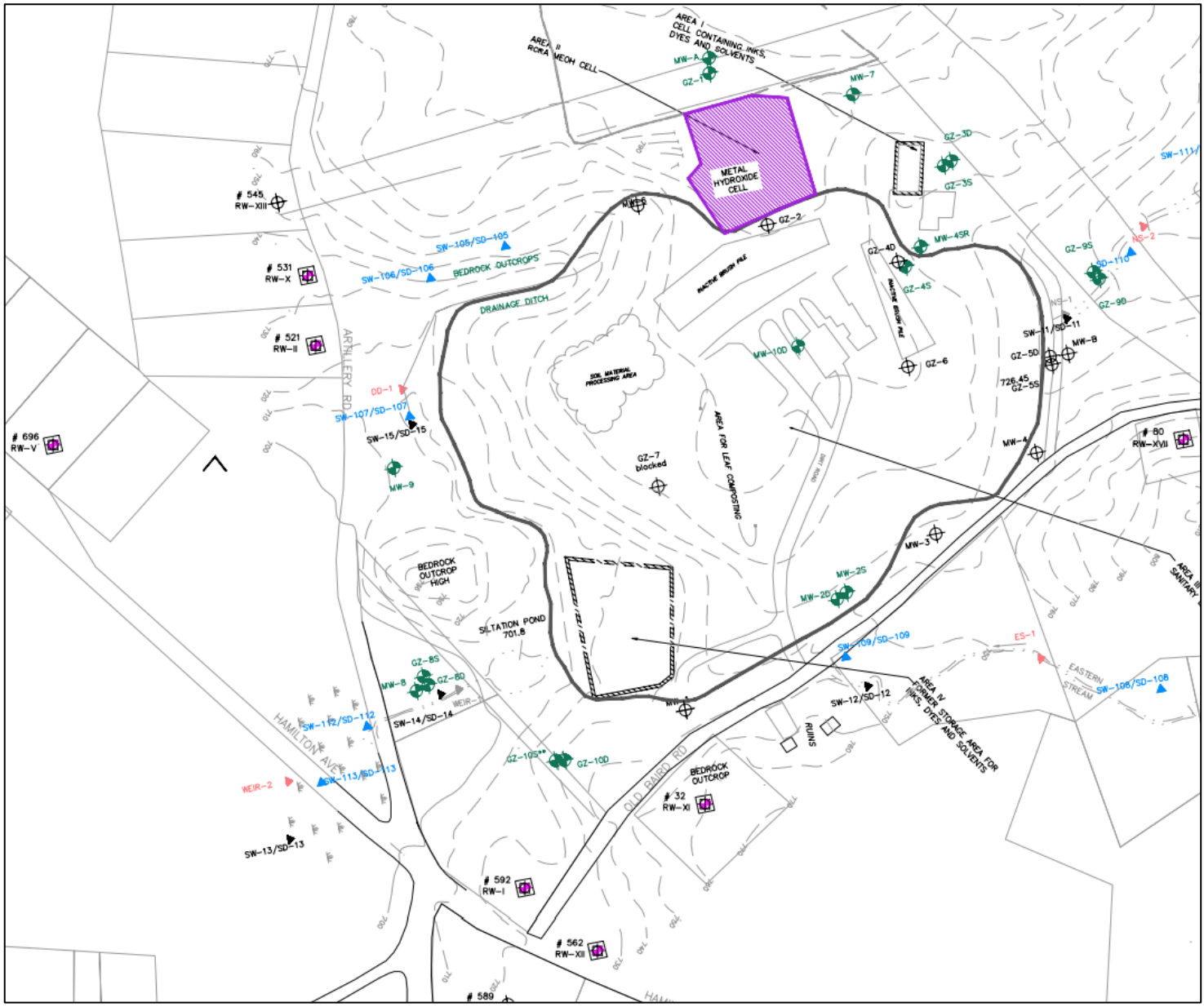
The Commissioner may issue a notice of deficiency to require the modification and revision of the Annual Progress Report. The Commissioner may respond to requests for changes in any plans being implemented at the Facility that are included in the Annual Progress Report. The Annual Progress Report shall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

APPENDIX A
SITE MAP

TOWN OF WATERTOWN

EPA ID No. CTD991289398

Permit No. DEEP/REM/SP/2023-5981



LEGEND:

- PROPERTY LINE
- EXISTING GROUND CONTOUR
- APPROXIMATE EXTENT OF LANDFILL BASED UPON RHI REPORT DATE – 6/81
- UNNAMED STREAM
- STONE WALL
- APPROXIMATE LOCATION OF STREAM WITH FLOW DIRECTION INDICATOR
- WETLANDS
- GROUNDWATER MONITOR WELL LOCATION WELL INCLUDED IN MONITORING PROGRAM.
- GROUNDWATER MONITOR WELL LOCATION WELL NOT INCLUDED IN MONITORING PROGRAM.
- RESIDENTIAL MONITORING LOCATION
- SCREENING–LEVEL ECOLOGICAL RISK ASSESSMENT SAMPLE LOCATION
- 2019 SUPPLEMENTAL SCREENING–LEVEL ECOLOGICAL RISK ASSESSMENT SAMPLE LOCATION